



STAFF REPORT

TO: City Council
FROM: Community Development Director
FOR COUNCIL MEETING: October 11, 2011

SUBJECT: PC 11-09 – Consideration of a Development Code Amendment to Sections 19.48.020 “General Standards” and 19.48.030 “Accessory Uses in Residential Districts” regarding accessory structures.

RECOMMENDATION

Re-open and conduct, the open, continued Public Hearing, consider public comment, determine that PC 11-09 is Exempt from further environmental review and introduce Ordinance No. 242 approving an amendment to Sections 19.48.020 “General Standards” and 19.48.030 “Accessory Uses in Residential Districts” of the Development Code regarding accessory structures.

Attachments:

1. Commission Forwarded Language
2. Minute Excerpt from August 16, 201
3. Draft Ordinance No. 242
4. Notice of Determination

ORDER OF PROCEDURE

Request Staff Report (Charles LaClaire Presenting)
Council Questions of Staff
Re-open the open, continued Public Hearing
Receive Public Comment
Close Public Hearing
Council Discussion
Motion/Second
Discussion of Motion
Call the Question

PROJECT DESCRIPTION

The City of Twentynine Palms Community Development Department is proposing to amend the City’s Development Code by amending the provisions and requirements of Code Sections 19.48.020 “General Standards” and 19.48.030 “Accessory Uses in Residential Districts” regarding architectural compatibility requirements applicable to any accessory structure within the City of Twentynine Palms.

BACKGROUND

At its regularly scheduled meeting of September 13, 2011, the City Council was presented with the Planning Commission’s recommendation regarding amending the language within Development Code Sections 19.48.020 “General Standards” and 19.48.030 “Accessory Uses in Residential Districts” as they pertain to the architectural compatibility between the main and accessory structures upon the same property. As noted within the September 13th report, the Commission, during many Study Sessions and a Public Hearing, discussed which structures should be subject to the Code’s requirement for “architectural compatibility”, and what architectural compatibility meant. The Minutes

for the Commission's August 16th Public Hearing where the Commission forwarded a recommendation to the Council are attached.

At the conclusion of the Council's September 13th discussion, a motion was offered and seconded to continue the open Public Hearing to the Council's regularly scheduled meeting of October 11th. This motion passed on a vote of four-to-zero.

ANALYSIS

In consideration of the guidance provided by the Commission at several Study Sessions and a Public Hearing, changes have been proposed to the existing language of Code Sections 19.48.020 "General Standards" and 19.48.030 "Accessory Uses in Residential Districts" regarding accessory structures. Provided below, as they were for the Council's September 13th Public Hearing report, is the language resulting from these Study Sessions and the Public Hearing for Council consideration under this Development Code Amendment. The language presented below presents both that recommended by the Planning Commission at its August 16th Public Hearing and the proposed modifications that staff believes were requested for further discussion at the Council's September 13th Public Hearing. As with all proposed amendments to the Development Code, any changes that are decided upon by the Council at the Public Hearing can be easily incorporated into the language within the proposed draft Ordinance.

It is noted that generally within the past few years the Planning Commission has attempted to forward for Council consideration changes that simplify the language of the Code to focus upon fewer standards and criteria, attempting to make it easier for the average individual to understand the requirements of the City. The language proposed within the Council's September 13th Public Hearing report illustrated the changes to the existing language (with additions shown in ***bold italics*** and deletions shown in ~~double-strike through~~) considered and forwarded by the Commission. While that language did not "simplify" the existing language of the Code, it was intended, if adopted by the Council (and with any Council directed changes), to make it easier for the average community resident to understand what is allowed for and required of accessory buildings.

The language provided below is that language presented to the City Council within its staff report for the Council's regularly scheduled meeting of September 13, 2011. The language presented has the Commission's recommended changes to the existing Code, all shown in regular type, with what staff understands as possible changes to that language as discussed by the Council at the September 13th Public Hearing illustrated as ***bold and italics*** for additions and ~~double-strike through~~ for deletions. The existing Code, with specific Commission recommended changes, is provided as an attachment to this report for ease of reference; pages 9 through 11.

19.48.020 General Standards.

- C. Permitted accessory buildings shall be located only on the same parcel as the primary use within the building envelope. A property owner or other may not establish (build or place) an accessory building upon a property where there is not a primary building.

19.48.030 Accessory Uses and Structures in Residential Districts. The following uses shall be permitted as accessory uses to each primary dwelling unit which is allowed:

- A. Guest Housing. Residential occupancy of a living unit, with no kitchen plumbing, located on the same parcel as the primary dwelling unit, but separated from it by at least ten (10) feet. This housing is for use by the occupants or temporary guests of the occupants of the premises and is not to be rented or otherwise used as a separate dwelling, except as provided by this Section.

- B. Accessory animal boarding, breeding, housing, lodging, sheltering or raising as specified by Chapter 19.52, *Animal Keeping*. (Held in reserve until updated Development Code has a Chapter 19.52 “Animal Keeping”.)

(The Council noted certain accessory structures that were not intended to be addressed by the accessory structure restrictions, the example given is illustrated below.)

- C. Exceptions. Non-habitable accessory structures such as ~~an~~ improved **children’s** play yard **equipment or playground structures**, tennis court, patio slab, water well, swimming pool, and similar at grade or below grade structures.

- D. Accessory Structure Regulations. The following regulations shall apply to all accessory structures as specified:

(The Council noted that it wished to discuss whether accessory structures of 200 square feet or less should be subject to any standards, except a prohibition for location within a required setback area. Further, the question was raised whether architectural compatibility standards should be applicable to accessory buildings within the Rural Living zoning districts at all. The Council may wish to address whether height of exempt structures should be considered as a property owner could construct a structure two stories in height, next to a one story home, with the accessory structure having a 180 square foot footprint. Note that under paragraph “3. b.” of the existing Code below, an accessory structure within the Single-Family Residential and Rural Living zoning districts is prohibited from being taller than the primary structure on site.)

(The Commission proposed reference to an accessory structure that, due to its location, is not visible from a public right-of-way or an adjoining property even at a second story level shall be exempt from architectural compatibility, is proposed to be relocated within the text to make it clearer as to when it would apply.)

1. All accessory buildings, whether or not requiring a Building Permit, which enclose or shelter 200 square feet or less of floor area, **or which are located within the Rural Living (RL) Districts,** ~~and which maintain a color similar to the main structure on site, are not located within any required setback area and do not exceed the height of the main structure on site,~~ shall not be required to be architecturally compatible with the main structure(s) on site **and are prohibited within any required setback area.** ~~Further, any accessory building which by its location is not visible from any individual at ground or second story level within any public right of way or adjoining property shall not be required to be architecturally compatible with the main structure(s) on site.~~

(The Council began a discussion of whether or not to retain the suggested two (2) “absolute” architectural features noted below {color and height} as well as two {2} additional features on the ten {10} trait list to establish architectural compatibility between a primary and accessory building upon a property, or whether color and height should instead be incorporated into the list of ten {10} traits, where matching any two {2} of the larger twelve {12} trait list would constitute architectural compatibility.)

