

## AGENDA



Thursday, May 21, 2009

**Public Hearings and Possible Actions**  
**RECOMMENDATION FOR COUNCIL ACTION**

Item No. 63

**Subject:** Conduct a public hearing and approve second/third readings of an ordinance amending Title 25 of the City Code relating to the Waterfront Overlay Combining District; and Chapter 2-1 related to the Waterfront Planning Advisory Board.

**Boards and Commission Action:** Recommended by Waterfront Overlay Task Force, Design Commission, Environmental Board, Parks Board and Planning Commission. Reviewed by Downtown Commission and Zoning and Platting Commission.

**Prior Council Action:** November 29, 2007: Council directed the City Manager to establish a Waterfront Overlay Task Force to evaluate the current ordinance for ambiguities and inconsistencies.

March 27, 2008: Council adopted the Waterfront Overlay Task Force composition and action plan, and directed the City Manager to notify the designated boards and commissions to make their appointments.

October 16, 2008: Council approved Ordinance No. 20081016-034 extending the due date to report findings from the Waterfront Overlay Task Force.

December 18, 2008 - Waterfront Overlay Task Force presented their final report to the City Council.

February 12, 2009, the City Council approved a resolution directing the City Manager to process code amendments to implement certain recommendations of the Waterfront Overlay Task Force Report.

April 30, 2009 - City Council approved first reading of an ordinance

The Waterfront Overlay Task Force was created in 2007 to review provisions of the City Code to identify ambiguities and inconsistencies between the City Code and the 1986 Waterfront Overlay Ordinance. After a nine-month public process, the Waterfront Overlay Task Force presented its final report to the City Council, and it included a recommendation that the City Code be revised to correct issues identified in its final report.

On February 12, 2009, the City Council approved a resolution directing the City Manager to process code amendments to implement certain recommendations of the Waterfront Overlay Task Force Report. A draft ordinance of the proposed code amendments was presented to various boards and commissions for their review, and on April 30, 2009, the City Council approved first reading of the draft ordinance subject to the following: 1. Section 25-2-715(A)(2) should read "Administrative site plans are not required to be reviewed by the Waterfront Planning Advisory Board. (WPAB) Copies of all administrative site plans will be forwarded to WPAB to allow them to maintain a comprehensive understanding of all development activity within the Waterfront Overlay;

2. Property located in a planned unit development (PUD) on the effective date of the ordinance will not be subject to the ordinance as long as the property remains in a PUD;

3. Notify all property owners in the Waterfront Overlay;  
Leave the public hearing open;
4. Appoint the WPAB within two months;
5. Direct the WPAB to submit the bonus provisions and the new alternatives for higher standards when PUDs are seeking a waiver to height limits within six months