



Staff Report

MEETING DATE: March 28, 2023

TITLE:

Consider and Act on amending ARTICLE 2.4 ADMINISTRATION SEC. 2.4.001 NONCONFORMING USES AND STRUCTURES by adding that the intent of the provisions will not create a disparate impact to residents.

BACKGROUND/HISTORY

The B3 code, as adopted, requires all existing uses and structures who do not meet the B3 standard to be considered nonconforming, also known as “grandfathered”. Nonconforming uses are intended to move the community into current planning, building code, and design standards.

An unexpected consequence of the B3 code, was the disparate impact it would have on residents in predominantly low-income areas, or the large extent of the town that would be considered nonconforming and what that actually would mean to residents.

This agenda item seeks to clarify the intent of the code is a fair and equal access to its application and relief, which today is not clear. An example of this is the punitive cost of a variance request.

AGENDA ITEM SUBMITTED BY:

Submitted by: Sylvia Carrillo, City Manager

RECOMMENDATION:

Staff recommends amendment to ARTICLE 2.4 ADMINISTRATION SEC. 2.4.001 NONCONFORMING USES AND STRUCTURES by adding that the intent of the provisions will not create a disparate impact to residents.

ATTACHMENTS:

Proposed code amendment documents.