PLANNING AND DEVELOPMENT DEPARTMENT MEMORANDUM 12-22

DATE:

July 23th, 2012

TO:

Honorable Mayor Joyce Downing and City Council Members

FROM:

William A. Simmons, City Manager W

Brook Svoboda, Director of Planning and Development

SUBJECT:

CB-1774 - Amendment to Permitted Use Permit ordinance regarding uses in Commercial

zones

BACKGROUND

Attached to this memo is an ordinance that if adopted would amend language in Article 30 of Chapter 11, Permitted Uses, in two separate sections:

Amendment to Section 1(a): Amended language in this section would further refine the uses allowed by Permitted Use permit in zone districts throughout the city. The ordinance amendment prescribes the removal of discretionary language of the ordinance that considers "other uses" not listed under permitted use categories to be considered under permitted uses. Specifically, the removal of the phrase "which are by way of example and not by way of limitation" will provide an exclusive list of uses that are appropriate for a Permitted Use permit and remove the authority for interpretation.

<u>Amendment to Section 2</u>: Amended language in this section would establish additional criteria for review of applications for a Permitted Use permit. Specifically, the additional criteria would:

- Require conformance with the City's adopted Master Plan and,
- When located in a designated Urban Renewal Area, the proposed use must be consistent with the adopted Urban Renewal Plan for that area.

BUDGET/TIME IMPLICATIONS:

This ordinance amendment request has no budgetary impacts.

As required by ordinance, the Planning Commission will hear this ordinance and provide a recommendation to the City Council at their August 7th, 2012 meeting.

RECOMMENDATION

Staff recommends Council approve CB-1774

STAFF REFERENCE

Brook Svoboda, Director of Planning and Development bsvoboda@northglenn.org or 303.450.8937

SPONSORED BY: MAYOR DOWNING

(e)

COUNCILMAN'S B	ILL	ORDINANCE NO.
No. <u>CB-17</u> Series of 2012	774	Series of 2012
		CLE 30 OF CHAPTER 11 OF THE MITTED USES IN COMMERCIAL
BE IT ORDA COLORADO, THAT		OF THE CITY OF NORTHGLENN,
Section 1. as follows:	Section 11-30-1(a) of the Northglen	n Municipal Code is amended to read
the permitted uses DETERMINE CONI ZONE DISTRICTS I example and not by v 3 AND 11-30-6 are the	provided FOR IN THIS ARTICLE DITIONS AND REQUIREMENTS HEREIN SPECIFIED by Section 11- way of limitation, except that the perm	or deny requests for establishment of E 30 OF CHAPTER 11, AND TO FOR THEIR OPERATION IN THE 30-4 to 11-30-8, which are by way of itted uses provided by Sections 11-30-determine conditions and requirements
Section 2. follows:	Section 11-30-2 of the Northglenn N	Municipal Code is amended to read as
Section 11-30	O-2. Criteria Applicable to All Per	rmitted Uses.
	aking its decision on an application shall consider:	n for a permitted use, the Planning
(a)	Compatibility with the surrounding a	area;
(b)	Harmony with the character of the ne	eighborhood;
(c)	Need for the proposed use;	
(d)	Effect of the use on the immediate an	rea;

(f) CONFORMANCE WITH THE CITY OF NORTHGLENN MASTER PLAN;

Effect of the use on future development of the area;

\C /	Y IS IN AN URBAN RENEWAL AREA AT THE CONSISTENCY WITH ANY ADOPTED URBAN
(h) The health, safety, an of Northglenn	nd welfare of the inhabitants of the area and the City
INTRODUCED, READ AND ORD 2012.	ERED POSTED this day of,
	JOYCE DOWNING
ATTEST:	Mayor
JOHANNA SMALL, CMC	
City Clerk	
PASSED ON SECOND AND FINA 2012.	AL READING this day of,
	JOYCE DOWNING
	Mayor
ATTEST:	
JOHANNA SMALL, CMC City Clerk	
APPROVED AS TO FORM:	
COREY Y. HOFFMANN City Attorney	