

Planning Commission Ordinance Revisions Committee

July 28, 2020

Amendment to Chapter 55 UDC

Site Plan Review Requirements for Small/Modest Projects

Staff/Planning Commission Directive

- Evaluate potential UDC amendments to consider site plan requirement and authority thresholds
- Evaluate improved communication of requirements
- Assemble an advisory workgroup to provide feedback and input
- Compare other communities, past site plan projects, and maintain higher authority and process for larger projects
- Seek to reduce time and level of authorization for small/modest development projects
- Propose amendments by end of 2020

Background

Overview of Site Plan Requirements:

- Site Plan Review is Administrative Function – Not Legislative
- Exempt - No Site Plan Required
- Site Plan Approval
 - Same Content/Compliance with Regulations despite level of approval
 - Administrative – Staff Approval
 - Planning Commission Approval
 - City Council Approval

Exempt Activities from Site Plan Review

- 1 & 2 Family Residential (if zoned solely for residential purposes)
- Interior construction of any building that does not increase floor area
- Construction, erection or placement of:
 - Signs
 - Retaining walls, fences, buffer walls
 - Curb carts for solid waste; dumpsters used for commercial recyclables and related screening up 100 sq. ft.
 - Fire escapes
 - Sidewalks
 - Wireless communication antennas on buildings or other existing structures, or on previously approved towers;
Dish Antennas
 - Windmills located on buildings
 - Lights, poles
 - One accessory building up to 240 sq. ft. in area, 14 ft. in height for storage or other non-habitable use
 - Deck or patio up to 240 sq. ft. in area for a dwelling unit in an attached single family development
 - Awning of any size, or canopy or similar structure for shade up to 240 sq. ft. when over existing impervious surface

Staff Approval of Site Plan Required

- Building additions of 10% of the existing Floor Area, up to 10,000 sq. ft.
- Extension of a valid site plan approval for periods up to 2 years.
- One Accessory Building for storage or other non-habitable use with Floor Area >240 sq. ft., but <5,000 sq. ft., 5% of the Lot Area, and 14 ft. high
- Change or Development of Phasing Lines
- Change in Building Height that does not create new Floor Area
- Relocation of Sidewalks
- Change of location or type of landscape or screening materials.
- Relocation of refuse collection stations.
- Rearrangement or reconfiguration of the parking stalls and aisles within the Vehicular Use Area of an approved site plan, subject to the off-street parking standard.
- Decrease in Building size
- Moving a Building no more than 10 feet or 5% the distance to the closest Lot Line, whichever is smaller.
- Relocation or addition of no more than 50% of the approved storm water detention capacity.
- Change in species or placement of plant material included in an approved mitigation plan, as long as the change does not result in a reduction of plant material or area from the original plan and the change meets the intent of the approved mitigation plan.
- Substitution of areas to be preserved in an approved Natural Features protection plan, as long as there is no net loss of preserved area, the cumulative area to be changed does not exceed 250 sq. ft. of the original area to be preserved.
- Removal of a tree identified on the site plan as a Landmark Tree to be saved, but recognized as an Invasive Species at the time of application for approval of Administrative Amendment.
- Replacement or enhancement of a tower to permit co-location, provided that Tower is not relocated more than 15 ft. from base of original tower, nor is increased in height more than 20 feet above original tower.

