



Date: December 13, 2022  
To: City Council  
From: Ellen Hardgrove, City Planning Consultant  
XC: Sandy Riffle, Interim City Clerk  
Brett Sollazzo, Administrative Assistant  
Drew Smith, City Attorney  
Re: Scrivener's Error ECD Ordinance 2021-03 and Amendment to Code Section 134-468 related to the location of walls in the ECD.

This agenda item relates to the location of the required wall when a proposed ECD development will be adjacent to a property with a Low Density Residential Future Land Use designation. An amendment to this requirement was approved by Council in 2021 (Ordinance 2021-03). The draft ordinance presented to Council at the first reading of Ordinance 2021-03 referenced the location of the wall as five feet from the property line.

The Council's direction at first reading of Ordinance 2021-03 was to delete text referencing the five (5) feet setback, requiring the wall to be on the property line. This deletion was made when the property line was a lot "side," but inadvertently not in the regulation pertaining to a lot "rear."

The property line location for the wall was discussed at the Planning and Zoning Board's hearing; their recommendation to Council is to build some flexibility into the regulation for both the rear and side property lines, which is reflected in the attached draft of Ordinance 2022-13. Please see the ~~striketrough~~ and underlined text in the attached draft ordinance. Essentially the recommendation is to allow the wall be on or within five feet of the rear or side property line, when such line is adjacent to a Low Density Residential Future Land Use designated property.

Suggested Motion: Acceptance of the proposed change to the wall location in the ECD when a rear or side yard abuts a property with a Low Density Residential Future Land Use designation and move the ordinance to second reading.

END