

Zoning Text Amendment: Chapter 158 (P23-202)

Planning and Zoning Board Public Hearing
December 5, 2023
Daniel Robinson, Planner III



Proposed Text Amendment: Chapter 158

This is a City initiated Text amendment to provide a mechanism for the administrative approval of minor changes to MPUDs and PUDs.



What are minor changes

1. Minor changes which do not trigger the standards listed under Section 158.177 (A).
2. Reduction in the number of dwelling units or a decrease in floor area.
3. Reduction in the number of dwelling units or floor area in one phase of the project with a corresponding increase in the number of units or square footage in another portion of the project.
4. Minor changes to the configuration of uses, open space, stormwater, utility, and roadways to overcome a particular difficulty or to achieve a more functional and desirable use of the property than was originally anticipated provided the proposed changes do not alter the intent and purpose of the approved overall development plan, do not alter the intent and purpose of the associated NCD District concept plan, and do not conflict with a specific provision of the adopted PUD approval.
5. Minor changes to maximum height limits that do not exceed thirty-six inches.



Will the Planning and Zoning Director Approve all minor changes administratively?

No. Some changes might seem to be minor when initially considered, but, depending on the circumstances may involve changes that merit review by the SPRC, P&Z and City Council.

For this reason, the code specifies that “The Planning and Zoning Director may refer Minor changes to an approved PUD to the Site Plan Review Committee and/or the City Council.”

Impacts and Findings

- Staff has proposed language to Chapter 158 that provides a mechanism for administrative approval of minor changes to PUDs & MPUDs. The proposed language will provide the Planning Administrator to approve an update to the maximum height limits up to 36 inches and a decrease in permitted dwelling units.
- Staff is streamlining the approval process for minor amendments to PUDs and MPUDs so that the changes can be approved administratively and not have to go to SPRC, PZB and City Council unless it is a change that warrants such an extensive review.
- The City has numerous PUDs and MPUDs and staff is anticipating over time that there will be requests for minor changes to these developments, as such, staff wants to provide a tiered review and approval process to ensure a high level of customer service while minimizing process as possible.
- To provide these process improvements for the benefit of the customers, the Council and the team, staff has proposed the amendment before you.



Recommendation

- The Planning and Zoning Department staff finds the petition to be consistent with the intent and direction of the City's comprehensive plan and recommends approval.