Planning Commission Approval of Site Plan Required

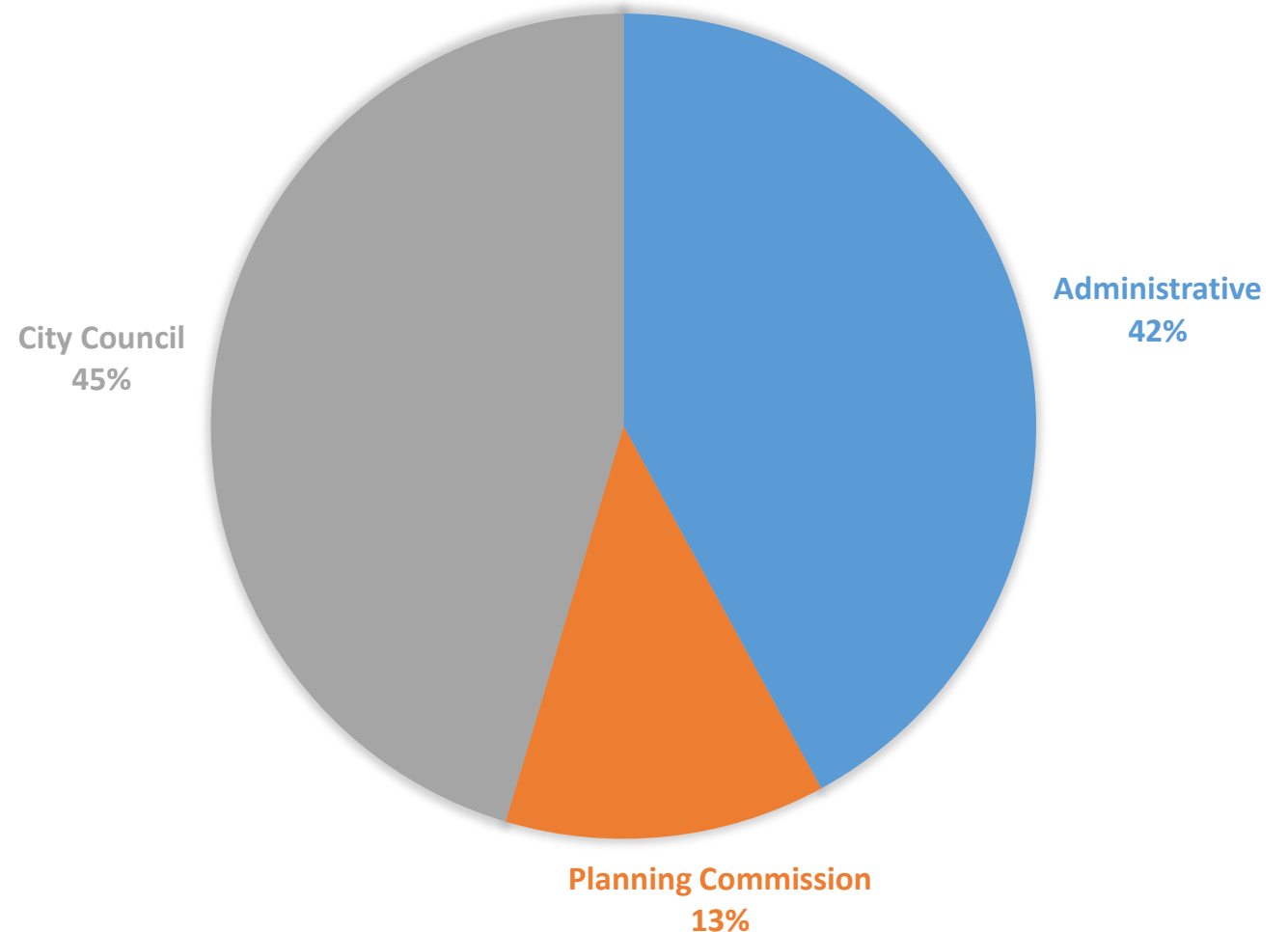
- Accessory Buildings and Structures exceeding the size of those allowed with administrative approval. Common accessory buildings and structures include garages; carports; freestanding automatic teller machines; more than one Dish Antenna on a parcel; windmills and solar panels not located on a Building; Wireless Communications Towers.
- Cooling, heating or mechanical equipment occupying a ground area exceeding the regulations of Section 5.29.6A.4.h.
- Outdoor storage areas, permanent outdoor sales areas.
- Paving an existing Parking Lot, increasing the area in square feet of a Vehicular Use Area, or construction of a new access road or Driveway.

City Council Approval of Site Plan Required

- Any construction, installation, or placement of any Building or site improvement, or removal/disturbance of any Natural Feature, that has not been exempted or delegated to Administrative or Planning Commission approval.

Submitted Site Plans – 10 Year History

- 390 Total Submitted Site Plans
 - 164 for Administrative Approval (42%)
 - 49 for Planning Commission Approval (13%)
 - 177 for City Council Approval (45%)



Concepts

- No Change – Focus on improved communication techniques of existing requirements
 - Flow Charts
 - Table Format of Site Plan Review Requirements
- Add Development Types to List of Exempt activities
- Move Development Types down levels (e.g. from City Council to Planning Commission, from Planning Commission to Administrative)

Amendment to Chapter 55 UDC

Elimination or Modification of C1A & C1A/R Zoning Districts

Staff/Planning Commission Directive

Evaluate the continued viability of the C1A & C1A/R districts and make recommendations whether to eliminate or modify by end of 2020

History/Use of Districts

- Districts were created in 1966 – Part of a set of amendments :
Comprehensive High-Rise Ordinance
- Originally, areas were designated near State/Packard & South University
- Related Zoning Changes Since 1966
 - 1100 Catherine - Zoned C1A
 - 417 S. Fourth – Zoned C1A/R
 - Forsythe Park – Rezoned to PL
 - South University – Rezoned to D1
 - 1140 Broadway – Zoned C1A/R with Conditions

C1A Intent

1966

This business district is designed primarily to serve as a neighborhood shopping area for the University oriented population which is concentrated around it, providing goods that are day-to-day needs, specialty shops, and recreation. While the primary function of this district is to serve as a neighborhood shopping area for the student-faculty population concentrated around it, it also has community-wide orientation, due to its unique and distinctive commercial function peculiar to University oriented population. These districts shall be located in close proximity to the central area of the City.

