

 <p style="text-align: center;">Council Communication Office of the City Manager</p>	Date:	April 11, 2011
	Agenda Item No.	44
	Roll Call No.	<u>11-625</u>
	Communication No.	<u>11-203</u>
	Submitted by:	Phil Delafield, Director Community Development

AGENDA HEADING:

Resolution continuing the public hearing on an amendment to the Zoning Ordinance to prohibit gas stations in the “C-3” and “C-3A” Districts and extending a temporary moratorium on new gas stations in such districts to July 11, 2011.

SYNOPSIS:

At the March 14, 2011 Council meeting, the hearing regarding elimination of fuel sales in the C-3 and C3-A downtown zoning districts was continued to the April 11, 2011 meeting. The existing moratorium on fuel sales in the C-3 and C-3A districts is scheduled to expire on April 12, 2011. Staff recommends continuing the consideration again to the July 11, 2011 Council meeting.

FISCAL IMPACT: NONE

Amount: N/A

Funding Source: N/A

ADDITIONAL INFORMATION:

The Community Development Staff continues to work on a comprehensive review of uses in the C-3 and C-3A districts and is researching regulations that regulate uses equitably and that implement the vision of the What’s Next Downtown Plan. Given the complexity of the issues involved, it would be prudent to continue the public hearing and moratorium on convenience stores with fuel sales in the C-3 and C-3A districts until July 11, 2011 (90 days), to allow continued research and discussions.

PREVIOUS COUNCIL ACTION(S):

Date: March 14, 2011

Roll Call Number: 11-0466

Action: [On](#) Zoning Text Amendments to Chapter 134-982 “C3-A” (Central Business Support Commercial) and Chapter 134-1017 “C-3” (Central Business) regulations to prohibit gas stations and fuel retail sales businesses. **Moved by Hensley to continue the hearing to April 11, 2011 at 5:00 PM;**

refer to the City Manager to conduct a comprehensive review and to make a recommendation regarding the appropriate uses in C-3 and C-3A districts. Motion Carried 7-0.

Date: February 28, 2011

Roll Call Number: 11-0308

Action: [On](#) Zoning Text Amendments to Chapter 134-982 "C3-A" (Central Business Support Commercial) and Chapter 134-1017 "C-3" (Central Business) regulations to prohibit gas stations and fuel retail sales businesses, (3-14-11). **Moved by Coleman to adopt. Motion Carried 7-0.**

Date: January 24, 2011

Roll Call Number: 11-0110

Action: [Amendment](#) to the zoning ordinance prohibiting gas stations in "C-3" and "C-3A" districts and establishing a temporary moratorium on new gas stations in these districts until April 12, 2011. ([Council Communication No. 11-056](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

BOARD/COMMISSION ACTION(S):

Board: Plan and Zoning Commission

Date: February 17, 2011

Resolution Number: 10-2011-5.01

Action: Plan and Zoning Commission voted 10-1 in support of a motion to recommend APPROVAL of Zoning Text Amendments to Chapter 134-982 "C-3A" Central Business District Support Commercial Regulations and Chapter 134-1017 "C-3" Central Business District Regulations to prohibit gas stations and fuel retail sales businesses as permitted uses in those districts.

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:

Hold public hearing on July 11, 2011 and extend moratorium if necessary.

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