

Plan Commission Meeting
February 25, 2008
5:00 - 6:00 pm
Presentation and Discussion of Zoning Code Rewrite Process

Plan Commission Members: Tim Gruber, Lauren Cnare, Julia S. Kerr, Nan Fey; Judy K. Olson; James C. Boll; Judy Bowser and Michael A. Basford

Staff: Brad Murphy, Rick Roll, Matt Tucker, Michael Waidelich

Consultants: Mike Lamb, Suzanne Rhees, Peter Musty, Mark White

Introductions of consultant team; staff and Plan Commission members.

Consultants Mike Lamb and Suzanne Rhees gave an introductory presentation reviewing the project's scope and schedule, objectives, and the results of their initial review (see presentation). They discussed how form-based zoning and the Natural Step process could be integrated into the code rewrite. To lead off the discussion, they asked the following questions:

What would you like to see the Code Rewrite accomplish?

- How have you been involved with the current Code?
- Can you identify "good examples" of development that used the Code?
- "Bad examples"?
- Examples of development projects that faced challenges in meeting code requirements?

Responses and Comments from Plan Commission members:

None of the current members were on the plan commission when code was last written, but they deal with text amendments on a regular basis, sometimes covering just a few parcels.

Zoning Ordinance was outdated even in 1970s. At the time, the people doing the planning were doing what the policymakers wanted. We have changed our thinking quite a bit since then. Agree with the presentation – the code needs to put the Comprehensive Plan policies into practice and turn "recommendations" into "standards." Current code and plan don't align.

Parking – introduced proposal to reduce the number of required spaces, but realized the issue was more complicated. Conduct as separate process or part of this one?

Lamb: We will be looking at parking regulations, which include two parts: (1) parking ratios, and (2) form of parking lots.

Kerr: R4A was established as a single-family preservation district, but does not work well. Many neighborhoods would like to see a near downtown single family preservation district expanded. Look at functionality of existing code – enforcement is all complaint driven, relating to occupancy levels, concentration of student housing near campus. Isthmus neighborhoods are left hanging with little thought to their protection.

Basford: Look at establishing better consistency between districts and permitted and conditional uses. Example – in one neighborhood, north of Oscar Mayer on north side near airport, lots are zoned commercial or manufacturing district. Two taverns in same month wanted outdoor patios – in one case the tavern was permitted with no outdoor patio. For another tavern 4 blocks away, with

commercial zoning, an outdoor patio was a permitted use so they didn't have to go to Plan Commission or notify neighborhood.

Olson: Layers of approval for development in some areas create a tortuous process for some applicants. However, we're concerned about creating a lot of permitted uses that have no public process, that would enable an applicant to avoid neighborhood scrutiny. One area of concern is a mixed use zoning district: will that be a district in which many different kinds of uses can be developed without a public process?

Rhees: there are ways to make it less tortuous but not less comprehensive – now the City is forced to negotiate from scratch because standards are lacking. Ideally, you would just be negotiating over the “last 10%” of the design. Question of which uses are conditional vs. permitted will be addressed through the process.

Cnare: Goals for process –help community understand zoning, build public awareness of blending uses versus segregating them by district, provide clarity, provide community conversation on how we grow.

Good development examples:

- Hilldale – some things could be better but a nice job of remaking an older suburban strip mall
Would have liked to see residences above storefronts.
- State Street, Union Terrace – places people like to walk. Form follows pedestrian
- Williamson Street
- Tenney Lapham – Burnie's Rock Shop on corner.
- Monroe Street – not perfect but some nice work

More negative examples:

- Exert rationality in areas on periphery where uses clash and it all relies on car, can we work with areas that are out of control?
- Interesting that biggest disagreements are in areas that are already established (Willie, Monroe, Johnson Streets) where commercial abuts residential. We like mixed use but how to deal with conflicts that arise?
- Outdoor seating with bars – hot button issue
- American Family Center – site layout is disorienting
- University Research Park – nice natural spaces but disorienting and cannot reach it by bus easily