

### **Amendment #1: No Pre-Application Council Review**

Ordinance 071, 2023, currently allows a pre-application Council hearing for certain proposals to conduct a designated activity of state interest or develop in a designated area of state interest. If Council does not want to allow such a pre-application Council hearing, the following **motion** should be made:

I move that Section 3 of Ordinance 071, 2023, regarding Land Use Code Section 2.1.6 be amended as follows:

- (1) Insert the following language into Land Use Code Subsection 2.1.6(A) after the term “PUD Overlay”:

“or permit to conduct a designated activity of state interest or develop in a designated area of state interest”

and

- (2) Delete subsections 2.1.6 (B), (C), (D), and (E).

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The effect of the above amendment to Section 3 of Ordinance 071, 2023 is as follows (new language highlighted):

Section 3. That Division 2.1 of the Land Use Code is hereby amended to read as follows:

...

#### **2.1.6 - Optional Pre-Application Review**

- (A) ***Optional City Council Pre-Application Review of Complex Development Proposals:***

A potential applicant for development other than a PUD Overlay **or permit to conduct a designated activity of state interest or develop in a designated area of state interest** may request that the City Council conduct a hearing for the purpose of receiving preliminary comments from the City Council regarding the overall proposal in order to assist the proposed applicant in determining whether to file a development application or annexation petition. Only one (1) pre-application hearing pursuant to this Subsection (A) may be requested. The following criteria must be satisfied for such a hearing to be held:

- (a) The proposed development cannot have begun any step of the Common Development Review Procedures for Development Applications set forth in Article 2, Division 2.2.
- (b) The proposed application for approval of a development plan must require City Council approval of an annexation petition, an amendment to the City's

Comprehensive Plan, or some other kind of formal action by the City Council, other than a possible appeal under this Land Use Code.

- (c) The City Manager must determine in writing that the proposed development will have a community-wide impact.