

Ordinance O-19-18

2018 Zoning Code Updates

Staff Report

Over time, certain sections of the zoning code have been made redundant by subsequent updates. This ordinance proposed to eliminate these redundancies as well as eliminate or alter other code sections that are unduly burdensome for the property owners. The updates include:

1. Deletes Section 21.18.030(4), which adjusts the limitations for signs in the specific instances set forth in Section 21.70.110. This cannot be done by an administrative adjustment as of 2008. This section of the code was erroneously not updated at that time.
2. Changes the variance standard for lot width or area. Currently, if a property owner with an existing structure on an existing lot wishes to change the use of that structure, he or she must fully comply with bulk regulations for the zoning district for the new use. If the lot area or width is insufficient for the new use, the applicant can apply for a variance if the lot width or area is within eighty percent of what is allowed in the bulk regulations. This ordinance proposes to eliminate the restriction on the existing lot width or area for the purpose of applying for a variance. Therefore, the applicant could apply for a variance even if the lot area or width was less than eighty percent of what is required in the bulk regulations.
3. Deletes requirement in Section 21.38.030 that requires all buildings over forty-five feet or with a floor area ratio greater than 2 to be a special exception. This requirement was put in place to ensure larger projects would have to be reviewed by the Planning Commission. It is no longer necessary because of new legislation that ensures Planning Commission review for projects that trigger adequate public facilities review.
4. Deletion of 21.38.030 therefore makes Section 21.44.030 redundant.
5. Deletes requirement in Section 21.60.070 that requires all fences to be installed finished side out. There are many instances where this is not a feasible or practical option for the property owner.
6. Deletes first standard for multi-family dwellings in the BCE district. Section 21.64.240 currently requires that there is a retail and/or office as an integral component of a multi-family residential project. There are several locations where this is not feasible for properties in the BCE zoning district, including sites that have no usable frontage on West Street.
7. Deletes Section 21.70.030 as (A) is redundant. Section 21.70.030(B) requires posting of property with a public notice sign, which is very burdensome for the applicant. Posting for signs remains a requirement in the Historic District, as required under Chapter 21.56.
8. Extends the time-period for exempt temporary community, civic, or public interest signs to up to ninety days from sixty.
9. Permits freestanding signs in zoning districts P and PM in Sign Table 1
10. In Sign Table 2, adds missing content for zoning districts WME, WMI, and WMM for the following categories: Number of Signs Allowed, Maximum Height (feet),

Illumination Permitted, and Projection Permitted. This had been inadvertently left out of the City Code in 2005 when this section was last updated.

11. In Sign Table 2, removes the requirement of a minimum lot width of 100 feet or larger for freestanding signs in the following zoning districts: B1, WMC, B2, B3, B3-CD, BCE, I1, P, PM, WME, WMI, WMM. This restriction has been in place since 2005 and has been determined to be too restrictive.

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