



Legislation Details (With Text)

File #: ID 21-1746 **Version:** 1 **Name:**
Type: Ordinance **Status:** Passed
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On agenda: 9/7/2021 **Final action:** 9/7/2021
Title: Ordinance - Second Reading - Various Changes to Article IX - Site Development Plan and Amendments (SDP and SDPA), Site Improvement Plan (SIP) Approval Process, Contents of the Application, and Approval Standards, etc.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Ordinance 21-10, 2. Staff Report

Date	Ver.	Action By	Action	Result
9/7/2021	1	City Council	approved as amended	Pass

Agenda Item: 12(A)1	Prepared By: Daniel J. Smith, AICP, Director
Business: Ordinance - Second Reading	Department: Growth Management

Subject:

Ordinance - Second Reading - Various Changes to Article IX - Site Development Plan and Amendments (SDP and SDPA), Site Improvement Plan (SIP) Approval Process, Contents of the Application, and Approval Standards, etc.

BACKGROUND:

City Council directed the Planning Board to review Article IX of the Land Development Code (LDC) regarding Site Development, Site Improvement, and Site Amendment Plans and the approval process.

On May 7 and July 2 of 2021, the Planning Board reviewed Article IX with staff's recommended changes. The Planning Board made minor language changes, clarifying some of the text while removing ambiguity to the requirements. The Planning Board also recommended two amendments that change the final approval of site plans. The key changes are:

Line 295-296. The Planning Board shall make the final decision regarding the approval of site plans that meet the requirements of the Land Development Code. (Previously City Council)

Line 1002-1005. Amendment's ten percent (10 %) or less to a Site Development Plans (SDP) or Site Improvement Plan (SIP) regarding intensity, architecture, parking, and/or landscaping, as determined by the director, may be reviewed by City staff as the final approval. (Previously City Council)

CITY COUNCIL (FIRST READING)

The City Council held the first reading on August 16. The Council voted 6-1 to bring forward the

existing language for the second reading. Chairman Grifoni did ask about the appeals process if the applicant was not happy with the Planning Board's decision. The Circuit Court would be the avenue for appeal.

PLANNING BOARD

The Planning Board considered the changes to the LDC at the July 2, 2021, meeting. The Planning Board voted 6-1 to forward a recommendation of approval with their recommended changes.

FUNDING SOURCE / FISCAL IMPACT: N / A

STAFF RECOMMENDATION:

Staff recommends the City Council approve the proposed amendments outlined in the staff report based on the below findings:

1. The amendment is consistent with the Comprehensive Plan, and in particular Future Land Use Element Objective 1.7.
2. The need and justification for the Ordinance is to provide for fair and consistent regulations that are easily enforced.

POTENTIAL MOTION: Approve Ordinance 21-10.