

Originator Community Development	Item Ordinance Amending Time Allowed for Exterior Construction Projects		# 5.4B1
Agenda Section HEARINGS/PUBLIC INPUT Ordinances	By GDM	Approved	Date June 4, 2007

Description

The attached ordinance comes in response to:

1. The inability, given current Code language, to adequately address frequent citizen complaints regarding negative impacts from long-term construction projects on adjacent single-family properties. The City often receives complaints from residents that a neighboring site has had construction debris, dirt-piles, construction equipment, or uncompleted exteriors or surfaces for several years, which has a negative impact on surrounding properties. While the City has existing Code language addressing the maximum time construction materials can remain on site, that language is weak given that the clock does not start ticking until construction has been completed or a Certificate of Occupancy is issued. Because there is no limit on the amount of time one has to complete interior work, construction materials could remain on site indefinitely.
2. An existing Code conflict regarding the amount of time one has to complete exterior construction work. Section 12.03 (14) sets the limit at 180 days while Section 15.201 (a) sets the limit at one year.

The attached ordinance would:

1. Resolve the existing conflict between Chapter 12 and Chapter 15 by setting the amount of time one has to complete “exterior construction and finishes” on a single family or two-family site at one year “after issuance of a permit or commencement of a construction project, whichever occurs first”.
2. For single family or two-family sites, set the amount of time one has to store construction materials and equipment in the open at “one year after issuance of a permit or commencement of a construction project, whichever occurs first”.
3. For multi-family residential and non-residential sites, set the amount of time one has to store construction materials and equipment in the open at “180 days after the issuance of the first temporary or permanent certificate of occupancy”.
4. List additional examples to further define the terms “exterior construction and finishes” and “construction materials and equipment”.
5. Update the violations and penalties provisions to match other Code sections.

Requested Action

Hold a public hearing and consider adoption of the attached ordinance.

Council Action

Motion by _____ Second by _____ to _____

