

Montgomery Planning and Zoning Commission  
**AGENDA REPORT**

<b>Meeting Date:</b> May 7, 2024	<b>Budgeted Amount:</b> N/A
<b>Department:</b> Administration	<b>Prepared By:</b> DMc

**Subject**

Consideration and possible action on calling a Public Hearing to be held on June 4, 2024 regarding a proposed amendment to Chapter 98 of the City Code of Ordinances.

**Recommendation**

Staff recommends calling a Public Hearing to be held on 6/4/24 at 6:00pm at city hall.

**Discussion**

Issue:

You will recall an agenda item on a Special Use Permit application for a proposed outdoor event venue at 504 Caroline Street at the 4/8/24 meeting. Following P&Z's meeting, City Council denied calling the Public Hearing on the SUP request, which effectively denied the application. During the discussion, City Council asked staff to review the existing zoning regulations and provide a recommendation that allows for small event venues to operate within the city.

Regulations:

Section 98-88 Table of Special and Permitted Uses regulates what types of activities are allowed by right within each zoning district. Proposed uses not found within the table require a Special Use Permit.

Analysis:

The purpose of the proposed amendment is to regulate the establishment and operation of small event venues within B – Commercial zoning districts as accessory uses to a primary permitted land use. Like any other land use, this activity must comply with all applicable regulations regarding noise, sanitation, waste management, and public safety, etc. The legislative steps to amend the zoning code are:

**Amend Section 98-1** (Definitions) by adding:

*Small Event Venue* is defined as a self-contained area for hosting events such as dinner parties, music or theatrical performances, outdoor markets, and other similar gatherings. These venues typically accommodate 10-100 attendees. Small event venues shall not impact public services and must be an accessory uses to an existing permitted primary use on the property.

**Amend Section 98-88** (Table of Special and Permitted Uses) by adding “Small Event Venue (accessory to a primary permitted use)” to the table allowed in B – Commercial districts.

The schedule for the proposed amendment is as follows:

5/7/24: P&Z discusses a draft report on the requested text amendment and calls a PH for 6/4/24

5/14/24: CC calls for PH on the proposed amendment to be held on 6/11/24

5/20 -5/24: staff window for publishing legal notice in paper of PH.

6/4/24: P&Z holds PH and approves report and recommendation on proposed amendment

6/11/24: CC accepts report, holds PH, and acts on ordinance amending the zoning code.

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Conclusion:

The Commission should consider the draft amendment text and discuss the topic to begin to form a recommendation to City Council on the item. Staff's recommendation is to proceed with calling the Public Hearing to meet the procedural requirements of the process and supports the recommendation to allow this activity within commercial zoning districts.

**Approved By**

Director Planning & Development

Dave McCorquodale

Date: 05/03/2024