

# City of New Castle Planning Commission

Comprehensive Plan Amendment Workshop

October 17, 2022

# Presentation Outline

Why Are We Here?

Comprehensive Planning

New Castle's 2020 Comprehensive Plan

Prior Comprehensive Plan Amendment Examples

City and County Zoning Regulations

Project Access

River Edge Industrial Park Annexation

Impacts of Sea-Level Rise

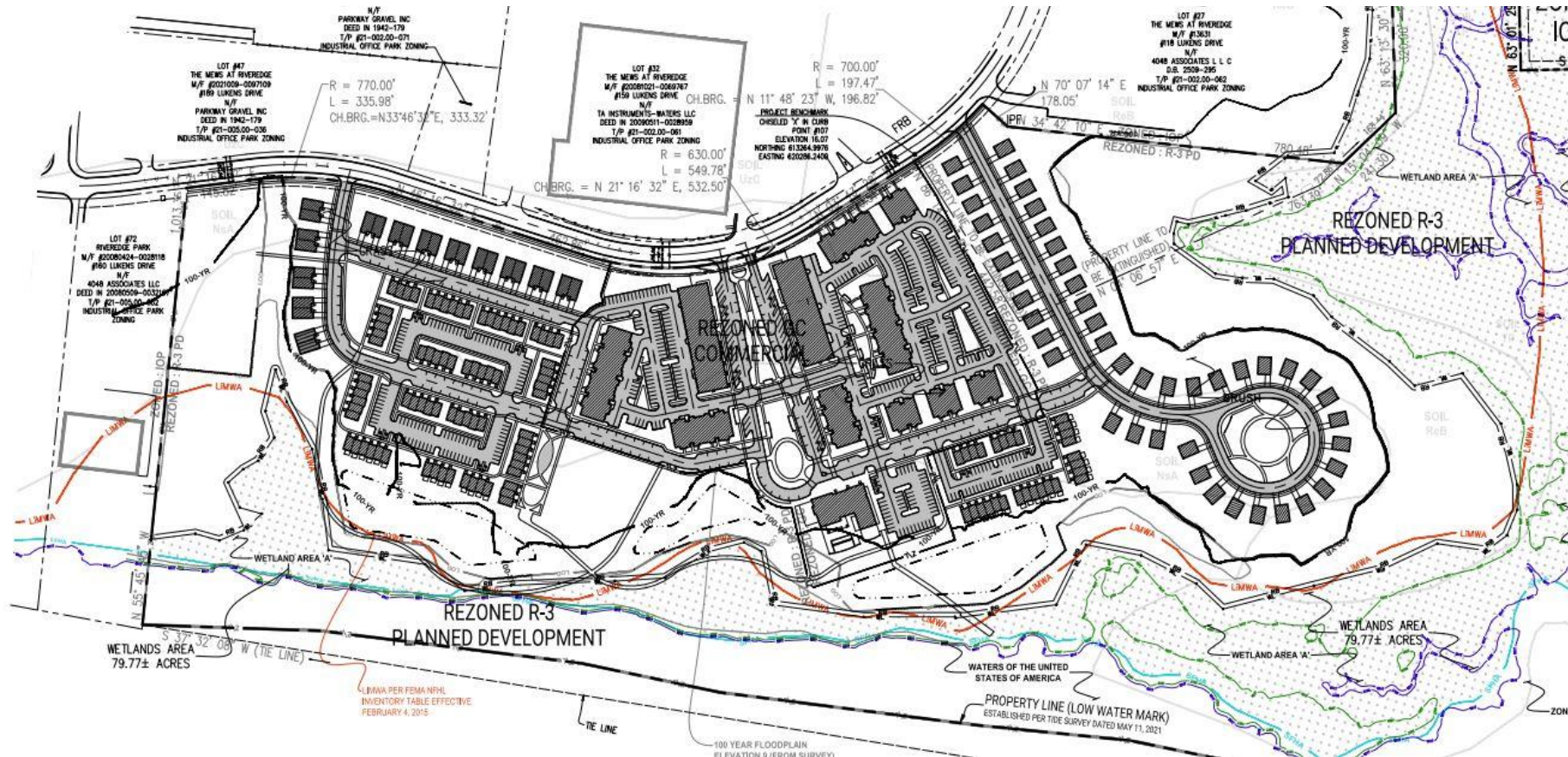
Next Steps

Discussion and Questions

# Why are we here?

In April 2022, the Applicant requested to rezone tax parcels 21-022.00-001 and 21-022.00-002 (168.76 acres total) from Industrial Office Park (IOP) to Residential District R-3 (149.08 acres) and General Commercial District (13.96 acres) to develop a mixed-use project consisting of:

- 272** apartment units
- 133** duplex units
- 46** single-family detached dwellings
- 12,000** sq. ft. of commercial space



# Why are we here? cont.

## **Section 230.61.B of the City Zoning Ordinance states:**

“The Council may, from time to time, on its own motion, on the motion of the Planning Commission, or on petition by the owner, amend, supplement, change, modify, or repeal the zoning regulations, restrictions, and boundaries in a manner and in accordance with the procedure hereinafter provided.”

## **Section 230-61.C states:**

“All proposals for amending, supplementing, changing, modifying, or repealing the zoning regulations, restrictions or boundaries, before being acted upon by the Council, except those originating on motion of the Planning Commission, shall be referred by the Council to the Planning Commission for consideration and recommendation. The Planning Commission shall study all such proposals, whether originating with the Planning Commission or otherwise, and shall conduct a public hearing...”

## **Section 230-61.A states:**

“Any amendment shall be in accordance with the Comprehensive Plan.”

## **Section 230-61.C**

Allows the Planning Commission to require zoning support information and sets time limit within which to make a recommendation.

The time limit has been waived by the Applicant

# Why are we here? cont.

Pursuant to the Applicant's request, **Ordinance 536** submitted to City Council for *First Reading* on May 10, 2022.

**Ordinance 536** states:

**SECTION 1:** “The official zoning map of the City of New Castle, incorporated into the City Code pursuant to Section 230-2 of the Code, is hereby amended to rezone Tax Parcels 21- 022.00-001 (130 Lukens Drive) and 21-022.00-002, (150 Lukens Drive) to the R-3 (Multi-family residential) and GC (General Commercial) zoning classifications with zoning district boundaries consistent with the final site plan determined by the Planning Commission as being in full compliance with the City Code (the “Approved Site Plan”).

**SECTION 2:** “The City’s 2020 Comprehensive Plan is hereby amended as necessary to make the Approved Site Plan consistent therewith;...”

Ordinance language requested by the Applicant.

## Why are we here? cont.

Delaware Code, Title 22, Chapter 7. Planning Commission, §702.(c), states:

“The comprehensive plan shall be the basis for the development of zoning regulations as permitted pursuant to Chapter 3 of this title.”

**AECOM recommended that the merits of amending the Comprehensive Plan first be considered before considering the merits of the rezoning and site plan.**

# Comprehensive Plan

## What is it?

22 Del. C. §702(b):

“Comprehensive plan means a document in text and maps, containing at a minimum, a municipal development strategy setting forth the jurisdiction’s position on population and housing growth within the jurisdiction, expansion of its boundaries, development of adjacent areas, redevelopment potential, community character, and the general uses of land within the community, and critical community development and infrastructure issues. The comprehensive planning process shall demonstrate coordination with other municipalities, the county and the State during plan preparation.”

22 Del. C. §702(a):

“A planning commission established by any incorporated municipality under this chapter shall prepare a comprehensive plan for the city or town or portions thereof as the commission deems appropriate...”

29 Del. C. §9103(f):

“Within 20 days of receipt of the findings and recommendations from the Cabinet Committee, the Governor shall certify the comprehensive plan or return the comprehensive plan to the municipality or county for revision. The municipality or county shall have the right to accept or reject any or all of the recommendations. The final decision on the adoption of the comprehensive plan is that of the municipality or county.”

