

ORDINANCES AND RESOLUTIONS

**CITY COUNCIL
May 28, 2002**

To: Mayor and City Council

From: George J. Rodericks, City Manager

**SUBJECT: ORDINANCE NO. 2002-0481 & 2002-0482
PLANNING & ZONING CHANGES**

BACKGROUND

For the past several months, staff and the Community Development Committee have been reviewing potential revisions to the City's Municipal Code. These changes will enhance the City plan review process and clarify several issues with regard to height measurement, setbacks, carports, and minor accessory equipment.

At the March 19, 2002 City Council meeting, the City Council introduced for first reading Ordinance No. 2002-0481 and set April 23rd as the Public Hearing Date for Ordinance No. 2002-0482.

On April 23, 2002 the City Council conducted a public hearing and reintroduced for first reading Ordinance No. 2002-0481 and Ordinance No. 2002-0482.

FINDINGS

Ordinance No. 2002-0482 makes several revisions to the Municipal Code. The intent of these proposed revisions is to enhance the process for approval of new structures. This is accomplished through a Site Plan Review Process. Currently, the City does not have a Site Plan Review Process. The Building Inspector reviews plans and makes a determination if the project requires special review by the City's Planning staff or City Council. In most communities, this process is reversed. Reversing the process prevents the applicant from preparing detailed plans and specifications and paying fees for a project that may ultimately not be approved if a Variance or Conditional Use Permit is denied or approved with conditions. Plan review through a Site Plan Review Process allows staff to make a determination at the beginning of the process if the project needs a Conditional Use Permit or Variance and bring the plans to the City Council for review if required.

In addition to the Site Plan Review Process, the Ordinance modifies the definition of building height to be the more restrictive of finished ground surface or the average existing grade. This provides a more definitive definition and one that is generally easier to apply to existing conditions.

The Ordinance also modifies the definition detached structures and setback distance. The definition of detached structures is modified to add a minimum separation distance of not less than ten (10) feet between the adjacent walls of two structures used for residential occupancy. The definition of setback distance is modified to eliminate the

difference in measurement (eave versus outside wall) of main structures and accessory structures. For Accessory Structures, eaves are limited to a maximum of 30 inches.

Relevant sections of the Municipal Code are modified to clarify that a 2-car garage is required and a carport cannot be used as an alternative and modifies the definition of a structure to include anything defined as a structure under the Uniform Building Code.

Final revisions have been made with regard to landscaping, decks, and re-roofing. These revisions include requirements for a minimum of 50% of the required front setback to be landscaped material; and determination of the measurement of the height of deck.

Ordinance No. 2002-0481 enacts a building code standard to require re-roof of the entire structure to Class "A" if more than 40% of the entire roof area is re-roofed during any one-year period.

Site Plan Review Fees

The Site Plan Review Process will include the review of any addition or minor equipment addition to the exterior of a property. The process will involve a review by the City Manager or his/her designee to determine compliance with all applicable zoning codes. The City Engineer will make a determination on the right-of-way improvements necessary for completion of a particular project. A fee will be required for this review.

Staff will review the City's zoning permit fees and return a resolution for adoption at the final reading of Ordinance No. 2002-0482.

FISCAL IMPACT

The fees collected through the Site Plan Review process are estimated at \$100.00.

RECOMMENDATION

It is recommended that the City Council introduce for second reading and adoption Ordinance No. 2002-0481 and Ordinance No. 2002-0482.