



THE BUREAU OF
**PLANNING &
SUSTAINABILITY**

Date: March 7, 2024

To: Planning Commissioners

From: JP McNeil, City Planner

CC: Shannon Buono, Senior Planner
Sandra Wood, Principal Planner
Patricia Diefenderfer, Chief Planner

Re: RICAP 10 – Amendments

The Planning Commission is expected to make its recommendation on the Regulatory Improvements Code Amendment Package 10 (RICAP 10) on March 12, 2024. This memo describes an amendment Commissioner Lange is expected to introduce at the meeting.

The amendment is a response to testimony requesting further clarification to item #82. Item #82 clarifies when a conditional use review is required on sites that contain both allowed and conditional uses. This amendment makes it clear that development that “requires a conditional use” is referring to a development that “requires a conditional use review.”

The shaded text below shows the proposed amendment language.

Proposed amendment: Amend 33.815.040.B.1.

- B. Proposals that alter the development of an existing conditional use.** Alterations to the development on a site with an existing conditional use and reducing the boundary of a conditional use site may be allowed, require an adjustment, modification, or require a conditional use review, as follows:



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1. Conditional use review not required. A conditional use review is not required for alterations to the site and reductions to the conditional use site boundary that comply with Subparagraphs a through h. In cases where the use on the site is allowed but a particular development or facility requires a conditional use review, a conditional use review is not required for alterations to allowed development unless the development was specifically conditioned or required to support the development or facility that requires the conditional use review. All other alterations and boundary changes are subject to Paragraph 2, below. Alterations to development and reductions to the site boundary are allowed by right provided the proposal:

a-h. [No change]

2. [No change]

