

Land Development Code Additional Proposed Amendments City Council Workshop

April 11, 2022



We Dream Big and Deliver

WHY THE AMENDMENTS?

After use of the Land Development Code (LDC) for over a year, the City team identified a number of minor changes and a few major changes that will make the Code easier to understand and administer.

Fine-tuning was anticipated, as new concepts and processes were introduced with the LDC. The bulk of the changes were approved on March 21st.

Additional discussion on the following items was requested by City Council during the December 13, 2021 workshop.

TOPICS FOR ADDITIONAL DISCUSSION

Radius of Notifications:

- Based on City Council feedback the City team is increasing the notice distance requirement from 500 feet to 1,000 feet for administrative cases, administrative decisions and public hearing cases less than five acres in size and 1,500 feet for cases five acres or more. The City team is also adding a provision in code that would allow the Director to have the ability to reduce the notice requirement for administrative projects that he/she deems to be small, or of limited impact to 500 feet.

TOPICS FOR ADDITIONAL DISCUSSION

Additional Site Plan Criteria for Residential Projects Granted Conditional Use Approval:

- “If the application includes residential uses and was granted Conditional Use approval, the number of residential units proposed is within five percent of the number of units presented during the Conditional Use review.”

Standard Condition for Projects Requiring Conditional Use Approval in the MX Zone Districts:

- “The Site Plan application shall be substantially similar to the conceptual plan submitted as part of the Conditional Use review.”

TOPICS FOR ADDITIONAL DISCUSSION

Definition of Fleet Vehicle:

- A group of motor vehicles, such as cars, vans, and/or trucks, excluding semi-trailer trucks, owned or leased by a business, government agency or other organization rather than by an individual or family. Examples are vehicles operated by public utilities, governmental entities and businesses that utilize vehicles to deliver goods to customers, provide off-site services or for sales representatives to travel to clients.
- Limitations:
 - limiting the fleet size to 50% of the minimum parking spaces in the CG zone district, 100% of the minimum parking spaces in the IL zone district, and 200% of the minimum parking spaces in the IG zone district.
 - Fleets with fewer than 25 total vehicles would be exempt.

TOPICS FOR ADDITIONAL DISCUSSION

Semi-Trailer Truck Trip:

- Definition: “A semi-trailer truck trip involves the inbound or outbound movement of the truck on a site, with each movement being considered a single trip.”

Company	Average Daily Trips	Peak Daily Trips
Wanco	14	22
Liva Nova	22	34
Prescient	6	10
Sundyne	50	64
Sartorius	15	20
Easter Owens	6	12

TOPICS FOR ADDITIONAL DISCUSSION

Semi-Trailer Truck Trip:

- The threshold between Light Industry and Heavy Logistics Center is proposed to be reduced from 100 one way trips to 75 trips. This number of trips will keep all existing businesses conforming under the LDC. Under the current code definition 50 round trips = 100 one way trips.

Appeals Process:

- No changes are proposed, except for the ability to increase the notice area requirement to 1,000 feet.

TOPICS FOR ADDITIONAL DISCUSSION

Call Up by City Council:

- Following an Administrative Decision by the Director, City Council would be notified of the action in the Weekly Memo.
- At the next City Council business meeting, any Councilmember could request a review of a case. A majority of the City Council present would need to agree to hear the case.
- Should the City Council agree to hear the case, a public hearing date would be set and notice provided.
- The public hearing would be treated as a new item, with testimony from the public and the applicant allowed.
- City Council could approve, approve with conditions, or deny the application.

TOPICS FOR ADDITIONAL DISCUSSION

Call Up by City Council:

- If an Administrative Decision is not called up at the next City Council business meeting, it shall be deemed approved/denied as determined by the Director.

Reviews Since Adoption of the LDC:

Case Type	Number of Cases Approved	Cases Appealed
Administrative (Site Plan, Master Development Plan, Minor Modification, Plat, Certificate of Compliance)	143	1 (Grandview Station)
Public Hearing (Major Modification, Conditional Use, PUD)	29	0

TOPICS FOR ADDITIONAL DISCUSSION

Short Term Rentals:

- Planning Commission was concerned that “local contact person” was limited to an individual when requiring a response to an issue with the short term rental. The City team recommends adding “management company” to the section describing the contact to clarify who can be responsible for responding.
- Planning Commission also asked for the regulations to delineate between immediate right of entry to inspect for life and safety issues and authority to inspect for compliance prior to issuance of a license. The team recommends that during the license term, the licensee must make the property available for inspection at the request of the Director and refusal to do so could result in the revocation of the license.

TOPICS FOR ADDITIONAL DISCUSSION

Add or revise definitions:

- Heavy Logistics Center (to indicate more than 75 semi-trailer truck trips)
- Light Industry (to indicate up to 75 semi-trailer truck trips)
- Semi-Trailer-Truck Trip (as defined earlier)

Questions/Additional Topics?