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Subject: goletazoning.com Public Comments: Form Submission
Date: Wednesday, May 08, 2019 11:35:18 AM

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Subject:

Draft NZO Comments

Message:

On behalf of Suzanne Elledge Planning and Permitting Services, Inc., we appreciate the opportunity to provide comments on the City's Draft NZO Chapter 17.01 – Introductory Provisions, Section 17.01.040, Applicability (E. Project Vesting) The proposed language in this section does not refer or speak to discretionary project approvals (i.e. CUP, Development Plan, etc.). As land use professionals, it is important to define at which point a discretionary action is vested prior to the effective date of the NZO. This section seems to only speak to application of vesting for follow-up building permits. We recommend adding clarification or a separate definition that relates to discretionary actions and vesting of those approvals. Chapters 17.07 -17.12 (Base Zone District Standards and Allowed Uses For all base zone district sections of the draft NZO, the Land Use Regulations sections have redlined/removed language relating to “where specific land use or activity is not defined, the Director shall assign the land use or activity to a classification that is substantially similar in character. Use classifications and subclasses not listed in the table or not found to be substantially similar to the uses below are prohibited.” We believe a similar statement must be incorporated back into the NZO to allow the Director to define uses and classifications not specifically listed and/or have the ability to determine that a use conforms with the intent of said zone district. Further, the current Zoning Ordinance includes language in the allowed uses section that stated “uses, buildings, and structures incidental, accessory, and subordinate to permitted uses” which is critical language to include in the NZO as it allows reasonable flexibility in the defined allowed uses that otherwise would have no path forward for consideration. A similar use definition should be added to all land use categories. With over 25 years of land use experience, we at SEPPS have come to understand that each site and each project is unique and often found that not all uses classifications can be explicitly defined and strongly recommend the City maintain the ability to assess a specific project or proposed use classification that is not explicitly listed and be able to make a determination as to its appropriate or similar use or classification. Chapter 17.09 Land Use Regulations – Office Districts, Use Table The land use regulations table, specifically the Office Institutional uses section, does not allow any type of indoor warehousing and storage. There are existing, permitted, office uses within the OI zone district that also have an R&D and technology component (which is allowed in both the BP and OI zone districts). Those components often require some type of indoor warehousing and storage. We believe the table should be revised to add the p4 note which would allow some level of appropriate and associated indoor storage uses within the OI zone district “only if it is in association with a permitting use”. We recommend change remains consistent with the Office Institutional (OI) defined purpose and intent “to provide areas for existing and future office-based uses by implementing the Office and Institutional (I-OI) land use designation of the General Plan”. Further, the City's General Plan OI general purpose is “intended to provide appropriate locations for a range of employment-creating economic activities, from those based on advanced technology to storage and warehousing, while seeking to minimize traffic congestion, visual, and other impacts on the surrounding residential areas.”

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