



## MAYOR & COUNCIL COMMUNICATION

**DATE: February 5, 2014**

**CONSENT**

**ITEM # 9**

**ORDINANCE 08-099**

**AGENDA ITEM:** Driveway Standards Update

**SUBMITTED BY:** Nick M. Johnson, City Planner

**THROUGH:** Dean Zuleger, City Administrator

**REVIEWED BY:** Kyle Klatt, Community Development Director  
Jack Griffin, City Engineer  
Rick Chase, Building Official

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### **SUGGESTED ORDER OF BUSINESS:**

- Introduction of Item .....Community Development Director
- Report/Presentation.....Community Development Director
- Questions from Council to Staff ..... Mayor Facilitates
- Call for Motion ..... Mayor & City Council
- Discussion ..... Mayor & City Council
- Action on Motion..... Mayor Facilitates

**POLICY RECCOMENDER:** Staff recommends updating the City's driveway standards to clarify expectations regarding acceptable driveway materials.

**FISCAL IMPACT:** None

**SUMMARY AND ACTION REQUESTED:** The City Council is asked to consider an update to the City's driveway standards to clarify what constitutes acceptable materials for driveways. More specifically, the proposed ordinance includes the language "hot mix bituminous asphalt" as opposed to just "bitumen", which is the language used in the existing ordinance. The recommended clarification is the result of a recent appeal of staff's interpretation of the existing driveway standards (§93.26).

*Staff is recommending that the City Council adopt the proposed update to the City's Driveway Standards (Ordinance 08-099) as part of the Consent Agenda. If the City Council removes the item from the Consent Agenda, the recommended action can be completed through the following motion:*

***“Move to adopt Ordinance 08-099, clarifying what constitutes acceptable driveway materials in the Driveway Standards section of the City Code.”***

**LEGISLATIVE HISTORY:** The City’s adopted a new driveway ordinance in December of 2013. Since the adoption of the new ordinance, the City received an appeal of staff’s interpretation of what constitutes “bitumen”, as required under the existing ordinance. The City Council granted the appeal on January 21, 2014. To provide greater clarification as to what materials should be deemed acceptable under the City Code, staff is suggesting an update to the City’s Driveway Standards to include the language “hot mix bituminous asphalt” as opposed to simply “bitumen”. The goal of the proposed language, “hot mix bituminous asphalt”, is to eliminate any potential confusion as to what is required.

**BACKGROUND INFORMATION (SWOT):**

**Strengths:** Updating the Driveway Standards section of the City Code provides greater clarity as to the City’s expectations. Reducing any potential confusion should help alleviate any future misunderstandings about what is required.

**Weaknesses:** None

**Opportunities:** None

**Threats:** Leaving the existing ordinance language of “bitumen” in place may cause future misunderstandings or confusion.

**RECOMMENDATION:**

*Based on the aforementioned, Staff is recommending that the City Council adopt the proposed update to the City’s Driveway Standards (Ordinance 08-099) as part of the Consent Agenda. If the City Council removes the item from the Consent Agenda, the recommended action can be completed through the following motion:*

***“Move to adopt Ordinance 08-099, clarifying what constitutes acceptable driveway materials in the Driveway Standards section of the City Code.”***

**ATTACHMENTS:**

1. Ordinance 08-099