



## Legislation Details (With Text)

**File #:** 18-00157      **Version:** 1      **Name:**  
**Type:** Legislative Action Item      **Status:** Passed  
**File created:** 3/26/2018      **In control:** City Council  
**On agenda:** 4/12/2018      **Final action:** 4/12/2018  
**Enactment date:**      **Enactment #:**

**Title:** REFERRAL TO PLANNING BOARD - LAND DEVELOPMENT CODE AMENDMENT TO SECTION 12-2-6 - RESIDENTIAL / NEIGHBORHOOD COMMERCIAL LAND USE DISTRICT AND SECTION 12-2-8 - COMMERCIAL LAND USE DISTRICT C-2A.

**Sponsors:** Brian Spencer

**Indexes:**

**Code sections:**

**Attachments:** 1. Proposed Amendment Sec 12-2-6 - Residential Office Land Use, 2. Proposed Amendment Sec.12-2-8 - Commercial Land Use District

Date	Ver.	Action By	Action	Result
4/12/2018	1	City Council	Approved	Pass
4/9/2018	1	Agenda Conference	Placed on Regular Agenda	Pass

### **LEGISLATIVE ACTION ITEM**

**SPONSOR:** City Council Member Brian Spencer

**SUBJECT:**

REFERRAL TO PLANNING BOARD - LAND DEVELOPMENT CODE AMENDMENT TO SECTION 12-2-6 - RESIDENTIAL / NEIGHBORHOOD COMMERCIAL LAND USE DISTRICT AND SECTION 12-2-8 - COMMERCIAL LAND USE DISTRICT C-2A.

**RECOMMENDATION:**

That City Council refer to the Planning Board, for review and recommendation an Amendment to Section 12-2-6 of the Land Development Code stating; "Permitted uses requesting a drive through component shall be subject to Code Section 12-2-78 - Conditional Use Permits. This is a cumulative requirement. Also amending Section 12-2-8 C-2A, striking the language, "and Conditional Uses".

**HEARING REQUIRED:** No Hearing Required

**SUMMARY:**

The Land Development Code (LDC) is the principal means of planning and regulating the development and redevelopment of land in the City. The LDC was adopted by City Council in its present form in 1991 pursuant to the Local Government Comprehensive Planning and Land Development Regulation Act. From time to time, it is necessary to amend the LDC to provide consistency with the Comprehensive Plan and to respond to

community concerns, legal considerations, and changes in development patterns and planning techniques.

The two amendments proposed will (1) require permitted uses requesting a drive through component to be subject to Conditional Use Permits and (2) removing the term, “and Conditional Uses” from Section 12-2-8 C-2A.

The changes under 12-2-6 will be made up through 12-2-9 (Zone M-2) since this is a cumulative process.

This item will refer this matter to the Planning Board for review and recommendation.

**PRIOR ACTION:**

None

**FUNDING:**

N/A

**FINANCIAL IMPACT:**

None

**STAFF CONTACT:**

Don Kraher, Council Executive

**ATTACHMENTS:**

1. Proposed Amendment Section 12-2-6 - Residential Office Land Use District
2. Proposed Amendment Section 12-2-8 - Commercial Land Use District

**PRESENTATION:** No