

Summary of Staff Changes to ZOTA-25-00001 based on Public Feedback and Comment			
Article	Item/Provision	Citizen Concern	Staff Action
1	Created a definition for single-lane and multi-lane drive throughs.	Language differentiating the two uses was unclear	Created singular definition for "drive-through" and did not further differentiate between the two.
6	Removed the ability for non-government entities to request a Zoning Ordinance Text Amendment directly.	Is outside the scope of what is required for HB 443. Also significant concerns about reducing opportunities for citizen input.	Removed from the text as it did not directly relate to House Bill 443. Will be addressed under a separate ZOTA.
16	100-foot required buffer from drive-through to residential uses.	Excessive requirement, and makes mixed-use difficult to implement	Removed from the text, as it was a new standard that had not previously been applied.
16	Created requirement that prohibited parking from backing out into the right of way, and required that nonconforming lots be brought up to current standards with any expansion of the structure	Even minor remodels or increases in scope would trigger the need to make more impactful parking lot redevelopment	Created a threshold of 30% increase in the size of the structure before parking reconfiguration would be required.
16	Required Planning Commission approval of multiple drive through lanes	Required PC approval even when the use meets all objective criteria	Removed from the text. The House Bill 443 does not allow for plans to be elevated to the PC except for waivers.
16	Prohibited locating drive-through lanes from being located between the structure and the street.	Creates issues when a lot has double frontage, or a road to the rear.	Modified language to refer to the front yard area only, allowing for stacking to occur to the rear in cases where the lot has double frontage.
16	Commercial access width maximums were established	Does not allow for exceptions for non-traditional entrances, such as right-in/right-out entrances	Incorporated exemption to allow for right-in/ right out access points that would typically exceed the allowable width.
16	Language on specific dimensions of bike parking areas	Needlessly specific	Removed language. Did not need to address this level of specificity in the ordinance
16	Language on bike parking location	Proposed distance was in conflict with another required distance in the ordinance	Removed conflicting portion of language for clarity.
16	Prohibition on gated access points for commercial properties	Prohibits uses of gates for uses such as parking lots, secured uses like self-storage, and other uses	Modified the provision to only prohibit the gating of private streets.
21	Created a requirement for a pre-application process prior to filing	Adds an extra delay for the process, even if they meet all requirements.	Modified language so that the meeting was no longer required, as it was contrary to the streamlined review process envisioned by HB 443.
21	Prohibited cost from being considered as a justification for a waiver	Costs are a part of all types of development, and weigh into how reasonable the waiver request is.	Modified language to allow cost to be considered as a part of the justification, as long as the other necessary findings and criteria are met.
21	Required a hearing if to project was required to be reviewed by an appointed board (Such as the Royal Springs Aquifer Committee).	Required a hearing even if the applicant meets the recommendations established by the boards / committees.	Modified language so that a PC hearing is only required if the applicant does not wish to implement a portion of their recommendation.