

ORDINANCE AMENDMENT REVIEW SHEET

Amendment: C20-2015-014 Planned Unit Development Zoning

Description: Consider an amendment to Title 25 of the City Code related to approval requirements for Planned Unit Development zoning cases.

Proposed Language: See attached draft ordinance, updated with changes from first reading at Council.

Attached maps are for informational purposes only.

Summary of proposed code changes:

- Will require an affirmative vote of three-fourths of the members of council to zone property that is unzoned or has interim zoning to a planned unit development (PUD) if the PUD is denied at land use commission with a vote of at least three-fourths of the members of the land use commission.

Background: Initiated by Council Resolution 20151001-039

On October 1, 2015, the City Council initiated a code amendment via Resolution 20151001-039, to “address unzoned property on which PUD district zoning is sought, including but not limited to the implications and benefits of a code amendment to §25-2-284 of the Land Development Code to require the affirmative vote of three-fourths of the members of the City Council to approve a proposed PUD district zoning when the Land Use Commission recommends denial of an application to zone a property to a Planned Unit Development.”

On first reading at Council the proposal was amended so that a three-fourth denial at Land Use Commission is needed to trigger a three-fourth approval at Council.

Staff Recommendation: Supports the Planning Commission recommendation that a majority denial at land use commission triggers three-fourth approval at Council:

- Would require an affirmative vote of three-fourths of the members of council to zone property that is unzoned or has interim zoning to a planned unit development (PUD) if the PUD is denied at land use commission.

Board and Commission Actions

November 17, 2015: Forwarded with no recommendation by the Codes and Ordinances Subcommittee on a 4-0 vote (Commissioner Stevens and Seeger absent).

December 8, 2015: Postponed to Planning Commission 1/12/16.

January 12, 2016: Not approved by the Planning Commission on a 6-5 vote due to lack of a vote in the affirmative. Commissioners Oliver and Stevens absent. (Commissioners Stevens and Oliver absent).

Council Action

January 28, 2016: Approved on first reading with the following amendment:

- Require a vote of at least three-fourths of the members of the land use commission to deny the PUD on unzoned or interim zoned land in order to trigger a three-fourths approval vote at Council.

Vote: 8-2-1 (Council members Kitchen and Pool nay; Zimmerman abstaining).

February 11, 2016: Scheduled for second/third reading.

Ordinance Number: NA

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