2020

This district is intended primarily to serve as a neighborhood shopping area for the university-oriented population that is concentrated around it, providing goods that are day-to-day needs, specialty shops, and recreation. While the primary function of this district is to serve as a neighborhood shopping area for the student/faculty population concentrated around it, it also has a community-wide orientation due to its unique and distinctive commercial function peculiar to university-oriented population. These districts shall be located in close proximity to the central area of the City.

Development Standards – C1A

C1A	1966	2020
Uses	Any use permitted in the Local Business District, Enclosed theaters, Bicycle Sales & Service. No residential uses, retail/personal service shops limited to 8,000 sq. ft.; grocery stores up to 15,000 sq. ft.	Identical use tables for C1 & C1A (Residential now permitted in both) except: Designated Marijuana Consumption Facility SEU in C1A, not C1; Wireless Communication Facilities permitted in C1, not C1A
Max Usable Floor Area	200% (without premiums) 400% (with premiums)	200% (without premiums) 400% (with premiums)
Maximum Height	None	None
Minimum Lot Size	None	None
Front Setback	None	None
Other Regulations	When open space abuts residentially-zoned land, an open space shall be required equal to which is required in abutting residential zone; When 5 stories or higher, window and non-window wall setbacks differ	Setbacks equal to the min. side and rear setbacks for the abutting district when abutting a residential district

C1A/R Intent

1966

This district is designed to encourage the orderly clustering and placement of high-density residential and complementary commercial development near the campus business district.

2020

Purpose Statement This district is intended to encourage the orderly clustering and placement of high-density residential and complementary commercial development near the campus Business district.

Special Standards All commercial uses except Office uses shall not be permitted above the third Story.

Development Standards – C1A/R

C1A/R	1966	2020
Uses	Any use permitted in the Local Business District, Enclosed theaters, Bicycle Sales & Service. Retail/personal service shops limited to 8,000 sq. ft.; grocery stores up to 15,000 sq. ft.; No commercial uses other than office above the 3 rd floor	Identical use tables for C1 & C1/R except: Designated Marijuana Consumption Facility SEU in C1A, not C1; Wireless Communication Facilities permitted in C1, SEU in C1A/R
Max Usable Floor Area	300% (without premiums) 600% (with premiums)	300% (without premiums) 600% (with premiums)
Maximum Height	None	None
Minimum Lot Size	None	None
Front Setback	Min. 10 ft.	Min. 10 ft.; Max. 25 ft.
Other Regulations	When open space abuts residentially-zoned land, an open space shall be required equal to which is required in abutting residential zone; When 5 stories or higher, window and non-window wall setbacks differ	Setbacks equal to the min. side and rear setbacks for the abutting district when abutting a residential district

Concepts

- Eliminate Districts
 - Would eliminate a zoning district that provides options to community
 - Determine appropriate rezoning of existing parcels
- Modify Districts
 - Consider Height Limits
 - Consider locational limitations (Master Plan amendment and/or UDC amendment)
 - Consider Generalization of Districts (Maintain development form; reconsider link to campus by title and intent)
- No Change to Districts

Amendment to Chapter 55 UDC

Dimensional Table Formatting

Current Format

TABLE 5.17-1: SINGLE-FAMILY RESIDENTIAL ZONING DISTRICT DIMENSIONS

NOTE: THE REQUIREMENTS IN THIS TABLE MAY BE SUPERSEDED BY THE STANDARDS IN SECTION 5.18.

DISTRICT	MINIMUM LOT AREA PER DWELLING UNIT (SQ. FT.)	BUILDING SPACING	REQUIRED SETBACK (FT.)				MAXIMUM HEIGHT (FT.)	MINIMUM GROSS LOT DIMENSIONS	
			MINIMUM FRONT	MINIMUM ON ONE SIDE	MINIMUM TOTAL OF TWO SIDES	MINIMUM REAR		AREA (SQ. FT.)	WIDTH (FT.)
AG	100,000		40 [A][B]	10% of Lot Width	20% of Lot Width	50	30	100,000	200
R1A	20,000	[C]	40 [A]	7	18	50	30	20,000	90
R1B	10,000	[C]	30 [A]	5	14	40	30	10,000	70
R1C	7,200	[C]	25 [A]	5	10	30	30	7,200	60
R1D	5,000	[C]	25 [A]	3	6	20	30	5,000	40
R1E	4,000	[C]	15 [A]	3	6	20	30	4,000	34

NOTES:

[A] Also see additional regulations in Section 5.18.5 (Averaging an Established Front Building Line).

[B] For roadside stands only the minimum is 30 ft.

