

**PLANNING COMMISSION
ZONING ORDINANCE REWRITE WORK SESSION
MOTION SHEET**

Meeting Date: JUNE 5, 2023
Planning Commissioner: Eric Combs
Subject of Motion: Revision to Appendix C
Reference Location: Appendix C

I MOVE: That the following sentence be added to the introductory instructions, following the title of Appendix C and above Table C-1. Flexible Regulations:

“To be clear, sections or regulations not listed in *Table C-1. Flexible Regulations* may be modified unless a modification is specifically not allowed according to text in that section or regulation.”

2019 COMP PLAN POLICY SUPPORT:

Chapter 7 Implementation Matrix

Chapter 2: Infill and Redevelopment

1.4.C. Develop flexible zoning regulations and design standards that account for existing conditions, allow for creative design and emerging development types, and provide certainty and clear direction for developers.

Chapter 4: Housing

1.1.D. Develop zoning regulations and design standards that facilitate innovative, lower cost, compact residential and mixed-use development that emphasizes the physical form and the character of the built environment and seamlessly integrates uses.

3.1.C. Develop zoning regulations and design standards that remove barriers and incentivize the development of housing affordable to households at or below 100 percent AMI in all residential and mixed-use development.

[All of the above references indicate a need for the future Zoning Ordinance to be flexible, which supports the concept of allowing modifications as innovation and future circumstances require.]

DISCUSSION POINTS /JUSTIFICATIONS:

- As specified in the introduction to Appendix C, it is intended to “help identify regulations that may be modified” and “it is a guide only.”
- Unfortunately, because this Appendix is so new and has received so little discussion, there is great concern among stakeholders that it could be open to the interpretation that any section or regulations which *is not* on Table C-1. *may not be modified.*
- This approach, that any section or regulation that is not specifically designated as “Flexible” may not be modified, would be an unprecedented approach to drafting a Zoning Ordinance.
- In order to clarify the purpose and use of Appendix C, it is necessary to add the sentence, proposed in this motion, to make it clear that any text restricting modification must be present in the relevant section or regulation.