

**URBAN COUNTY COUNCIL
WORK SESSION
TABLE OF MOTIONS
May 13, 2025**

Mayor Gorton called the meeting to order at 3:00 p.m. Council Members Wu, Brown, Ellinger II, Morton, Lynch, LeGris, Curtis, Sheehan, Gray, Hale, Beasley, Baxter, Sevigny, Reynolds, and Boone were present.

- I. Public Comment – Issues on Agenda
- II. Requested Rezonings/Docket Approval
- III. Approval of Summary

Motion by Curtis to approve the May 6, 2025 Work Session Summary. Seconded by Gray. Motion passed without dissent.

- IV. Budget Amendments
- V. Budget Adjustments – For Information Only
- VI. New Business

Motion by Reynolds to approve New Business. Seconded by Curtis. Motion passed without dissent.

- VII. Communications from the Mayor- Appointments
- VIII. Communications from the Mayor- Donations
- IX. Communications from the Mayor- Procurements
- X. Continuing Business/Presentations

Motion by Ellinger to approve Council Capital Projects. Seconded by Curtis. Motion passed without dissent.

LeGris provided a summary of the April 22, 2025, Environmental Quality & Public Works Committee.

Council continued the discussion of the proposed ZOTA received from the Planning Commission related to HB443, which was carried over from the May 6, 2025 Council Work Session.

Motion by Brown to require the applicant in the development plan process to post signage at the development site announcing plans and include the Division of Planning contact information; mandate that the Planning Commission agenda include a list of recent certified development plans, and provide opportunity for public comment about certified

development plans at the Planning Commission meeting immediately following the aforementioned agenda item. Seconded by Ellinger. Motion passed without dissent.

Motion by Brown to amend the ZOTA to delete Sec. 12-9(b). Seconded by Baxter. Motion passed without dissent.

Motion by Brown to amend the ZOTA, Sec. 12-9(c) to read: loading docks, trash collection areas, and outdoor storage of items not intended for sale shall not be located within the front yard. Accessory outdoor sales areas for merchandise shall be permitted within the front yard. Seconded by Baxter. Motion passed without dissent.

Motion by Reynolds to amend the ZOTA, Sec. 12-9(d) to read: sidewalks a minimum of five (5) feet in width are required along the full length of any exterior wall featuring a customer entrance or an abutting off-street parking lot, and along sides of the lot that abut a public or private street. Seconded by Wu. Motion passed without dissent.

Motion by Reynolds to amend Sec. 12-9(f) to read: sidewalks a minimum of five (5) feet in width shall be provided to connect the customer entrance locations to the public or private right-of-way. A maximum of two (2) crosswalks are allowed to make the connection. Seconded by Baxter. Motion passed without dissent.

Motion by Reynolds to refer to the General Government and Planning Committee, Sec. 16-6 (a)(3)(c) of the ZOTA. Seconded by Curtis. Motion failed 5 -10 (Yes- Beasley, Boone, Ellinger II, Baxter, Reynolds. No- Brown, Curtis, Gray, Hale, LeGris, Lynch, Morton, Seigny, Sheehan, Wu).

Motion by Reynolds to amend the ZOTA, Sec. 12-8(h)(1) to read: for all commercial centers abutting a transit route, a minimum of one (1) transit shelter with seating shall be provided on such route, and shall have sidewalk connections a minimum of five (5) feet in width to both the internal and perimeter pedestrian circulation systems. Such transit shelter shall not be required when an existing transit shelter is present within 1/4 mile of the development along the same side of the roadway, and connected to the development with a continuous pedestrian network. Seconded by Wu. Motion passed without dissent.

Motion by Reynolds to amend the ZOTA, Sec. 21-9(a)(1)(c)(i) to read: The applicant has incorporated other design measures that exceed the minimums of the zone and mitigate for non-compliance with the requirements to be waived (net beneficial effect). Seconded by Baxter. Motion passed without dissent.

Motion by Reynolds to amend the ZOTA, Sec. 21-9(e) to read: The Commission may impose additional conditions or restrictions intended to mitigate the specific impact of the modification or waiver. These conditions or restrictions shall be noted on the plan and are only able to be modified by the Planning Commission. Seconded by Gray. Motion passed without dissent.