2. All accessory buildings which enclose or shelter more than 200 square feet of floor area shall be required to be architecturally compatible with the main building(s) on site. Architectural compatibility shall be determined where the accessory building ~~is at least a similar color as the dominant color of the primary building on site and does not exceed the height of that primary building. In addition to these absolute requirements for each such architecturally compatible~~

~~building, that building must also~~ possess at least two (2) traits of the primary building on site coming from the following list of architectural features:

Similar color;

Equal or lesser height than the primary structure on site;

Wall covering materials (wood, stucco, metal);

Wall texture (smooth, stucco, lace stucco, lap siding);

Roofing material (tile, shake, composition, metal);

Roofing pitch (flat, 2 and 12, steep);

Structural eaves (present or absent, and when present the extent/distance projecting from supporting wall);

Fascia materials (present and if so, decorative or functional);

Mass and scale of structure relative to structural height (short and broad, tall and thin, massive);

Windows size (proportionally large and/or small relative to surrounding wall)

Window characteristics (few or numerous, single pane, multi-pane, decorative); and

Decorative treatments (pop-outs, columns, dormers, window surrounds, decorative arches).

In lieu of the above conformity, under review of a Minor Use Permit, the Planning Commission may determine an accessory building to be architecturally compatible with the main building on a site where the Commission finds that the proposed accessory structure shall be consistent, compatible and complimentary to the main building on site and/or to the buildings within the immediate area.

(Attorney grammatical corrections, for ease in reading the requirement, are placed within the paragraph below. Note that this paragraph was moved from its previous location within paragraph #1 above.)

Any accessory building which, by its location, is not visible from any individual at ground or second story level within any public right-of-way or adjoining property, shall not be required to be architecturally compatible with the main structure(s) on site.

(The Council questioned the logic of requiring a specified vehicular access to the rear of the property for a new accessory structure when what appears to be adequate side and rear yard setbacks have been long established within the community and where this new Code could be interpreted to prohibit a new accessory structure when an existing home, which was built in conformance to Code required setbacks, is located in such a manner so as not to allow the unencumbered minimum access to the rear of the property.)

~~At all times one side yard shall remain unencumbered (a minimum width as defined within Table 19.82-D "Required Driveway and Aisle Width" for a driveway width) to provide access to the rear yard of the property.~~

All such accessory buildings shall be subject to the size limitations established under Development Code Section 19.48.030 "Accessory Uses in Residential Districts", subsection "D".

No such accessory building subject to the above requirements shall be located within any required front, side, street side or rear yard setback area.

(The Council asked that references within the following paragraph be corrected for consistency with how the zoning district notations are stated within other parts of the Development Code and clarifying which zones the following restrictions would be applied; remove reference to RM and install reference to RL. It is noted that within the Multi-Family Residential district, lot coverage is limited to sixty {60} percent of total lot area and is not germane to the Council's discussion of accessory structures in the single-family residential districts {so the RM reference is proposed to be removed}. A suggestion was also made challenging the need for a size limitation for accessory buildings within the Rural Living zones at all. Caution should be taken when considering removing all accessory structure size limitations, for without a specified limitation, an individual could place multiple, large "storage" or other use accessory structures on a lot, with little or no direct relationship to the primary use of the lot for low density residential purposes.)

(The Council requested clarification of whether a "Second Dwelling Unit" {granny flat} would be counted towards the total allowed square footage for accessory structures. The language below is proposed to remove the area of a Guest House from the cumulative total allowed for "accessory" structures.)

3. In ~~RM~~, **Single-Family Residential (RS)** and ~~RS~~ **Rural Living (RL)** districts, the following size restrictions shall apply to accessory structures unless a greater size is approved with a Minor Use Permit:
 - a. In the **Single-Family Residential (RS)** Districts, the cumulative total area of all accessory buildings upon a recorded lot may not exceed fifty percent (50%) of the area of the main structure or 1,000 sq. ft., whichever is larger. Within the Rural Living (RL) Districts, the cumulative total area of all accessory buildings upon a recorded lot may not exceed one hundred percent (100%) of the area of the main structure or 2,500 square feet, whichever is larger, without first obtaining approval from the Planning Commission of a Minor Use Permit. **A Second Dwelling Unit as permitted under Chapter 19.53 "Second Dwelling Units" shall not be included within the cumulative total of allowed square footage for accessory structure(s).**
 - b. In both districts, an accessory building may not be higher than the height of the established main structure.

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Paragraph "4" and all parts of Subsection "E" shown below were not proposed, by either the Commission or Council, to be changed from that of the existing Code.

4. In all districts, the setback of an accessory building shall be greater than the minimum established for the district in question when the height of the structure is greater than the yard setback; in which case the structure shall be setback at least to the line where the height is not greater than the distance from the structure to the property line.
- E. Permanent use of sea-going cargo containers and similar storage devices may be permitted as permanent storage facilities on a lot containing a residence subject to the following conditions:
1. Approval of an Administrative Cargo Container Review where it is demonstrated that the requested container(s) is proposed to be located within the rear yard area of the lot, screened from view of the neighbors and the public rights-of-way by residential structures, landforms or physical features of the lot, landscaping or opaque fencing of up

to six (6) feet in height with any visible remaining exterior portion of the container(s) painted in a manner compatible with the principal residence on site.

2. Screening shall be waived if the container(s) is/are completely encased within an on-site, stick-built skin and eaves, which are architecturally consistent with the main home on site and located no closer than fifty (50) feet to any adjoining property line.
3. Containers shall be maintained in “reasonable aesthetic condition” at all times, shall not exceed fifty percent (50%) of the floor area of the primary building on site nor be stacked one atop another, and shall not be used for habitation of persons or animals.
4. Alternative allowances, including size, screening, condition, location, habitation, etc., may be considered and approved by the Planning Commission under review and approval of a Conditional Use Permit.

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Please note that within the attached draft Ordinance No. 242, alternatives “A” through “H” are provided to allow the Council to select which, if any, of the suggested amended paragraphs and language it would like to be placed within the final Ordinance for introduction.

It is also noted that the material from this point to the end of the “Approval Process” portion of this report is the same as was presented within the Council’s September 13th staff report.

CEQA Environmental Review

Pursuant to the State Guidelines to Implement the California Environmental Quality Act (CEQA), the proposal has been reviewed for its potential to impact the environment. As the Development Code Amendment proposed will modify and further define the requirements and allowances of the existing Code with regard to small accessory structure, by defining architectural compatibility or establishing alternative allowances for those accessory structures, it can be seen with certainty that the proposed amendment will not have an adverse impact upon the environment, therefore, under Section 15321 it is EXEMPT from further environmental review.

