

COUNCIL AGENDA REPORT

Date: January 13, 2020
Prepared by: Patrick Comiskey, City Manager
Submitted by: Patrick Comiskey, City Manager
Subject: Changing the side yard setbacks to six feet

Recommendation: The recommendation is that commissioners decide whether to change the side yard set-backs and start the process required to make the change.

Discussion: I spoke with the Assistant City Attorney and City Planner in follow-up to my conversations with the Commissioners regarding ongoing concerns about the side yard setbacks in the Downtown Waterfront Development District (“DWDD”) – Neighborhood Subdistrict and the process required to increase the setbacks to six feet. The setbacks are set forth in § 4.4.5(D) of the Unified Development Code (“UDC”); therefore, a text amendment is required to change them.

Pursuant to § 2.2.3(A)(1) of the UDC, a text amendment may be initiated by motion of the Council, in which case it must then go to the Planning Commission for a public hearing and recommendation to the Council. Accordingly, a motion would need to be made to propose an amendment to §4.4.5(D) of the UDC to change the side street and side yard setbacks from “Per Building Code” to “six feet” and refer the proposal to the Planning Commission for a public hearing and recommendation.

Enforcement Authority: City Planner

Fiscal Impact: If the Council were to ultimately vote to increase the side yard setbacks in the DWDD – Neighborhood Subdistrict, it would reduce the number of buildable lots in that Subdistrict.

Approved by: Patrick Comiskey, City Manager