

ZTA-22-14 (Ordinance 2022-37)
Exhibit "A"
Date: December 30, 2022

Revised: 2/6/2023

	DEVELOPMENT REVIEW COMMITTEE REPORT AND RECOMMENDATION
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Subject/Agenda Item:

Ordinance 2022-37: ZTA-22-14 – Property Maintenance regulations

Public Hearing, First Reading, and Adoption: A City-initiated text amendment to the Code Of Ordinances Chapter 7 to codify and update property maintenance regulations.

Recommendation to APPROVE

Recommendation to DENY

Quasi-Judicial

Legislative

Public Hearing

Originating Department: Planning & Engineering Project Manager _____ Caryn Gardner-Young	Reviewed By: Development and Neighborhood Services Director _____ Denise Malone
Approved By: City Manager _____ Andrea McCue	Public Notice: <input type="checkbox"/> Required <input checked="" type="checkbox"/> Not Required PC Dates: Papers Mailing: <input type="checkbox"/> Required <input checked="" type="checkbox"/> Not Required Notice Distance: _____

Attachments: <ul style="list-style-type: none">• Ordinance 2022-37	City Council Action: <input type="checkbox"/> Approval <input type="checkbox"/> Approve with conditions <input type="checkbox"/> Denial <input type="checkbox"/> Continued to: _____
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I. Executive Summary

The proposed code amendment is a city-initiated request to codify and update property maintenance regulations. A property maintenance code deals with the conditions of existing housing and non-residential property. It moves the maintenance of an existing building and the surrounding property from an option to a legal requirement for a responsible property owner. City staff initiated this code change proactively to provide property owners, tenants, and property managers with objective and specific maintenance standards for structures and hardscape. The desired result is to keep all properties in acceptable state of repair; thereby maintaining property values.

II. Background

In 2019, the city adopted a property maintenance code through reference (Chapter 4, Article I, Section 4-4). However, the specific regulations were only listed in a separate document (2019 Greenacres Property Maintenance Code) which is not posted but available in the office of the city clerk. To ensure that there is transparency and the ability of the residents to easily review the property standards, this amendment requests that the specific regulations be added to the Code of Ordinances. In addition, the proposed property maintenance regulations were reviewed by the Building Division, Code Enforcement Division, Fire Department, and legal counsel which resulted in the regulations being updated.

III. Proposed Code Amendments:

The proposed Code Amendment will delete the entire reference to the 2019 Property Maintenance Code and add the language which is attached as Exhibit A.

IV. Staff Analysis:

City staff initiated this code change to address the need for strengthening code regulations for issues that were occurring within the city relative to property maintenance and to ensure that the regulations were easily available and legally enforceable.

Development Review Committee Comments:

The petition was reviewed by the Development Review Committee on January 12, 2023, and January 19, 2023, and recommended for approval.

Planning and Engineering Division:	No objections
Building Division:	No objections
Fire Rescue Department:	No objections
Public Works Department:	No objections
PBSO District #16	No objections
Community and Recreation Services Department:	No objections

V. Zoning Text Amendment Criteria:

A. *The need and justification for these changes:*

The proposed change establishes minimum requirements for the maintenance of existing buildings through code provisions that contain clear and specific maintenance and property improvement provisions. The code amendments establish regulations that protect the public health, safety, and welfare of the Greenacres citizens. By placing the specific language in the code, the city is being user friendly and transparent. In addition, the code provisions have been reviewed by multiple city staff and legal counsel to ensure that it is up to date and addresses any concerns which have occurred since its adoption in 2019.

B. *The relationship of the proposed amendments to the purpose and objectives of the City's Comprehensive Plan, and whether the proposed change will further the purposes of the City's Zoning Code regulations and other City codes, regulations and actions designed to implement the Comprehensive Plan.*

The proposed amendments are consistent with the City's Comprehensive Plan and will further the purposes of the City's Zoning Code regulations and other City codes.

VI. Staff Recommendation:

Approval of ZTA-22-14.

CITY COUNCIL ACTION First Reading – February 6, 2023

The City Council on a motion made by Council Member Bousquet and seconded by Deputy Mayor Tharp, by a vote of five (5) to zero (0) recommended approval of Zoning Text Amendment **ZTA-22-14** as presented by staff.

CITY COUNCIL ACTION Adoption Hearing – March 6, 2023
