



OFFICE OF THE
CITY ATTORNEY

DEPARTMENTAL CORRESPONDENCE



Kit Williams
City Attorney

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Rhonda Lynch
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TO: Justin Tennant, Chair
Adella Gray, Member
Matthew Petty, Member
John La Tour, Member

CC: Andrew Garner, Planning Director
Jonathan Curth, Senior Planner

FROM: Kit Williams, City Attorney

DATE: June 20, 2017

RE: Ordinance Review Committee

MINUTES

The Ordinance Review Committee met in Room 326, City Administration Building at 4:00 p.m. on June 19, 2017. Chair Justin Tennant called the meeting to order. Three members of the committee were present: Justin Tennant, Adella Gray and Matthew Petty. Committee Member John La Tour did not attend.

City Planning Director Andrew Garner discussed the issues and points presented in his Staff Memo of June 19, 2017.

(A) Andrew recommended that Use Unit 40, **Sidewalk Cafes** be removed from Chapters 161 and 162 of the UDC because they can be administratively approved by City Staff anywhere a restaurant would be allowed. The Committee agreed that this should be handled by another ordinance from Planning and not be a part of this discussion concerning UT-L.

(B) Andrew recommended not to add **Clean Technologies** as a use unit allowed within a UT-L district because such manufacturing may not be compatible with residential and commercial uses in UT-L. The Committee expressed general agreement with Andrew.

(C) Andrew discussed building height issues. The Committee generally agreed that additional building setbacks for buildings over 20 feet tall were not needed.

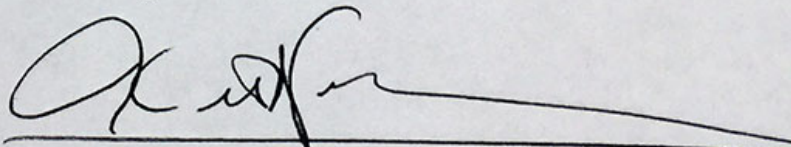
(D) Andrew discussed the floodplain and drainage issues at the bottom of the hill (Trenton intersection). He recommended against rezoning to R-A as inappropriate for this federal highway linking downtown and midtown. Andrew also discussed potential "takings" issues if the City rezoned to R-A to prevent further development in this flood prone area. I agreed with Andrew and cautioned about rezoning land into such a restrictive zoning district that a property owner could assert the rezoning would violate the Private Property Protection Act.

(E) Andrew presented a potential definition of "active space" which could authorize an additional level of construction under some possible revisions of the ordinance. Planning Commissioner Allison Quillan suggested identifying "active space" by requiring some business or activity by use unit in the building. No definition of "active space" could be agreed upon at this meeting.

(F) City Attorney Kit Williams suggested a stylist change in the name of UT-L so that the "L" would match the "L" in Neighborhood Services - Limited. I expressed my belief that having "L" mean "Light" is one zoning district and "Limited" in another zoning district would be confusing. The Committee generally agreed so the proposed ordinance will slightly change the name of the proposed use unit to "Urban Thoroughfare - Limited".

The Ordinance Review Committee decided another meeting would be required to fine tune the ordinance and definitions and scheduled the next Ordinance Review Committee on Thursday, July 13, 2017 at 4:00 p.m. in Room 326.

Respectfully Submitted,



Kit Williams
City Attorney