

ORDINANCE AMENDMENT REVIEW SHEET

Amendment:

Consider an ordinance amending City Code 25-2-582 (Commercial Highway (CH) District Regulations) to eliminate the regulations found in 25-2-582(C) and clarify that a zoning ordinance establishing a CH-PDA controls over any conflicting CH regulations.

Council Sponsors: Council Member Leslie Pool, Council Member Natasha Harper-Madison, Zohaib "Zo" Qadri, José "Chito" Vela.

Background:

On May 23, 2023, via Resolution No. 20230323-085, the City Council initiated a Code amendment to Title 25-2-582 (Commercial Highway (CH) District Regulations) to eliminate all the regulations found in 25-2-582(C) and clarify that a zoning ordinance establishing a CH-PDA controls over any conflicting CH regulations.

City Code Section 25-2-582 (C) currently addresses the following:

(C) The requirements of this subsection apply in a zoning district that combines a CH base district with a PDA combining district. If there is a conflict between the requirements of this subsection and the zoning ordinance establishing the CH-PDA district, the more restrictive requirement governs.

- (1) The minimum lot size is 10 acres.*
- (2) The maximum floor to area ratio is 4 to 1.*
- (3) The maximum height is 200 feet.*
- (4) The minimum front yard setback is 50 feet.*
- (5) The minimum street side yard setback is 50 feet.*
- (6) The minimum interior side yard setback is 25 feet.*
- (7) The maximum building cover is 55 percent of the lot area.*
- (8) The maximum impervious cover is 55 percent of the lot area.*

The proposed code amendment would eliminate the entirety of LDC 25-2-582(C) and replace it with language to clarify that a zoning ordinance establishing a CH-PDA controls over any conflicting CH regulations.

Staff Recommendation:

Staff recommends **APPROVAL** of the proposed Code amendment as it will support the production of additional housing units across the city and will eliminate barriers to the creation of income-restricted units under established City density bonus programs. Furthermore, it will prioritize use of the correct zoning classification for the intended purpose to reduce the unnecessary placement of industrial zoning in historically disadvantaged areas.

Board and Commission actions and next steps:

1. Planning Commission public hearing: April 11, 2023: Closed the public hearing and approved Staff recommendation on consent - Azhar Woods . 11-0. Haynes off the dais. Flores absent.
2. Set Council public hearing: April 20, 2023
3. Conduct Council public hearing: May 18, 2023

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