

AGENDA REPORT

DATE: November 12, 2013

TO: City Council

THRU: Ted Barkley, City Manager

FROM: Mike Smith, Community Development Director

RE: **PUBLIC HEARING – Legislative**
- Final Draft Land Development Code (LDC) Update

NOTE: The final draft Land Development Code (LDC) document referenced below as Exhibit ‘J1’ is nearly 400 pages long and cannot be physically attached to this Agenda Report. It is therefore incorporated by reference into this Agenda Report as if set out in full and will be entered into the public hearing record as such along with an electronic copy of it. The complete document can be reviewed or downloaded on the City’s webpage at <http://www.ci.ellensburg.wa.us/index.aspx?NID=395>. CDs containing the document may also be obtained from the Ellensburg Community Development Department at 501 N. Anderson, Ellensburg, Washington. And hard copies will be available for review at the Community Development Department and at the City Library, 209 North Ruby Street.

Summary: In 2010 City Council directed that the land development code be completely updated. Based on Council direction provided in response to comments on earlier drafts by the Planning Commission, Landmarks and Design Commission, individual Councilmembers, and the public, a final draft of the Land Development Code (LDC) Update has been prepared. (**Exhibit ‘J1’ – not attached to this agenda**) The City Council has set a public hearing for November 18, 2013 to receive public comment on the final draft and to then consider adoption of the Land Development Code Update document.

Background: The City has been working for three-plus years to completely revise and update its land development codes in order to:

- Update currently outdated codes;
- Reflect current best planning practices;
- Remove and/or correct inconsistencies and conflicting code language;
- Help implement the 2007 Comprehensive Plan Update; and
- Consolidate the land development codes and review processes into a single section of City Code and better organize it to assist the public and staff.

Review Process

A consultant was engaged to assist the City and has worked with the staff, Planning Commission and City Council to develop the final draft LDC that is the subject of this public hearing. At the start of the project the Planning Commission was designated by City Council as the steering committee with oversight of the preparation of the LDC Update and has been engaged throughout the process including:

- An initial kick-off meeting held with City Council that outlined the goals of the project and a timeline;
- Several joint Planning Commission and City Council study sessions to track the progress of the update and to discuss some of the larger policy directions involved with the Code Update;
- Review by the Planning Commission of an initial September 2011 draft 1 of the LDC at study sessions open to the public on August 25, 2011, September 7, 2011, September 29, 2011, October 13, 2011, November 10, 2011, December 8, 2011, January 26, 2011, March 29, 2012, April 12, 2012, and May 10, 2012.
- Planning Commission comments on that draft 1 LDC document were then reviewed by staff and the consultant, along with other comments received on draft 1, and a revised draft 1 LDC document was released in early January 2013 for public review and comment;
- Planning Commission then met jointly with City Council on January 28, 2013 to discuss the remaining Planning Commission comments on the initial draft 1 LDC that had not yet been incorporated into the revised draft 1 LDC;
- City Council provided consensus direction from that January 28, 2013 joint meeting that was then incorporated into a final draft LDC document released in July 2013 for public review and comment;
- That final draft LDC then underwent a series of City Council Special Meetings for review and public comment on the draft document which resulted in City Council providing additional consensus of changes to be incorporated into a final draft LDC that would undergo formal consideration for approval and adoption subject to a public hearing by the Planning Commission prior to making a formal recommendation to City Council.
- Planning Commission then held a public hearing on November 6, 2013 to take public comment on the final draft LDC prior to making a formal recommendation to City Council on final draft LDC. The attached written comments were submitted at that Planning Commission public hearing by Jack Piper (**Exhibit 'J10'**) and Steve Willard (**Exhibit 'J11'**). The draft minutes of the Planning Commission public hearing are also attached (**Exhibit 'J13'**) and are still in draft format, however staff has submitted them to the 5 members present at the public hearing and is requesting written confirmation that the minutes accurately reflect the Planning Commission recommendations to City Council.

Notice of this public hearing has been published in the *Daily Record* on November 7, 2013. (**Exhibit 'N1'**)

State Environmental Policy Act and Growth Management Act Notice

State Environmental Policy Act (SEPA) review of the final draft LDC document was completed on August 14, 2013 with the issuance of a Determination of Non-Significance (DNS) for the non-project action. No appeal was made of that DNS.

