

1.7.4. Decision Criteria

A. Council and the Commission shall consider, as applicable, the following:

1. Whether the zoning map amendment is compatible with the existing development pattern and the zoning of nearby properties.
- ~~2. Changes in land use or conditions upon which the original zoning designation was based.~~
- ~~2. 3. Consistency~~ Whether the amendment is consistent with all applicable elements the intents and strategies of the Comprehensive Plan.
- ~~3. 4. Conflicts~~ Whether the amendment conflicts with existing or planned public improvements.
- ~~4. 5. Availability of~~ Whether public facilities are available, analyzed for the proposed development (if any) or maximum development potential, and based upon a consideration of the following factors:
 - ~~a. Impact on the traffic characteristics related to the site.~~
 - ~~b. Impact on population density or development intensity such that the demand for schools, sewers, streets, recreational areas and facilities, and other public facilities and services are affected.~~
 - ~~c. Impact on public facilities currently planned and funded to support any change in density or intensity pursuant to and the requirements of the Comprehensive Plan and applicable law.~~
- ~~5. 6. Effect on~~ Whether the amendment will adversely affect health, safety and welfare of the surrounding neighborhood and City.
- ~~6. 7. Conformance~~ Whether the amendment is in conformance with all applicable requirements of this LDR.
- ~~7. 8. Findings of~~ For a Planned District, whether the applicable ~~Environmental Assessment Reports~~, consistent with meet the requirements of [Chapter 89](#) and provide for protection, mitigation, or remediation methods, if required.
- ~~8. For a Planned District, whether the amendment would create a drainage or flooding problem.~~
- ~~9. For a Planned District, whether ingress and egress to the property and internal circulation would adversely affect traffic flow or safety or control or would create types of traffic deemed incompatible with surrounding land uses.~~
- ~~10. 9.~~ For a proposed major amendment to an adopted Planned District the following additional criteria shall be considered:
 - a. Whether the amendment is consistent with the reasonable expectations of other residents within the Planned District with regard to how the Planned District would be built out over time.
 - b. The extent to which the amendment deviates from the approved binding master plan, including whether any proposed change of use can be accommodated by any conversion, flex use or related similar Planned District allocation chart included in the binding master plan.
 - c. The extent to which the alteration to the Planned District will service and/or benefit other uses within the Planned District.

- d. Whether the amendment is compatible with the common scheme of development contemplated in the binding master plan.
- ~~10. Any other applicable matters pursuant to this LDR, the Comprehensive Plan or applicable law.~~

B. The cost of land or other economic considerations pertaining to the applicant shall not be a consideration in reviewing the request.

1.8.3. Decision Criteria

A. Before any conditional use shall be approved, the Commission shall make a finding that the granting of the conditional use will not adversely affect the public interest and that ~~satisfactory provision and arrangement has been made concerning the following matters~~criteria, where applicable, have been met:

- ~~1. Compliance~~ The proposed use is compliant with all applicable elements the intents and strategies of the Comprehensive Plan;
- ~~2. General compatibility~~ The proposed use achieves compatibility, consistent with Section 4 and Section 1.2.C.8 of this LDR with adjacent properties and other property in the district; and
- ~~3. Any special requirements set out in Section 2 in of this chapter for the particular use involved~~ are met.

1.9.4. Decision Criteria

A. In reaching a decision ~~regarding the to approve, approve with conditions, or to deny a site and development plan as submitted, the Commission shall be guided in its decision to approve, approve with conditions, or to deny by~~ consider the following considerations:

- ~~1. Compliance~~ Whether the proposed development is compliant with all applicable elements the intents and strategies of the Comprehensive Plan and requirements of this LDR;
- ~~2. Compatibility~~ Whether the proposed development achieves compatibility consistent with Section 4 and Section 1.2.C.8 of this LDR;
- ~~3. General~~ Whether the general layout of the development including access points, and on-site mobility; provides for vehicular and pedestrian access, safety, and traffic circulation (both internal and external to the project);
- ~~4. General layout of off-street~~ Whether the proposed development has met the parking and off-street loading facilities facility requirements of Section 3.6 or an Alternative Parking Plan has been proposed;
- ~~5. General layout of drainage on the property;~~
- ~~6. Adequacy of recreation and open spaces;~~
- ~~7. General site arrangement, amenities, convenience, and appearance; and~~
- ~~8. Other standards, including but not limited to,~~

5. Whether the proposed development meets the City requirements for stormwater management;
6. Whether the applicable environmental assessment reports meet the requirements of [Chapter 89](#) and provide for protection, mitigation, or remediation methods, if required;
7. Whether the general layout, design, and appearance of the proposed development adversely affects the health, safety, and welfare of the surrounding neighborhood; and
8. Whether architectural requirements ~~as may be required~~ are met, if applicable.

1.10.1. Preliminary Plat (Quasi-Judicial Application)

C. Decision Criteria. In reaching a decision ~~regarding to approve, approve with conditions, or to deny a preliminary plat as submitted~~, the Commission shall ~~be guided in its decision to approve, approve with conditions, or to deny by~~ consider the following ~~considerations~~:

- ~~1. Compliance-Whether the proposed plat is compliant with all applicable elements the intents and strategies of the Comprehensive Plan and requirements of this LDR;~~
- ~~2. Compatibility-Whether the proposed plat achieves compatibility, consistent with Section 4 and Section 1.2.C.8 of this LDR;~~
- ~~3. General-Whether the general layout of the development, including streets, access points, and onsite mobility; provides for vehicular and pedestrian access, safety, and traffic circulation (both internal and external to the project);~~
- ~~4. General layout of drainage on the property;~~
4. Whether the proposed plat meets the City requirements for stormwater management;
5. Whether the applicable environmental assessment reports meet the requirements of [Chapter 89](#) and provide for protection, mitigation, or remediation methods, if required;
- ~~6. 5. Adequacy of For planned developments, whether the recreation and open spaces uses, where applicable, are compliant with the relevant Binding Master Plan; and~~
- ~~7. -6. General site arrangement, amenities, convenience, and appearance; and~~
- ~~7. Other-Whether other standards including, but not limited to, architectural requirements as may be required are met.~~

1.12.3. Decision Criteria

A. In reaching a decision ~~regarding to approve, approve with conditions, or to deny the height exception as submitted~~, the Council shall ~~be guided in its decision to approve, approve with conditions, or to deny by~~ consider the following ~~considerations~~:

- ~~1. Compliance-Whether the proposed height exception is compliant with all applicable elements the intents and strategies of the Comprehensive Plan and requirements of this LDR;~~

2. ~~General~~ Whether the proposed height exception achieves compatibility, consistent with adjacent properties and other properties in the district Section 4 and Section 1.2.C.8 of this LDR;

3. ~~Scale of development. The relationship~~ Whether the project or development is scaled to its surroundings in terms of its size, height, bulk, massing, intensity, and aesthetics, ~~to its surroundings;~~

4. ~~Required~~ Whether the standards for required yards and other open space are met;

5. ~~Screening~~ Whether provisions have been made for screening and buffering, with reference to type, dimensions and character;

6. ~~Any~~ Whether any special requirements set out in Section 2 of this chapter for the particular use involved, are met; and

7. Whether the proposed height exception would adversely affect the health, safety, and welfare of the surrounding neighborhood based on any special circumstances related to the property.