## Comprehensive Plan Characteristics

Statutorily  
Mandated

Like a  
Constitution

Controls &  
Directs Use of  
Property

Implemented  
by Rules

*Friends of H. Fletcher Brown Mansion v. City of Wilmington,*  
2013 WL 4436607 (Del. Super. Ct. July 26, 2013).

Vision for the  
Future

All  
Encompassing

Physical

Long Range

On-Going  
Process

Guide for  
Development



# Comprehensive Plan, cont.



Source: UD IPA Planning 101

[www.completecommunitiesde.org](http://www.completecommunitiesde.org)

Required Elements for all Municipalities in Delaware	Required Plan Elements for Municipalities with Populations greater than 2,000
<p>Position On:</p> <ul style="list-style-type: none"> <li>– Population Growth</li> <li>– Housing Growth</li> <li>– Expansion of Boundaries</li> <li>– Development of Adjacent Areas</li> <li>– Redevelopment Potential</li> <li>– Community Character</li> <li>– General Use of Land</li> <li>– Critical Community Development Issues</li> <li>– Key Infrastructure Issues</li> </ul> <p>Demonstrated Coordination with state, county, and other municipalities</p> <p>Municipal Boundary</p> <ul style="list-style-type: none"> <li>– Accurately depicted on maps</li> <li>– Recorded where mandated in municipal charter</li> </ul>	<p>Description of Physical, Demographic and Economic Conditions</p> <p>Policies, Statements, Goals and Planning Components for:</p> <ul style="list-style-type: none"> <li>– Public and Private Uses of Land</li> <li>– Transportation</li> <li>– Economic Development</li> <li>– Affordable Housing Community Facilities</li> <li>– Open Space and Recreation</li> <li>– Protection of Sensitive Areas</li> <li>– Community Design</li> <li>– Water &amp; Wastewater Systems</li> <li>– Protection of Historical &amp; Cultural Resources</li> <li>– Annexation</li> </ul> <p>Other Elements that in the opinion of the community best promotes health, safety prosperity, and general public welfare.</p> <p>Source Water Protection</p> <ul style="list-style-type: none"> <li>– Separate map in plan document</li> <li>– Include in “Infrastructure” element</li> <li>– Adopted ordinance approved by DNREC</li> </ul>

Municipal Comprehensive Plan Checklist: [comprehensive-plan-checklist-guide.pdf](https://delaware.gov/comprehensive-plan-checklist-guide.pdf) (delaware.gov)

Source: UD IPA Planning 101

# Comprehensive Plan, cont.

## Relationship with Zoning

22 Del. C. §702(c):

“The comprehensive plan shall be the basis for the development of zoning regulations as permitted pursuant to Chapter 3 of this title. ... a jurisdiction shall, within 18 months of the adoption of a comprehensive development plan or revision thereof, amend its official zoning map to rezone all lands within the municipality in accordance with the uses of land provided for in the comprehensive development plan.”

22 Del. C. §702(d):

“After a comprehensive plan or portion thereof has been adopted by the municipality in accordance to this chapter, the comprehensive plan shall have the force of law and no development shall be permitted except as consistent with the plan.”

# Comprehensive Plan, cont.

## Relationship with Zoning – 2009 Comprehensive Plan Example

**Goal 3:** Develop and adopt long-term redevelopment vision plans for the Ferry Cutoff and the 7th & South Street areas.

**Background:** While the reuse of currently vacant land should be a primary concern, the City’s redevelopment planning should also encompass sites that may be currently occupied but for which there may ultimately be a more productive or beneficial use.

### The Ferry Cut-off

As discussed in the Economic Conditions section of the comprehensive plan, the auto-oriented commercial district along Route 9 offers the opportunity to be redeveloped as a new pedestrian-oriented neighborhood commercial district providing primarily local goods and services and presenting a gateway worthy of the City of New Castle.



*Ferry Cut-off Redevelopment Area*

### 7th & South Street

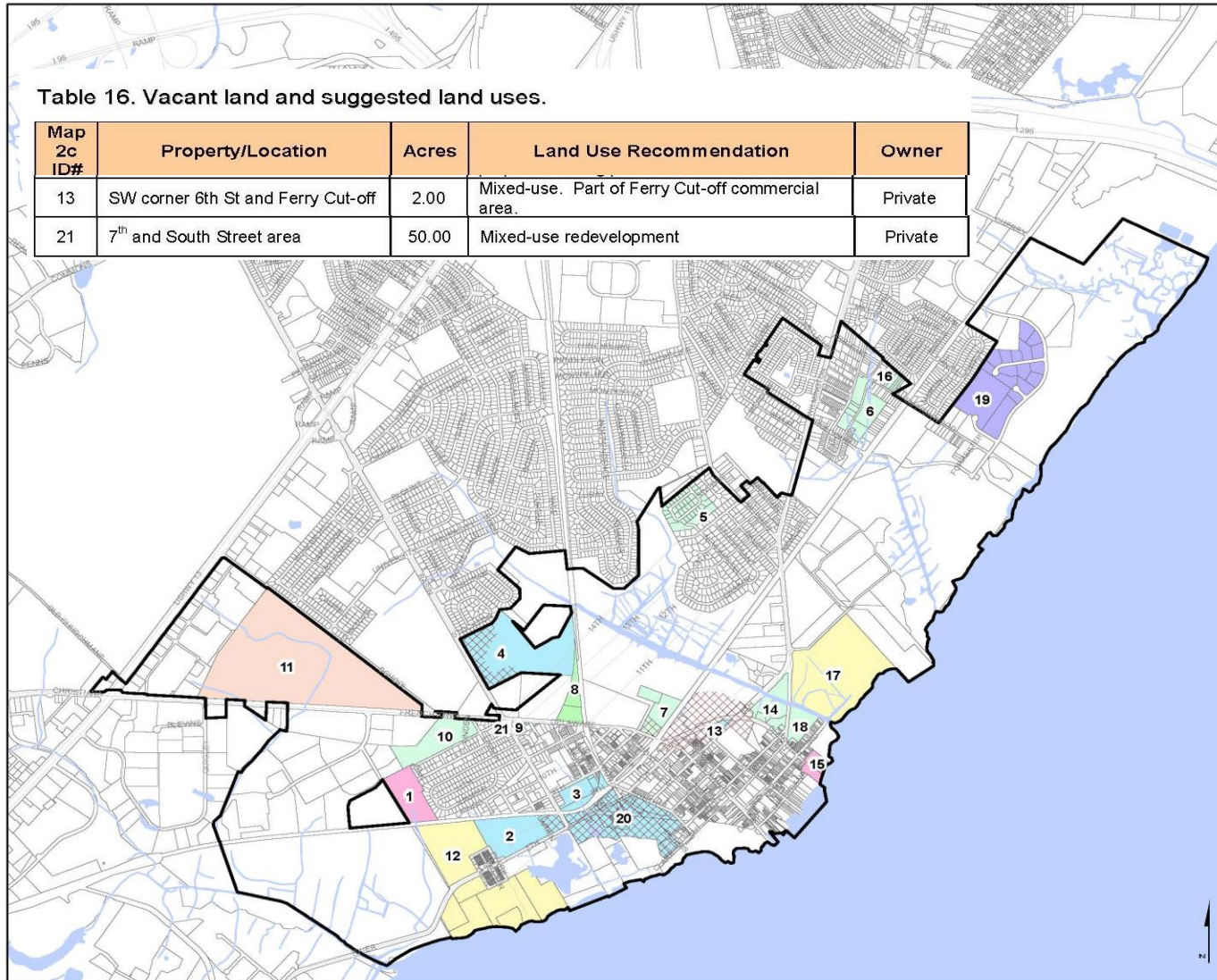
Currently a mix of commercial and non-residential lands possessing dramatic vistas of the river, this area directly adjoins the southern boundaries of the downtown area and Battery Park. While it is likely that the current land use pattern in this portion of the City could continue indefinitely, it is easy to envision this area as a new residential neighborhood, extending the built-form, character and scale of the historic district southward. This area could become a new, dynamic extension of downtown.



