



Legislation Details (With Text)

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Type: Report **Status:** Agenda Ready
File created: 4/9/2015 **In control:** City Council
On agenda: 4/21/2015 **Final action:**
Title: LDO Text Amendment - Replacing Term Privilege License with Business Permit and Clarifying BOA Review and Voting
Sponsors:
Indexes:
Code sections:
Attachments: 1. 15-0333 ORD ta for voting boa members.pdf

Date	Ver.	Action By	Action	Result
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LDO Text Amendment - Business Permits and BOA Voting Clarification

Department: Planning
Council District: All districts

Public Hearing: April 21, 2015
Advertising Date/By: April 9 & 16/City Clerk

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PURPOSE:

The City Council is requested to set hold a public hearing on April 21, 2015 for amendments to LDO Sections 30-3-7.4, Powers and Duties, 30-3-7.5, Required Vote for Approval and 30-4-26.5, Sign Permits and Section 30-8-13 (Entertainment Facilities). At the April 21, 2015 hearing City Council will consider and take action on this request.

BACKGROUND:

This change is requested to replace references to privilege licenses with the term business permit in the LDO and add clarifying language regarding the Board of Adjustment, as the Board that will hear appeals on business permit actions. These amendments are not related to the configuration of the Board.

With the expiration of the privilege license on July 1, 2015 the City needs to ensure that it is still able to know where businesses are operating within the City's jurisdiction and protect the public health, welfare and safety through the application of appropriate zoning, building and fire codes. Towards this end the City is establishing a central business permit system as the most effective means of gathering citywide business information for use by a variety of City departments. As such current references in the Land Development Ordinance for privilege licenses need to be replaced.

Additionally this text amendment confirms the Board of Adjustment's implied authority as the body that would review appeals of actions related to business permits and to other sections of the City Code of Ordinances as applicable. It also updates language that was inadvertently left in the LDO when State law changed regarding voting for the Board of Adjustment so the local ordinance now reads in a similar manner to State law.

Section 30-4-4.6, Waiver of Procedure, grants City Council the ability to hear an ordinance text amendment directly, bypassing Planning Board review and recommendation. Following those procedures City Council called this public hearing at its April 7, 2015 meeting.

BUDGET IMPACT:

This item will have no budget impact.

RECOMMENDATION / ACTION REQUESTED:

Planning recommends **approval** of the requested amendments