

17.11.050 Off-site improvements.

This section indicates the specific requirements with respect to off-site improvements. Notwithstanding any provision to the contrary in this ordinance, this Section shall not be subject to Section 17.02.100 of this ordinance related to the following of variances.

~~A. A. Requirements for Certain Improvements.~~ Prior to the issuance of a Building Permit for erecting a new structure, an enlargement or addition in excess of 300 square feet or of more than 25 percent of the original area of an existing residential structure, or movement of structure on any lot abutting a public street, the applicant for such building permit for the owner of such property shall comply with the off-site improvement requirements, where applicable, which include lot surveying, and installation of curbs and gutters and other improvements as outlined in the ordinance.

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~~1. 1. This section shall not apply to single family residential property owners constructing patios, garages, or similar accessory structures with an existing primary dwelling unit. Original area of an existing residential structure. Exemption: Single-family residential parcels with existing primary dwelling units shall be exempt from Section A when the applicant is requesting a building permit for patios, garages, or similar accessory structures.~~

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~~B. B. Provisions Made for Completing Improvements.~~ No building or structure shall be erected, constructed, enlarged or altered on a lot which abuts a street unless provision is made or has previously been made, for the dedication of the necessary right-of-way for street and highway purposes, and for the improvement of that portion of the street and/or right-of-way upon which the lot fronts and adjoins. The improvement shall include the installation of curb, gutter and pavement and such sidewalk as is required on that side of the centerline of the street and/or right-of-way adjoining said lot. A Certificate of Occupancy shall not be issued for any building or structure subject to the provisions of this ordinance without all improvements and dedications required hereunder being made and completed or the appropriate security filed with the Director of Public Works/City Engineer as required.

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~~1. Single Family residential property owners constructing patios, garages, or similar accessory structures as described in Subsection A.1 are also exempt from the requirement in Subsection B above to dedicate or improve street, sidewalk, or alleyway rights of way, provided the construction does not result in a change of use or exceed the thresholds stated in Section A.~~

~~1. Exemption: Single-family residential parcels with existing primary dwelling units shall be exempt from Section B when the applicant is requesting a building permit for patios, garages, or similar accessory structures.~~

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C. *Plans and Standards for Improvements.* The owner, developer or applicant for the building permit shall submit plans prepared by a Registered Engineer for said dedication and improvement to the City Engineer for his review and approval. The following requirements also apply:

1. All street improvements required by this Subsection shall be designed in accordance with the standards for such streets as set forth in the official standards as approved by the City Council.
2. All plans to be based on City Benchmark Systems.

D. *Street Dedication and Improvements Required.* This Subsection indicates specific requirements with respect to street dedications and any required improvements.

1. No building shall be erected, enlarged by more than 25 percent or moved to any lot or parcel of lots, which abuts or adjoining a street unless the one-half portion of such street adjoining or

abutting the developed area has been dedicated and improved in accordance with the current standards and specifications on file in the Office of the City Engineer.

~~a. Single Family Residential property owners constructing patios, garages, or similar accessory structures as described in Subsection A.1 are also exempt from the requirement in Subsection D.1 above. The construction is not for a patio, garage, or similar accessory structure under the exemptions in Section A.~~

Commented [RV1]: If right-of-way is needed, it should be required without exception.

2. Curb and gutter in front of the lot upon which the building or structure is to be erected shall be provided as required by the City Engineer in compliance with the Standard Specifications of the City.
 3. If sidewalks exist on 25 percent or more of the total frontage of the lots in the block on that side of the street adjoining the lot upon which the building or structure is to be erected or constructed, then a sidewalk shall be provided in front of said lot provided that the City Council may waive the provisions for sidewalks in front of single family residences, in manufacturing zones, and in open space zones if appealed by property owner.
 4. The City Council may extend the time for of improvements for a period the date of occupancy permit security and development the construction of one year from with a signed agreement.
- E. *Costs of Engineering and Improvements.* The owner, developer or applicant for the building permit shall pay all costs of dedication and improvement, including any cost for the removal or relocation of utilities, including fire hydrants, traffic signals, street lighting, drainage culverts, and of preparation of plans and blueprints.
- F. *Completion of Improvements.* Any person required to make street improvements pursuant to the provisions of this Subsection shall make and construct all of said improvements in accordance with said standards and specifications and other requirements of the Director of Public Works/City Engineer, or upon City Council approval, shall file with the City Engineer, a letter of credit, cash, certificate of deposit, or an agreement and note for the obligation secured by a deed of trust on the property, in such amount as the City Engineer shall estimate and determine to be necessary to cover the total costs of all required improvements. The City Engineer may determine the period of time during which the installation of said improvements could be reasonably delayed, provided that, in any event, the installation or construction of said improvements shall not be delayed for a period of more than two years from the date of final inspection of the building without the approval of the City Council. The City Engineer shall cause a written itemized estimate of the costs of all improvements and the amount of the required security to be given to the owner or applicant required to make the improvements within 30 days after issuance of the building permit.

~~a. Single Family Residential property owners constructing patios, garages, or similar accessory structures as described in Subsection A.1 are also exempt from the requirement in Subsection F above. This subsection does not apply to accessory residential structures meeting the exemptions in Sections A and B.~~

1. Exemption: Single-family residential parcels with existing primary dwelling units shall be exempt from Section ~~F~~ when the applicant is requesting a building permit for patios, garages, or similar accessory structures.

(Ord. No. 1128, § 2(Exh. B), 12-1-2020)

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