Motion by Baxter to amend the ZOTA, Sec. 18-3(b)(4)(c) to read: Every other row of double-loaded parking requires a continuous interior landscape area of a minimum of eight (8) feet in width when trees are provided. Seconded by Reynolds. Motion failed 7 – 8 (Yes- Beasley,

Brown, Ellinger II, Baxter, Gray, Reynolds, Seigny. No- Boone, Curtis, Hale, LeGris, Lynch, Morton, Sheehan, Wu).

Motion by Baxter to amend the ZOTA, Sec. 16-12(d) to read: 50% or greater of the required bicycle parking for multi-family developments shall be covered and either located directly adjacent to the structure, or in a location internal to the structure. Bicycle parking shall be allocated proportionately between the residential structures on a development based on the number of residential units in each structure. Seconded by Beasley. Motion passed without dissent.

Motion by Baxter to replace Sec. 16-15 of the ZOTA with language presented to Council and displayed on screen. Seconded by Beasley. Motion passed without dissent.

Motion by Baxter to refer Sec. 16-9 of the ZOTA to the General Government & Planning Committee. Seconded by Reynolds. Motion passed 8 – 6 (Yes- Boone, Brown, Ellinger II, Baxter, Hale, Lynch, Morton, Reynolds. No- Curtis, Gray, LeGris, Seigny, Sheehan, Wu. Beasley was absent.)

Motion by Morton to amend the ZOTA, Sec. 21-4(c) to add: the applicant shall provide mailed notification of the development plan to all property owners within a 250-foot radius of the subject property. Addresses shall be obtained using current available data from the Property Valuation Administrator. Such notice shall be given no less than ten (10) calendar days prior to the Technical Review Committee at which the request is to be considered, as amended. Seconded by Curtis. Motion passed 11 – 3 (Yes- Boone, Brown, Curtis, Ellinger II, Hale, LeGris, Lynch, Morton, Reynolds, Sheehan, Wu. No- Baxter, Gray, Seigny. Beasley was absent.)

Motion by Curtis to amend the previous motion to add: the applicant shall provide mailed notification of the development plan to all property owners and occupants within a 250-foot radius of the subject property. Seconded by Morton. Motion passed 11 -3 (Yes- Boone, Curtis, Ellinger II, Gray, Hale, LeGris, Lynch, Morton, Reynolds, Sheehan, Wu. No- Brown, Baxter, Seigny. Beasley was absent.)

Motion by Lynch to amend the ZOTA, Sec. 21-4(c) to add: the mailed notification shall state when the development plan has been filed, the address of the property to be developed, information about how to find the file of the development plan, and contact information for the Division of Planning. Seconded by Gray. Motion passed 10 – 3 (Yes- Boone, Curtis, Ellinger II, Hale, LeGris, Lynch, Morton, Seigny, Sheehan, Wu. No- Brown, Baxter, Reynolds. Beasley was absent. Gray did not vote.)

Motion by Morton to amend the ZOTA, Sec. 21-9(b) to read: Following receipt of a completed application, the applicant shall provide notice of the request for modification to property owners within a 250-foot radius of the proposal now under consideration for waiver. Addresses shall be obtained using current available data from the from the Property Valuation Administrator. Such notice shall be given no less than ten (10) calendar days prior to the meeting at which the request is to be considered. Seconded by Gray.

Motion by Reynolds to amend the motion on the floor to place the proposed amendment into the General Government and Planning Committee. Seconded by Curtis. Motion passed without dissent.

Motion by Baxter to place the ZOTA, as amended, on the May 29, 2025, Council Meeting Docket. Seconded by Curtis. Motion passed without dissent.

XI. Council Reports

Motion by LeGris to place on the docket for the May 29, 2025, Council Meeting, a resolution amending Resolution 684-2004 to revise various parking restrictions on Cherokee Park. Seconded by Motion. Motion passed without dissent.

XII. Public Comment – Issues Not on Agenda

XIII. Adjournment

Wu adjourned the meeting at 6:50 p.m.