*7<sup>th</sup> & South Streets Redevelopment Area*

# Comprehensive Plan, cont.

## Relationship with Zoning – 2009 Comprehensive Plan Example



### City of New Castle Comprehensive Plan

#### Map 2c: Suggested Land Use Zoning

##### Legend

- Redevelopment Area
- New Castle Boundary
- parcels
- Suggested Land Use**
- Agriculture
- Institutional or Mixed-Use
- Light Industrial, Office Park
- Mixed-Use
- Open Space
- Open Space - Residential mixed use
- Residential

0 1,800 3,600  
Feet  
1 inch = 1,800 feet

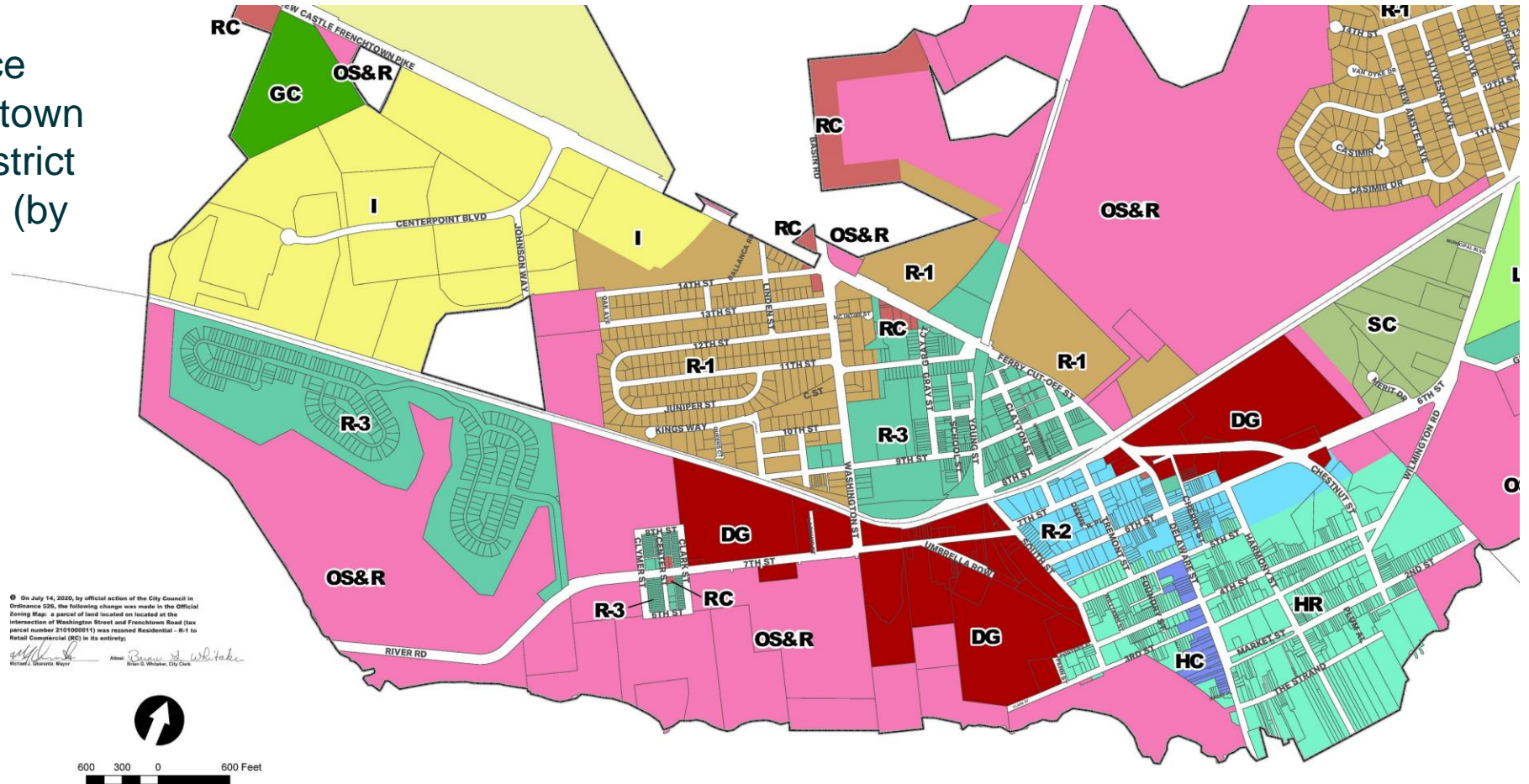
DATA SOURCES:  
Parcels, City of New Castle Boundary - State of Delaware  
Suggested Land Use - City of New Castle Comprehensive Plan Update 2003

File Name: R:\DCI\_NewCastle\20112894GIS\_jde\Maping\Map2c\_Suggested\_LandUse.mxd  
November 24, 2009

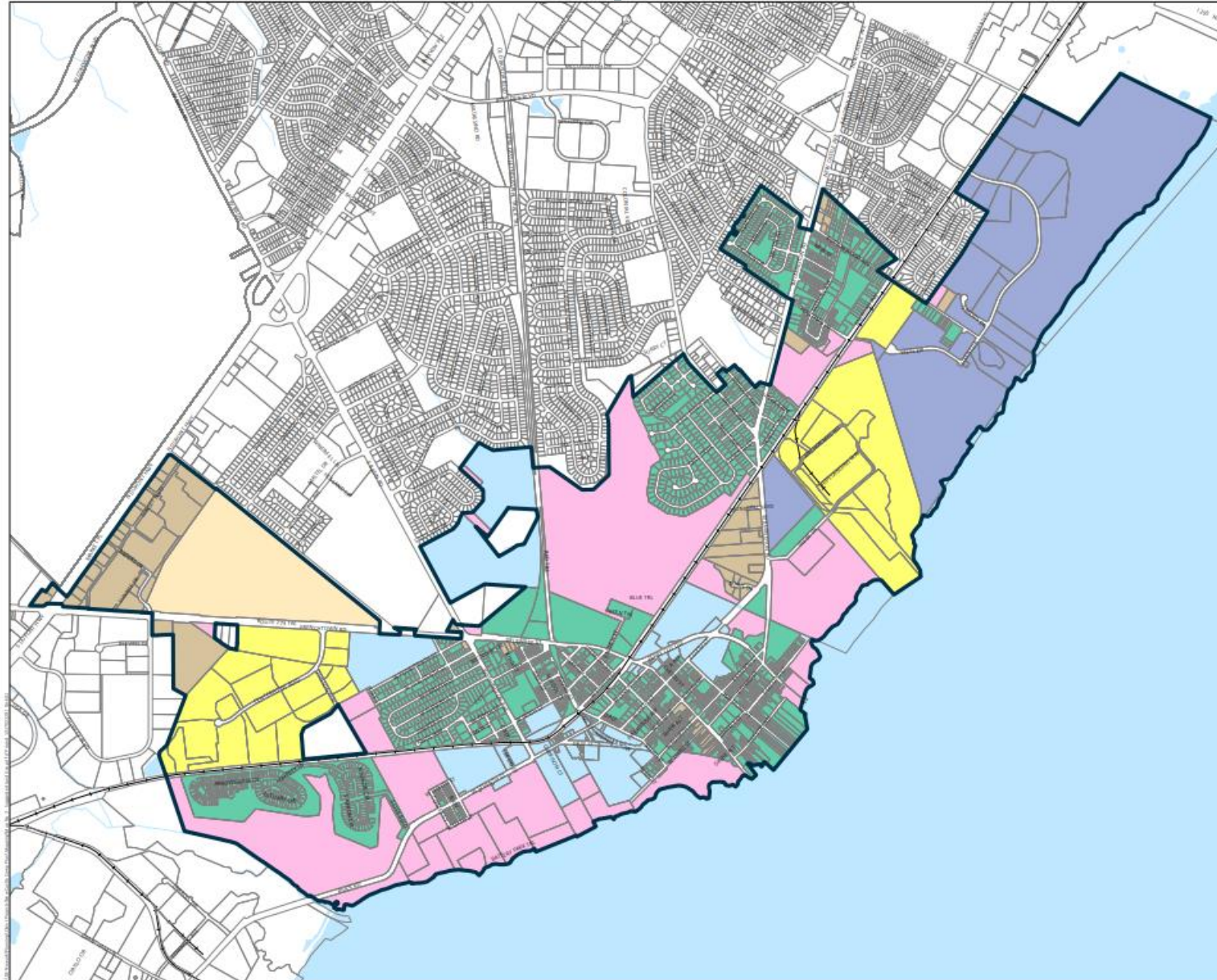
# Comprehensive Plan, cont.

## Relationship with Zoning – 2009 Comprehensive Plan Example

In 2013, Zoning Ordinance amended to create Downtown Gateway (DG) Zoning District and areas rezoned to DG (by the City) consistent with Comprehensive Plan



# City of New Castle's 2020 Comprehensive Plan



City of New Castle  
KCC 2020 Comprehensive Plan  
Map No. 3  
Suggested Land Use

- Legend**
- City Boundary
  - Parcels
  - Rail Lines
  - Water
  - Flow Lines
  - Suggested Land Use**
  - Agriculture
  - Commercial
  - Industrial
  - Light Industrial, Office Park
  - Mixed-Use
  - Open Space & Recreation
  - Residential

**Map Revisions**

12/14/2019 Original  
01/14/2020 Zoning and Land Use Analysis  
01/29/2020 Planning Commission Input  
07/14/2020 Adopted Ordinance 5-26 changing from Residential to Commercial for parcel 21-0103-004-011

**Data Sources**

City Boundary: CGPC/PinMap (2013)  
Rail Lines: TrimbleMap (2020/4)  
Parcels: New Castle County (2/2018)  
Street Names: New Castle County (2/2018)  
Suggested Land Use: City of New Castle (2009)  
Water and Flow Lines: NAIJ/TrimbleMap (2014)



# City of New Castle's 2020 Comprehensive Plan, cont.

## Chapter 4 – Land Use, Suggested Land Use (Future Land Use), page 39

Land Use Category	Zoning District
Agriculture	Agricultural – Horticultural (AH)
Commercial	Historic Commerce (HC) Retail Commercial (RC) Service Commercial (SC) General Commercial (GC)
Industrial	Industrial (I)
Institutional	All Districts
Light Industrial, Office Park	Light Industrial-Office (LIO) Industrial Office Park (IOP)
Mixed-Use	Downtown Gateway (DG)
Open Space & Recreation	Open Space & Recreation (OS&R)
Residential	Residential (R-1, R-2 & R-3) Historic Residence (HR)

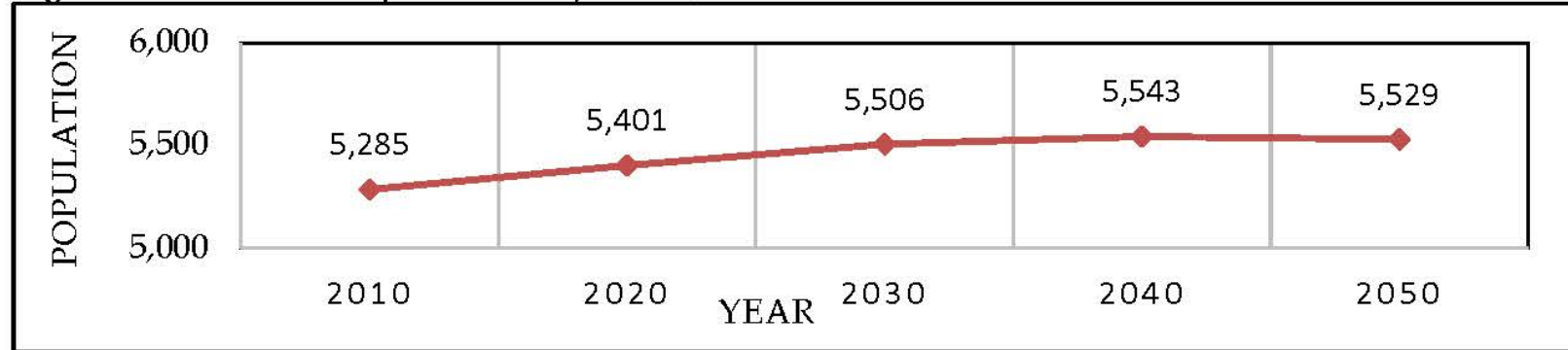
“Map 3 Suggested Land Use was created after careful review and multiple discussions with the Planning Commission. While it is difficult to predict future opportunities and land development trends, this map serves as the basis for all change of land use and zoning applications. The Planning Commission and City Council may entertain applications to change the Suggested Land Use Map and Zoning Map on a case-by-case basis. If considered, the application would require a Comprehensive Plan map amendment submittal to the Office of State Planning Coordination for review and recommendation prior to the City taking action.”



# City of New Castle's 2020 Comprehensive Plan, cont.

## Population Projections, page 19

Figure 3 New Castle Population Projections, 2020-2050



Source: Delaware Population Consortium, 2018

Assuming the City does not annex a significant amount of new territory, it is possible to estimate the future population. However, projections for small populations such as the City of New Castle are difficult to prepare accurately. Due to the small size of the population, slight inaccuracies or data errors in the current Census figures can become large errors when projected into the future. These projections should not be considered accurate or binding and should be relied upon with caution. The City is comfortable with DPC's estimated population projection numbers.

2021 Projections	Year	2020	2030	2040	2050
	Population	5,408	5,534	5,647	5,719

Source: Delaware Population Consortium (2021)

# City of New Castle's 2020 Comprehensive Plan, cont.

## Housing Element Goals:

- G11 – 1: Increase affordable opportunities for home ownership.
- G11 – 2: Improve housing maintenance.
- G11 – 3: Improve the integrity of the housing stock through rehabilitation.
- G11 – 4: Facilitate investment in small run-down residential properties, and ensure that such redevelopment meets or exceeds the architectural character of surrounding homes.

## Housing Element Strategies:

- S11 – 1:
  - (a) Investigate and advertise financial incentives for reconvertng multi-family to single family units.
  - (b) Promote and advertise financial incentives for potential homebuyers, such as tax credits and loan assistance, and offer such services to purchasers of all income levels (Property Tax Abatement, Acquisition Rehabilitation Loan Program and Delaware State Historic Preservation Tax Credit Program)
  - (c) Provide housing education programs for first-time homebuyers.

