



City of Highland

DEPARTMENT OF ECONOMIC AND
COMMUNITY DEVELOPMENT
BUILDING AND ZONING DIVISION

City of Highland
Combined Planning and Zoning Board
Minutes of the February 7, 2018 Meeting

Chairperson Korte called the meeting to order at 7:00 p.m. Members present were Gallatin, Harlan, Koehnemann, J. Korte, Lodes, Vance, and B. Korte. Also present were City Attorney McGinley, Asst City Manager Peck, Interim Building & Zoning Supervisor Hanson, and Building Inspector Stock.

Minutes

Motion made by Harlan to approve the minutes with no corrections or additions. Seconded by Gallatin. Roll call taken. All ayes. Motion carried.

Public Comment

Chairperson Korte opened the Public Comment section. Hearing nothing, Korte closed the Public Comment Section. No attendees were present.

New Business

Agenda Item a – Chairperson Korte opened the public hearing for Highland Real Estate LLC’s request for a Special Use Permit to allow the Assisted Living and Memory Care Facility located at 220 Field Crossing Drive to exist in R-1-C single family zoning classification. Hanson stated the SUP is withdrawn. Hearing nothing further, Korte closed the public hearing and opened the discussion. Hearing nothing further, Korte closed the discussion. Item removed.

Agenda Item b – Chairperson Korte opened the public hearing for 1115 Broadway’s request to amend Section 90-201 Table 3.1 of City of Highland Municipal Zoning Code. Hanson described the request.

The purpose is to correct scrivener’s errors in the Uses Permitted by Right and Uses Permitted as a Special Use within all zoning district classifications; and to consider additional Uses

Permitted by Right and Uses Permitted as a Special Use within the MX (Mixed Use) Zoning District within the City of Highland's Zoning Code.

Specifically, what is requested is:

1) A comprehensive re-affirmation of all land uses within Table 3.1 of Subsection 90-211 (Zoning Matrix table) from 2006 to present. The City's Zoning Code was comprehensively updated in 2006. Since then, a variety of additions and changes were made to Section 90-201 Table 3.1 (aka the "Zoning Matrix" table). However, not all of them are reflected on the current Zoning Matrix table. These include: "Permitted by Special Use" status of "Assisted Living Facilities" in the R-1-C district (approved by Ordinance # 2283); and "Permitted by Right" status of "Existing Dwelling Units" in the I district (approved by Ordinance #2303); and "Permitted by Special Use" status of "Bar or Tavern" in the I district (approved by Ordinance # 2335); and "Permitted by Right" status of "Body Art Establishment" in the I district (approved by Ordinance #2347); and "Permitted by Special Use" status of "Restaurant – General" in the I district (approved by Ordinance # 2338). Hanson recommended a change to the "Heliport – Restricted Landing Area – Medical Use Only" use. This use is shown on the "Principal Residential Uses" portion of the Zoning Matrix table. Hanson recommended that it be moved to "Principal Non-Residential Uses" portion of the table. A review of past ordinances suggests that a portion of Table 3.1 which lists ALL Accessory Uses has been inadvertently deleted. This error will be corrected as part of this update as well.

2) Re-review of all land uses within the Mixed Use (MX) zoning district to ensure consistency between what the CPZB recommended and what the City Council adopted in March 2017. On March 1, 2017, the CPZB considered a new Mixed Use (MX) district. The CPZB was presented with a variety of land uses appropriate for this district, which it recommended for approval to the City Council. However, when the MX zoning ordinance went to Council on March 20, 2017, several uses NOT considered by the CPZB during the public hearing were inadvertently included in the council version of the ordinance. In order to be sure that all MX land uses have been properly reviewed and discussed by the CPZB before council consideration, all MX uses are being re-presented to the CPZB for its consideration and recommendation to City Council.

3) Introduction of ten (10) additional uses that may be appropriate additions to the Mixed Use (MX) zoning district. City staff's opinion is that there are ten (10) additional land uses not previously considered that are appropriate to include in this district. Hanson recommends adding the following MX uses to the Zoning Matrix Table, which would be allowed "by right": Dry Cleaning / Laundry Pick Up; Day Care Facility (Commercial); Pet Care and Pet Related Sales and Service; Restaurant - Fast Food (non-drive through); Restaurant – General; Retail Sales & Service. Staff also recommends adding the following MX uses to the Zoning Matrix Table, which would be noted as Special Use: Public Service (other than Highland); Studio (Radio, Television, Film or Music); Theater, Motion Picture; Theater, Performing Arts.

Following the staff presentation, Lodes inquired as to whether there any substantive changes to the zoning ordinance as a result of this item, aside from the additional uses being added to the MX zoning district, or if this was just making sure that zoning ordinances approved in the past are correctly reflected in the zoning matrix table. Hanson answered that this was just making sure that zoning ordinances approved in the past are correctly reflected in the zoning matrix table.

Hearing nothing further, Korte closed the public hearing and opened the discussion. Hearing nothing further, Korte closed the discussion.

Motion made by Vance to amend Section 90-201 Table 3.1 of City of Highland Municipal Zoning code. Seconded by J. Korte. Roll call taken. All ayes. Motion carried.

The board members were notified there are agenda items for the March 7, 2018 meeting.

Motion to adjourn. All ayes. Motion carried. Adjournment at 7:25 pm.