



DEVELOPMENT SERVICES DEPARTMENT

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To: Planning and Zoning Commission
From: Jenah Thornborrow, Development Services Director
Subject: CUPFY2026-0009 Decision Clarification Request
Date: May 20, 2026

REQUEST

Clarification of decision.

NOTED CAUSE FOR REQUEST

CUPFY2026-0009 was approved by the Planning and Zoning Commission on April 15, 2026. The application request included a range of uses, as identified in the application, encompassing uses permitted by right, conditionally permitted uses, and uses not specifically addressed in the use table.

As currently written, staff believes the decision document misrepresents the approval by listing uses that are already permitted by right in the C-2 Zoning District while omitting all the conditionally permitted uses that were requested.

In its current form, the decision document limits allowed uses solely to those enumerated, despite the fact that those uses are already permitted outright under the applicable zoning provisions. To correct this, if the intent was to approve the requested uses that require a conditional use permit, the document should instead identify the requested conditionally permitted uses as those authorized through the CUPFY2026-0009 approval. The draft revised decision eliminates the list of by-right permitted uses as that is redundant with code and adds a list of the requested uses that require a conditional use permit, unless precluded by the existing Development Agreement.

Additional confusion arose from the inclusion of conditions of approval of use-specific standards associated with uses permitted by right. These standards are already required by code and are applied on a case-by-case basis when such uses are established. Their inclusion in the decision is also redundant and has therefore been removed.

Staff believe that these revisions, specifically, adding the requested conditionally permitted uses as approved under the CUP more accurately reflect the original intent of the decision. The Commission's approval of the revised decision document will formalize this intent.

LINKS

- [Decision](#)
- [Draft Amended Decision](#)
- CUPFY2026-0009 [Record Documents](#)