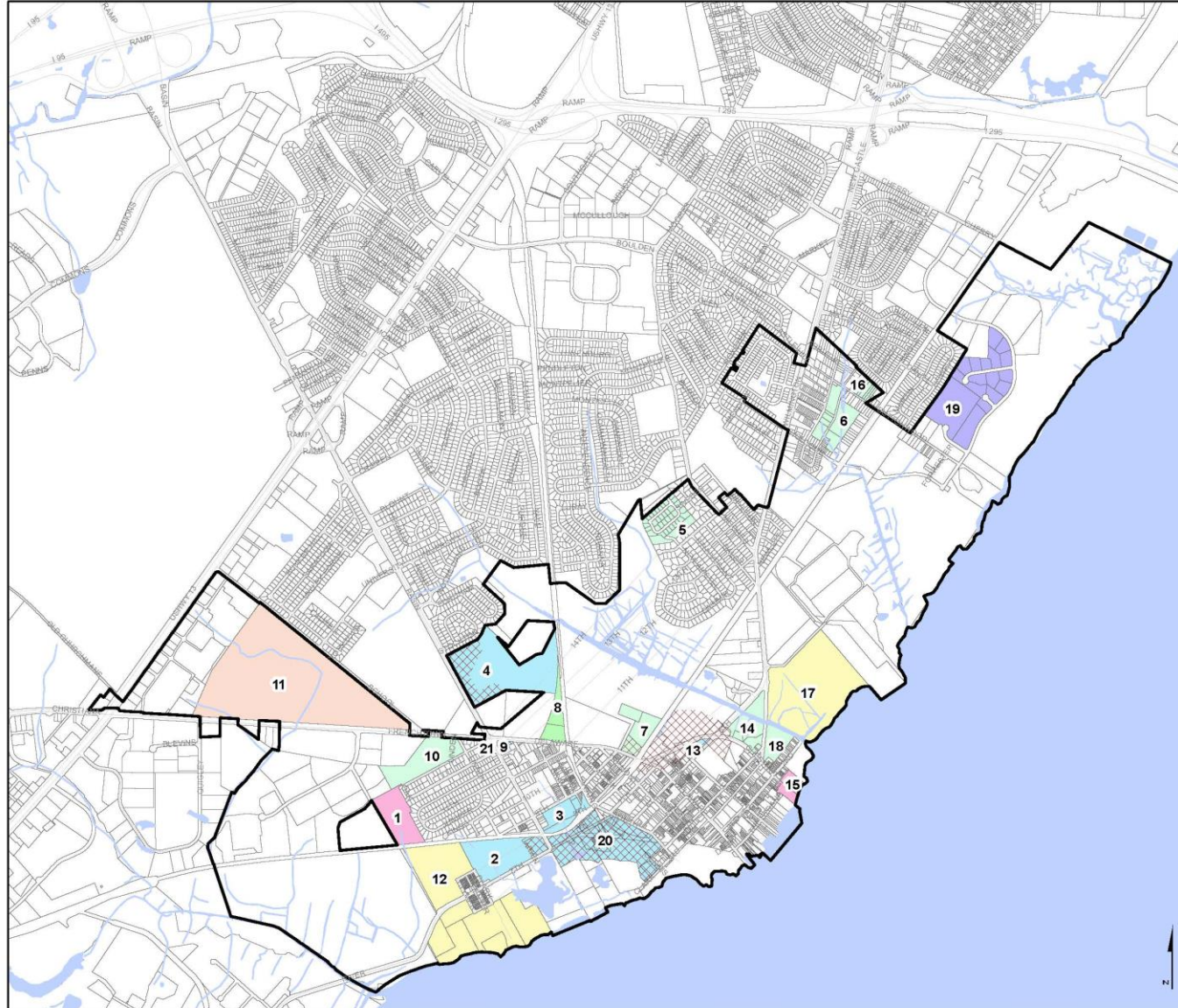
## Housing Element Strategies, cont.:

- S11 – 2:
  - (a) Enforce existing and new property maintenance codes and impose fines on violators.
  - (b) Distribute a brochure to all property owners explaining the code requirements for property maintenance.
  - (c) Research zoning code standards and requirements for conversions from one dwelling unit to multiple dwelling units and potential changes to the Code.
- S11 – 3:
  - (a) Continue to enforce the rental property registration and licensing ordinance to control vacant and boarded housing.
  - (b) Promote and advertise existing rehabilitation grants and loan programs to assist lower income homeowners with maintaining and repairing their homes.
  - (c) Promote and advertise historic rehabilitation grants and tax credits for historic housing or housing within the historic district.
  - (d) Provide home improvement training programs to educate New Castle residents, particularly regarding historic residences.
- S11 – 4:
  - (a) Identify a list of the residential properties that are in need of redevelopment.
  - (b) Adopt zoning and land development incentives to encourage redevelopment which include grandfathering of the qualifying property's non-conformities related to lot size, building bulk and minimum yards.
  - (c) In the case of multi-family dwellings, adopt zoning and land development regulations which provide for a reasonable increase in density

# Prior Comprehensive Plan Amendment Examples

Amendments to the 2009 Comprehensive Plan in 2018 and 2020 addressed Suggested Land Use changes to undesignated parcels prior to a Rezoning.

Not comparable.

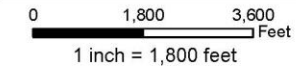


## City of New Castle Comprehensive Plan

### Map 2c: Suggested Land Use Zoning

#### Legend

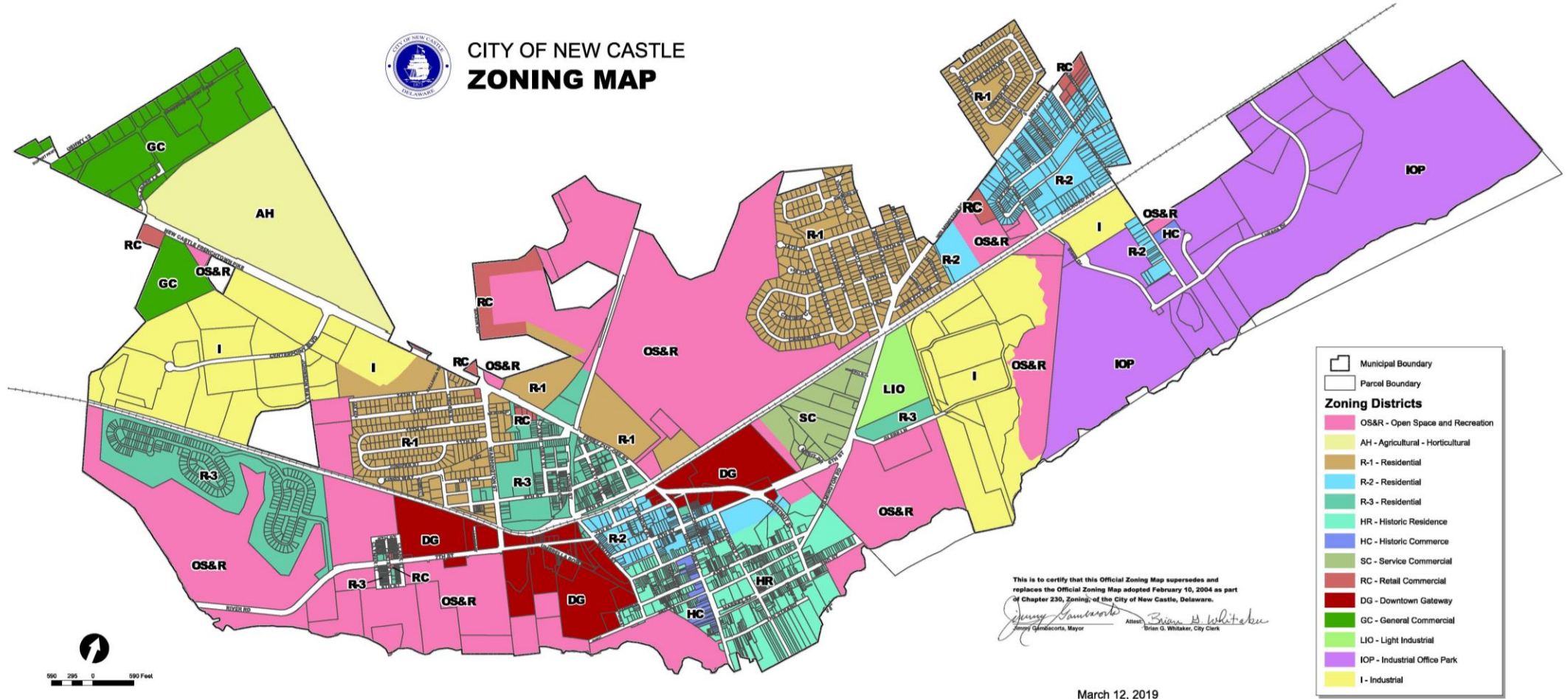
- Redevelopment Area
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- Agriculture
- Institutional or Mixed-Use
- Light Industrial, Office Park
- Mixed-Use
- Open Space
- Open Space - Residential mixed use
- Residential