The Growth Management Act (GMA) required 60-day notice to state agencies of proposed adoption of development regulations was issued on July 8, 2013. Only one comment was received from the WA Department of Ecology commenting on the City's Critical Area Ordinance that is set forth in Article 6 of the draft LDC. Those comments recommended a number of changes to the critical area ordinance, however the City made a choice at the start of the LDC update project to not amend the CAO as part of the project and to address changes to the CAO at a later date in 2014.

Council held a series of special meetings in July, August, September and October 2013 to review the final draft document, to take informal public comment on the final draft LDC and to provide staff with consensus direction on any changes to that final draft. None of the directed changes were deemed by the SEPA Responsible Official or the Director to rise to the level that either SEPA or the 60-day notice processes needed to be reopened.

Staff has incorporated that Council direction in the final draft LDC document that is the subject of this Public Hearing.

Analysis:

Record

The record for this major update to the City's land development codes is voluminous. Due to the volume of material, the record will be stored electronically and will be available on the City's webpage at <http://www.ci.ellensburg.wa.us/index.aspx?NID=395> and Staff will have an index of it available at the public hearing. A single hard copy will be available and will be entered into the record for this public hearing along with an electronic copy.

The record is broken into years for ease of tracking the documents and is complete thru November 13, 2013. A copy of the Index for that record will be available at the public hearing and can be viewed with the Record on the webpage as Exhibit 'N2'.

Staff requests that the following documents that are identified by the Record Index Exhibit Number be accepted into the record for this public hearing: They have been identified by the assigned Record Index Exhibit Number:

All documents that were accepted into the record for the November 6, 2013 Planning Commission Public Hearing	
A1 thru A10	2009 Documents
B1 thru B44	2010 Documents
C1 thru C57	2011 Documents

D1 thru D14	2012 Documents
E1 thru E19	Miscellaneous Early 2013 Documents
F1 thru F13	2013 Landmarks and Design Commission Documents
G1 thru G18	January 2013 or July 1, 2013 Draft Documents
H1 thru H40	July 1, 2013 Draft Documents
I1 thru I9	September 11, 2013 Draft Documents
J1 thru J11	November 6, 2013 Planning Commission Public Hearing Documents
	NOTE: The following documents were handed out at the Public Hearing and entered into the Record at that Public Hearing and are attached as exhibits to this Agenda Report
	Exhibit J7 Amendment Request from Staff Re: 15.110.070
	Exhibit J8 Staff discussion of Draft Implementing Ordinance
	Exhibit J9 Staff Density Discussion
	Exhibit J10 Modern Housing Design Showing Transparencies submitted by Jack Piper
	Exhibit J11 Proposed amendments submitted by Steve Willard
K1 thru K4	60-Day State Agency Review Documents
L1 thru L11	SEPA S13-05 Land Development Code Update SEPA Documents
M1 thru M33	Non-Motorized Transportation Committee Documents

Additional documents received or developed after the November 6, 2013 Planning Commission Public Hearing and attached hereto

J12	Sign up sheet for November 6, 2013 Planning Commission Public Hearing
J13	Draft Minutes of November 6, 2013 Planning Commission Public Hearing
N1	Notice of November 18, 2013 City Council Public Hearing
N2	Index to Record thru November 13, 2013
N3	Staff Report for November 18, 2013 City Council Public Hearing
N4	Draft ordinance to enact the Land Development Code
N5	Planning Commission recommendations for amendment and approval of LDC

Additional documents received at the November 18, 2013 public hearing will be added to the ‘N’ Exhibits.

Code Formatting

The draft LDC will be recodified as new Title 15 of the Ellensburg City Code. Two current Code sections (Title 12 - Subdivisions and Title 13 – Zoning) will be repealed and incorporated into that new Title 15, while several other current Code sections have either been moved to the new Title 15 or have been amended and left in current Code sections. A draft ordinance that would enact those Code changes has been prepared for City Council consideration and is attached. (**Exhibit ‘N4’**)

NOTE: Because of numerous changes to the draft LDC document over time the numbering of Chapters and Sections has changed, making it difficult to directly compare a specific chapter or section number from the initial draft to the current final draft. In addition, due to section numbering needs, the final draft LDC has been renumbered from earlier drafts by making the Chapter number a 3-digit number thru addition of a zero as the last number. For instance previous Chapter 15.32 would now be 15.320, with the 15 being the Title number and 320 being the Chapter number.

Summary of Final Draft Land Development Code

The final draft LDC is divided into 6 Articles with each one focusing on a certain aspect of the development process.