General Plan/Zoning Designations Citywide

With consideration of any Code Amendment, the City, both Commission and Council, must review the proposal in light of its conformity to the Goals and Policies of the City’s adopted General Plan. As such, the following General Plan Goals and Policies were offered for consideration by the Commission during its review of the proposed changes to the standards and criteria applicable to accessory structures. The Commission, upon review of the offered Goals and Policies, found that the changes proposed to the Development Code under this Amendment were consistent with the stated Goals and Policies as the change will improve the desirability of the City by preserving the low density and aesthetic nature and character (as a community resource) of residential properties within the community while allowing consistency and flexibility in development. Further, this change shall allow development in a manner that is consistent with development standards that minimization potential land use conflicts by establishing and enforcing high quality land use standards, as well as allow creative alternative development requirements under Commission review. As such, the Commission, in adopting Resolution No. 11-10, forwards a recommendation that the Council also find that the proposed amendment is consistent with these Goals and Policies.

Land Use

Goal #1

A Land Use Plan which provides a desirable City in which to live.

Policy #1.1

Traffic, noise and other impacts will be considered prior to any land use designation change and/or land use intensification.

Policy #1.2

Quality standards will be applied to all new developments.

Policy #1.3

Uses shall be located in a manner which will minimize conflict and mitigate impacts.

Goal #5

The City will be environmentally sensitive and all land uses shall minimize adverse environmental impacts and shall maintain and enhance existing natural resources.

Conservation

Goal #1

The City of Twentynine Palms will be environmentally conscious in administering its responsibility to ensure that resources are protected.

Policy #1.1

Land use decisions by the City will consider long-term impacts to natural resources, and development will occur in a manner which does not unnecessarily damage or reduce the City's resources.

Policy 1.2

Intensity of development will occur in a manner which ensures environmental protection.

Safety

Goal #1

The City of Twentynine Palms will be a safe place to live and visit.

Noise

GOAL #1

Noise levels will be anticipated prior to the City taking actions on land use proposals and potential conflicts will be avoided so that noise levels will not exceed acceptable levels.

Findings

Section 19.22.050 "Findings" of the City's Development Code requires that the City Council, following a recommendation by the Planning Commission, make specific Findings in a positive manner prior to approval of a Development Code Amendment. Similar to the issue of General Plan Goals and Policies noted above, these Findings, along with a comment to address each, were considered and adopted within the Commission's Resolution No. 11-10, which forwards a recommendation that the Council also consider and adopt these Findings.

- A. The Zone Change or Development Code Amendment is consistent with the intent of the goals and policies of the General Plan; and

Comment: The proposed amendment to the Development Code is consistent with the goals and policies of the adopted General Plan by improving the livability of the City by enhancing established high quality land use standards, while still allowing flexibility and continuity to existing development within the community.

B. The Zone Change or Development Code Amendment prescribes reasonable controls and standards to ensure compatibility with other established uses; and

Comment: The proposed amendment to the Development Code will establish clear and detailed standards and criteria for accessory structures that will allow both flexibility to preserve the nature and character of development within the community, and continuity with existing development. No changes to the basic permitted land uses would accompany the proposed Development Code Amendment.

C. The Zone Change or Development Code Amendment provides reasonable property development rights while protecting environmentally sensitive land uses and species; and

Comment: The proposed Code Amendment will minimally alter development rights to existing land uses within the community, but such alteration shall enhance the ability of the community to preserve the character of the community by providing clear development criteria and limitation, while still allowing flexibility of the development requirements to address the unique circumstances. As such, the proposed Amendment will enhance the use of properties within the community, assuring the provision of development rights, while continuing to protect environmentally sensitive land uses.

D. The Zone Change or Development Code Amendment ensures protection of the general health, safety, and welfare of the community

Comment: No changes are proposed under this Code Amendment that would reduce or compromise existing standards that protect the health, safety or general welfare of the citizens, residents and visitors to the City of Twentynine Palms.

Approval Process

The Planning Commission is the Reviewing Authority for any amendment to the City's Development Code, with the City Council being the Approval Authority. With the Planning Commission's action to adopt Commission Resolution No. 11-10, it forwards a recommendation that the City Council determine that the proposed amendment is exempt from further environmental review, find that the proposed Amendment is consistent with the Goals and Policies of the City's adopted General Plan and adopt the proposed Amendment as detailed within the Commission's Resolution (incorporated within the draft Ordinance No. 242).

COMMISSION FORWARDED LANGUAGE
(REVIEWED BY COUNCIL SEPTEMBER 13, 2011)

The language provided below is that considered and forwarded by the Planning Commission at its meeting of August 16, 2011. This language illustrates the existing Code (in regular type) and the changes that were proposed to the existing Code in **bold and italics** for additions and ~~double strike through~~ for deletions.

19.48.020 General Standards.

- C. Permitted accessory buildings shall be located **only** on the same parcel as the primary use within the building envelope. ***A property owner or other may not establish (build or place) an accessory building upon a property where there is not a primary building.***

19.48.030 Accessory Uses and Structures in Residential Districts. The following uses shall be permitted as accessory uses to each ~~primary single~~ dwelling unit which is allowed:

- A. Guest Housing. Residential occupancy of a living unit, with no kitchen plumbing, located on the same parcel as the primary dwelling unit, but separated from it by at least ten (10) feet. This housing is for use by the occupants or temporary guests of the occupants of the premises and is not to be rented or otherwise used as a separate dwelling, except as provided by this Section.
- B. Accessory animal ***boarding, breeding, housing, lodging, sheltering or*** raising as specified by Chapter 19.52, *Animal Keeping*. (***Held in reserve until updated Development Code has a Chapter 19.52 "Animal Keeping".***)
- C. ***Exceptions.*** Non-habitable accessory ~~structures~~ facilities such as ~~a cabana, an improved~~ play yard, tennis court, ~~porch, ramada, awning, patio slab, water tower and well, swimming pool, storage buildings and similar~~ ***at grade or below grade structures uses.***
- D. Accessory Structure Regulations. The following ~~additional~~ regulations shall apply to **all** accessory structures as specified:
1. ***All accessory buildings, whether or not requiring a Building Permit, which enclose or shelter 200 square feet or less of floor area, and which maintain a color similar to the main structure on site, are not located within any required setback area and do not exceed the height of the main structure on site, shall not be required to be architecturally compatible with the main structure(s) on site. Further, any accessory building which by its location is not visible from any individual at ground or second story level within any public right-of-way or adjoining property shall not be required to be architecturally compatible with the main structure(s) on site.***
 2. All accessory buildings ***which enclose or shelter more than 200 square feet of floor area*** shall be required to be architecturally compatible with the main ~~building(s) on site structure(s).~~ ***Architectural compatibility shall be determined where the accessory building is at least a similar color as the dominant color of the primary building on site and does not exceed the height of that primary building. In addition to these absolute requirements for each such architecturally compatible building, that building must also possess at least two (2) traits of the primary building on site coming from the following list of architectural features:***

Wall covering materials (wood, stucco, metal);
Wall texture (smooth, stucco, lace stucco, lap siding);
Roofing material (tile, shake, composition, metal);
Roofing pitch (flat, 2 and 12, steep);
Structural eaves (present or absent, and when present the extent/distance projecting from supporting wall);
Fascia materials (present and if so, decorative or functional);
Mass and scale of structure relative to structural height (short and broad, tall and thin, massive);
Windows size (proportionally large and/or small relative to surrounding wall)
Window characteristics (few or numerous, single pane, multi-pane, decorative); and
Decorative treatments (pop-outs, columns, dormers, window surrounds, decorative arches).

