

Staff Report
Kamas City Council
December 14, 2021

Subject: An amendment to 15.14.030, the 0' side setbacks in the General Commercial zone.

History: In the GC zone, the side setback when not next to residential is 0'. The Commission felt that there should be a consideration when there is a pitched roof versus a flat roof to take drainage into account for the neighboring parcel.

Planning Commission Action:

Public Hearing: Held on November 16, 2021, pursuant to appropriate public notice.

Commission Action: Recommended approval 5-0 on November 16, 2021.

Discussion Items:

There has been some discussion on whether the 0' setback is sufficient to allow for snow and drainage on buildings with a pitched roof. Technically, a commercial business would be able to put their roofline right to the property line and the snow would then all fall onto the neighboring property. The Commission felt that we should revise this to take these factors into consideration.

After discussing with the Building Official, he recommends a 5' setback for all commercial buildings regardless of roof type. If the Council chose to go this route, we would not add a subsection #5 but rather just change the side setback from 0' to 5'.

Sec. 15.14.030. Development standards.

Minimum Lot and Development Standards

	Area	Width	Setbacks	Height
Standard	7,500	90'	Front: 10'	27' max*
			Side: 0'**, 15' next to residential	
			Rear: 5', 20' next to residential	
Accessory structures			Front: 25'	25'
			Side: 5'	
			Rear: 5', 20' next to residential	
Exceptions single-family dwelling	10,000 sq. ft.	100'	Front: 25'	27' max*
			Side: 10'	
			Rear: 15' accessory structure: 25' front 5' side	

*Chimneys, flagpoles, church towers and other similar structures in excess of 27 feet, not used for human occupancy may be allowed on a case by case basis with a conditional use permit.

1. Structures to have access. All structures shall be on a lot adjacent to a public street or with access to an approved private street, and shall be so located on lots as to provide safe and convenient access for emergency services.
2. Adequate space must be provided for snow removal, storm water and drainage.
3. No trash, used materials, or wrecked or abandoned vehicles or equipment shall be stored in an open area. Trash collection and recycling areas, service areas, mechanical equipment and loading docks shall be screened on all sides so that no portion of such areas are visible from public streets, alleys or adjacent properties. Required screening may include new and existing planting, walls, fences, screen panels, doors, topographic changes, buildings, horizontal separation, or any combination thereof.
4. Signs. All signs in the General Commercial shall be in accordance with KMC 15.25 of this land use ordinance.
5. ****A building with a pitched roof that is not next to residential must have a 5' side setback from the edge of a finished roof. Only a flat roof may build with a 0' setback**

Staff Recommendations:

Staff recommends the City Council consider the proposed amendment, consider the recommendation of the Planning Commission and Building Official, and adopt one of the two proposals.

City Council Options:

Recommended motion:

Adopt Ordinance Pitched Roof. City Council APPROVE and ADOPTS the proposed Code Amendments to section 15.14.030 as drafted.

Adopt Ordinance General Setback. City Council APPROVE and ADOPTS the proposed Code Amendments to section 15.14.030 as proposed by the Building Official.

City Council can also adopt additional or different changes from those presented. If so, the motion will need to identify those additional or different changes.

Alternative motion:

Reject Ordinance. City Council DENIES and REJECTS the proposed Code Amendments.

EXHIBITS:

1. Proposed Ordinance