- Article 1 General Provisions
 - Contains a User Guide to assist the reader.
 - Outlines the Purpose, Authority and Interpretation provisions.
 - References the Comprehensive Plan that the LDC is implementing
 - Contains definitions for many terms in the LDC. Those definitions will be formatted for electronic review to enable the reader to hover over the word/phrase with the mouse and the definition will pop up.

- Article 2 Permits, Legislative Actions & procedures
This Article identifies the various permits and actions involved with land development and establishes uniform and specific processes for review, decision, and appeals.

There are two significant changes in the final draft LDC relating to permits and procedures:

1. The final draft LDC utilizes a permit “Type” system similar to most jurisdictions in the state which categorizes each permit into a handful of specific permit Types based on the level of discretion involved in the decision, the amount of public review to be allowed (notice or notice with public hearing), and whether they are quasi-judicial or legislative decisions
2. The final draft LDC establishes a Hearing Examiner system in which a professional Hearing Examiner holds most public hearings and appeal

hearings for various permits to establish the legal record for the decision and thereby better ensure compliance with land use laws.

In the final draft LDC the Planning Commission retains its current public hearing and decision-making authority for Conditional Use Permits because Council believes that the Commission has a special knowledge of local circumstances and would be better able to resolve such decisions.

This Article 2 also includes:

- a new nonconformance framework that distinguishes between benign and detrimental nonconformities in order to allow some nonconformities that have minimal negative impact to be replaced;
- a new subdivision code that is up to date with current law and best practices and also includes a option for binding site plans; and
- the Landmarks and Design Commission authority and procedures which in the final draft LDC is limited to alterations to Landmark Register Properties.

- Article 3 Zoning Districts and Land Uses

This Article establishes the various zoning districts and land uses allowed in each zoning district. The City has not changed the zoning districts in this draft LDC but has changed some of the uses allowed in the zones.

In addition, Article 3 addresses Form and Intensity Standards for new lots by establishing more specific design parameters relating to:

- densities for the residential zones and floor area ratios for commercial and industrial zones
- building heights and setbacks
- fence/wall/hedge heights
- density bonus incentives
- supplemental use criteria for bed and breakfasts, home occupations, manufactured homes/parks, small wind energy system siting, wireless towers and facilities, the Airport Overlay Zone (NOTE: the AOZ section has not been amended other than its code numbering), annexations, medical cannabis, and development agreements.

- Article 4 Community Design

This Article establishes new community-wide design standards designed to upgrade the character and visual appearance of the city and to establish more uniform streetscapes for similar street types. It results in new street designs which incorporate sidewalks separated from traffic by planting strips for all categories of streets and it offers 3 types of local access street design of varying width.

Article 4 also establishes community-wide subdivision design and block structure requirements that encourage walkability, connectivity, increased open spaces,

more landscaping along street frontages and a variety of lot design options that will allow for varied lot sizes, configurations, and densities.

- Article 5 Project Design
This Article establishes new project design standards for site orientation, side/rear yards and open spaces, building design, off-street parking (these are predominantly unchanged from current code), landscaping and outdoor lighting (NOTE: outdoor lighting is unchanged from current code).
- Article 6 Critical Areas
This Article incorporates the current Critical Area Code into the draft LDC without change. The Critical Area Ordinance will be reviewed on a separate timeline in 2014.

Significant Changes

The discussion that follows will identify some of the more significant changes that have been made at the direction of City Council in response to public comment on the final draft LDC version that was released in July 2013.

ARTICLE 1

15.110.060(E) Shifts review and recommendation on regional retail commercial master site plans and decisions on non-landmark register property DEPARTURES from Article 5 design standards away from Landmarks and Design Commission and makes them a Director decision.

This shift is further implemented in:

- 15.110.060(F) authorizing Director to decide non-landmark register property DEPARTURES
- 15.250.070(C)(1) which authorizes the Director to utilize a consultant to assist in the review of regional retail master site plan applications
- 15.280 Ellensburg Landmark Register & Procedures

*NOTE: The Planning Commission has recommended this be amended to make Landmarks and Design Commission the decision authority for all DEPARTURES and the recommendation authority for regional retail commercial master site plans. See **Exhibit 'N5'**.*

15.130 adds several new definitions including:

15.130.150 Adds a definition for “Outlet Center” taken from current Code definition

Table 15.310.040 also adds “Outlet Center” as a permitted use in the C-H – same as current Code

