



MAYOR AND COUNCIL COMMUNICATION

DATE: 10/4/2016
REGULAR ITEM #: 16
MOTION

AGENDA ITEM: OP-Open Space Preservation Ordinance Amendment
SUBMITTED BY: Stephen Wensman, Planning Director
THROUGH: Kristina Handt, City Administrator
REVIEWED BY: Ben Gozola, Consulting Senior Planner

SUMMARY AND ACTION REQUESTED:

This Ordinance Amendment was tabled at the 9/20 City Council meeting in order for Staff to reinsert the 4/5 vote requirement for deviations from the OP requirement and to add an additional item to, Section 154.651, Intent, adding:

(F) To preserve large contiguous open spaces.

Staff has provided, for Council review, the new ordinance text as discussed above and the version of the ordinance from 9/20 for comparison purposes.

Staff and the Planning Commission are requesting that the Council approve the ordinance amendment with the following motion:

“Move to approve Ordinance 08-152 repealing the existing open space development regulations within chapter 150, and adopting new open space planned unit development regulations in chapter 154 that establishes of an OP – Open Space Overlay District in addition to organizational/numbering changes throughout Chapter 154 to accommodate the new ordinance, and Resolution 2016-75 ordering the summary publication of the ordinance”

AMENDMENT CLARIFICATION:

At the 9/20 Council meeting, the question was raised about the allowed density in the new OP Ordinance. As stated during the meeting, the language related to allowed density in new ordinance is the same as in the City’s existing OP Ordinance. That density language is tied to the Comprehensive Plan language and limits density to 18 units per 40 acres of buildable area. What has changed, which may be causing the confusion, is the language related to required open space. The existing OP Ordinance requires 50% of the buildable land be preserved open space. The proposed OP Ordinance requires 50% of the gross acreage be preserved open space. This won’t have an impact on the number of lots, but may have an impact on the quality of the open space or size of the building lots. It will certainly make the OP Ordinance more flexible, which was a goal of the proposed ordinance.

RECOMMENDATION:

Staff and the Planning Commission recommend: 1) approval of Ordinance 08-__ repealing the existing open space development regulations within chapter 150, and adopting new open space planned unit development regulations in chapter 154 that establishes of an OP – Open Space Overlay District in addition to organizational/numbering changes throughout Chapter 154 to accommodate the new ordinance; and 2) Approval of Resolution 2016-__ ordering the summary publication of the OP – Open Space Ordinance update with the following recommended motion:

“Move to approve Ordinance 08-152 repealing the existing open space development regulations within chapter 150, and adopting new open space planned unit development regulations in chapter 154 that establishes of an OP – Open Space Overlay District in addition to organizational/numbering changes throughout Chapter 154 to accommodate the new ordinance, and Resolution 2016-75 ordering the summary publication of the ordinance”

ATTACHMENTS:

- Ordinance 08-152 Updating the OP Regulations with 4/5 requirement
- Ordinance 08-152 Updating the OP Regulations as presented on 9/20/16
- July 25, 2016 Planning Commission Minutes
- Planning Commission Packet - 8/22/16
- Resolution 2016-75 for Summary Publication of the Ordinance