In lieu of the above conformity, under review of a Minor Use Permit, the Planning Commission may determine an accessory building to be architecturally compatible with the main building on a site where the Commission finds that the proposed accessory structure shall be consistent, compatible and complimentary to the main building on site and/or to the buildings within the immediate area.

At all times one side yard shall remain unencumbered (a minimum width as defined within Table 19.82-D "Required Driveway and Aisle Width" for a driveway width) to provide access to the rear yard of the property.

All such accessory buildings shall be subject to the size limitations established under Development Code Section 19.48.030 "Accessory Uses in Residential Districts", subsection "D".

No such accessory building subject to the above requirements shall be located within any required front, side, street side or rear yard setback area.

3. In RM and RS districts, the following size restrictions shall apply to accessory structures unless a greater size is approved with a Minor Use Permit:
 - a. In the RS District, the **cumulative total** area of **all** accessory buildings ~~or features~~ **upon a recorded lot** may not exceed fifty percent (50%) of the area of the main structure or 1,000 sq. ft., whichever is larger. **Within the Rural Living (RL) Districts, the cumulative total area of all accessory buildings upon a recorded lot may not exceed one hundred percent (100%) of the area of the main structure or 2,500 square feet, whichever is larger, without first obtaining approval from the Planning Commission of a Minor Use Permit.**
 - b. In both districts, an accessory building may not be higher than the height of the established main structure.
4. In all districts, the setback of an accessory building shall be greater than the minimum established for the district in question when the height of the structure is greater than the yard setback; in which case the structure shall be setback at least to the line where the height is not greater than the distance from the structure to the property line.

E. Permanent use of sea-going cargo containers and similar storage devices may be permitted as

permanent storage facilities on a lot containing a residence subject to the following conditions:

1. Approval of an Administrative Cargo Container Review where it is demonstrated that the requested container(s) is proposed to be located within the rear yard area of the lot, screened from view of the neighbors and the public rights-of-way by residential structures, landforms or physical features of the lot, landscaping or opaque fencing of up to six (6) feet in height with any visible remaining exterior portion of the container(s) painted in a manner compatible with the principal residence on site.
2. Screening shall be waived if the container(s) is/are completely encased within an on-site, stick-built skin and eaves, which are architecturally consistent with the main home on site and located no closer than fifty (50) feet to any adjoining property line.
3. Containers shall be maintained in "reasonable aesthetic condition" at all times, shall not exceed fifty percent (50%) of the floor area of the primary building on site nor be stacked one atop another, and shall not be used for habitation of persons or animals.
4. Alternative allowances, including size, screening, condition, location, habitation, etc., may be considered and approved by the Planning Commission under review and approval of a Conditional Use Permit.

MINUTE EXCERPT

TWENTYNINE PALMS PLANNING COMMISSION
CITY COUNCIL CHAMBER, 6136 ADOBE ROAD
TWENTYNINE PALMS, CALIFORNIA
TUESDAY, AUGUST 16, 2011

6:00 P.M.

MINUTES

- 1.0 CALL TO ORDER-** Chair Easter called the meeting to order at 6:00 p.m.
PLEDGE OF ALLEGIANCE- Commissioner Mendoza led the Pledge of Allegiance.
ROLL CALL- The following Commissioners were present: Alderson, Benton, Mendoza, Whitten and Easter.

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2.0 PUBLIC HEARINGS

- 2.1 PC 11-09 – Consideration of an amendment to Development Code Section 19.48.030 “Accessory Uses in Residential Districts” regarding architectural compatibility.

RECOMMENDATION: Open and conduct the Public Hearing, consider public comment and approve PC Resolution No. 11-10 forwarding a recommendation that the City Council determine that PC 11-09 is Exempt from further environmental review and approve the proposed amendment to the Development Code amending Section 19.48.030 “Accessory Uses in Residential Districts” regarding architectural compatibility.

Community Development Director LaClaire (Director LaClaire) presented a staff report to the Planning Commission.

Chair Easter opened the Public Hearing.

Chair Easter closed the Public Hearing after there were no requests to speak from the public.

Chair Easter raised the issue of similar verses same color requirements, stating that he was not comfortable with either as a requirement. Other commissioner’s noted that the term “similar” color was a compromised worked out during the Study Sessions.

ACTION: On a motion made by Commissioner Mendoza, seconded by Commissioner Whitten and carried with a 5-0 roll call vote, the Planning Commission approved PC Resolution No. 11-10 forwarding a recommendation that the City Council determine that PC 11-09 is Exempt from further environmental review and approve the proposed amendment to the Development Code amending Section 19.48.030 “Accessory Uses in Residential Districts” regarding architectural compatibility.

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9.0 ADJOURNMENT- Chair Easter adjourned the meeting at 6:50 p.m.

Respectfully Submitted,

Jacqueline Palmer,

Deputy

City

Clerk

**CITY OF TWENTYNINE PALMS
CITY COUNCIL**

ORDINANCE No. 242

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TWENTYNINE PALMS, CALIFORNIA, FINDING THAT PC 11-09 IS EXEMPT FROM FURTHER ENVIRONMENTAL REVIEW AND AMENDING TITLE 19 "DEVELOPMENT CODE" OF THE CITY'S MUNICIPAL CODE BY AMENDING SECTIONS 19.48.020 and 19.48.030 OF CHAPTER 19.48 "ACCESSORY USES AND STRUCTURES".

