




DATE SUBMITTED 12/08/2021
 SUBMITTED BY COMMUNITY DEVELOPMENT DIRECTOR
 DATE ACTION REQUIRED 12/15/2021

COUNCIL ACTION (X)
 PUBLIC HEARING REQUIRED (X)
 RESOLUTION ()
 ORDINANCE 1ST READING (X)
 ORDINANCE 2ND READING ()
 CITY CLERK'S INITIALS WM

**IMPERIAL CITY COUNCIL
 AGENDA ITEM**

SUBJECT: DISCUSSION/ACTION: AMENDMENT TO MUNICIPAL ORDINANCE REGARDING DEVELOPMENT STANDARDS FOR ATTACHED AND DETACHED CANOPIES IN RESIDENTIAL ZONES	
1. Introduction and first reading by title only of Ordinance No. <u>814</u> Amending Zoning Text Chapter 24 Section 24.03.140 (A)	
2. Provide direction to staff to prepare a summary of Ordinance No. <u>814</u> for publication purposes	
DEPARTMENT INVOLVED: COMMUNITY DEVELOPMENT DEPARTMENT	
BACKGROUND/SUMMARY: <p style="text-align: center;">See attached Staff Report</p>	
FISCAL IMPACT: N/A	ADMIN SERVICES SIGN INITIALS <u></u>
STAFF RECOMMENDATION: Staff recommends Adoption of Ordinance regarding development standards for attached and detached canopies in residential zones	DEPT. INITIALS <u></u>
MANAGER'S RECOMMENDATION:	CITY MANAGER'S INITIALS <u></u>
MOTION: SECONDED: APPROVED () REJECTED () AYES: DISAPPROVED () DEFERRED () NAYES: ABSENT: REFERRED TO:	



Staff Report

To: City of Imperial City Council

From: Othon Mora, Community Development Director

Date: December 8, 2021

Subject: Zoning Code Text Amendment- ZCTA #2101
Development Standards for attached or detached canopies in Residential Zones

Background

Accessory buildings and structures, attached or detached in all residential zones is currently as follows:

“24.03.140 (A)-Accessories Buildings and Structures. A detached accessory structure may be located within an interior side yard or rear yard; provided, that such structure is located no closer than five (5) feet to an interior side or rear lot line and is at least ten (10) feet from the main structure.”

Staff has found that applicants frequently request a modification from these regulations. An amendment to the Zoning Ordinance is necessary for accessory structures due to the fact that current residential lots are small and residents are unable to build a decent size patio in their backyards. Amending the zoning ordinance would also streamline permit processing. On November 10, 2021, the Planning Commission reviewed and recommended the item in regards Development Standards for attached or detached canopies in Residential Zones.

Discussion/Analysis

The following is the recommended amendment based on general comments from the public and previous discussion by the Planning Commission.

“Accessory Buildings and Structures. Accessory buildings and structures, attached or detached, shall meet all of the requirements for location of the main structure, except as herein provided.

- 1. Accessory buildings or structures, attached or detached, may be located within an interior side yard or rear yard; provided that such structure is located no closer than three (3) feet to an interior side or rear lot line.”*

These minor adjustment to the development standards promotes opportunities for efficient use of residential land and compact development, and add flexibility in the regulations that support expected development in the city and is in the interest of the community.

Environmental Compliance

The project is categorically exempt from the California Environmental Quality Act (CEQA) under Section 15061(b)(3) of the Guidelines.

Public Notification

The public hearing scheduled for December 15, 2021 was duly noticed in the Imperial Valley Press, a newspaper of general circulation on December 5, 2021.

Recommendation

Staff recommends the City Council conduct a public hearing to receive comments for and against the project. Unless sufficient evidence to the contrary is presented at the public hearing, Staff recommends that the City Council approve the Zoning Text Amendment in regards Development Standards for attached or detached canopies in Residential Zones.

Attachments

- RESO PC2021-14
- ORDINANCE No. _____

Respectfully submitted,

Othon Mora, MCM, CBO
Community Development Director

RESOLUTION PC 2021-14

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF IMPERIAL RECOMMENDING AN AMMENDMENT OF THE ZONING ORDINANCE SECTION 24.03.140(A) RELATING TO DEVELOPMENT STANDARDS FOR DETACHED CANOPIES IN RESIDENTIAL ZONES

WHEREAS, a duly notified public hearing was held by the Planning Commission on November 10, 2021.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Imperial to recommend the amendment of Section 24.03.140 (A) of the Imperial Zoning Ordinance as follows:

SECTION 1: Section 24.03.140(A), “Accessory Buildings and Structures” of the Imperial Municipal Code is hereby amended to read as follows:


“A. Accessory Buildings and Structures. Accessory buildings and structures, attached or detached, shall meet all of the requirements for location of the main structure, except as herein provided.

1. Accessory buildings or structures, attached or detached, may be located within an interior side yard or rear yard; provided that such structure is located no closer than three (3) feet to an interior side or rear lot line.
2. A detached accessory structure shall meet the setback requirements of the main building for the front and street side yard areas.”

PASSED, ADOPTED AND APPROVED by the Planning Commission of the City of Imperial, this 10 day of November 2021.


Stacy Mendoza
Planning Commission Chairman

ATTEST:



Planning Secretary

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IMPERIAL
AMENDING SECTION 24.03.140(A) TO THE CITY OF IMPERIAL
MUNICIPAL CODE RELATING TO DEVELOPMENT STANDARDS FOR
DETACHED CANOPIES IN RESIDENTIAL ZONES**

The City Council of the City of Imperial does hereby ordain as follows:

SECTION 1: Section 24.03.140(A), “Accessory Buildings and Structures” of the Imperial Municipal Code is hereby amended to read as follows:

“A. Accessory Buildings and Structures. Accessory buildings and structures, attached or detached, shall meet all of the requirements for location of the main structure, except as herein provided.

1. Accessory buildings or structures, attached or detached, may be located within an interior side yard or rear yard; provided that such structure is located no closer than three (3) feet to an interior side or rear lot line.

SECTION 2: This ordinance shall take effect thirty (30) days after its adoption. The City Clerk or his/her duly appointed deputy, shall certify to the adoption of this Ordinance and shall cause this Ordinance to be published as required by law.

PASSED, ADOPTED AND APPROVED by the City Council of the City of Imperial, this ____ day of ____ 2021.

Karin Eugenio, Mayor

ATTEST:

, City Clerk

**STATE OF CALIFORNIA)
COUNTY OF IMPERIAL)
CITY OF IMPERIAL)**

I, _____, City Clerk of the City of Imperial, do hereby certify that the foregoing Ordinance No. _____ had its 1st reading on _____, 2021 and was passed by the following roll call vote:

**AYES:
NOES:
ABSENT:
ABSTAIN:**

MOTION CARRIED

I, _____, City Clerk of the City of Imperial, do hereby certify that the foregoing Ordinance No. _____ had its 2nd reading on _____, 2021 and was passed by the following roll call vote:

**AYES:
NOES:
ABSENT:
ABSTAIN:**

MOTION CARRIED

_____, CITY CLERK
CITY OF IMPERIAL, CALIFORNIA