DATA SOURCES:  
Parcels, City of New Castle Boundary - State of Delaware  
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File Name: R:\DE\_NewCastle\2017\2854\GIS\_job\Maping\Map2c\_Suggested\_LandUse.mxd  
November 24, 2019

# City and County Zoning Regulations



# City and County Zoning Regulations, cont.

## City Industrial Office Park Zoning District

“This district is intended to provide for industrial and office uses within the City, in a landscaped setting, together with convenient retail and personal service establishments. No area initially shall be zoned for IOP unless the proposed development has been subjected to restrictive covenants in form and content satisfactory to The Mayor and Council of the City of New Castle, which restrictive covenants shall provide for architectural review, landscaping standards, a maintenance corporation and such other covenants, conditions or restrictions as may be appropriate to ensure the orderly development of the area to be zoned as IOP.”

**§230-24 of the City of New Castle, DE Zoning Code permits the following uses by right in the Industrial Office Park (IOP) District** 

Offices for professional services and administrative activities	Retail food store, baker, bakery-restaurant, candy store	Health club, physical fitness and sports therapy center
Manufacturing, assembling, converting, altering. Finishing, cleaning or any other processing, handling or storage of products or materials	Restaurant, including service of alcoholic beverages, but excluding drive-in restaurants	Accessory uses and structures clearly incidental and customary to and commonly associated with operation of any of the permitted uses
Packaging, storage, warehousing and distribution	Day-care center, kindergarten, preschool or day nursery	Ancillary (to any of the above) recreational uses, such as jogging paths, fitness trails, etc.
Research, experimental, testing, diagnostic, and/or development laboratories	Parking lot or parking garage	Signs
Manufacture and assembling of electronic equipment, appliances and mechanical instruments	Blue printing, photostatting, photo processing and other business service retail establishments	Public utility rights-of-way and structures permitted as special exceptions
Retail/personal services establishments designed primarily to service the occupants and users of the immediate surrounding area	Banks and other financial institutions	

# City and County Zoning Regulations, cont.

## Nearby County Zoning Map and Regulations



## County Zoning

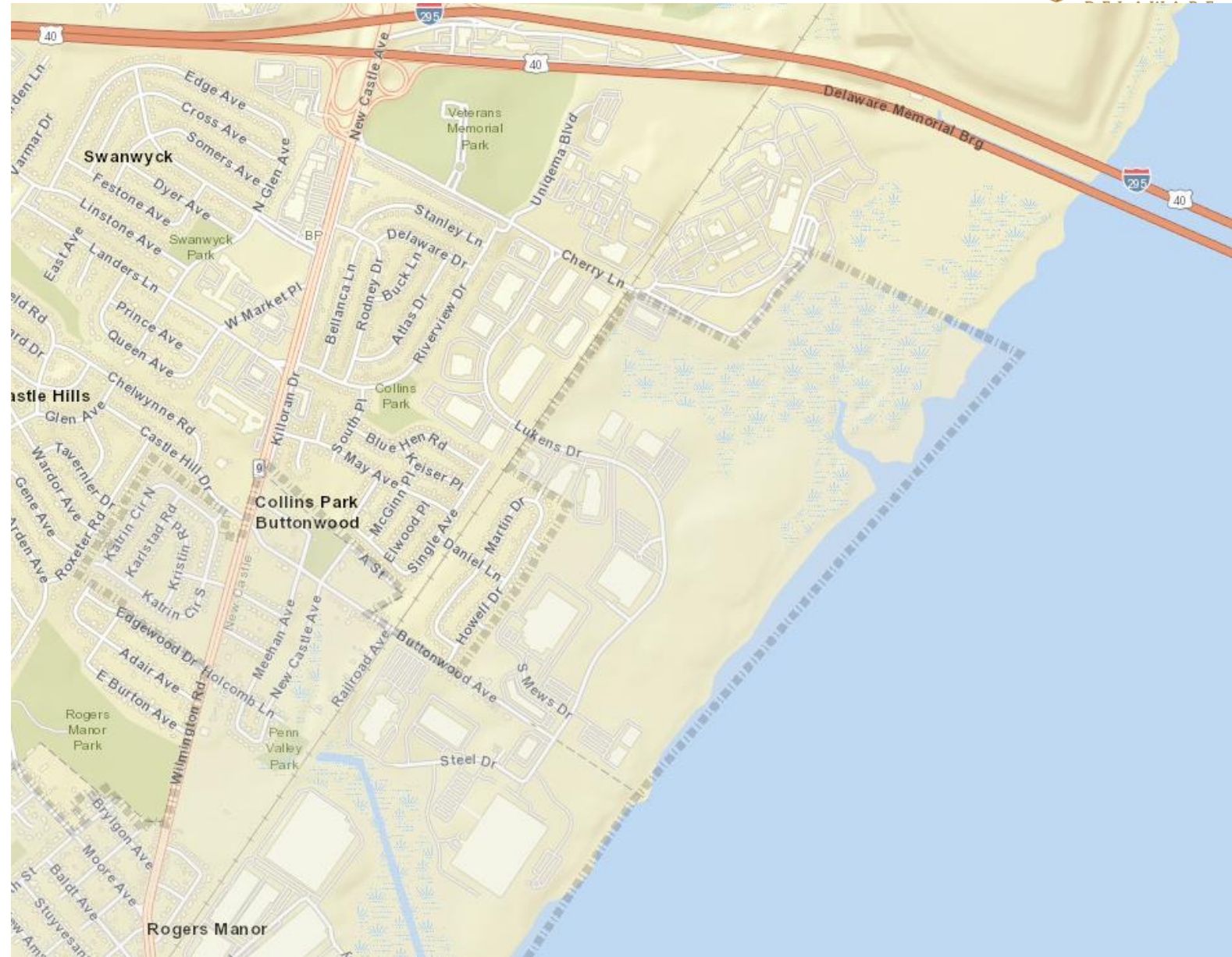
	Industrial (I)	Heavy Industry (HI)
	<p>A. This district retains the older industrial areas. The character of these areas is suburban transition. Many of these areas are existing industrial parks. In keeping with evolving employment trends, a wider range of uses is permitted.</p> <p>B. The intensities of this district are intended to encourage industrial types of uses.</p> <p>C. Exterior storage is permitted but is limited and must be screened from the view of collector or arterial roads.</p> <p>D. This district is intended to work in general unison with the OR and BP zoning districts to provide for a wide variety of uses by both location and general character to permit a consistency of employment related uses throughout the County.</p>	<p>A. The Heavy Industry District is to be used principally for larger heavy industrial developments not suited to other industrial districts and the uses that support those types of developments.</p> <p>B. Location of such districts typically has access to rail lines or navigable marine waterways in addition to roadway access.</p> <p>C. Districts shall be located to minimize adverse effects from neighboring districts such as noise, air pollution, and unsightly structures.</p> <p>D. This district shall be permitted in coastal zones provided that any use prohibited by the Delaware Coastal Zone Act shall remain prohibited, and provided that such districts were zoned M-3 under the former New Castle County zoning maps. No new HI districts shall be created in a coastal zone.</p>



# Project Access

## Lukens Drive

- Approximately 36 feet in width
- Approximately 4,900 feet from Cherry Lane to project entrance
- Not a “through road” - Buttonwood Avenue closed to through-traffic
- Per DeIDOT, portion between Cherry Lane and RR tracks not owned/maintained by DeIDOT
- Portion from RR Tracks to Steel Drive intended to be dedicated to City
- Approximately 26 access points onto Lukens Drive from Cherry Lane to subject parcel
- No sidewalks
- Proposed project would generate approximately 3,600 trips per day (per DeIDOT)



# Project Access



Google Maps 2020

# River Edge Industrial Park Annexation

BK152410009

Annexed into City in 1993 with an Industrial Office Park (IOP) Zoning designation.

