

AMENDMENT NO. ____
TO
ORDINANCE NO. BL2023-1884

Mr. President --

I hereby move to amend Ordinance No. 2023-1884 by amending Section 1, proposed Metropolitan Code of Laws section 6.28.030(B)(2)(d), as follows:

d. Minimum distance requirements:

i. No new STRP permit shall be issued to an applicant whose location is less than one hundred feet from a religious institution, a school or its playground, a park, or a licensed day care center or its playground. Distance shall be measured in a straight line from the closest point of the parcel line of the property for which a STRP is sought to the closest point of the parcel line of the property on which the religious institution, school or its playground, park, or licensed daycare center or its playground is located.

ii. Notwithstanding subsection (d)(i) of this section, a STRP permit applicant may be exempt from the minimum distance requirements set forth herein upon the adoption of a resolution, after a public hearing, by the metropolitan council receiving 21 affirmative votes approving the exemption of the STRP unit from said minimum distance requirements. The department of codes administration shall notify the councilmember for the district in which the applicant unit is located in writing within five business days from the date the application is filed requesting the waiver of distance requirements. The public hearing required by this subsection shall be conducted by the council at a regular meeting of the council. Public notification of the hearing shall be conducted pursuant to the public notice requirements for amendments to the official zoning map in accordance with Article XV of Chapter 17.40 of the metropolitan code, provided that notice by mail shall be sent to all property owners within 600 feet of the unit seeking the exemption from the minimum distance requirements not later than 14 days prior to the scheduled public hearing on the resolution. Further, a public notice sign meeting the general requirements of Section 17.40.730 of the metropolitan code shall be posted on the property of the applicant seeking the exemption from the minimum distance requirements at least 14 days prior to the scheduled public hearing. The costs for the public notification requirements shall be paid by the applicant. The applicant shall coordinate the scheduling of the public hearing with the metropolitan clerk's office prior to the filing of the resolution for purposes of including the date and time of the public hearing in the public notice to be mailed.

iii. Otherwise qualifying properties under active development in 2020, either with a valid master permit on file with the department of codes administration on or before September 1, 2020, or who completed at least fifty percent construction on a new unit as of September 1, 2020, are not subject to the provisions of this subsection d, ~~provided that any qualifying unit for which a prior non-owner occupied STRP permit lapsed will be subject to the provisions of this subsection d.~~

Sponsored by:

Colby Sledge
Member of Council