

## Roxann Isbrecht

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**From:** Nick Curcio <ncurcio@curciofirm.com>  
**Sent:** Tuesday, January 2, 2024 2:56 PM  
**To:** City of Hartford Manager  
**Subject:** Zoning Ordinance Amendment to give City Commission Review Authority Over Special Use Decisions  
**Attachments:** Hartford - ZO - Expansion of City Powers.doc; Redline.docx

Linnea,

I am attaching a clean copy and redline draft of the proposed ordinance to give the City Commission increased authority to review Planning Commission standards. As you'll see, this involves amending quite a few sections of the zoning ordinance. This is in part because the current ordinance does not include appropriate standards for special use approval or ZBA review of certain matters, so I had to add those in order to write this ordinance in a way that makes sense. To make room for these new provisions, I completely replaced some sections of the code (e.g. Section 151.310 "Orders" and 151.311 "Notice") that are either duplicative of other sections or are otherwise unnecessary because the topic is already covered by state law.

Here are some more specific notes on the ordinance:

- It provides that the City does not have the authority to grant use variances. The current ordinance is not clear on this topic, as it doesn't provide any variance standards. Eliminating use variances is consistent with the general recommendation of most professional planners.
- The current ordinance allows the ZBA to grant temporary use permits, but it did not provide appropriate standards for doing so. The new draft provides standards for some typical types of special use permits in the newly revised 151.311.
- The ordinance provides comprehensive provisions for special use applications (151.338) and approval standards (151.339) to be applied by the City Commission as the final decisionmaker on special uses.

I know this is pretty dense, but hopefully it makes sense. Please let me know if you have any questions or if there's anything else I can do to help move this forward.



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