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### Memorandum

TO: Mayor & Commissioners  
FROM: Shawn D. Smith, City Attorney  
RE: Additional Language for Second Reading -  
DATE: March 10, 2015

Mayor and Commissioners,

At the last Commission meeting, I was directed to include a hardship provision in the proposed Zoning in Progress ordinance regarding parking variances. I suggest the following language:

"An applicant may seek a waiver of the conditions imposed herein.

To be eligible for a waiver, the applicant must demonstrate to the Planning Board that the amount of parking required by the code of ordinances is not necessary given the particular conditions of the proposed development. The Planning Board must make specific findings concerning the lack of need for vehicular parking based upon the use and occupancy of the proposed development."

Please contact me with any questions or comments you may have.

A handwritten signature in blue ink, appearing to be "S. D. Smith", is located at the bottom right of the page.