

UDC Amendment #38
Exempt Existing Commercial Outside M-DT
from Neighborhood Protection Standards
(Nausser Request)

Section 29-4.7 Neighborhood Protection Standards.

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Section 29-4.7(b) Applicability.

These standards apply:

- (1) To all lots in the R-MF District that contain a principle use other than a single- or two-family dwelling;
and
- (2) To all lots located in any District other than the R-1 and R-2 Districts that shares a side or rear lot line with a lot in the R-1 or R-2 District.
- ~~(2)~~(3) Notwithstanding anything contained herein to the contrary, this Section 29-4.7 shall not apply to any commercial property in any district outside the M-DT which is in existence on the Effective Date.

UDC Amendment #39
Add Sufficiency of Services Evaluation
to Building Permits and CUP Approval Criteria
(Treece Request)

Article 6 – Procedures and Enforcement.

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Section 29-6.4 Specific Regulatory Procedures.

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Section 29-6.4(b) Building Permit.

- (1) No erection, alteration, or enlargement of a building may begin until the owner of the property on which the building is or will be located, or the owner's authorized agent, has applied to the Director for a building permit and the Director has issued a building permit authorizing the proposed erection, alteration, or enlargement. The Director shall issue a building permit if the application is consistent with the requirements of this Chapter, all adopted and applicable building codes of the City, and all other regulations of the City. Failure to comply with the provisions of this Chapter shall be good cause for the revocation of any building permit by the Director. A record of such applications and plans shall be kept in the office of the Department.
- (2) Building permits may not be issued for a tract or parcel of land consisting of two (2) or more adjacent lots or one (1) lot and a portion of another lot.
- (3) A building permit shall only be issued on a lot as defined in Section 29-1.11.
- (4) No building permit shall be issued for construction of a new building on a lot that does not have access allowing vehicles, pedestrians, and bicycles to pass from a public street directly onto the lot, provided non-residential lots within a unified development may obtain access to a public street to the lot over an irrevocable access easement approved by the City Counselor, or designee.
- ~~(4)~~(5) No building permit shall be issued for construction of a new building on a lot until the Director determines sufficient infrastructure exists, or will exist at the time the building is completed and occupied, to support the proposed use, including, but not limited to adequate utilities, storm drainage, water, sanitary sewer, electricity, streets and sidewalks.

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Section 29-6.4(m) Conditional Use Permit.

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- (2) Criteria for Approval.

After giving due consideration to the following criteria, the Commission may recommend and the Council may grant a conditional use permit which may include any conditions deemed necessary to carry out the provisions and intent of this Chapter.

- (i) General Criteria.

- (A) The proposed conditional use complies with all standards and provisions in this Chapter applicable to the base and overlay zone district where the property is located;
- (B) The proposed conditional use is consistent with the City's adopted Comprehensive Plan;
- (C) The proposed conditional use will be in conformance with the character of the adjacent area, within the same zoning district, in which it is located. In making such a determination, consideration may be given to the location, type and height of buildings or structures and the type and extent of landscaping and screening on the site;
- (D) Adequate access is provided and is designed to prevent traffic hazards and minimize traffic congestion;
- (E) Sufficient infrastructure and services exist to support the proposed use, including, but not limited to, Adequate utilities, storm drainage, water, sanitary sewer, electricity, and other infrastructure facilities are provided; and
- (F) The proposed variance will not cause significant adverse impacts to surrounding properties.

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UDC Amendment #40
East Campus Urban Conservation District – Amendment Process
(Peters Request)

Section 29-2.3 Overlay Zoning Districts.

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Section 29-2.3(a) UC-O Urban Conservation Overlay.

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(3) Approved UC-O Districts.

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(ii) East Campus UC-O.

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(F) Amendments.

At least 15 days prior to consideration by the City Council, the Director shall notify any neighborhood association of which the Director is aware, in writing, at the last known address of the President of such association on file with the Department, of a request to amend the East Campus Urban Conservation District. In addition, the Director shall make a good faith effort to notify the property owner of each tract located within the District by sending a notice to the last known address on file with the Office of Neighborhood Services or the Boone County Assessor. The notice shall include a copy of the amendment proposed within the East Campus Urban Conservation District for review and comment by the neighborhood association.