WHEREAS, the City of Twentynine Palms General Plan was adopted by the City Council on April 12, 1988; and

WHEREAS, Title 19 (Development Code) of the Municipal Code of the City of Twentynine Palms was adopted by the City Council on April 12, 1988, and subsequently amended upon the recommendation of the Planning Commission; and

WHEREAS, there is no developmental project proposed as part of Development Code Amendment PC 11-09; and

WHEREAS, on August 16, 2011 the Planning Commission of the City of Twentynine Palms conducted a duly noticed and advertised Public Hearing on PC 11-09, an amendment to Title 19 "Development Code" of the City of Twentynine Palms Municipal Code, Chapter 19.48 "Accessory Uses and Structures", Sections 19.48.020 "General Standards" and 19.48.030 "Accessory Uses and Structures in Residential Districts", receiving testimony from the public and adopting Planning Commission Resolution No. 11-10 forwarding a recommendation to the Council to adopt the proposed Code Amendment; and

WHEREAS, on September 1, 2011 Development Code Amendment PC 11-09 was duly noticed in the Desert Trail, a newspaper of general circulation within the City of Twentynine Palms for a Public Hearing before the City Council; and

WHEREAS, on September 13, 2011 and October 11, 2011 the City Council of the City of Twentynine Palms conducted duly noticed and advertised Public Hearings on PC 11-09, an amendment to Title 19 "Development Code" of the City of Twentynine Palms Municipal Code, Chapter 19.48 "Accessory Uses and Structures", Sections 19.48.020 "General Standards" and 19.48.030 "Accessory Uses and Structures in Residential Districts", receiving testimony from the public and considering the Introduction of Ordinance No. 242 to adopt the proposed Code Amendment; and

WHEREAS, based upon the State Guidelines to Implement the California Environmental Quality Act (CEQA), it has been determined that the proposal, consisting of the a modification and further refinement of the requirements and allowances of the existing Code with regard to small accessory structure, by defining architectural compatibility or establishing alternative allowances for those accessory structures, can be seen with certainty will not have an adverse impact upon the environment, and therefore, under Section 15321 it is EXEMPT from further environmental review; and

WHEREAS, the City Council finds on the basis of the whole record before it (including any comments received at the Public Hearing) that there is no substantial evidence that the project will

have a significant effect on the environment and that the Determination of Exemption reflects the Council's independent judgment and analysis; and

WHEREAS, the proposed amendment to the Development Code by way of PC 11-09 is consistent with the Goals and Policies of the City of Twentynine Palms General Plan and Title 9 (Development Code) of the Municipal Code of the City of Twentynine Palms and shall promote the health, safety and general welfare of the citizens of the Community; and

WHEREAS, the City Council, in its consideration of the proposed Code Amendment, considered the Goals and Policies of the adopted General Plan, including:

Land Use

Goal #1

A Land Use Plan which provides a desirable City in which to live.

Policy #1.1

Traffic, noise and other impacts will be considered prior to any land use designation change and/or land use intensification.

Policy #1.2

Quality standards will be applied to all new developments.

Policy #1.3

Uses shall be located in a manner which will minimize conflict and mitigate impacts.

Goal #5

The City will be environmentally sensitive and all land uses shall minimize adverse environmental impacts and shall maintain and enhance existing natural resources.

Conservation

Goal #1

The City of Twentynine Palms will be environmentally conscious in administering its responsibility to ensure that resources are protected.

Policy #1.1

Land use decisions by the City will consider long-term impacts to natural resources, and development will occur in a manner which does not unnecessarily damage or reduce the City's resources.

Policy 1.2

Intensity of development will occur in a manner which ensures environmental protection.

Safety

Goal #1

The City of Twentynine Palms will be a safe place to live and visit.

Noise

GOAL #1

Noise levels will be anticipated prior to the City taking actions on land use proposals and potential conflicts will be avoided so that noise levels will not exceed acceptable levels.

WHEREAS, the City Council, upon its review of proposed Development Code Amendment PC 11-09, and with consideration of the recommendation of the Planning Commission, makes the following "Findings":

- A. The proposed amendment to the Development Code is consistent with the goals and policies of the adopted General Plan by improving the livability of the City by enhancing established high quality land use standards, while still allowing flexibility and continuity to existing development within the community.
- B. The proposed amendment to the Development Code will establish clear and detailed standards and criteria for accessory structures that will allow both flexibility to preserve the nature and character of development within the community, and continuity with existing development. No changes to the basic permitted land uses would accompany the proposed Development Code Amendment.
- C. The proposed Code Amendment will minimally alter development rights to existing land uses within the community, but such alteration shall enhance the ability of the community to preserve the character of the community by providing clear development criteria and limitation, while still allowing flexibility of the development requirements to address the unique circumstances. As such, the proposed Amendment will enhance the use of properties within the community, assuring the provision of development rights, while continuing to protect environmentally sensitive land uses.
- D. No changes are proposed under this Code Amendment that would reduce or compromise existing standards that protect the health, safety or general welfare of the citizens, residents and visitors to the City of Twentynine Palms.

NOW, THEREFORE, the City Council of the City of Twentynine Palms, California, does ordain as follows:

Section 1. Based upon review of the proposed amendment of the Development Code by way of PC 11-09, that the City Council finds that the proposed amendment does not have the potential to have an adverse impact upon the environment and, therefore, under Section 15321 of the State Guidelines the proposal is exempt from further CEQA review.

Section 2. That the City Council finds that the proposed Amendment is consistent with the adopted General Plan Goals and Policies as set forth above as the change proposed under the Amendment as the change will improve the desirability of the City by preserving the low density and aesthetic nature and character (as a community resource) of residential properties within the community while allowing consistency and flexibility in development. Further, this change shall allow development in a manner that is consistent with development standards that minimize potential land use conflicts by establishing and enforcing high quality land use standards, as well as allow creative alternative development requirements under Code established Commission review.

Section 3. That the City Council approves and adopts the Findings required for approval for a Development Code Amendment as set forth above.

Section 4. That the City Council of the City of Twentynine Palms hereby amends Title 19 "Development Code" of the City's Municipal Code, Chapter 19.48 "Accessory Uses and Structures", Section 19.48.020 "General Standards", Subsection "C" to read, in its entirety, as follows:

19.48.020 General Standards.

- C. Permitted accessory buildings shall be located only on the same parcel as the primary use within the building envelope. A property owner or other may not establish (build or place) an accessory building upon a property where there is not a primary building.

Section 5. That the City Council of the City of Twentynine Palms hereby amends Title 19 “Development Code” of the City’s Municipal Code, Chapter 19.48 “Accessory Uses and Structures”, Section 19.48.030 “Accessory Uses and Structures in Residential Districts”, to read, in its entirety, as follows:

19.48.030 Accessory Uses and Structures in Residential Districts. The following uses shall be permitted as accessory uses to each primary dwelling unit which is allowed:

- A. Guest Housing. Residential occupancy of a living unit, with no kitchen plumbing, located on the same parcel as the primary dwelling unit, but separated from it by at least ten (10) feet. This housing is for use by the occupants or temporary guests of the occupants of the premises and is not to be rented or otherwise used as a separate dwelling, except as provided by this Section.
- B. Accessory animal boarding, breeding, housing, lodging, sheltering or raising as specified by Chapter 19.52, *Animal Keeping*. (Held in reserve until updated Development Code has a Chapter 19.52 “Animal Keeping”.)