CITY OF NEW CASTLE ANNEXATION PETITION

IOP Zoning Classification created as part of the annexation.

TO: The Honorable Mayor and  
City Council of the City of New Castle,  
New Castle, Delaware 19720

Lukens Development Corporation, owning and occupying the land adjacent to the New Castle City boundary of Buttonwood Avenue as extended east, the property currently adjacent to the City of New Castle being comprised of 324.850 ± acres, which lands adjoin other lands of Lukens Development Corporation comprising approximately 151 ± acres which are located within the City boundary, all of said property being more fully described on the Plan attached hereto as Exhibit A hereby petitions the duly elected Council of the City of New Castle, State of Delaware for annexation of the aforesaid 324.850 ± acres situated in unincorporated New Castle County.

The proposed annexation is contingent upon the following:

1. The Mayor and Council of the City of New Castle and the City Planning Board shall approve and ratify the zoning of the parcel to be annexed as Industrial Office Park - IOP.

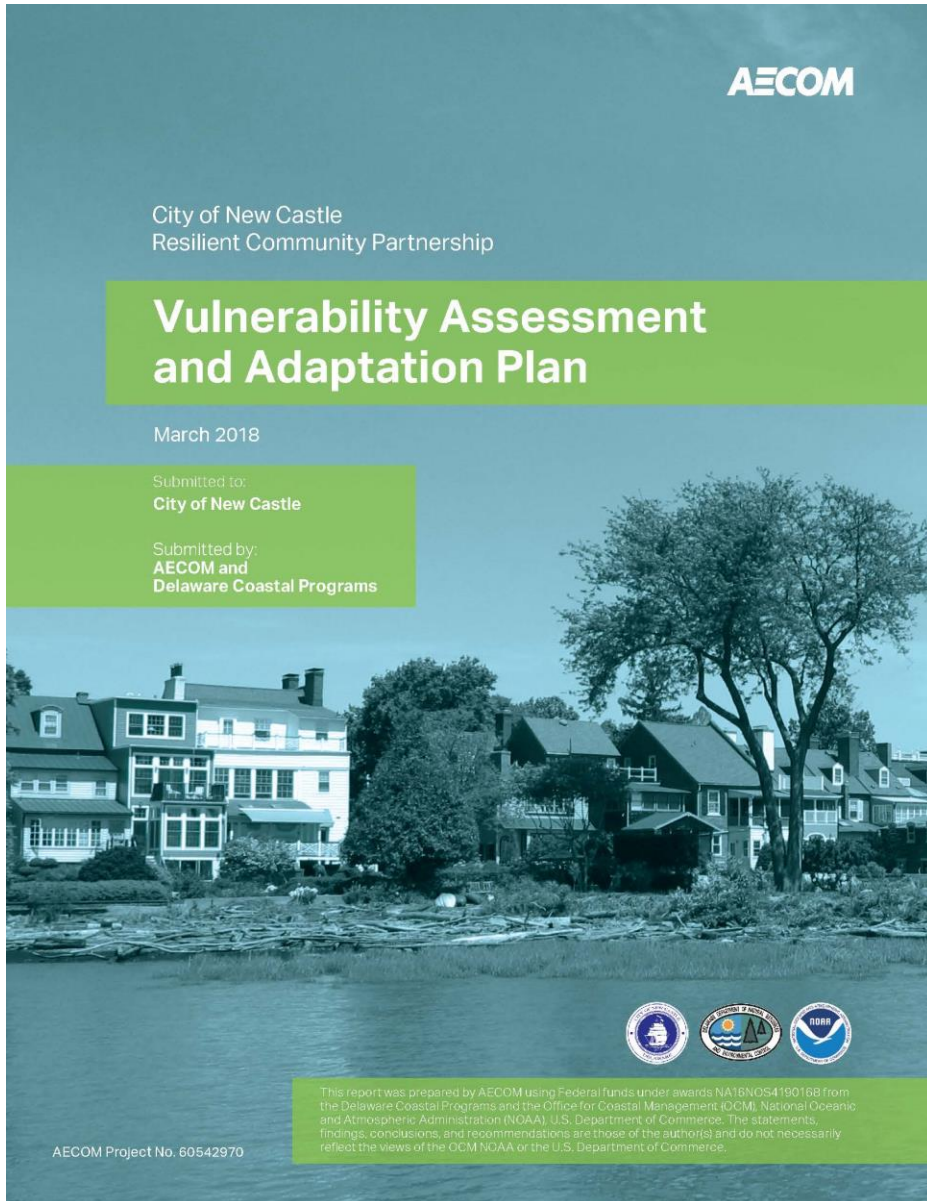
2. The Mayor and Council of the City of New Castle shall adopt an Ordinance amending Sections 5 and 6 of the Zoning Ordinance of the City of New Castle by establishing a new zoning district to be entitled "Industrial Office Park - IOP" and amend the Schedule of District Regulations of the Zoning Ordinance of the City of New Castle commensurately, as said Ordinance and Amendment are attached hereto.

3. The Mayor and Council of the City of New Castle and the City Planning Board shall approve and ratify the rezoning of the Lukens Development Corporation lands currently within the City of New Castle, currently with zoning classifications of Industrial-I and OS & R, being approximately 151 ± acres, to Industrial Office Park - IOP.

1

Exhibit "C"

# Impacts of Sea-Level Rise



“This is a community-based plan designed to adapt the historic New Castle community to minimize the risks associated with flooding. Whether it is a coastal storm or the long-term reality of sea level rise, private properties, public buildings, and roads will be at risk, and the flood hazard area will likely expand. Conservative projections indicate that an increase in sea level and flood elevations of 2 feet with worst case of 5 feet by 2100 can be anticipated. Vulnerabilities have been identified and prioritized to develop a vision and recommended action plan to improve New Castle’s resiliency for decades to come.”

# Impacts of Sea-Level Rise, cont.

Existing 100-Year Floodplain



**PROJECT**  
 CITY OF NEW CASTLE  
 RESILIENT COMMUNITY  
 PARTNERSHIP  
 VULNERABILITY MAPS

**MAP 1**  
 1%-ANNUAL-CHANCE EVENT  
 WITH CURRENT SEA LEVEL

**LEGEND**

- Parcels
- Evacuation Route
- Bridge
- Streams

**FEMA Flood Zone - Present Day**

**Flood Zone - Base Flood Elevation (Feet)**

- AE 8
- AE 9
- AE 10
- VE 12
- VE 13
- Open Water
- Limit of Moderate Wave Action (LIMWA)

**Present Day Vulnerabilities**

- Critical Facility (8)
- Buildings in Zone AE (264)
- Roads in Zone AE (0 miles)

# Impacts of Sea-Level Rise, cont.

Future flooding with SLR" areas are the existing FEMA flood hazard areas combined with the "high" sea level rise scenario for two different years: 2050 and 2100. "High" describes a scenario that has a 95% chance of not being met or exceeded. The "high" scenario is based on a combination of the latest physical climate modeling from the Intergovernmental Panel on Climate Change (IPCC) and local tide gage data. Existing FEMA flood hazard areas are based on the combined effects of storm surge and wave hazards.



