



Legislation Text

File #: Pres 21-01, **Version:** 1

Large Tract Weed Management Follow Up

Summary and Background Information:

In 2019, two study sessions were held with City Council on the matter of large tract weed management. The first was to present information to Council on the City's nuisance weed regulations for large tract properties and inquired about possible updates to Sec. 6-2012 of the Municipal Code. Staff was directed to bring back recommendations that would update Sec. 6-2012 to accomplish a more aesthetically-pleasing environment while addressing the need to control noxious weeds. Council also directed staff to reach out to property owners of large tracts in the City to solicit input and feedback. The second study session was held to present to Council Municipal Code options for Sec. 6-2012 and solicited property owner responses. The direction was for staff to update the code to provide clear language that:

- Expands and clarifies the maintenance requirements and responsibilities of landowners;
- Reduces the lot sizes to one-acre or less or any sized developed lot and over one acre undeveloped lot to achieve an aesthetically pleasing environment and more unified look that also helps to mitigate noxious weeds; and
- Create a new violation process and fee structure for those who are non-compliant.

May 4, 2020 staff presented Ordinance 2268. The suggested amendments addressed Council's desires to update definitions, improve maintenance requirements, and clarify the maintenance responsibility of a private property owner and the City in regards to adjacent public rights of way. The three tier system for duty to maintain was simplified to a two tier system to achieve consistent and predictable compliance. Staff also established fees specific to non-compliant properties subject to Sec. 6-2012. Sec. 3-2304 of the Municipal Code was also reviewed to align with modifications to Sec. 6-2012 per Council feedback and direction. Lastly, Council requested that an exemption be added for large lots zoned agriculture for maintenance requirements and responsibilities.

On June 6, 2020 staff again presented Ordinance 2268 with the added exemption for large lots that are actively being farmed. The exemption language added is as follows:

- Sec. 6-2012 (b)Duty to Maintain (1) Weeds and Grass (d) Exceptions:
 - iv. Public right of way adjacent to Property that (1) has been actively farmed with commercial crops for the last 3 years, (2) is greater than one acre, and (3) lacks curb, gutter, and sidewalk.

The Public Works Department also made a presentation to highlight anticipated operational obligations and associated costs based on the exemption language. Council requested a future study session to revisit this discussion prior to voting on the Sec. 6-2012 amendments.

Staff Responsible (Department Head): Jason Rogers, Community Development Director

Staff Member Presenting: Tricia Mason, Community Development Manager & Mike Brown, Public Works Deputy Director of Operations

Financial Impact: N/A

Funding Source: N/A

Staff Recommendation: Provide direction to staff.

Suggested Motion: N/A