

MEETING DATE: July 14, 2020

STAFF: Stuart Borders, Senior Planner

PROJECT NAME: UDO Amendment #43

CASE NUMBER / REQUEST: 20-175-02 – UDO Amendment #43 – Accessory building and residential fence setbacks

APPLICANT: City of Independence

PUBLIC NOTICE:

- Public notice published in Independence Examiner – June 27, 2020

FURTHER ACTION:

Following action by the Planning Commission, this UDO Amendment is scheduled for first reading by City Council on August 3rd and the public hearing/second reading on August 17th.

RECOMMENDATION

Staff recommends **APPROVAL** of the proposed amendment to the Unified Development Ordinance.

PROJECT DESCRIPTION & BACKGROUND INFORMATION

PROJECT DESCRIPTION:

The City proposes Amendment #43 to the Unified Development Ordinance (UDO) relating to the setback requirements for accessory buildings and residential fencing.

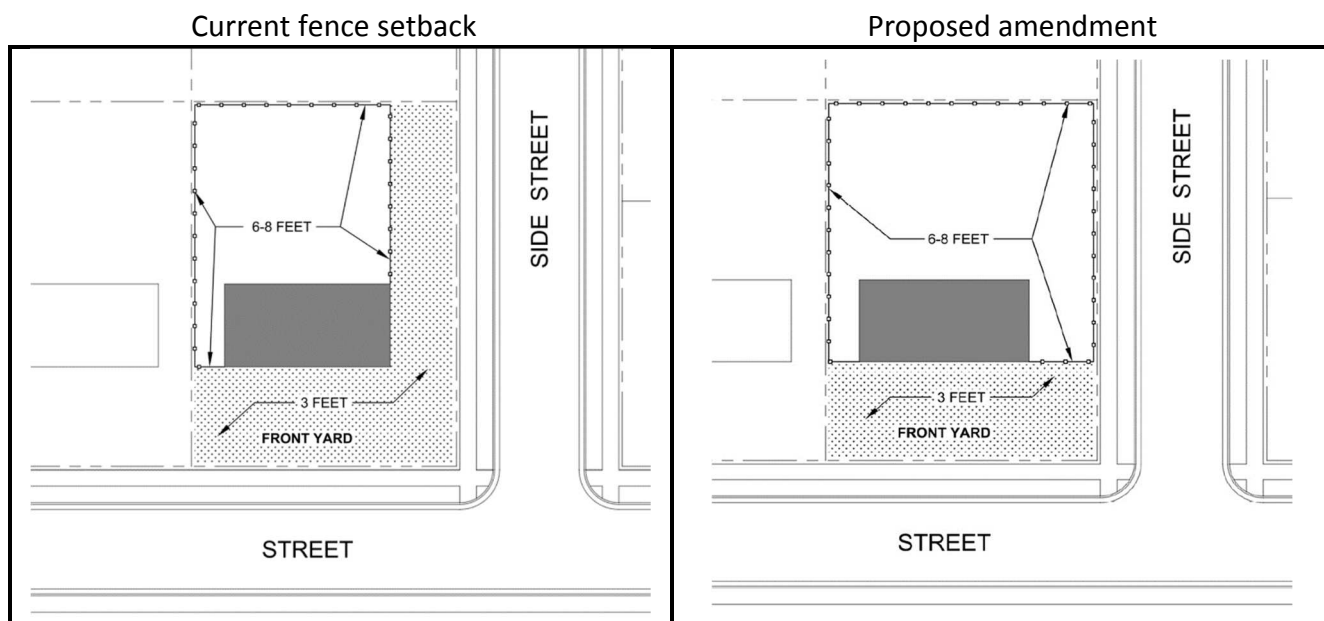
BACKGROUND & HISTORY:

From time to time, City staff receives public feedback requesting clarification of a zoning standard or that an amendment be made to the code to address a particular issue. Taking these comments into consideration, staff then researches other city codes for comparison with our city's UDO. In certain cases, such as with this proposed amendment, other cities standards differ from the UDO, with our code being the more restrictive. Based upon this research, it was decided that the accessory building and fencing setback standards should be modified.

The accessory building amendment primarily relates to corner residential lots, requiring accessory buildings (garages, carports, sheds) to only meet required setback along the side street, providing more flexibility in accessory building placement without sacrificing uniformity.

Three revisions to the residential fencing standards are also proposed. First is an advisory provision was added stating that no private fence shall be installed on public property, including in a street right-of-way.

The second revises the residential fence standards for corner lots allowing fences to be along the side street property line beside and behind the house. In the illustrations below, the left drawing shows the current standard for fencing on a corner lot with no fence taller than three feet allowed in the front or street side yard. On the right, the proposed amendment would allow the entire rear and street side yard to be enclosed with a six foot fence (eight foot with a fence permit). This was the standard in the previous, pre-July 1, 2009 zoning code.



If there's ever a code provision that can benefit from illustrations, it's to show where, and to what height, fencing can be installed. Four illustrations were created showing the various fence configurations for residential properties. They will be included in the UDO and with public information handouts.

The attached exhibit includes the proposed changes to Sections 14-400-01 and 14-400-02. In the attached amendment, ~~striethrough~~ denotes text proposed to be deleted while **bold/underline** identifies proposed text to be added.

EXHIBITS

1. Proposed Amendment