



Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: October 17, 2022

Re: Zoning Text Amendments - **#A2: Sec. 29-5.1 Subdivision Standards** (Case #262-2022)

## Executive Summary

Approval will amend the UDC to make the dedication of a utility easement in M-DT district a discretionary requirement as determined by the Utilities department.

## Discussion

Staff has prepared for consideration a list of proposed zoning text amendments to Chapter 29 of the City Code commonly known as the Unified Development Code (UDC). There are 4 separate text amendments proposed with this case that are numbered #A1 - #A4. Amendment #A2 addresses the dedication of utility easements along streets in the downtown area which is zoned M-DT (Mixed-use Downtown).

Per the UDC, any new subdivision in the City is required to include a 10-foot utility easement along the parcel's public street frontage(s). However, in the M-DT district, this provision conflicts with the form-based code requirement that all buildings be constructed within 2-feet of the parcel's front property line or the Required Building Line (RBL). The required easement, in addition to conflicting with the form-based code requirement, is also inconsistent with how the majority of the existing buildings in the downtown are constructed.

Give the conflict, the platting of property in the M-DT is often accompanied by a design adjustment requiring additional and often unnecessary review by both the Planning Commission and the City Council. The proposed revision is offered to simplify the platting process within the M-DT district only and would ensure that the M-DT form-based code principals of building at the RBL are maintained. To achieve this outcome, the proposed revision would make the granting of this easement a discretionary action on an "as-needed" basis following review of site and system specific needs by Utilities department via authorization of the Utilities Director.

The Planning and Zoning Commission considered this request at their September 22, 2022 meeting. Staff presented its report. No member of the public spoke during the public hearing, but written correspondence was received and is attached.

Following limited discussion on the proposed amendment, a motion to approve the #A2 zoning text amendment passed (8-0).

The Planning Commission staff report, proposed text amendment sheet, public correspondence, and meeting minute excerpts are attached.



## Fiscal Impact

Short-Term Impact: None

Long-Term Impact: None

## Strategic & Comprehensive Plan Impact

### [Strategic Plan Impacts:](#)

Primary Impact: Not Applicable, Secondary Impact: Not Applicable, Tertiary Impact: Not Applicable

### [Comprehensive Plan Impacts:](#)

Primary Impact: Infrastructure, Secondary Impact: Not applicable, Tertiary Impact: Not Applicable

## Legislative History

Date	Action
3/20/17	Adopted amended Chapter 29 of the City Code, to be known as the "Unified Development Code". (Ord. 023117)

## Suggested Council Action

Approve UDC text amendment #A2 as recommended by the Planning and Zoning Commission.