



Council Action Form

MEETING DATE	February 19, 2024			
TITLE	Consideration of a text amendment to the Unified Development Ordinance to remove Section 4.2.1. Commercial Use Limit overlay (TA-23-6)			
SUBMITTED BY	Name & Title: Ross Hilleary, Director of Planning & Zoning			
	Department:			
MEETING TYPE	☐ Work Session ☐ Executive	☒ Regular	☐ Special	☐ Retreat
AGENDA CLASSIFICATION	☐ Consent	☒ Ordinance	☐ Resolution	☐ Regular
ORDINANCE/RESOLUTION (New ordinances or resolutions are assigned a new number)	☐ 1 st Reading	☐ 2 nd Reading	☐ Public Hearing	☐ 3 rd Reading ☒ Final Reading
	Ordinance #: 121823A		Resolution #:	
CONTRACTS (Contracts include other similar documents such as agreements and memorandum of understandings. <u>Check all applicable boxes pertaining to contracts</u>)	☐ Contract required for this item		☐ Signed copy of contract attached	
	☐ Seeking award or other scenario & will provide contract at a later date		☒ No contract for this item	
	☐ Contract over \$50,000 Please mark the box in the other column that pertains to this contract.		☐ Services ☐ Capital Outlay ☐ Debt Services	
HAMILTON COUNTY (Some documents need recorded by the City Clerk)	☐ Document must be recorded with the County Recorder's Office ☐ Wait 31 days prior to filing with the County Recorders' Office		☒ Document does not need recorded with the County Recorder's Office	

APPROVALS/REVIEWS	☐ Assistant/Deputy Department Head	☐ Controller's Office
	☒ Department Head	☐ Finance Committee
	☐ Deputy Mayor	☐ Technical Advisory Committee
	☐ Mayor	☐ Other:
	☐ Legal Counsel – <i>Name of Reviewer:</i>	
BACKGROUND (Includes description, background, and justification)	This is a text amendment to the City's Unified Development Ordinance (UDO) to remove the existing Commercial Use Limits overlay. This Commercial Use Limits Overlay Ordinance was introduced with Ordinance No. 101617E limiting any building larger than 5,000 square feet to a grocery use, and is currently over two properties, 7274 Fishers Crossing Drive and 12520 E 116th Street. The UDO will continue to have restrictions on large scale tenant spaces with the required change of use to go before City Council. Plan Commission held a public hearing at their February 7, 2024 meeting and send a favorable recommendation, 7 - 0 to Council.	
BUDGETING AND FINANCIAL IMPACT (Includes project costs and funding sources)	Budgeted \$:	N/A
	Expenditure \$:	N/A
	Source of Funds:	N/A
	Additional Appropriation #:	N/A
	Narrative:	N/A
OPTIONS (Include <i>Deny Approval</i> Option)	1.	Hold Final Reading
	2.	Continue
	3.	Deny
	4.	
PROJECT TIMELINE	December 18, 2023 - 1st Reading at City Council February 7, 2024 - Public Hearing at Plan Commission February 19, 2024 - Final Reading at City Council	
STAFF RECOMMENDATION (Board reserves the right to accept or deny recommendations)	Staff recommends holding Final Reading and approve as presented.	
SUPPLEMENTAL INFORMATION (List all attached documents)	1. Ordinance	

