

ORDINANCE AMENDMENT REVIEW SHEET

Amendment: C20-2016-016 – Application fees related to Council-initiated Neighborhood Plan Amendment applications in planning areas without neighborhood planning contact teams

Description: Consider an amendment to City Code Section 25-1-804 (*Application to Amend Neighborhood Plan*) to add a new Subsection (D) and to renumber existing Subsections (D) and (E) accordingly.

Proposed Language: See attached draft ordinance dated February 21, 2017.

Summary of proposed code changes:

- If City Council chooses to initiate an out-of-cycle neighborhood plan amendment application at the request of an individual property owner because the planning area does not have a neighborhood plan contact team to allow the out-of-cycle application, the application fees will be paid by the individual property owner and not waived by the City because in these situations the City becomes the applicant.

Background: Initiated by City Council by Resolution No. 20160922-038 on September 22, 2016.

Article 16 - Neighborhood Plan Amendment of the Land Development Code outlines conditions under which an individual property owner can file a plan amendment application outside the February or July open filing periods. The most common method by which individual property owners can file outside of these two months is to ask the neighborhood plan contact team for the planning area permission to file out-of-cycle. However, if there is no neighborhood plan contact team for a planning area, applicants can ask the City Council for permission to file out-of-cycle, in which case, if approved, the City becomes the applicant and no application fees are collected. This amendment would require the individual property owner to pay the application fees under this circumstance and the property owner will become the applicant.

Staff Recommendation: Approve proposed ordinance amendment.

Board and Commission Actions: Presented at **Codes & Ordinances Joint Committee** on April 19, 2017. Recommended on a 5-0 vote (Kazi and Schissler absent).

Presented at **Planning Commission** on May 23, 2017. Recommended approval on the consent agenda. [P. Seeger – 1st; N. Zaragoza – 2nd] Vote: 8-0 [F. Kazi, A. De Hoyos Hart, J. Schissler, J. Thompson, and Trinity White absent].

Council Action: Scheduled for June 8, 2017

Ordinance Number: NA

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