

**JOURNAL OF COMMISSION WORK SESSIONS**  
**December 19, 2006**

City Commission Work Session

Mayor Stebbins presiding

**CALL TO ORDER: 5:30 P.M.**

**ROLL CALL:** City Commissioners present: Dona Stebbins, Bill Beecher, Sandy Hinz, Diane Jovick-Kuntz and John Rosenbaum. Also present were the City Manager, Assistant City Manager, City Attorney, Directors of Community Development, Planning, Public Works, Park and Recreation, Fiscal Services, Library, Police Chief, Acting Fire Chief, and the City Clerk.

**1. PROPOSED AMENDMENTS TO THE LAND DEVELOPMENT CODE.**

Planning Director Ben Rangel reviewed Ordinance 2950 which pertained to a series of amendments to the Land Development Code. He outlined the amendments as follows:

- Sections of the code book to be repealed because they were either replaced or in conflict with Land Development Code and included: OCCGF 2.28, 2.20, 2.40, 2.46, 2.47, 12.41 and Title 16.
- Chapter 4 – General Provisions – no amendments
- Chapter 8 – Interpretation, Construction, Definitions included proposed amendments that added definitions for department director, garage sales, health care sales and services, outdoor entertainment, parking lot principal use, residency – accessory, protected and significant trees; deleted definitions for automated teller machines, revised the definitions for restaurant, utility installation, and worship facility and re-described how to measure the building height.
- Chapter 12 – Administration and Enforcement Bodies – no amendments
- Chapter 16 – Administration and Enforcement Procedures included proposed amendments that clarified the requirement for recording annexation resolutions; deleted the requirement for an historic officer report for demolition permits; clarified the appeals process for demolition permits; defined steps to allow for major and minor changes for planned unit developments; simplified the procedure for variances to subdivision regulations; clarified when a section applies; and deleted specific penalties and made reference to Title 1 of the City Code book.
- Chapter 20 Article 1 – Land Use – no amendments
- Chapter 20 Article 2 – Zoning Districts – no amendments
- Chapter 20 Article 3 – Allowable Uses included proposed amendments that reallocated a number of land uses as either permitted by right or permitted as a conditional use; added new uses for health care sales and services; deleted uses for ATM interior machines' major and minor utility installations and combined into utility installations; changed the definition of health care center to health care clinic.
- Chapter 20 Article 4 – Dimensional Standards included proposed amendments that added detached garages may not be taller than the principal structure; added a 2-foot rear

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setback from property line requirement for accessory structures; added townhouse standards; reduced corner lot coverage for R-3 districts; increased for consistency the height of accessory buildings from 12 feet to 24 feet in non-residential zoning districts; added that accessory buildings may not be taller than the principal structure; added as an exception in the PLI zoning district that the height of structures in the proposed medical district master plan area can be up to 160 feet by right without a conditional use permit; and changed the maximum building height for principal buildings in the C-2 zoning district from 35 feet to 65 feet.

- Chapter 20 Article 5 – General Standards included proposed amendments that deleted the “legislative findings and purpose” sections for large format retail stores.
- Chapter 20 Article 6 – Special standards for principal uses included proposed amendments that added provisions for the production and sale of agriculture, horticulture and nursery products; townhouse standards; telecommunication standards do not apply to single satellite dishes smaller than 10 inches; deleted two-family residence standards; clarified applicability of mobile home park design standards; casino type 1 standards apply to new and relocated casinos; revised roof overhang standards for manufactured homes from 10 inches to 12; increased the size of a building allowed for contractor yards; type 1 from 150 square feet to 3000 square feet.
- Chapter 20 Article 7 –Special Standards for Accessory Uses included the following amendments: added all fences must comply with landscaping screening requirements and standards stated elsewhere in the code; a private garage size standard of 1800 square feet for lots larger than 1 acre; standards for residence accessory located in C-4 Central Business zoning district; clarified that signage for home occupations must comply with sign standards presented in Chapter 60 and increased the height of fences in industrial zoning districts from 8 feet to 12 feet.
- Chapter 20 Article 8- Special Standards for temporary uses included a proposed amendment that added standards for garage sales (frequency, duration, no permit required).
- Chapter 24 – Subdivision and Planning included proposed amendments that clarified subdivisions exempted from review are still subject to City zoning regulations.
- Chapter 28 – Design Review included proposed amendments that added commercial buildings in mixed-use; public lands and institutional and all residential zoning districts are also subject to design review; and clarified design review of renovations to multi-family residential buildings containing 8 or more dwelling units only applies to exterior renovations not interior renovations.
- Chapter 32 – Transportation Facilities included proposed amendments that added centerline radius standards for curved streets; driveway paving standards; added and clarified intersection visibility standards for streets, alleys and driveways.
- Chapter 36 – Parking included proposed amendments that added drive-through stacking requirements; deleted a provision that off-street parking for residential uses cannot be located within the setback of a lot frontage; and clarified accessible parking spaces can be counted toward the required number of regulate parking spaces.
- Chapter 40 – Outdoor Lighting – no amendments.
- Chapter 44 – Landscaping included proposed amendments that added landscape and

