

MEMO



TO: Mayor Hahs and Members of the Board

FROM: Larry Miller, Building & Planning Manager

DATE: December 11, 2025

SUBJECT: Code Amendment – Special Use Permit Classifications (Type I vs. Type II)

This memo summarizes the proposed code amendment to Section 65-24 regarding the classification and application of special use permits. The amendment clarifies the distinction between special use permits tied to physical alterations versus those tied to a specific activity, ensuring more transparent administration, consistent enforcement, and predictable outcomes for both applicants and future property owners.

Under the proposed update, the Board of Aldermen will classify each special use permit at the time it is granted as either:

Type (i) – Physical alterations

- Runs with the land
- Transfers automatically to new owners
- Does not expire as long as the approved physical improvements remain in compliance

Type (ii) – Specific use or activity

- Personal to the original applicant
- Does not transfer upon sale of the property
- Terminates automatically when ownership changes, requiring a new permit if the use is to continue

This amendment provides the clarity requested by both staff and applicants over time, aligning our processes with best practices and ensuring that conditional, activity-based uses are reviewed whenever property ownership changes.

At the next meeting on January 5th, the Board will consider a motion to approve forwarding this request to the Planning & Zoning Commission for review.