(Alternative “A” – Commission’s original recommendation.)

- C. Exceptions. Non-habitable accessory structures such as an improved play yard, tennis court, patio slab, water well, swimming pool, and similar at grade or below grade structures.

(Alternative “B” – Revised language per Council discussion/direction.)

- C. Exceptions. Non-habitable accessory structures such as improved children’s play yard equipment or playground structures, tennis court, patio slab, water well, swimming pool, and similar at grade or below grade structures.

(Alternative “C” – Commission’s original recommendation.)

- D. Accessory Structure Regulations. The following regulations shall apply to all accessory structures as specified:
 - 1. All accessory buildings, whether or not requiring a Building Permit, which enclose or shelter 200 square feet or less of floor area, and which maintain a color similar to the main structure on site, are not located within any required setback area and do not exceed the height of the main structure on site, shall not be required to be architecturally compatible with the main structure(s) on site. Further, any accessory building which by its location is not visible from any individual at ground or second story level within any public right-of-way or adjoining property shall not be required to be architecturally compatible with the main structure(s) on site.

(Alternative “D” – Revised language per Council discussion/direction.)

- D. Accessory Structure Regulations. The following regulations shall apply to all accessory structures as specified:

1. All accessory buildings, whether or not requiring a Building Permit, which enclose or shelter 200 square feet or less of floor area or which are located within the Rural Living (RL) Districts, shall not be required to be architecturally compatible with the main structure(s) on site and are prohibited within any required setback area.

(Alternative “E” – Commission’s original recommendation.)

2. All accessory buildings which enclose or shelter more than 200 square feet of floor area shall be required to be architecturally compatible with the main building(s) on site. Architectural compatibility shall be determined where the accessory building is at least a similar color as the dominant color of the primary building on site and does not exceed the height of that primary building. In addition to these absolute requirements for each such architecturally compatible building, that building must also possess at least two (2) traits of the primary building on site coming from the following list of architectural features:

Wall covering materials (wood, stucco, metal);
Wall texture (smooth, stucco, lace stucco, lap siding);
Roofing material (tile, shake, composition, metal);
Roofing pitch (flat, 2 and 12, steep);
Structural eaves (present or absent, and when present the extent/distance projecting from supporting wall);
Fascia materials (present and if so, decorative or functional);
Mass and scale of structure relative to structural height (short and broad, tall and thin, massive);
Windows size (proportionally large and/or small relative to surrounding wall)
Window characteristics (few or numerous, single pane, multi-pane, decorative); and
Decorative treatments (pop-outs, columns, dormers, window surrounds, decorative arches).

In lieu of the above conformity, under review of a Minor Use Permit, the Planning Commission may determine an accessory building to be architecturally compatible with the main building on a site where the Commission finds that the proposed accessory structure shall be consistent, compatible and complimentary to the main building on site and/or to the buildings within the immediate area.

At all times one side yard shall remain unencumbered (a minimum width as defined within Table 19.82-D “Required Driveway and Aisle Width” for a driveway width) to provide access to the rear yard of the property.

All such accessory buildings shall be subject to the size limitations established under Development Code Section 19.48.030 “Accessory Uses in Residential Districts”, subsection “D”.

No such accessory building subject to the above requirements shall be located within any required front, side, street side or rear yard setback area.

(Alternative “F” – Revised language per Council discussion/direction; with City Attorney grammatical corrections, relocation of a portion of paragraph #1 for inclusion as an independent subparagraph within this paragraph, and the deletion of a previously proposed subparagraph.)

2. All accessory buildings which enclose or shelter more than 200 square feet of floor area shall be required to be architecturally compatible with the main building(s) on site. Architectural compatibility shall be determined where the accessory building possess at least two (2) traits of the primary building on site coming from the following list of architectural features:

- Similar color;
- Equal or lesser height than the primary structure on site;
- Wall covering materials (wood, stucco, metal);
- Wall texture (smooth, stucco, lace stucco, lap siding);
- Roofing material (tile, shake, composition, metal);
- Roofing pitch (flat, 2 and 12, steep);
- Structural eaves (present or absent, and when present the extent/distance projecting from supporting wall);
- Fascia materials (present and if so, decorative or functional);
- Mass and scale of structure relative to structural height (short and broad, tall and thin, massive);
- Windows size (proportionally large and/or small relative to surrounding wall)
- Window characteristics (few or numerous, single pane, multi-pane, decorative); and
- Decorative treatments (pop-outs, columns, dormers, window surrounds, decorative arches).

In lieu of the above conformity, under review of a Minor Use Permit, the Planning Commission may determine an accessory building to be architecturally compatible with the main building on a site where the Commission finds that the proposed accessory structure shall be consistent, compatible and complimentary to the main building on site and/or to the buildings within the immediate area.

Any accessory building which, by its location, is not visible from any individual at ground or second story level within any public right-of-way or adjoining property, shall not be required to be architecturally compatible with the main structure(s) on site.

All such accessory buildings shall be subject to the size limitations established under Development Code Section 19.48.030 "Accessory Uses in Residential Districts", subsection "D".

No such accessory building subject to the above requirements shall be located within any required front, side, street side or rear yard setback area.

(Alternative "G" - Commission's original recommendation without discussion/direction from Council. Note, typo identifying "RM" district where it should be "RL" and spelling our "Single-Family Residential 'R S'" within the body of the material have been corrected.)

3. In Rural Residential (RL) and Single-Family Residential (RS) districts, the following size restrictions shall apply to accessory structures unless a greater size is approved with a Minor Use Permit:
 - a. In the Single-Family Residential (RS) District, the cumulative total area of all accessory buildings upon a recorded lot may not exceed fifty percent (50%) of the area of the main structure or 1,000 sq. ft., whichever is larger. Within the Rural Living (RL) Districts, the cumulative total area of all accessory buildings upon a recorded lot may not exceed one hundred percent (100%) of the area of the main structure or 2,500 square feet,

whichever is larger, without first obtaining approval from the Planning Commission of a Minor Use Permit.

- b. In both districts, an accessory building may not be higher than the height of the established main structure.

(Alternative “H” – Revised language per Council discussion/direction.)

3. In the Single-Family Residential (RS) and Rural Living (RL) districts, the following size restrictions shall apply to accessory structures unless a greater size is approved with a Minor Use Permit:

- a. In the Single-Family Residential (RS) Districts, the cumulative total area of all accessory buildings upon a recorded lot may not exceed fifty percent (50%) of the area of the main structure or 1,000 sq. ft., whichever is larger. Within the Rural Living (RL) Districts, the cumulative total area of all accessory buildings upon a recorded lot may not exceed one hundred percent (100%) of the area of the main structure or 2,500 square feet, whichever is larger, without first obtaining approval from the Planning Commission of a Minor Use Permit. A Second Dwelling Unit as permitted under Chapter 19.53 “Second Dwelling Units” shall not be included within the cumulative total of allowed square footage for accessory structure(s).
- b. In both districts, an accessory building may not be higher than the height of the established main structure.