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screening maintenance and replacement requirements; tree protection and replacement requirements; all commercial buildings greater than 20,000 square feet changing occupancy or undergoing exterior or interior remodeling are subject to landscape requirements; deleted provisions for low water adaptive vegetation; clarified placement of trees in boulevard areas; revised landscape islands to be 18 feet wide instead of 16 feet and shall contain trees and shrubs instead of only turf grass; and landscape standards for industrial areas were separated from commercial standards and revised to recognize larger industrial parcels.

- Chapter 48 – Erosion Control – no amendments
- Chapter 52 – Stormwater Management – no amendments
- Chapter 54 – Airport Overlay Districts – no amendments
- Chapter 56 – Floodplain Overlay Districts included a proposed amendment that revised the 100 year flood plain boundaries to special flood hazard areas.
- Chapter 58 – Neighborhood Conservation Overlay – no amendments
- Chapter 60 – Signs – amendments made via Ordinance 2957
- Chapter 64 – Non-conformities included proposed amendments that clarified non-conformities can continue until they are moved, removed or discontinued; added non-conforming nonresidential uses may be changed to another non-conforming non-residential use or may be increased or expanded, if specified criteria are met. If not able to meet criteria then a conditional use permit process must be used as currently required.
- Chapter 68 – Timing of Improvements and Dedications included proposed amendments that revised the time at which landscaping, screening, streets, alleys, parking and lighting must be installed from filing of final subdivision plat to issuance of occupancy permit; deleted the provision that the Planning Director shall be responsible for signing improvement agreements and administering them on behalf of the city.
- Appendices A, B, C, D & E – No amendments
- Appendix F – Land Use Definitions included proposed amendments that added definitions for nursery condominiums, health care sales and services; parking lot principal use; residence accessory; garage sales, outdoor entertainment; deleted definitions for public and private airports; automated teller machine - interior; clarified definitions for restaurant; and revised definitions for truck/freight terminal; worship facilities and utility installation.

Mr. Rangel explained that he anticipated presenting the ordinance for first reading on January 16, 2007 and a public hearing on February 6, 2007.

Commissioner Rosenbaum asked if staff would present these changes to the realtors. Mr. Rangel replied that he would contact the administrator of the realtors association.

## **2. ANIMAL CODE CHANGES**

Kory Larsen, Chief Prosecuting Attorney, explained some amendments to the proposed animal code that staff recommends based on public input. Those amendments included:

- Penalties for altered versus unaltered animals;
- Number of animals per household would be limited to 4 animals with a maximum of 2

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dogs; leashes would be required versus a voice vote; and cats would be required to be registered.

Mayor Stebbins asked if there was a grandfather clause included. Mr. Larsen explained there was not. However people with more animals than would be allowed by the code, could request a multiple-animal permit.

After a short discussion, the Commission thanked Mr. Larsen for his work on the ordinance.

### **ADJOURN**

There being no further discussion, Mayor Stebbins adjourned the work session of December 19, 2006, at 6:38 p.m.