



CITY COUNCIL AGENDA ITEM

To: Mayor Graham and City Council
From: Ted Shekell, Planning Director
Walter Denton, City Administrator
Date: August 7, 2006
Subject: Ordinance No._____: An Ordinance Amending the Zoning Code of Ordinances and Replacing Certain Portions With New Article IX of the Zoning Code Concerning Planned Uses – **First Reading**

List of committees that have reviewed: The Community Development Committee reviewed the petition at their July 31, 2006, meeting and gave their approval for the Planned Use zoning code amendment.

Background:

The public hearing for the Planned Uses text amendments was held at the July 11, 2006 Planning Commission meeting, where it was unanimously recommended. This chapter has been reviewed and recommended by the City's land use attorney, Dan Vogel. The chapter pertains directly to: the circumstances when planned uses are required; the general procedure and requirements for application submission; the criteria for planned use consideration; and the approval, modification, and expiration of final site plans. This is only a draft and may be revised as Council input and feedback is provided.

It is important to note that this chapter, when adopted, is only an interim holder for what will be the final revised chapter for Planned Uses that will be in effect upon completion of all the zoning code chapters. As the City adopts the remaining chapters of the new zoning code, specifically those establishing Zoning Districts and Supplemental Regulations (Articles V and VI), the need for a number of the Planned Use triggers will no longer be warranted. For example, uses such as Car Washes, Veterinarian Clinics, and Outdoor Vehicle Displays will have use-specific requirements detailed in the Supplemental Regulations. These uses may still be required receive planned use approval, however, that authority will be through the table of uses that would be adopted as part of the new Articles V and VI. This planned use ordinance also states that uses not clearly authorized by the zoning code are expressly prohibited, unless the Council deems them to be substantially similar to clearly authorized uses.

Legal Considerations, if any: None

Budget Impact: None.

Staff recommendation: Staff recommends approving the Ordinance as proposed.