

AGENDA ITEM REPORT

DATE OF MEETING:

July 10, 2017

ITEM:

Consideration of a Staff-Initiated Request to Modify the Definitions and Regulations Contained Within the Zoning Ordinance Related to Dwellings Located Below the First Floor of Non-Residential Buildings.

STRATEGIC PLAN GOAL:

Goal #1: "Preferred Place to Live", and Goal #4: "Strong & Diverse Economy"

BACKGROUND:

At the May 22, 2017 regular meeting of City Council, City Manager Bair presented the Planning Commission's unanimous recommendation of denial of an amendment the Zoning Ordinance that would have permitted dwellings to be located below the first floor of residential buildings. After some discussion, the Council referred the agenda item back to Planning Commission.

The proposed amendment was originally heard by the Planning Commission in a since-closed public hearing. In order to introduce any new information to the discussion a new hearing would be required. There was insufficient time to advertise a hearing prior to the Commission's next scheduled meeting (June 8, 2017), however, the Commission was able to discuss how they felt about their recommendation and Council's referral of the item back to them.

The Commission debated the merits of opening a new hearing as well as their level of satisfaction with the evidence that was presented at the hearing and their subsequent deliberation. The Commission discussed evidence provided by the Fire Chief, the Chief Building Official, and the Director of Community Development relative to the International Building Code, the International Fire, the National Fire Protection Association Life Safety Code, the Zoning Ordinance, and practical considerations. Additionally, the Commission suggested that the issue could be further deliberated as a land use policy during the development of the housing component of the Comprehensive Plan. After concluding their discussion, the Planning Commission restated their satisfaction with their original recommendation and voted unanimously not schedule a new public hearing.

RECOMMENDATION:

The Community Development Director and Planning Commission recommend denial of a Staff-Initiated request to modify the definitions and regulations contained within the Zoning Ordinance related to dwellings located below the first floor of non-residential buildings.

ITEM SUBMITTED BY:

David B. Bookless, Director of Community Development