



CITY OF MARSHALL AGENDA ITEM REPORT

Meeting Date:	Tuesday, January 8, 2019
Category:	PUBLIC HEARING
Type:	INFO/ACTION
Subject:	Adoption of Ordinance Amending Sections 18-101 Installation, 86-71 Classes and enumeration of districts, 86-97 R-1 One Family Residence District, 86-98 R-2 One- to Four-Family Residence District, 86-99 R-3 Low to Medium Density, Multiple-Family Residence District, 86-100 R-4 Higher Density, Multiple-Family Residence District, 86-101 R-5 Manufactured Home Park District, and 86-165 Manufactured Homes.
Background Information:	<p>This summer, Paul Schierholz, owner of The Broadmoor Valley manufactured home park, informed the City staff that, in his mind, the City Zoning Ordinance is contradicting the State Statutes in its regulations of placing manufactured homes within residential districts other than R-5 Manufactured Home Park District.</p> <p>The staff reviewed the Ordinance and the State Statutes and concurred with Mr. Schierholz, determining that our Zoning Code is indeed in conflict with the State Statutes. Since the State Statutes always have priority over local ordinances, it was necessary to revise the Zoning Ordinance to match the State Statutes. The staff then made a decision to review the entire Ordinance for regulations pertaining to manufactured homes, beyond Mr. Schierholz request, to better meet the current needs and conditions and allow for improved coordination of provisions within the Ordinance. As a result, Sections 86-101 R-5 Manufactured Home Park District and 18-101 Installation were also significantly revised.</p> <p>State Statutes require that manufactured homes be permitted in R-1 One Family Residence District with no additional conditions, so the staff removed specific requirements for manufactured homes installed in R-1 One Family Residence District and adjusted those requirements to apply to all residential structures. State Statutes also requires that Manufactured Home Parks be permitted as a Conditional Use in all residential districts allowing multiple family structures and this change was also incorporated into the Ordinance.</p> <p>Ordinances of several other cities have been analyzed and their provisions were considered in changing the City of Marshall Ordinance.</p> <p>During the October 10, 2018, regular Planning Commission meeting, proposed revisions were discussed and tabled to the next regular Planning Commission meeting on November 14, 2018, to allow staff to make some suggested changes.</p> <p>During the November 14, 2018, regular Planning Commission meeting, ordinance amendments, revised by staff to reflect Planning Commission comments, were discussed and recommended for adoption. All voted in favor of the motion.</p> <p>At the meeting on December 5, 2018, Legislative and Ordinance Committee voted to recommend to council the approval of Amendments to sections 18-101 Installation, 86-71 Classes and enumeration of districts, 86-97 R-1 One Family Residence District, 86-98</p>

	<p>R-2 One- to Four-Family Residence District, 86-99 R-3 Low to Medium Density, Multiple-Family Residence District, 86-100 R-4 Higher Density, Multiple-Family Residence District, 86-101 R-5 Manufactured Home Park District, and 86-165 Manufactured Homes as recommended by staff with one minor change.</p> <p>The Ordinance Amending Sections 18-101 Installation, 86-71 Classes and enumeration of districts, 86-97 R-1 One Family Residence District, 86-98 R-2 One- to Four-Family Residence District, 86-99 R-3 Low to Medium Density, Multiple-Family Residence District, 86-100 R-4 Higher Density, Multiple-Family Residence District, 86-101 R-5 Manufactured Home Park District, and 86-165 Manufactured Homes and Call for Public Hearing was introduced at December 18, 2018, City Council meeting.</p>
Fiscal Impact:	None
Alternative/ Variations:	None
Recommendations:	<p>Recommendation # 2</p> <p>that the Council adopt Ordinance No. XXX, Second Series, which is the Ordinance Amending Sections 18-101 Installation, 86-71 Classes and enumeration of districts, 86-97 R-1 One Family Residence District, 86-98 R-2 One- to Four-Family Residence District, 86-99 R-3 Low to Medium Density, Multiple-Family Residence District, 86-100 R-4 Higher Density, Multiple-Family Residence District, 86-101 R-5 Manufactured Home Park District, and 86-165 Manufactured Homes.</p>