



REQUEST FOR COUNCIL ACTION

- AGENDA DATE:** November 28, 2022
- AGENDA ITEM:** Conduct a Public Hearing to consider the adoption of an Ordinance amending and updating several sections of Article VI Zoning within Chapter 30 Land Development Regulations.
- PREPARED BY:** Eric Trast, Community Development Department
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BACKGROUND:

Over the past year, staff has again accumulated a short list of sections within Article VI (Zoning) of Chapter 30 (Land Development) of the Municipal Code in need of review and potential updating. The identified sections, proposed for review, generally fell into a category of new language or text being added to a section, and two sections having corrections/errors in need of updating.

On September 1, 2022, the Planning Commission formally initiated this review process, and authorized staff to prepare amendments, based on staffs overview of the areas of the Zoning Ordinance identified for updating, with the intention of returning to the Planning Commission for further review and a recommendation to the City Council.

The draft amendments to the Zoning Ordinance are summarized below, within the identified sections (and are attached individually as Exhibits (deleted language ~~Blue~~ / new text Red):

1. **Section 30-512 Table-1. *Table of permitted uses.*** (Exhibit 1, Page 1)
(Section is a list of uses permitted by right (permitted uses), uses permitted with restrictions, and conditional uses, within the various zoning districts)
 - Section 30-532(1) *Uses permitted by conditional use permit (CUP).* Manufactured home parks as permitted with a CUP in the following zoning districts: R-2, SR-2, R-3, SR-3, R-4, SR-4, LB (Limited Business), SLB, MU (Mixed Use) and SMU.

Currently Sect. 30-512 Table-1 lists the Manufactured home park use through an approved CUP under the R-2, SR-2, R-3, SR-3 districts on the table.

*Proposed Amendment- Table 1 to match Section 30-532(1) by adding the R-4, SR-4, LB (Limited Business), SLB, MU (Mixed Use) and SMU zoning districts. *This*

correction was the result of an oversight during the 2005-07 Zoning Ordinance Update Project.

2. **Section 30-512. Table of permitted uses.** (Exhibit 1, Page 4)
(Section is a list of uses permitted by right (permitted uses), uses permitted with restrictions, and conditional uses, within the various zoning districts)

- Add “grocery store” use as a use permitted within the CBD (Central Business District). Currently, this use is permitted within the GB (General Business) zoning district only.

* Proposed amendment would allow for a grocery/Co-op store use to locate within the downtown area, closer to residents in the CBD, as well as providing an option for a grocery store use, within walkable distance of neighborhoods adjacent to the CBD area.

3. **Section 30-512 Table-1. Table of permitted uses.** (Exhibit 2)

- Sect. 30-512 Table-1 lists Telecommunication Towers as a use, through an approved CUP, under the RC/SRC (Recreational Commercial), I-1/SI-1 & I-2/SI-2 (Industrial Park) and the AG (Agricultural) zoning districts.

Currently Sect. 30-952(e)1. development of towers/approval standards (within Division 15 Telecommunication Towers and Facilities) lists the use as approved through a CUP under the RC/SRC, I-1/SI-1 & I-2/SI-2 and the AP (Airport) districts not within the AG district.

*Proposed Amendment- Section 30-952(e)1. Changed to match Table-1 Permitted Uses by adding CUP requirement under the AG zoning district to this section and removing the AP district. This correction was also the result of an oversight during the 2005-07 Zoning Ordinance Update Project. *Any airport related communication infrastructure or equipment, existing or proposed, would not be impacted by this amendment.*

At their meeting on November 3, 2022, the Planning Commission reviewed the amendments and forwarded a favorable recommendation to the City Council regarding the draft text amendments. The proposed amendments are depicted in Exhibits 1 and 2 attached to this RCA, and are incorporated into the draft Ordinance being considered following the public hearing, which also includes the Planning Commission’s findings of fact.

REQUESTED COUNCIL ACTION:

Make a motion to Conduct a Public Hearing to consider the adoption of an Ordinance amending and updating several sections of Article VI Zoning within Chapter 30 Land Development Regulations.