ARTICLE 2

Table 15.210.050(D) Adds a new administrative variance as a Type II decision
- 15.500.040 establishes the Administrative Variance of up to 10% for Article 5 dimensional standards

15.250.070 Regional retail commercial master site plans remain unchanged except:
- that Director now reviews and recommends on the master site plan design instead of Landmarks and Design Commission
- additional permit review consolidation and concurrent review procedures are added in .070(C)
- the design standards have been removed from the 15.270 Landmarks and Design Chapter and placed with all other design standards in Article 5 as Chapter 15.590

NOTE: The Planning Commission has recommended this be amended to make Landmarks and Design Commission the recommendation authority for regional retail commercial master site plans. See Exhibit 'N5'.

ARTICLE 3

15.300.040(E) Adds new description for Manufactured Home Park (MHP) zone because that zone currently exists and has developed properties within it such that to eliminate the zone would require a rezone of those properties which is not something Council wanted the LDC to result in

Table 15.310.040 RETAIL USES

Adds small retail and espresso stands/coffeehouses to R-S zone subject to being in a subdivision, identified on the plat and a distance from any C-N zoning

Allows restaurants, bars and brewpubs in R-M, R-O and R-H zones if located on a street corner and within a mixed-use building or live-work dwelling.

Adds Outlet Centers as permitted uses in C-H zone like current Code

Adds regional retail commercial use to the R-S zone subject to the requirement that the land is designated appropriate for regional retail.

- This is because there are R-S zoned areas at both interchanges which fall within the regional retail overlay in those interchange areas, so they are appropriate for regional retail uses subject meeting the requirements in 15.250.070

Adds super scale retail to C-T and C-H subject to it being within an approved regional retail project

QUESTION: Should the large scale retail also be allowed in C-T and R-S under that same regional retail condition since there are C-T and R-S zoned lands within the interchange areas identified as appropriate for regional retail commercial developments and such regional retail will contain a wide range of retail sizes? Planning Commission has recommended such an amendment. SEE Exhibit 'N5'.

Adds a number of “Accessory Uses” to the Public Reserve (P-R) zone to acknowledge that such uses are appropriate provided they are accessory to the primary public use

Adds new Yard and Garage Sale language from current Code

Keeps Adult Entertainment as a permitted use in C-T zone but the Adult Entertainment regulations have been moved to Title 6 of current code because they are primarily license oriented.

OFFICES

Allows small and medium offices in the C-T (but not large offices)

Allows small offices in the I-L zone but limits them to either accessory to a permitted use or allowed through the purchase of transfer of development rights

Allows medium and large office uses in the I-L without restriction

Allows only small offices in the C-N zone

Allows small, medium and large offices in the C-H zone

15.310.050(D) Adds new language to allow rezone of P-R zone property when property or use changes to non-public ownership or use and when buildings become obsolete for public uses (surplused old school building in a low density residential zone for example)

15.320 Form and Intensity Standards
.030 Residential Zones

- Eliminates the R-S minimum density from earlier draft's 6 du/acre
 - consistent with significant public record discussion about a need in the marketplace for some lots to be larger than 7,000 sq.ft. to provide a mixture of all housing types in the community

- eliminates the maximum floor area ratio for R-S from earlier draft's maximum floor area ration of 0.5
- reduces garage front yard setback for all residential to 22-ft from earlier draft's 25-ft

.040 Non-Residential Zones

- eliminates the maximum floor area ratio for C-T, C-H and I-L zones
- eliminates the maximum impervious surface area requirements from the earlier drafts of the LDC (former 15.320.070) because they are inapplicable to semi-arid climate with the City's current storm water detention/retention requirements in place

.130 Fences, walls and hedges

- (A)(4) changes alley fence heights
 - Fences 3 ft. from alley (earlier drafts used 5-ft.) now limited to 42 inches in height
 - Fences set back more than 3 ft. from alley may be up to 6-ft (earlier drafts said 60-inches) tall

15.340 Supplemental Uses

.010 Bed and breakfasts

- No longer requires owner to reside on site
- Changes the available meal from "breakfast" to any meal

.020(G) limits home occupation deliveries to nothing larger than a small parcel delivery van or truck

.060 adds requirement to Small Wind Energy Systems that documentation be provided demonstrating compliance with American Wind Energy Association performance and safety standards

15.350 Airport Overlay Zone has been included unchanged except numbering

15.380 Adds Development Agreements as a new Chapter that enables a developer to contract with the City for the terms of development provided they are consistent with code. Typically used in very large projects, these are specifically authorized by State statute.

