



# Land Use Management Ordinance Text Amendment Special Use Permit Modifications

May 22, 2019

# RECOMMENDATION

Staff recommends:

- Open the public hearing, receive comments, and continue the public hearing to the June 26, 2019 meeting

# Text Amendment Process

**Staff Review**



**Planning  
Commission  
Review  
5/7/19**



**Council  
Public  
Hearing  
5/22/19**



**Council  
Action  
6/26/19**

# Text Amendment Background

May 2018: The Oaks Condominiums proposed a project to install a storm drainage conveyance system

September 2018: Council requested development of an alternative approval process for projects of a similar nature

May 7, 2019: Planning Commission review

May 22, 2019: Council Public Hearing

June 26, 2019: Council Business meeting



# What's in your packet?

- Resolution of Consistency
- Ordinance A (to approve)
- Resolution B (to deny)
- Planning Commission Recommendation

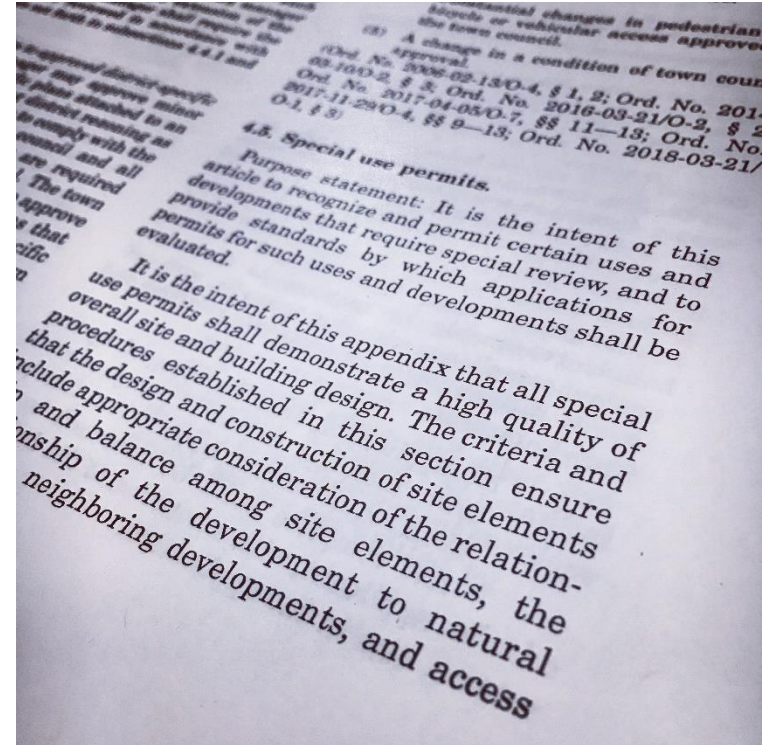
# Special Use Permit Modifications Amendment

## Section 4.5. Special Use Permits

### 4.5.4. Modifications

- (a) Minor – administrative
- (b) Major – the following shall constitute a major modification:

**...9. Changes to infrastructure associated with a site that would...**



# Special Use Permit Modifications Amendment

**“(9) Changes to infrastructure associated with a site that would:**

**A. Increase the intensity of the development, including increases to floor area or impervious surface, or**

**B. would make it nonconforming or increase the nonconformity with the development’s existing Special Use Permit or other standards of this Appendix.**

Infrastructure projects exceeding any thresholds in subsections 1 – 8 of this section but not exceeding these thresholds in subsection 9 shall be considered minor changes, provided the projects demonstrate that they are proposed to address a public health, safety, or environmental issue, such as the installation of stormwater pipes to relieve a documented flooding issue or the removal of structures.

Prior to issuance of a Zoning Compliance Permit for a minor change under this subsection 9, owners of property within 100 feet must be mailed notice of the proposed change and offered an opportunity to comment to the Town Planning Department. No Zoning Compliance Permit shall be issued for such a change until two weeks after the date of such notice is mailed.”

# Special Use Permit Modifications Amendment

“(9) Changes to infrastructure associated with a site that would:

A. Increase the intensity of the development, including increases to floor area or impervious surface, or

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**Infrastructure projects exceeding any thresholds in subsections 1 – 8 of this section but not exceeding these thresholds in subsection 9 shall be considered minor changes, provided the projects demonstrate that they are proposed to address a public health, safety, or environmental issue, such as the installation of stormwater pipes to relieve a documented flooding issue or the removal of structures.**

Prior to issuance of a Zoning Compliance Permit for a minor change under this subsection 9, owners of property within 100 feet must be mailed notice of the proposed change and offered an opportunity to comment to the Town Planning Department. No Zoning Compliance Permit shall be issued for such a change until two weeks after the date of such notice is mailed.”



# Special Use Permit Modifications Amendment

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Infrastructure projects exceeding any thresholds in subsections 1 – 8 of this section but not exceeding these thresholds in subsection 9 shall be considered minor changes, provided the projects demonstrate that they are proposed to address a public health, safety, or environmental issue, such as the installation of stormwater pipes to relieve a documented flooding issue or the removal of structures.

**Prior to issuance of a Zoning Compliance Permit for a minor change under this subsection 9, owners of property within 100 feet must be mailed notice of the proposed change and offered an opportunity to comment to the Town Planning Department. No Zoning Compliance Permit shall be issued for such a change until two weeks after the date of such notice is mailed.”**

# RECOMMENDATION

Staff recommends:

Open the public hearing, receive comments, and continue the public hearing to the June 26, 2019 meeting





# Special Use Permit Modifications Amendment

Section 4.5.4. Modifications of Special Use Permits. The following shall constitute a modification of the special use permit:

“(9) Changes to infrastructure associated with a site that would:

A. Increase the intensity of the development, including increases to floor area or impervious surface, or

B. would make it nonconforming or increase the nonconformity with the development’s existing Special Use Permit or other standards of this Appendix.

Infrastructure projects exceeding any thresholds in subsections 1 – 8 of this section but not exceeding these thresholds in subsection 9 shall be considered minor changes, provided the projects demonstrate that they are proposed to address a public health, safety, or environmental issue, such as the installation of stormwater pipes to relieve a documented flooding issue or the removal of structures.

Prior to issuance of a Zoning Compliance Permit for a minor change under this subsection 9, owners of property within 100 feet must be mailed notice of the proposed change and offered an opportunity to comment to the Town Planning Department. No Zoning Compliance Permit shall be issued for such a change until two weeks after the date of such notice is mailed.”