



PLAN COMMISSION STAFF REPORT

ITEM NO: 2

APPLICATION NO. LEGP 000039-2023

MEETING DATE: October 24, 2023

SUBJECT: Text Amendments

PETITIONER(S): Staff

SUMMARY: Text amendments to Article 4, Article 5, Article 8, and Appendix B

RECOMMENDATION: Forward with a favorable recommendation

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Planning Terms

Amend or Amendment – Any repeal, modification, or addition to a regulation; any new regulation; any change in the number, shape, boundary, or area of a district, or any repeal or abolition of any map, part thereof, or addition thereto.

Procedure

The petition was filed for a public hearing at the October 23, 2023 Plan Commission meeting. Prior to the Plan Commission meeting a legal notice is published in the newspapers. The proposed amendments are discussed at a Plan Commission meeting where a public hearing is held. The Plan Commission hears the Staff presentation and any individuals in the audience wishing to speak for or against the proposed amendments. The Plan Commission votes on a recommendation to the Common Council for adoption, denial, no recommendation, or amends the proposal. At two separate Council meetings the proposed ordinance is discussed, and final decision is made by the Council as to adoption, denial, or modification of said ordinance.

Correspondence

None

Summary

In 2022 the City underwent a review of the processes that relate to the filing of an application for public hearing, specifically looking for ways to provide more transparency to our processes and find areas where more clarity about expectations could be provided. During this process it was found that there were some conflicting timeline requirements within the zoning code, as well as a number of statements that affected the timing of reviews undertaken by the City.

Article 4 was amended to make it clear that all public hearing filings and filings for review by the Technical Advisory Committee are subject to the timelines that are adopted each year when the BZA and Plan Commission adopt their “Meetings Dates and Filing Deadlines” calendars each year. This article was also amended to include language as it relates to the processing of Planned Development applications. This moved some language from Article 8 to Article 4 to more clearly define application and procedural expectations for these applications and matches language for other similar applications already in the article.

Article 5 removed some “within xx days” language that was contained within the text relating to primary and secondary plats.

Article 8 was some rewording and renumbering of existing language and the deletion of the text that was moved to Article 4 relating to procedural items.

Appendix B added some consistent language about expectations for submittals to the department and removed some outdated language.

Attachments

Exhibit 1 – Proposed Article 4, Article 5, Article 8, and Appendix B amendment – CLEAN

Exhibit 2 – Proposed Article 4, Article 5, Article 8, and Appendix B amendment – REDLINE

History

The regulations related to filing deadlines and public hearings have been relatively untouched since the adoption of the current UDO in 1996.

Recommendation

Staff supports the updated standards as they reflect current requests and clarify existing regulations.

Motions

1. Motion to forward this petition with a favorable recommendation to the City Council for adoption of the Unified Development Ordinance updates as presented and per submitted application LEGP 000039-2023.
2. Motion to continue application LEGP 000039-2023 until the (date) meeting.