(Paragraph “4” and all parts of Subsection “E” shown below were not proposed, by either the Commission or Council, to be changed from that of the existing Code.)

4. In all districts, the setback of an accessory building shall be greater than the minimum established for the district in question when the height of the structure is greater than the yard setback; in which case the structure shall be setback at least to the line where the height is not greater than the distance from the structure to the property line.
- E. Permanent use of sea-going cargo containers and similar storage devices may be permitted as permanent storage facilities on a lot containing a residence subject to the following conditions:
1. Approval of an Administrative Cargo Container Review where it is demonstrated that the requested container(s) is proposed to be located within the rear yard area of the lot, screened from view of the neighbors and the public rights-of-way by residential structures, landforms or physical features of the lot, landscaping or opaque fencing of up to six (6) feet in height with any visible remaining exterior portion of the container(s) painted in a manner compatible with the principal residence on site.
 2. Screening shall be waived if the container(s) is/are completely encased within an on-site, stick-built skin and eaves, which are architecturally consistent with the main home on site and located no closer than fifty (50) feet to any adjoining property line.
 3. Containers shall be maintained in “reasonable aesthetic condition” at all times, shall not exceed fifty percent (50%) of the floor area of the primary building on site nor be stacked one atop another, and shall not be used for habitation of persons or animals.

4. Alternative allowances, including size, screening, condition, location, habitation, etc., may be considered and approved by the Planning Commission under review and approval of a Conditional Use Permit.

Section 6. Notice of Adoption. The City Clerk of the City of Twentynine Palms shall certify to the adoption of this Ordinance and cause publication to occur in a newspaper of general circulation and published and circulated in the City in a manner permitted by Section 36933 of the Government Code of the State of California.

Section 7. Introduction Date. Ordinance No. 242 was introduced by Council action on the 11th day of October, 2011.

Section 8. Effective Date. Ordinance No. 242 becomes effective on _____, 2011, thirty (30) days after its adoption by Council action on the _____th day of _____, 2011.

Section 9. Severability. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications and, to this end, the provisions of this Ordinance are declared to be severable.

PASSED, APPROVED AND ADOPTED THIS _____ DAY OF _____, 2011.

Jim Harris, Mayor

ATTEST:

Charlene L. Sherwood MMC, City Clerk

I hereby certify that the foregoing is a true copy of Ordinance No. 242, introduced on the 11th day of October, 2011 and duly adopted by the City Council of the City of Twentynine Palms in a meeting held on the _____ day of _____, 2011, in Twentynine Palms, California by the following vote, to wit:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:

Charlene L. Sherwood MMC, City Clerk



NOTICE OF EXEMPTION

City of Twentynine Palms
Community Development Department
6136 Adobe Road
Twentynine Palms, CA 92277
(760) 367-6799 - Fax (760) 367-5400

TO: County of San Bernardino, Clerk of the Board of Supervisors
385 North Arrowhead Avenue, 2nd Floor
San Bernardino, CA 92415-0130

FROM: Community Development
Department
City of Twentynine Palms
6136 Adobe Road
Twentynine Palms, CA 92277

Office of Planning and Research (OPR)
P.O. Box 3044
Sacramento, CA 95812-3044

Project Title: PC 11-09: Development Code Amendment, Accessory Building standards and criteria.

Project Location – Specific: The project, a proposed Development Code Amendment, shall apply to all residentially zoned properties citywide within the City of Twentynine Palms.

Project Location – City: City of Twentynine Palms

Project Location – County: County of San Bernardino

Description of Nature, Purpose, and Beneficiaries of Project: The proposal consists of an amendment to Title 19 “Development Code” of the City of Twentynine Palms Municipal Code, Chapter 19.48 “Accessory Uses and Structures”, Sections 19.48.020 “General Standards” and 19.48.030 “Accessory Uses and Structures in Residential Districts”, regarding the standards and criteria applicable to the construction of accessory structures upon residentially zoned property.

Name of Public Agency Approving Project: Twentynine Palms – City Council

Name of Person or Agency Carrying Out Project: City of Twentynine Palms Community Development Department

Exempt Status (check one):

- Ministerial (Sec. 21080(b)(1); 15268);
- Declared Emergency (Sec. 21080(b)(3); 15269(a));
- Emergency Project (Sec. 21080 (b)(4); 15269(b)(c));
- Categorical Exemption. State type and Section Number: No possibility to effect the environment. Section 15321
- Statutory Exemption. State Code Number: _____

Reasons why project is exempt: Based upon the provisions of the State Guidelines to Implement CEQA, it can be seen with certainty that the proposed changes to the standards and criteria applicable to the establishment of new accessory structures within residential areas will not result in an allowance of construction that would result in an adverse impact to the environment. Therefore, under section 15321 of the State Guidelines to Implement the California Environmental Quality Act (CEQA), the proposed amendment is Exempt from further environmental review.

Lead Agency Contact:

Charles K. LaClaire
Community Development Director
City of Twentynine Palms
6136 Adobe Road
Twentynine Palms, CA 92277

Telephone: (760) 367-6799
Fax: (760) 367-5400
E-mail: claclaire@29palms.org

Signature

Title

_____, 2011
Date

Date Received for Filing and Posting at OPR: _____



CITY OF TWENTYNINE PALMS
CITY COUNCIL STAFF REPORT
6136 Adobe Road
Twentynine Palms, CA 92277
(760)367-6799 – Fax (760) 367-5400

TO: City Council
FROM: Community Development Director
FOR COUNCIL MEETING: October 11, 2011

SUBJECT: Encelia Avenue Pavement Project

RECOMMENDATION

Provide staff with input for the construction of the Encelia Avenue Pavement Project.

Attachment:

Typical Street Cross Section

ORDER OF PROCEDURE

- Request Staff Report (Richard Pedersen Presenting)
- Council Questions of Staff
- Request Public Comment
- Council Discussion
- Motion/Second
- Discussion of Motion
- Call the Question

BACKGROUND

At its regularly scheduled meeting of September 13, 2011, the Council received a report identifying potential improvements to Encelia Avenue. At that meeting, the Council received a presentation from the City Engineer, Richard Pedersen, noting that the anticipated improvement project includes paving Encelia Avenue, currently an existing dirt road, with asphalt concrete (A.C.) from Sunnyslope Drive to Two Mile Road. This new section of street is one-quarter (1/4) mile long. The proposed project includes grading the existing dirt road approximately forty-six (46) feet wide to accommodate a new paved road section, which will be thirty-six (36) feet wide. (See attached typical section.) This project is estimated to cost \$200,000, which is included in the City's Capital Improvement (CIP) project list of the City's budget for this fiscal year.

