



MAYOR AND COUNCIL COMMUNICATION

DATE: 3/19/2013

CONSENT

ITEM #: 7

RESOLUTION/ORDINANCE

AGENDA ITEM: Amendments to Article 9 of the Zoning Ordinance – Rural Districts

SUBMITTED BY: Kyle Klatt, Planning Director

THROUGH: Dean A. Zuleger, City Administrator

REVIEWED BY: Planning Commission
Nick M. Johnson, City Planner

SUMMARY AND ACTION REQUESTED:

The City Council is being asked to consider text amendments to the Zoning Ordinance to revise the zoning district regulations for the City's rural districts (those portions of the City that will not be served by the sanitary sewer system or that represent existing developments that were built prior to the revised Comprehensive Plan). The revised sections will be placed under Article 9 beginning at Section 154.400 in the new numbering system. All of the formatting for these sections is now consistent with the other recent changes to the Zoning Ordinance, including the urban residential district standards, definitions, and introductory provisions that have previously been approved by the City Council.

BACKGROUND INFORMATION:

Staff has made various modifications to the rural district standards in order to bring them up-to-date and to improve consistency throughout the code. The major changes from the existing ordinance include the following:

- The rural districts have been reformatted using the new ordinance numbering and organizational scheme.
- The districts are better organized using the urban districts as a guide.
- The rural districts now make use of the more complete list of use classifications and definitions previously approved by the City,
- The area that must be set aside on individual lots for septic drain fields has been reduced from 1 acre to 20,000 square feet in order to match the existing standards in RE – Residential Estate districts. Two treatment sites must still be identified on each building site for a primary and secondary system. Please note that the County rules require 10,000 square feet of area (5,000 for each of the primary and secondary sites) for drain fields.
- The existing provisions related to clustering in A and RR zones have been removed.

The other significant change proposed is the addition of a RT – Rural Development Transition District that is intended to take the place of the City's existing holding zones in areas that are planned for future

sewered development. Staff believes that the proposed RT district will serve the same purpose as the numerous holding zones that are currently used while greatly simplifying the overall ordinance.

As part of the Ordinance to adopt the proposed changes, Staff has drafted language to eliminate the existing ordinance sections for the A, RR and RE districts since there is a corresponding replacement in the new code. The elimination of the other duplicative districts will need to wait until the City Council is able to take action on the required zoning map amendments to add the new or revised districts to the map.

PLANNING COMMISSION REPORT:

The Planning Commission reviewed the proposed ordinance revisions at its March 11, 2013 meeting. There were no comments from the public at the meeting.

The Commission reviewed the rear yard accessory building setbacks for the RR residential district and recommended that this setback be left at 40 feet. The Commission also requested that the section concerning unserviced lots be amended to reference water services rather than general utilities. The Commission discussed the impact of the proposed changes, and generally discussed how the RT district would be implemented.

The Commission recommended approval of the proposed ordinance amendments with a vote of 6-1. The Commissioner voting against the motion expressed concern that the City should have provided better notice concerning the R-1 district changes.

RECCOMENDATION:

Based upon the above background information, Staff report and Planning Commission recommendation, it is recommended that the City Council approve text amendments to the Zoning Ordinance to update the standards for rural districts by undertaking the following action:

“Move to approve Ordinance 08-073 amending Chapter 154 of the City Code concerning the rural district standards”

In addition, Staff is recommending that the City Council approve summary publication of the ordinance through the following motion:

“Move to approve Resolution No. 2013-18, authorizing summary publication of Ordinance 08-073.”

ATTACHMENTS:

1. Ordinance 08-073
2. Resolution No. 2013-18 – Summary Publication

SUGGESTED ORDER OF BUSINESS:

- Introduction of Item..... City Administrator
- Report/Presentation..... Planning Director
- Questions from Council to Staff..... Mayor Facilitates
- Public Input, if Appropriate..... Mayor Facilitates
- Call for Motion..... Mayor & City Council
- Discussion Mayor & City Council
- Action on Motion Mayor Facilitates