



**24-0002M**

**TITLE:** Conduct a Public Hearing to Consider/Discuss/Act on an Amendment to Section 203 (Procedures) of the Zoning Regulations found in Chapter 150 (Unified Development Code) of the Code of Ordinances

**COUNCIL GOAL:** Operational Excellence  
(2C: Identify opportunities for internal efficiencies and continuous improvement to effect a high performing organizational culture)

**MEETING DATE:** May 28, 2024

**DEPARTMENT:** Development Services - Planning Department

**CONTACT:** Jennifer Arnold, AICP, Director of Planning  
Suzanne Arnold, Chief Building Official

**APPROVAL PROCESS:**

- The recommendation of the Planning and Zoning Commission will be forwarded to the City Council for consideration at the June 4, 2024 meeting.

**RECOMMENDED ACTION:**

- Staff recommends approval of the proposed amendment.

**ITEM SUMMARY:**

- Staff proposes an amendment to Section 203G (Procedures) of the Zoning Regulations found in Chapter 150 (Unified Development Code) to modify the type of variance requests that can be heard by the Board of Adjustment (BOA).
- Per the UDC, a variance provides relief from the strict application of the zoning provisions where literal enforcement of the requirements will result in an unnecessary hardship and where the variance is necessary to develop a parcel of land that cannot otherwise be developed due to unique conditions on the property.

- At present, Section 203G specifies that the BOA only has the authority to consider variance requests to *dimensional standards* of the Zoning Regulations (i.e. setbacks). Staff proposes to remove this limitation so the Board can consider all variance requests and not just those related to dimensional standards.
- This minor change to Section 203G will provide more opportunities for property owners and developers to seek necessary relief through the BOA process instead of the rezoning process.

**OPPOSITION TO OR SUPPORT OF REQUEST:** Staff has not received any letters in support of or in opposition to the proposed amendment. This does not include emails or letters that may have been sent directly to the Commission or City Council.

**SUPPORTING MATERIALS:**

[Section 203 - BOA Amendment \(redlines\)](#)  
[Presentation](#)