Following remarks from the City Engineer, the Council received public comments from one speaker stating her concern for the traffic speeds that may result from the improvement of the roadway. The Council discussed with staff the improvement issue, questioning the allowed versus acceptable speed limit for the roadway, traffic control measures, posting speed limit signs and delaying other already budgeted improvements by moving this project forward. It was noted that because the proposed project will connect Two Mile Road with the existing paved section of Encelia Avenue at Sunnyslope Drive, it is anticipated that the new roadway will redistribute traffic in the area. It will decrease existing traffic from other adjacent streets and will increase traffic on Encelia Avenue from Two Mile Road to SR 62.

Following the discussion noted above, the consensus of the Council was to defer further discussion on this issue to the regularly scheduled meeting of October 11, 2011 to allow the full Council to be present to participate in the discussion and decision.

DISCUSSION

As was noted within the Council report for September 13, 2011, staff has begun contacting the property owners at the location of the new road section. It is anticipated that plans and

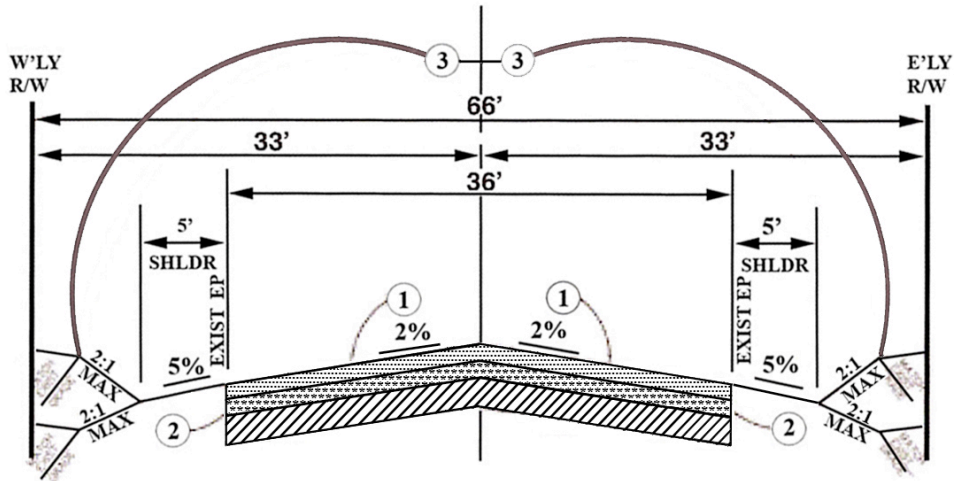
specifications for this project could be available for construction later this calendar year. The plans and specifications will be presented to Council prior to advertising the project for approval.

FISCAL IMPACT

Sufficient funds have been budgeted in the current City's budget for this final phase of this project, which is construction.

CITY OF TWENTYNINE PALMS

Encelia Avenue **Two Mile Road to Sunnyslope Drive**



TYPICAL SECTION

NOT TO SCALE

CONSTRUCTION NOTES

- ① 2.5" AC OVERLAY
- ② 2.5" AC LEVELING COURSE
- ③ REGRADE EXISTING ROADWAY



STAFF REPORT

TO: City Council
FROM: City Manager
CITY COUNCIL MEETING: October 11, 2011

SUBJECT Authorization to Install City Council Meeting Electronic Voting System if City Council Wishes to have Electronic Voting at City Council Meetings

RECOMMENDATION

Authorize the installation of electronic voting system if City Council wishes to have electronic voting at City Council Meetings.

ORDER OF PROCEDURE

Request Staff Report (City Manager)
Council Questions of Staff
Council Discussion
Motion/Second
Discussion of Motion
Call the Question

Attachment

- Point Active, LLC Proposal

BACKGROUND

Some City Council members have expressed a desire to consider electronic voting instead of voice voting at City Council meetings. The City has conducted research to find a voting system that will work in the City Council Chambers.

DISCUSSION

Staff recommends that the City purchase the PointActive electronic voting system. Each City Council member will be provided a wireless key pad that they will use to enter their vote when prompted by the Mayor. The system software will tabulate the results when voting is complete and will display them through Microsoft Power Point on the television screens in the City Council chambers.

FISCAL IMPACT

The cost of the PointActive, LLC electronic voting system is \$3,600. This includes keypads, transceiver, Pro Software, travel and training.



STAFF REPORT

TO: City Council
FROM: City Manager
CITY COUNCIL MEETING: October 11, 2011

SUBJECT Discuss and Consider Options to Stream City Council Meetings Over the Internet.

RECOMMENDATION

Discuss and consider options to stream City Council meetings over the Internet. Provide staff with direction.

ORDER OF PROCEDURE

Request Staff Report (City Manager)
Council Questions of Staff
Council Discussion
Motion/Second
Discussion of Motion
Call the Question

Attachment

- **Granicus Proposal**
- **Marshall Networking, Inc. Proposal**

BACKGROUND

The City currently televises its meeting on the public access cable television channel and provides copies of meeting videos on request by citizens. Some members of the City Council have expressed a desire to also stream City Council meetings over the Internet. Staff has conducted research on the topic and provides two options for City Council consideration.

DISCUSSION

Option #1. Granicus Proposal. The Granicus Proposal is a sophisticated meeting management and video streaming software program that has three components: Open Platform, Government Transparency Suite and Meeting Efficiency Suite. The Open Platform will allow unlimited meeting bodies and events and provide indefinite retention schedules, intelligent media routing, community content library. The Government Transparency Suite gives greater access to public meetings and records online. It will allow the city to publish agenda packets with video, link relevant materials, build reports and analytics, index videos live and offer downloadable formats such as MP3 and MP4. The Meeting Efficiency Suite permits live workflow and combines minutes with a meeting's recording. It provides meeting preparation tools, live minutes automation, quick notes and text expansion and generates linked minutes. Total cost is \$14,375 to set up the system and \$1,090 per month after implementation.

Option #2. Marshall Networking, Inc. Proposal. This is a simple video streaming program that will only provide live streaming and archiving of meeting video on the internet. There is no video linkage to staff reports or meeting minutes nor are there other features such as meeting

preparation or automation tools. Total cost will be \$947.11 the first year and \$250 a year beginning in the second year.

ALTERNATIVES

The City could continue to televise its meeting on the public access cable television channel and provides copies of meeting videos on request by citizens.

FISCAL IMPACT

The Granicus cost is \$14,375 to set up the system and \$1,090 per month after implementation. The Marshall Networking cost is \$947.11 the first year and \$250 a year beginning in the second year.