

**O-30-25****BUSINESS REVITALIZATION REGULATION CHANGE****AMENDMENT 2 – ALD. O'NEILL**

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**Amendment Summary:**

Amendment 2 seeks to clarify provisions of the code that govern lots divided by zoning district boundaries per Section 21.06.040, subject to the Procedures outlined in Section 21.20.020 and the review criteria and findings outlined in Section 21.20.030.

Section 21.20.030 provides that the Board of Appeals may grant a zoning district boundary adjustment based on a list of findings (A-E), but does not stipulate whether all the criteria must be met or some of the criteria. Since the Owner of the BR zoned property that prompted the review of the BR zone and the sponsorship of O-30-25 has lots that are divided by zoning district boundaries and wishes to seek a re-zoning, the purpose of this amendment is to clarify the eligibility to seek the re-zoning.

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**MOTION:**

On page 3, at the end of Section 1 and before Section 11, insert the following:

**Title 21-PLANNING AND ZONING**  
**Division II – ADMINISTRATION AND ENFORCEMENT**  
**Chapter 21.20 – ZONING DISTRICT BOUNDARY ADJUSTMENTS**

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**Explanation:**    ~~Strikethrough~~ indicates matter stricken from existing law.  
                         Underlining indicates a change to the City Code.  
                         Underlining & black - copyediting or reformatting of existing Code section  
                         Underlining & red - new matter added to the code.  
                         Underlining & blue - amendment

**Section 21.20.030 – Review criteria and findings**

The Board of Appeals may grant a zoning district boundary adjustment based upon the following findings:

- A. Unique Conditions. Owing to conditions peculiar to the property and not because of any action taken by the applicant, a literal enforcement of the zoning law would result in practical difficulty as specified in the zoning law.
- B. Public Welfare and Safety. The granting of the district boundary adjustment will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located.
- C. Surrounding Properties. If a specific use is proposed, the applicant shall demonstrate that the proposed use will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion of the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values with the neighborhood. If a specific use is not proposed, the applicant shall demonstrate the suitability of the property in question to the uses permitted under the proposed zoning classification.
- D. Property Size. The granting of a zoning district boundary adjustment shall be limited to parcels of one acre or less in size.
- ~~E. Location. The zoning district boundary adjustment is for a property located in Ward 8.~~

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