



Planning Commission Staff Report

Agenda Item #3	Community Development Department	Date: 11/3/22
Statement of Issue:	Consider a recommendation to the City Council regarding amendments to the Zoning Ordinance that would update and amend several sections of Chapter 30 <i>Land Development Regulations</i> .	
Background:	<p>Over the past year, staff has accumulated another short list of sections within Article VI (Zoning) of Chapter 30 (Land Development Regulations) of the Municipal Code that could use review, and if deemed necessary, new added text, updating due to inconsistencies, duplication, need of further clarification, or simply being outdated.</p> <p>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.</p> <p>Sections of Zoning Ordinance identified, and initiated for review, and justification for consideration:</p> <ol style="list-style-type: none"> 1. Section 30-512 Table-1. <i>Table of permitted uses.</i> (Section is a list of uses permitted by right (permitted uses), uses permitted with restrictions, and conditional uses, within the various zoning districts) <ol style="list-style-type: none"> a. Section 30-532(1) <i>Uses permitted by conditional use permit (CUP).</i> 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. <p>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.</p> <p><i>*Amend 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 oversite during the 2005-07 Zoning Ordinance Update Project.</i></p> 	

	<p>2. Section 30-512 Table-1. <i>Table of permitted uses.</i></p> <p>a. 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 <u>AG (Agricultural)</u> zoning districts.</p> <p>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 <u>AP (Airport)</u> districts not within the AG district.</p> <p>*Amend Section 30-952(e)1. 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, existing or proposed, would not be impacted by this amendment.</p> <p>3. Section 30-512. <i>Table of permitted uses.</i> (Section is a list of uses permitted by right (permitted uses), uses permitted with restrictions, and conditional uses, within the various zoning districts)</p> <p>a. <i>Add grocery store use as a use permitted within the CBD (currently permitted within the GB zoning district only).</i></p> <p><i>* This 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.</i></p> <p>The amendments for your consideration and are depicted within Exhibits 1 & 2, and are shown in the “marked-up” attachments. The draft amendments may be forwarded to the City Council “as is”, or with any additional amendments the Planning Commission deems appropriate.</p> <p>* Draft Amendments are attached: deleted language <u>Blue</u> / new text <u>Red</u></p>
<p>Considerations:</p>	<p>The Planning Commission should make specific findings of fact regarding the proposed amendments to the ordinance:</p> <ol style="list-style-type: none"> 1. Will the change affect the character of the neighborhood? 2. Will the change foster economic growth in the community?

	<p>3. Would the proposed change be in keeping with the spirit and intent of the Zoning Ordinance?</p> <p>4. Would the change be in the best interest of the general public?</p> <p>5. Would the change be consistent with the Comprehensive Plan?</p>
Recommendation:	Based on the above findings the Commission should consider a recommendation to the City Council in regard to these draft changes.
Required Action:	<p>Pass a motion, based on the findings of fact, to forward either a favorable recommendation, either with or without changes to the draft amendments, to the City Council, or pass a motion, based on the findings of fact, forwarding an unfavorable recommendation to the City Council regarding amendments to Chapter 30 of the Zoning Ordinance.</p> <p><u>Example Motion:</u></p> <p>Motion by _____, second by _____ that, based on the findings of fact presented here today, and in the public’s best interest, the Planning Commission does hereby forward a (favorable)(unfavorable) recommendation to the City Council regarding draft amendments, which update and amend multiple sections of Chapter 30 <i>Land Development Regulations</i>, as depicted in Exhibits “1” and “2”.</p>
Attachments:	<ul style="list-style-type: none"> • Draft Text Amendments <ul style="list-style-type: none"> ○ Exhibits “1” and “2” • Sect. Sec. 30-532. <i>Uses permitted by conditional use permit.</i> Subp. 1 • Text Amendment Considerations