Article 4

15.410.020(B) Provides guidance for when new road design is required for infill projects where existing road is developed but does not meet new road design standards. Also SEE 15.410.030(B), 15.410.040(B)

- 15.410.020 Adds specific design features and dimensions for arterial streets
- 15.410.030 Adds specific design features and dimensions for collector streets
 - reduces planting strip width to 8-ft from 10-ft
- 15.410.040 Adds specific design features and dimensions for the 3 options for Local Access street widths
 - reduces planting strip to 6-ft
 - allows off-street parking for 20-ft wide streets to be off-site or to use parking bulb-outs provided they take up no more than 50% of planting strip length
- 15.420.030(D) Still prohibits gated communities
 Prohibits reverse frontage lots in subdivisions with an exception if the reverse frontage is landscaped 10-ft to a fence and maintained by a homeowner's association
- 15.420.050(C) Courtyard access lots
 - (2) allows access to be up to 150-ft if sprinklered beyond 100-ft
 - (3) increases surface width from 12 to 15-ft minimum and requires they be kept clear of snow, parking etc.
 - (5) Limits height to 2-stories
- 050(D) Pedestrian-only entry lots
 - (3) requires sprinklers for homes greater than 100-ft from fire road
 - (4) building limited to 2 stories tall
 - (5) homes more than 150-ft require fire department access
- 050(E) adds new Alley Access Lot
- 15.420.060 Requires all lots to have access directly to a public right-of-way except certain excepted designs in 15.420.050
 Also requires lots not adjacent to right-of-way to demonstrate right of ingress/egress over adjoining properties

ARTICLE 5

- 15.500.040 Provides new administrative variance flexibility up to 10% from Article 5 dimensional standards
- 15.510.050 Storefront Streets
 (G)Deletes street permits for over-sidewalk projections
- 15.510.060 Secondary Streets
 (A) apply just to non-residential and multi-family developments

- 15.510.080 Landscaped Streets
(A) apply just to non-residential and multifamily developments
- 15.530.020(B) (1) Historic building design standards have been moved here from Landmarks and Design Commission Chapter
(2) Historic district property owners shall use Secretary of Interior's Standards
STAFF NOTE: Record is unclear whether this should be amended to read "...should be encouraged..."
Planning Commission has recommended this be amended to "...should be encourage..." SEE Exhibit 'N5'.
- 15.540 Housing Type Standards
- .020(B)(2) covered entry still required but eliminates former requirement for minimum dimension of 4-ft by 6-ft
Planning Commission has recommended this be amended to require a 3-ft by 3-ft covered entry but without any specific design requirement. SEE Exhibit 'N5'.
- .020(B)(3) reduces façade window transparency from 15% down to 10% or 8% if north facing façade
Planning Commission has recommended this be amended to require 8% transparency regardless of the direction the façade faces. SEE Exhibit 'N5'.
- .020(C)(2) limits garage doors to 50% of ground-level façade facing street but allows DEPARTURE up to 65% if 2 of several design features are used
- .020(C)(3) reduces garage setback minimum from 25-ft down to 22-ft from sidewalk edge
- .020(D)(2) increases driveway width minimum from 20-ft to 24-ft on 50-ft or wider lots and
Planning Commission has recommended this be reduced to 40-ft or wider lots. SEE Exhibit 'N5'.
- .020(D)(3) if lot 50-ft or less in width driveway may be maximum of 12-ft wide and tandem parking allowed
Planning Commission has recommended that this be reduced to 40-ft or less in width and that the lot width be measured at the front door plane for irregular shaped lots such as on a cul-de-sac. SEE Exhibit 'N5'.

- .030(B)(1) increases minimum width of duplex/triplex driveway from 20-ft to 24-ft
- .040(B) have eliminated the requirement that Accessory Dwelling Unit entrance be subordinate to primary dwelling unit entrance (less visible from street)
- 040(D) Detached Accessory Dwelling Unit maximum size have been increased from lesser of 40% floor area of primary dwelling unit or 800 sq.ft. – to lesser of 40% floor area of primary DU or 1,000 sq.ft.
- .050(E) Table for Cottage Housing – eliminated maximum ground or main floor area of 800 sq.ft. – single story cottage ground floor could be up to entire maximum of 1200 sq.ft.
Maximum height increased from 25-ft to 26-ft
- .050(G) façade transparency reduced from 15% down to 10% or 8% if north facing
Planning Commission has recommended this be reduced to 8% regardless of the direction the façade faces. SEE Exhibit 'N5'.

