



Action Requested/Required:

- Vote/Action Requested
- Discussion or Presentation Only
- Public Hearing
- Report Date: 3/27/24
- Hearing Date: _____
- Voting Date: 4/4/24

Department: Community Development **Presenter(s) & Title:** Steve Green, Zoning Administrator

Agenda Item Title:

Amendments to the Unified Development Code

Summary:

After several months of debate and discussions, numerous amendment to the Unified Development Code (UDC) are ready to be adopted. These include the deletion of the following zoning districts and all references to them, NC (Neighborhood Commercial), O-RT (Office-Residential Transition), PD-Business/Office and PD-Traditional Neighborhood Development. Also townhomes will be listed as a conditional use in the CBD (Central Business District), cottage housing will be listed as an allowed use in the CBD zoning district and all references to the Board of Zoning Appeals will be changed to the Board of Appeals.

Budget Implications:

Budgeted? Yes No N/A

Total Cost of Project: Check if Estimated

Fund Source: General Fund Water & Sewer Sales Tax Other:

Staff Recommendations:

The staff recommends approval of these changes.

Reviews:

Has this been reviewed by Management and Legal Counsel, if required? Yes No

Attachments:

Proposed ordinance

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE CITY OF CANTON UNIFIED DEVELOPMENT CODE TO DELETE NC, O-RT, PD-BUSINESS/OFFICE AND PD-TRADITIONAL NEIGHBORHOOD DEVELOPMENT ZONING DISTRICTS; TO AMEND CHAPTER 105 BY REPLACING “BOARD OF ZONING APPEALS” WITH “BOARD OF APPEALS” AND “BZA” WITH “BOA”; TO AMEND TABLE 102-4 BY REPLACING THE “P” WITH A “C” IN THE CBD COLUMN FOR TOWNHOUSE TO MAKE THE USE CONDITIONAL; TO AMEND CHAPTER 104.05(A) TO ALLOW COTTAGE HOUSING IN THE CBD DISTRICT;

WHEREAS, the City council desires to reduce the zoning categories in the Unified Development Code; and

WHEREAS, the City Council desires to change the name of the Board of Zoning Appeals to Board of Appeals in the Unified Development Code; and

WHEREAS, the City Council desires to make townhouses a conditional use in the Central Business District; and

WHEREAS, the City Council desires to amend the Unified Development Code to allow cottage housing in the CBD District;

NOW THEREFORE, IT IS HEREBY ORDAINED BY THE GOVERNING AUTHORITY OF THE CITY OF CANTON as follows:

1. Section 102.01.01 and Table 102-1 of the Unified Development Code are amended to delete NC and O-RT from the commercial zoning districts; and to delete PD-Business/Office and PD-Traditional Neighborhood from the mixed use districts.

2. Section 102.01.03 of the Unified Development Code is amended to delete (A) *NC neighborhood commercial* and (D) *O-RT office residential transition*.

3. Section 102.01.05 of the Unified Development Code is amended to delete (A) *PD-Business/office* and (C) *PD-Traditional Neighborhood Development*.

5. Table 102-4 Land Use Table of the Unified Development Code is amended to delete NC and O-RT; and to change “P” to a “C” for Townhouse in the CBD zoning district.

6. Table 102-5 Development Standards Table of the Unified Development Code is amended to delete NC and O-RT.

7. Table 103-1 Buffer Types by Zoning District of the Unified Development Code is amended to delete NC and O-RT.

8. Section 104.05.00(A) of the Unified Development Code is amended to add CBD.

9. Chapter 105 Development Code Administration of the Unified Development Code is amended to change all references to “board of zoning appeals” to “board of appeals” and change all references to “BZA” to “BOA”.

10. Section 106.01.01 of the Unified Development Code is amended to delete O-RT.

11. If any portion of this Ordinance be declared invalid or unconstitutional by any court or competent jurisdiction or if the provisions of any part of this Ordinance as applied to any particular situation or set of circumstances shall be declared invalid or unconstitutional, such invalidity shall not be construed to affect the portions of this Ordinance not so held to be invalid. It is hereby declared to be the intent of the City Council to provide for separable and divisible parts and does hereby adopt any and all parts hereof as may not be held invalid for any reason.

12. This Ordinance shall become effective on the date the Mayor signs the ordinance indicating approval, ten days after the adoption of the ordinance if the Mayor has not signed nor vetoed, or immediately upon an affirmative vote of the City Council after the Mayor’s veto, whichever shall first occur.

Attest:

Annie Fortner
CITY CLERK

Bill Grant, MAYOR
Date:

Approved as to form:

Robert M. Dyer, City Attorney

ORDINANCE NO. _____

First Reading _____

Adopted by Council _____

Approved by Mayor _____

Veto by Mayor _____

Second Vote by Council _____

Effective Date _____

Annie Fortner, City Clerk