



## THE CITY OF FIRCREST

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# Memo

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**DATE:** March 6, 2018  
**TO:** Planning Commission  
**FROM:** Angelie Stahlnecker, Planning & Building Administrator  
**SUBJECT:** Proposed Amendments to FMC 22.07.004 and .005, Type II-B Public Notice

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### Introduction

When the City Council approved the amendments to the Commercial Mixed Use zoning district, reclassifying some of the uses from Conditional Use Permit approval to Administrative Use Permit approval, the City Council directed staff to re-examine both the distribution distance and comment time frame relate to the public notice.

### Process

The March 6<sup>th</sup> meeting will introduce the topic referred to the Planning Commission by the City Council. The study session will be a good opportunity for the Commissioners to request any additional information and/or identify preferences and direction for staff. If there is no objections, a public hearing will be held at the April 3<sup>rd</sup> meeting.

### Summary

Type II-B applications include administrative use permits, minor site plan review, minor variances and administrative interpretations. These applications are reviewed at the staff level and do not require a public hearing. They currently require notice to properties within 100 feet with a 10-day comment period.

Based on concerns raised by the City Council, staff recommends maintaining the 100 feet notice area for residential projects, increasing the public notice to 300 feet for commercial projects and extending the comment period to 14 days. The dual public notice distance would parallel the public hearing distribution requirements which are 300 feet for residential and 500 feet for commercial.

### Attachments

Draft Amendments

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### **22.07.004 Notice of comment period for ~~administrative use permit, minor site plan review and minor variance~~ Type II-B permits.**

Upon receipt of a complete application for an ~~administrative use permit, minor site plan review, or minor variance~~ Type II-B permit, the director shall send written notice to the owners of property within 100 feet of the subject property for a residential proposal, and within 300 feet of the subject property for a commercial proposal, notifying them of the application and the opportunity to comment on the proposal. Public comments must be received by the director within ~~10-14~~ days of the issuance date of the notice. No public hearing will be conducted for these applications. However, public comments received within the comment period will be considered by the director prior to issuance of a written decision. Administrative interpretations are exempt from this requirement. (Ord. 1245 § 5, 2000).

### **22.07.005 Notice of decision for ~~administrative use permit, minor site plan review, minor variance, and administrative interpretation~~ Type II-B permits.**

Upon issuance of a decision on a proposed ~~administrative use permit, minor site plan review, minor variance, or administrative interpretation~~ Type II-B permit, the director shall provide a written notice of this decision to the applicant and any parties who have provided written comment during the ~~10-day~~ comment period, if applicable. The director shall also provide written notice of this decision to the planning commission. (Ord. 1611 § 2, 2018; Ord. 1512 § 2, 2011; Ord. 1245 § 6, 2000).