

Chapter 10.40 Pawn Shops and Check Cashing Establishments

In zoning districts and on sites where permitted, a pawnshop and/or check cashing establishment shall be subject to the following distance restrictions:

- (a) No pawnshop and/or check cashing establishments shall be located within 5,000 feet of any other pawnshop and/or check cashing establishments.

Mayor Pro Tem Igleheart invited public comment. No public comment or questions were heard.

Motion: Councilmember Dippolito moved to approve the *Second Reading* of RZ09-10, Text Amendment regarding pawn shops and check cashing establishments within the city. Councilmember Orlans seconded. No further discussion. The motion passed 5-1. Councilmember Orlans, Councilmember Igleheart, Councilmember Wynn, Councilmember Dippolito, and Councilmember Henry voted in favor. Councilmember Price abstained.

6. RZ09-13 Text Amendment regarding parking requirements in the Historic District. *First Reading*

Planning and Zoning Director Brad Townsend stated this proposed text amendment would add language to control or establish that any structure fifty years of age or older in a C-1 zoning district and located in the historic area would be exempt from off-street parking requirements; there would be no net loss to change the use of the property. Mr. Townsend stated "This helps the historic area of the City control what type of buildings it currently has and allows flexibility for them to change a use while not requiring additional parking in those historic areas." Staff recommended approval of the first reading.

City Attorney David Davidson conducted the first reading of an **ORDINANCE TO AMEND THE CITY OF ROSWELL ZONING ORDINANCE REGARDING PARKING REQUIREMENTS FOR BUILDINGS IN THE HISTORIC DISTRICT OF ROSWELL** stating: pursuant to their authority, the Mayor and City Council adopt the following ordinance:

1.

The Zoning Ordinance of the City of Roswell is hereby amended by adding to existing Section 17.3.1 as follows:

Section 17.3.1 Off-Street Parking Required

Off-street automobile parking spaces shall be provided on every lot on which any building, structure, or use is hereafter established in all zoning districts, except as otherwise specifically exempted by this article. Required parking spaces shall be available for the parking of operable passenger vehicles for residents, customers, patrons, and employees, as appropriate given the subject use. The reuse of any structure, fifty years in age or older, which is zoned C-1 (Central Commercial District) and located within the Historic District of Roswell, shall be exempt from off-street parking requirements and any change in use shall maintain no net loss of off-street parking spaces.

Council comment:

Councilmember Dippolito stated that after reading the Historic Preservation Commission minutes and understanding Lonnie Mimms' comments, he was confused with the wording and what was being

attempted with this ordinance. Originally, staff was attempting a no net loss with the ordinance if someone was changing the use in the historic district. He asked if what really is being considered is a no net loss for public parking, as well as off-street parking spaces. Mr. Townsend replied that he did not think the public space was ever brought up as part of Committee; the discussion was related to off-street parking. Councilmember Dippolito stated the ordinance as worded, does not accomplish their original goal of preventing a reduction in the total number of parking spaces in this area. He noted that there could be public parking spaces which are not necessarily off-street. Mayor Wood asked for an example. Councilmember Dippolito referring to the newly constructed City parking lot on Mimosa Avenue stated that if someone changed their building use to restaurant use, which would require more parking, the restaurant owner could say their customers should park in the public parking lot but that would then impact that parking area. Councilmember Dippolito said Mayor Wood, still experiencing laryngitis, had just whispered to him "The issue was that in the C-1 district there is no requirement for off-street parking, so by having a change in the use you don't want that to trigger the off-street parking." Councilmember Dippolito stated "I'm okay with the concept. I just want to make sure we have it worded correctly because I think what we are trying to do is just make sure that we don't have a use that comes in that is very parking intensive and because they are not required to have parking on their piece of property, that it doesn't negatively impact the other businesses in the area." Councilmember Dippolito stated he did not have the suggested wording at this time but it could be worked out before the second reading. Mayor Pro Tem Igleheart noted that if approved, the second reading would be in December. No further discussion.

Mayor Pro Tem Igleheart invited public comment. No public comment or questions were heard. Mayor Pro Tem Igleheart asked if Mayor Wood had any comments; the Mayor made no comment.

Motion: Councilmember Dippolito moved to approve the First Reading of RZ09-13 Text Amendment regarding parking requirements in the Historic District with staff to meet with the Legal department to make sure the original intent is met; adjust the wording as necessary. Councilmember Wynn seconded. The motion passed unanimously.

7. RZ09-12 Text Amendment regarding Animal Hospitals and Veterinary Clinics. First Reading

Planning and Zoning Director Brad Townsend stated this proposed text amendment would allow the use of animal hospitals veterinary clinics in the O-P zoning district within the City. There would be the same controls and stipulations as existing animal hospitals and veterinary clinics. Staff recommends approval of the first reading of the text amendment.

City Attorney David Davidson conducted the reading of an **ORDINANCE TO AMEND THE CITY OF ROSWELL ZONING ORDINANCE TO ALLOW AS A CONDITIONAL USE IN THE O-P ZONING DISTRICT THE USES OF ANIMAL HOSPITALS AND VETERINARY CLINICS** stating: pursuant to their authority, the Mayor and City Council adopt the following ordinance:

1.

The Zoning Ordinance of the City of Roswell is hereby amended to allow the uses of animal hospitals and veterinary clinics as a conditional use in the O-P zoning district by changing Table 6.1 as follows: