



Legislation Text

File #: ID 15-0641, **Version:** 1

Ordinance Amending Section 30-7-1.4(C) of the Land Development Ordinance to Allow the Landing Portion of Handicap Ramps to Encroach into the Required Setbacks With the Ramps

Department: Planning
Council District: All Districts

Public Hearing: Yes
Advertising Date/By: September 3rd and 10th / City Clerk

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PURPOSE:

The purpose of the text amendment is to amend the Land Development Ordinance (LDO) to allow the landing portion of handicap ramps to encroach into the required setbacks with the ramps. The City Council is required to hold a public hearing on this amendment before considering its approval.

BACKGROUND:

Although the Land Development Ordinance establishes the distance (by district) a structure or building can be located / construction from a property line, the ordinance also allows several smaller items to be placed closer to property lines. This exception is listed as permitted encroachments. Section 30-7-1.4(C) lists the allowed encroachments, with additional restrictions, as:

- Landscaping features.
- Pet shelters; at-grade patios; play equipment; outdoor furniture; ornamental entry columns and gates; flagpoles; lampposts; address posts; HVAC equipment; mailboxes; outdoor fireplaces; public utility lines, poles, pumps, and boxes; wells; fences; and similar structures.
- Handicap ramps except for porches and landings.
- Steps not connected to any above-grade structure.
- Gatehouses/guardhouses and bus shelters.
- Cornices, overhanging eaves and gutters, window sills, bay windows, or similar architectural features, chimneys and fireplaces, fire escapes, fire balconies, and fire towers.
- Porches and decks.
- Steps attached to above-grade structures.
- Retaining Walls.
- Marquee signs and projecting signs.
- Waste handling facilities, including dumpsters.

There have been several requests for information related to constructing handicap ramps to access the single family dwellings. Due to limits pertaining to ramp slopes, ramp lengths, topography of the sites and

location/design of existing buildings, providing handicap access to several dwellings has been difficult with the current ordinance wording.

Therefore, in the spirit of being better able to make “reasonable accommodations” to those with disabilities, staff is proposing that the LDO be revised to permit the ramp in its entirety to encroach into the setback.

BUDGET IMPACT: There will be no impact on the current or future budgets.

RECOMMENDATION / ACTION REQUESTED:

The Planning Board recommended this amendment at its August meeting on a vote of 6-0. Staff recommends that City Council receive citizen comments and consider adoption of the proposed text amendment.