

City of Fayetteville Staff Review Form

2019-0230

Legistar File ID

4/16/2019

City Council Meeting Date - Agenda Item Only
N/A for Non-Agenda Item

Garner Stoll

4/9/2019

DEVELOPMENT SERVICES (620)

Submitted By

Submitted Date

Division / Department

Action Recommendation:

2019-0230 Administrative Item (Amend UDC chapter 166: Access Management): Submitted by the Development Services Department for revisions to UDC Chapter 166. The proposed code changes would modify the nonconforming access features subsection.

Budget Impact:

Table with budget impact details including Account Number, Fund, Project Number, Project Title, Budgeted Item?, Current Budget, Funds Obligated, Current Balance, Item Cost, Does item have a cost?, Budget Adjustment Attached?, and Remaining Budget.

V20180321

Purchase Order Number:

Previous Ordinance or Resolution #

Change Order Number:

Approval Date:

Original Contract Number:

Comments:



CITY COUNCIL AGENDA MEMO

MEETING OF APRIL 16, 2018

TO: Mayor and City Council

THRU: Don Marr, Chief of Staff

FROM: Garner Stoll, Development Services Director
Blake Pennington, Assistant City Attorney

DATE: April 9, 2018

SUBJECT: **2019-0230 Administrative Item (Amend UDC chapter 166: Access Management):** Submitted by the Development Services Department for revisions to UDC Chapter 166. The proposed code changes would modify the nonconforming access features subsection.

RECOMMENDATION:

Staff recommends approval of a text amendment to 166.08 (G) (b) of the Unified Development Code to change the threshold for determining when non-conforming access features must be brought into conformance with current access standards.

BACKGROUND:

Presently the code requires retrofitting to current access standards when the proposed improvements equal 10% percent or greater of the market value of the property as determined by the County Assessor. This amendment proposes to change that threshold to 50% of the assessed property's appraised or market value as established by the Washington County Assessor.

This low threshold does not meet typical "proportionality" tests and has resulted in frequent and unnecessary requests to the Planning Commission for variances. While the Planning Commission typically granted these requests, this extremely low threshold creates delays and uncertainty and discourages highly desirable investment and redevelopment of existing buildings. A recent example is the proposed renovation of the Chancellor Hotel. Building and Safety is reviewing a building permit to allow a 3-million-dollar renovation of the existing hotel. The building permit cannot be granted without a variance because the renovation exceeds 10% of the assessed value of the building and the access to the street for their guest drop-off lanes doesn't meet current access management standards.

DISCUSSION:

This proposed code change has not been presented to the Planning Commission or other appointed body.

BUDGET/STAFF IMPACT:

None

166.08 - Street Design And Access Management Standards

(G) Non-Conforming Access Features.

- (1) Existing. Permitted access connections in place on the date of the adoption of this ordinance that do not conform with the standards herein shall be designated as nonconforming features and shall be brought into compliance with the applicable standards under the following conditions:
 - (a) When new access connection permits are requested;
 - (b) Upon expansion or improvements greater than 50% of the ~~assessed~~ property's appraised or market-value as established by the Washington County Assessor ~~or gross floor area or volume;~~
 - (c) As roadway improvements allow.