



REQUEST FOR CITY COUNCIL ACTION

MEETING DATE:

September 20, 2017

DEPARTMENT:

Community Development

DIVISION:

Community Planning

- ☐ Motion
- ☐ Resolution
- ☐ Ordinance - Introduction
- ☒ Ordinance - Adoption
- ☐ Public Hearing

TITLE:

Zoning Code Text Amendment: Accessory Structures Code Update

SUMMARY RECOMMENDATION:

Amend Title 15, Chapter 154, Section 15.15 to update the size limitations permitted for accessory structures. (Community Development/Community Planning) (Laurie Lineberry)

REPORT:

Adopted in 2014, the accessory structures code provides placement regulations for accessory structures in a number of residential districts. Examples of accessory structures include storage sheds, workshops, built-in outdoor barbeques/kitchens not attached to the house, and large stand-alone outdoor fireplaces. Garages are not subject to these regulations and must abide by the standard setbacks for the zoning district in which they are placed. This code enables property owners the ability to place accessory structures in certain setbacks while also protecting neighbors.

This proposed amendment to the recently adopted code will further ensure that no accessory structure becomes a nuisance to the neighbors or those living within the surrounding area. Currently, the code does not place limitations on the size of an accessory structure. The proposed amendment would limit the size of the accessory structure to be no larger than 50% of the size of the principal dwelling located on-site. This proposed size limitation is in keeping with the recently adopted code addressing Accessory Dwelling Units (ADU).

On August 14, 2017 the Planning and Zoning Commission voted to Recommend APPROVAL (4-1) of the request by the City of Yuma for a Zoning Code Text Amendment to amend Title 15, Chapter 154 to update the size limitations permitted of accessory structures.

PUBLIC COMMENTS - EXCERPTS FROM PLANNING AND ZONING COMMISSION MEETING MINUTES:**QUESTIONS FOR STAFF**

“Chris Hamel – Planning and Zoning Commissioner asked for clarification on accessory structures.

“Alyssa Linville – Principal Planner explained that accessory structures were permanently affixed to the ground.

“Hamel asked if a permit was required for accessory structures.

“Linville explained that property owners could apply for an exempt structure permit for accessory structures less than 200 square feet. These permits were free of charge and allowed staff to ensure the request met the lot coverage and setback requirements. She added a permit would be required if any electrical, plumbing, or mechanical work was associated with the accessory structure.

“Tyrone Jones – Planning and Zoning Commissioner asked if a storage shed could be the same size as an accessory dwelling unit.

“Linville said yes and explained that accessory dwelling units had different standards than accessory structures.

“Jones asked for clarification on how accessory structures would be regulated to ensure the structure was not an accessory dwelling unit.

“Hamel stated staff responded to neighbor complaints.

“Linville explained if a person was intended to live in the unit, certain criteria would need to be met.

“Jones expressed his concern with the size limitations with accessory structures and accessory dwelling units.

“Laurie Lineberry – Director of Community Development, explained that an accessory structure was not an accessory dwelling unit.

“Lineberry said the current code did not place limitations on the size of an accessory structure and added that the home on a property needed to be the predominant use on the site.

“Alan Pruitt – Planning and Zoning Commissioner asked if this proposed amendment addressed shade structures.

“Linville said yes and added that this amendment applied to detached structures.

APPLICANT / APPLICANT’S REPRESENTATIVE

None

PUBLIC COMMENT

None

MOTION

“Motion by Lukas Abplanalp – Planning and Zoning Commissioner, second by Fred Dammeyer – Planning and Zoning Commissioner, to APPROVE Case Number ZONE-17922-2017.

“Motion carried (4-1) with Jones voting nay.’

Planning Commission Staff Report – Attached

FISCAL REQUIREMENTS	CITY FUNDS:	\$0.00	BUDGETED:	\$0.00
	STATE FUNDS:	\$0.00	AVAILABLE TO TRANSFER:	\$0.00
	FEDERAL FUNDS:	\$0.00	IN CONTINGENCY:	\$0.00
	OTHER SOURCES:	\$0.00 \$0.00 \$0.00	FUNDING FOR THIS ITEM IS FOUND IN THE FOLLOWING ACCOUNT / FUND / CIP:	
	TOTAL:	\$0.00		
	FISCAL IMPACT STATEMENT:			
ADDITIONAL INFORMATION	SUPPORTING INFORMATION NOT ATTACHED TO THE CITY COUNCIL ACTION FORM THAT IS ON FILE IN THE OFFICE OF THE CITY CLERK: 1. 2. 3. 4. 5.			
	IF CITY COUNCIL ACTION INCLUDES A CONTRACT, LEASE OR AGREEMENT, WHO WILL BE RESPONSIBLE FOR ROUTING THE DOCUMENT FOR SIGNATURE AFTER CITY COUNCIL APPROVAL? <input type="radio"/> Department <input type="radio"/> City Clerk's Office <input type="checkbox"/> Document to be recorded			
SIGNATURES	CITY ADMINISTRATOR:		DATE:	
	Gregory K. Wilkinson		8/30/2017	
	REVIEWED BY CITY ATTORNEY:		DATE:	
	Richard W. Files		8/29/2017	
	RECOMMENDED BY (DEPT/DIV HEAD):		DATE:	
Laurie Lineberry		8/18/2017		
WRITTEN/SUBMITTED BY:		DATE:		
Alyssa Linville		8/18/2017		