**2050** Features forecasted to be impacted by flooding combined with sea level rise by the year 2050

**2100** Features forecasted to be impacted by flooding combined with sea level rise by the year 2100

**PROJECT**

CITY OF NEW CASTLE  
RESILIENT COMMUNITY  
PARTNERSHIP  
VULNERABILITY MAPS

**MAP 3**

1%-ANNUAL-CHANCE EVENT  
WITH FUTURE SEA LEVEL RISE  
IN YEARS 2050 AND 2100

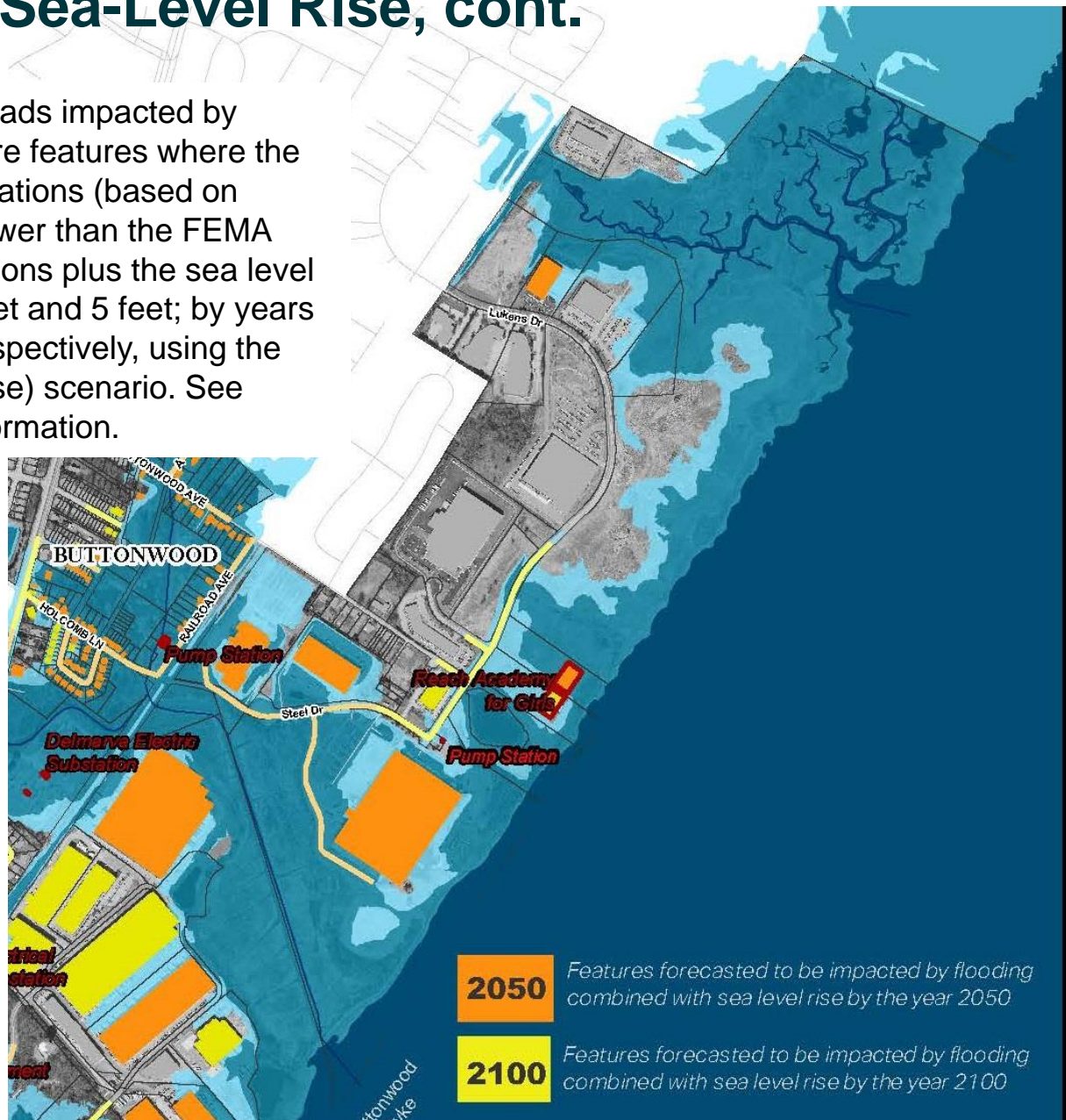
CRITICAL FACILITIES,  
STRUCTURES AND ROADS

**LEGEND**

- Parcels
- Evacuation Route
- Bridge (4)
- Streams
- Present Day MHHW
- Future Flooding with SLR**
  - Year 2050
  - Year 2100
- Structures Impacted by Future Flooding**
  - Critical Facility (2 FT- 15; 5 FT- 20)
  - SLR 2 FT - Structure (474)
  - SLR 5 FT - Structure (747)
- Roads Impacted by Future Flooding >6" Depth**
  - SLR 2FT - Road (9.5 miles)
  - SLR 5 FT - Road (13.3 miles)

# Impacts of Sea-Level Rise, cont.

"Structures and Roads impacted by Future Flooding" are features where the lowest ground elevations (based on LiDAR data) are lower than the FEMA storm surge elevations plus the sea level rise heights of 2 feet and 5 feet; by years 2050 and 2100, respectively, using the "high" (or worst case) scenario. See report for more information.



**PROJECT**

CITY OF NEW CASTLE  
RESILIENT COMMUNITY  
PARTNERSHIP  
VULNERABILITY MAPS

**MAP 3**

1%-ANNUAL-CHANCE EVENT  
WITH FUTURE SEA LEVEL RISE  
IN YEARS 2050 AND 2100

CRITICAL FACILITIES,  
STRUCTURES AND ROADS

**LEGEND**

- Parcels
- Evacuation Route
- Bridge (4)
- Streams
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- Future Flooding with SLR**
  - Year 2050
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- Roads Impacted by Future Flooding >6" Depth**
  - SLR 2FT - Road (9.5 miles)
  - SLR 5 FT - Road (13.3 miles)

## Next Steps

- Seek Additional “Zoning Support Information” as Necessary
- Planning Commission Public Hearing
- Schedule Regular Agenda Item for Recommendation



## Next Steps, cont.

### Seek Additional “Zoning Support Information” as Necessary

#### Section 230-61.D, states:

“The Planning Commission is hereby granted the authority to require, and shall require prior to its public hearing, as a condition to consideration of any proposal for amending, supplementing, changing, modifying, or repealing the zoning regulations, restrictions or boundaries, ... be prepared and submitted accompanied by such maps, charts, sketches, rationale and other information as the Planning Commission reasonably deems necessary for the proper and effective consideration of such proposal (zoning support information), ... The Planning Commission shall provide the Council with its recommendation for action of the amendment request upon completion of its review and conduct of a duly advertised public hearing, but no later than the greater of...”

Time limit waived by applicant

# Next Steps, cont.

## Planning Commission Public Hearing

### City Zoning Ordinance Section 230-61.C, states:

“All proposals for amending, supplementing, changing, modifying, or repealing the zoning regulations...shall be referred by the Council to the Planning Commission for consideration and recommendation. The Planning Commission shall study all such proposals, ...and shall conduct a public hearing thereon...”

## Next Steps, cont.

### Schedule Regular Agenda Item for Recommendation

If the Planning Commission determines that a Comprehensive Plan Amendment to allow for a mixed-use development as described in Ordinance 536 does not have merit, recommend disapproval of Ordinance 536 since zoning requested will be inconsistent with Comprehensive Plan.

- Recommendation would be forwarded to City Council for their consideration.

If the Planning Commission determines that a Comprehensive Plan Amendment to allow for a mixed-use development as described in Ordinance 536 does have merit, the Planning Commission should continue with further evaluation of requested zoning and site plan.

- A future recommendation to City Council on Ordinance 536 will then be based on the merits of the Site Plan and ***zoning support information.***

# Discussion and Questions