



Legislation Text

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TO: Mayor Bien-Willner and Town Council Members

FROM: Brian Dalke, Interim Town Manager
Jeremy Knapp, Community Development Director
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DATE: May 9, 2019

DEPARTMENT: Community Development

AGENDA TITLE:
Chapter 6 Town Code Amendment - Administrative Land Modification (MI-19-01)

SUMMARY STATEMENT:

Proposed amendments to Chapter 6 of the Town Code to establish and provide clarification on which type of lot splits, lot line adjustments, and easement modifications may be processed administratively.

BACKGROUND:

History and Scope of Amendments

The Town Code is unclear regarding which land modifications can be processed administratively. As a result, the proposed amendments are intended to establish and provide clarification on which type of lot splits, lot line adjustments, and easement modifications may be processed administratively by staff. Language has been added to the code to:

1. Define administrative land modifications, easement modifications, lot line adjustments, exempt lot splits, and replats; and
2. Identify which land modifications may be processed administratively by staff.

Lot line adjustments and exempt lot splits are applications that are processed administratively by staff; but are not identified in the Town Code. Also, under the current code, modifications to an easement can only be approved by the Town Council since they are permanent interests in land. However, if the modifications are compliant with the Town's requirements, staff believes such requests are administrative in nature and should be processed by staff.

A new section, Article 6-10 Administrative Land Modification, was added to the Town Code to outline which land modification applications may be processed by staff. These administrative processes include easement modifications, lot line adjustments, and exempt lot splits. However, complete abandonments of easements and any requests that deviate from the Town's development standards and codes will still require Town Council review and approval.

Also, Section 2.2 of the Town's Master Fee Schedule was updated to clarify the application fee associated with an Administrative Land Modification. The Exempt Lot Split Review and Lot Line Adjustment titles were changed to Administrative Land Modifications since these are already administrative processes that are subject to staff review. There is no change in the application fee, just a change in the name/title of the application.

Notification

On March 8, 2019, staff notified the Building Community via the Town's Contact Me/E-Notify list that the Town is working on code amendments to establish and provide clarification on which type of lot splits, lot line adjustments, and easement modifications may be processed administratively by staff. Staff did not receive any comments or inquiries regarding the proposed amendments.

Next Steps

Staff will incorporate input and edits from the Town Council into the draft ordinance and resolution. Ordinance 2019-05 and Resolution 2019-03 are scheduled for Town Council review and action at the May 23rd Council meeting.

ATTACHMENT(S):

Draft Ordinance 2019-05

Draft Resolution 2019-03

Administrative Land Modification Comparison Chart

Notice to Builders on Chapter 6 Amendments

Power Point Presentation