- 15.550 Off-Street Parking – No changes except:
- moved off-street parking standards from Public Works Development Standards back to Land Development Code
 - added off-street parking requirements for:
 - Studios 1.2 per dwelling units
 - Studios in CC zone and outside Historic Dist. 0.7 per DU
 - Cottage housing 1.5 per DU
 - Accessory Dwelling Unit 1.0 per DU
 - reduced bicycle parking for:
 - Hotels/motels to 1 per 20 guest rooms (was at 1 per guest room)
 - Offices, banks, etc. to 1 per 5,000 sq.ft. up to 50,000 sq.ft., then 1.0 per 10,000 sq.ft. (was 1 per 300 sq.ft.)
- 15.560 Signage REMOVED FROM THE LAND DEVELOPMENT CODE without changes and remains in ECC 3.12
Will be reviewed in 2014.
- 15.570 Landscaping
- reduced from 5 types down to 4 types
 - references WSU for list of trees, shrubs, etc. appropriate for eastern Washington

- 15.580 Outdoor Lighting - No Changes from current Code
- 15.590 Regional Retail Commercial Design Standards
 - no changes from current Code and applicable only to regional retail commercial master site plan applications
 - relocated here in the Project Design Article 5 to keep all design standards in same Title.

- ARTICLE 6** Critical Areas
- no changes from current Code other than to renumber and to make processes follow Article 2 processes.

Staff Amendment Recommendations

Staff recommends the following amendments to the final draft LDC:

1. Amend Section 15.110.070 as follows

15.110.070 Relationship to other codes.

The LDC is part of a comprehensive program of regulation related to land use and development within the city. The Ellensburg City Code (the “ECC”) contains other regulations that relate, directly or indirectly, to land use and development, including but not limited to, hearing examiner (Chapter 1.70A), building and fire (title 3), traffic (Title 8), utilities (Title 9), annexation (Title 10), and impact fees (Title 14). In order to understand all of the regulations that may relate to land use and development, readers are advised to consult both the LDC and ECC.

Where conflicts occur between provisions of this Title 15 and/or between other city codes, regulations or standards, the provisions herein shall apply.

Planning Commission has recommended Council approve this amendment. SEE Exhibit ‘N5’.

2. Amend 15.350.030 to refer to AOZ Map “B” that is found in 15.300.060(D) Special Districts as follows:

15.350.030

In order to carry out the purpose of this chapter there is hereby created an airport overlay zone (A-O) that is composed of the following surface and safety zones. The zones cover a geographic area that is affected by airport activities and are defined on the basis of factors including, but not limited to, aircraft noise, aircraft flight patterns, airport safety zones, local circulation patterns and area development patterns. The boundaries of the airport surface and safety zones are shown on airport overlay (A-O) Map “B”, “Safety Zones”[see Figure 15.300.060(D)], ~~which are attached to the ordinance codified in this chapter and~~

~~incorporated by reference, and~~ which shall also be on file and open for inspection in the Kittitas County public works department. The surface and safety zones are overlaid on top of the existing underlying zoning that remains in full force and effect. Where the requirements imposed by the surface and safety zones conflict with the requirements of the underlying zoning, the more restrictive requirement shall be enforced.

*This proposal was identified after the Planning Commission recommendations so there is **no Planning Commission recommendation.***

Planning Commission Recommendations

The Planning Commission made the following Recommendations and staff has provided suggested amendment language in **Exhibit ‘N5’**.

Remaining Process City Council will hold the public hearing on the final draft LDC, after which Council may then conduct first reading of the draft implementing ordinance if it chooses, make any amendments to the ordinance or to the final draft Land Development Code if warranted, and then at the following meeting, or at a subsequent meeting, Council may conduct second reading and consider adoption of the ordinance.

- Recommendation:**
1. Conduct public hearing on final draft Land Development Code.
 2. Close the public hearing.
 3. Consider first reading of Ordinance No. ____
 4. Discuss and direct staff to make an amendments to either the final draft LDC or to Ordinance No. ____ and bring them back at a subsequent Council meeting for second reading and consideration of adoption of the Ordinance and the Land Development Code