[C] Where more than 1 residential Structure is to be constructed on a Lot in the R1 districts, or where dwellings are served by a private street under the provisions of Section 5.21, the following placement regulations shall also be applied: (a) The minimum spacing between Buildings shall be twice the minimum required side setback dimension of the zoning district in which the Lots is located; (b) A minimum rear setback of 30 feet must be provided between the rear of a residential Structure and the adjacent (nearest) Lot Line; (c) A minimum front setback of ten feet must be provided between all Structures and the private street pavement.

Hybrid Format

TABLE 5.17-1: SINGLE-FAMILY RESIDENTIAL ZONING DISTRICT DIMENSIONS

THE REQUIREMENTS IN THIS TABLE MAY BE SUPERSEDED BY THE STANDARDS IN SECTION 5.18 .

THIS TABLE PROVIDES THE REQUIREMENTS FOR PRINCIPAL BUILDINGS, SEE SECTION 5.16.6.A FOR ACCESSORY STRUCTURE REQUIREMENTS

DISTRICT	MINIMUM LOT AREA PER DWELLING UNIT (IN SQUARE FEET)	MINIMUM BUILDING SPACING (IN FEET)	REQUIRED SETBACK (IN FEET)			<u>MAXIMUM HEIGHT</u> (IN FEET)	MINIMUM LOT DIMENSIONS	
			MINIMUM FRONT	MINIMUM SIDE	<u>MINIMUM REAR</u>		<u>AREA</u> (IN SQUARE FEET)	MINIMUM WIDTH (IN FEET)
AG	100,000		<u>40</u> [B][C]	10% of Lot Width	50	30	100,000	200
R1A	20,000	18	Average [A], otherwise 40 [C]	7 one side 18 <u>total</u> of both sides	50	30	20,000	90
R1B	10,000	14	Average [A], otherwise 30 [C]	5 one side 14 <u>total</u> of both sides	40	30	10,000	70
R1C	7,200	10	Average [A], otherwise 25 [C]	5	30	30	7,200	60
R1D	5,000	6	Average [A], otherwise 25 [C]	3	20	30	5,000	40
R1E	4,000	6	Average [A], otherwise 15 [C]	3	20	30	4,000	34

NOTES:

[A] See Section 5.18.5 (Averaging an Established Front Building Line).

[B] Minimum 30 ft. for roadside stands.

[C] Minimum 10 ft. setback must be provided between all Structures and any private street pavement.

Inclusive Reformat

TABLE 5.17-1: SINGLE-FAMILY RESIDENTIAL ZONING DISTRICT DIMENSIONS

THE REQUIREMENTS IN THIS TABLE MAY BE SUPERSEDED BY THE STANDARDS IN SECTION 5.18 .

THIS TABLE PROVIDES THE REQUIREMENTS FOR PRINCIPAL BUILDINGS, SEE SECTION 5.16.6.A FOR ACCESSORY STRUCTURE REQUIREMENTS

DISTRICT	LOT AREA PER DWELLING UNIT	BUILDING SPACING	REQUIRED SETBACK (FT.)			HEIGHT	LOT DIMENSIONS	
			FRONT	SIDE	REAR		AREA	WIDTH
AG	Min: 100,000 sq. ft.		Min: 40 ft. [B][C]	Min: 10% of Lot Width	Min: 50 ft.	Max: 30 ft.	Min: 100,000 sq. ft.	Min: 200 ft.
R1A	Min: 20,000 sq. ft.	Min: 18 ft.	Min: Average [A], otherwise 40 ft. [C]	Min: 7 ft. and 18 ft. total of both sides	Min: 50 ft.	Max: 30 ft.	Min: 20,000 sq. ft.	Min: 90 ft.
R1B	Min: 10,000 sq. ft.	Min: 14 ft.	Min: Average [A], otherwise 30 ft. [C]	Min: 5 ft. and 14 ft. total of both sides	Min: 40 ft.	Max: 30 ft.	Min: 10,000 sq. ft.	Min: 70 ft.
R1C	Min: 7,200 sq. ft.	Min: 10 ft.	Min: Average [A], otherwise 25 ft [C]	Min: 5 ft.	Min: 30 ft.	Max: 30 ft.	Min: 7,200 sq. ft.	Min: 60 ft.
R1D	Min: 5,000 sq. ft.	Min: 6 ft.	Min: Average [A], otherwise 25 ft. [C]	Min: 3 ft.	Min: 20 ft.	Max: 30 ft.	Min: 5,000 sq. ft.	Min: 40 ft.
R1E	Min: 4,000 sq. ft.	Min: 6 ft.	Min: Average [A], otherwise 15 ft. [C]	Min: 3 ft.	Min: 20 ft.	Max: 30 ft.	Min: 4,000 sq. ft.	Min: 34 ft.

NOTES:

[A] See Section 5.18.5 (Averaging an Established Front Building Line).

[B] Minimum 30 ft. for roadside stands.

[C] Minimum 10 ft. setback must be provided between all Structures and any private street pavement.