



**AGENDA ITEM SUMMARY FORM**

**PROPOSED MEETING DATE:** May 3, 2023  
**PREPARED BY:** Scott Dunlop, Director  
**DEPARTMENT:** Development Services

**AGENDA ITEM DESCRIPTION:**

Second and Final: Consideration, discussion, and possible action on an ordinance amending Chapter 14 Zoning of the Manor Code of Ordinances to Modify the Definition of Hospital Services; Modify the Residential Land Use Table Relating to Single-Family Attached (2 units) and Single-Family Detached Uses; Modify the Residential Land Use Conditions Table Relating to Single-Family Attached (2 units) and Single-Family Detached Uses; Modify Non-Residential Uses in Non-Residential and Mixed-Use Zoning Districts Relating to Alcoholic Beverage Establishment, Brewery - Micro, Brewery - Regional, Brewpub, Club or Lodge, Distillery - Micro, Distillery - Regional, Event Center, Food Sales, Hospital Services, Liquor Sales, Medical Clinic, Offices - Medical, Offices - Professional, Restaurant, and Restaurant - Drive-in or Drive-through Uses; Modify Non-Residential and Mixed-Use Land Use Conditions relating to Alcoholic Beverage Establishment, Brewery - Micro, Brewery - Regional, Brewpub, Club or Lodge, Distillery - Micro, Distillery - Regional, Event Center, Food Sales, Gas Station - Full Service, Gas Station - Limited, Hotel, Liquor Sales, Restaurant, Restaurant - Drive-in or Drive-through Uses; Modify Non-Residential and Mixed-Use Development Standards Relating to Maximum Dwelling Units; Modify Non-Residential and Mixed-Use Development Standards Table Notes Relating to Alley Within the Historic District; Modify Accessory Structures Relating to Gross Floor Area; Modify Architectural Standards for Single-Family Detached and Two Family, Single-Family Attached, Manufactured Home, Multi-Family and Mixed Use, Office, Commercial Institutional and Industrial Uses; Modify Procedures Relating to Planned Unit Development (PUD) Uses; Modify Procedures Relating to a Final Site Plan; and Modify Procedures Relating to Amendments to the Comprehensive Plan.

**BACKGROUND/SUMMARY:**

Once or twice a year the general amendments to our Zoning Code are proposed. Amendments usually arise as we work through the code with developments and find certain code provisions do not meet the intent of the code or create situations that make development unnecessarily more difficult or impractical.

P&Z conducted the public hearing and 2 people spoke opposition and 3 in support. One opposition speaker spoke about the Comprehensive Plan being inadequate and that it needs to additional community input and it should not be used. They also spoke against high density development. The other opposition speaker spoke generally that more people creates more traffic and the city should improve our infrastructure before allowing more development and that the Commission did not need to approve everything that comes before them. Two of the three speakers in support spoke specifically on the new definition for Hospital Services as they are looking to open a birth center but our current code restrictions prevented it in their preferred location. The final speaker spoke in support of the amendment to add a process to update the Future Land Use Map in the Comprehensive Plan.

Staff then spoke about each item and answered P&Z questions. Commissioners voiced concerns about 30 dwelling units an acre for the Downtown Business District zoning being too high and asked what the Comp Plan has (which is a range of 10 – 40 units/acre). They also had concerns about using a portion of an alley to measure setbacks as that could overdevelop properties and put new development closer to existing development.

P&Z voted 5-0 to approve with an amendment to Section 10 to change the dwelling units per acre to 20 and to remove Section 11 related to utilizing alleys when calculating setbacks.

This item was approved on first reading with the modification to Section 10 to reduce the dwelling units per acre to 25 from 30.

This item is being request by staff to be postponed to the May 17<sup>th</sup> meeting so the City Council can discuss the provisions related to amendments to our Alcoholic Beverage Code.

**LEGAL REVIEW:** Yes  
**FISCAL IMPACT:** No  
**PRESENTATION:** No  
**ATTACHMENTS:** Yes

- Ordinance
- Zoning Ordinance Amendments Explanations

**STAFF RECOMMENDATION:**

It is the city staff’s recommendation that the City Council postpone to May 17th the second and final reading of an ordinance amending Chapter 14 Zoning of the Manor Code of Ordinances

<b>PLANNING &amp; ZONING COMMISSION:</b>	<b>Recommend Approval</b>	<b>Disapproval</b>	<b>None</b>
	<b>X – with modifications</b>		

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