

Memorandum

Date: October 4, 2010

To: Plan Commission

From: Planning Division Staff and Zoning Administrator

Re: Transformational Zoning

Introduction

Staff believes that the issues related to “transformational zoning” as has been recommended by the SDEC and briefly discussed by the Plan Commission are most relevant during the zoning mapping process, but notes that the zoning text is also important to consider. Overall, it is important to remember that zoning is probably the most important land use regulation tool used to implement adopted plans. Before offering further thoughts on the specific items referred for discussion at this meeting, staff offers the following desired outcomes for consideration:

1) Zoning Text – Desired Outcomes

a) Provide regulations to facilitate long term, widespread changes to urban form

The draft zoning code text embodies widespread “transformational zoning” concepts, including, but not limited to:

- standards for building placement and design for all areas, and especially in mixed-use and commercial districts
- reduction (or elimination) of the automobile parking requirements for many land uses
- establishment of new parking maximums specific to each use
- new requirements for the placement of surface parking lots and landscaping for development sites and parking area
- in residential zoning districts, provisions to reduce the street presence of garages

In most districts, the “triggers” to bring a site up to the new zoning standards are either new construction or a 50% addition to an existing building. It is intended that the new zoning text will incrementally “transform” many parts of the city as redevelopment occurs over time.

b) Provide a palette of zoning districts that more closely match Plan Recommendations

The draft includes new mixed-use and commercial buildings where mixed-use buildings with residential and non-residential uses are allowed by right. In addition, the draft includes several residential districts where multifamily buildings are allowed by right. These, along with many other changes, should make the implementation of plan recommendations much simpler, and will hopefully lead to a significant decrease in the need for Planned Unit Development requests.

2) Zoning Map – Desired Outcomes

a) Apply new districts to implement Plan Recommendations

When adopted plans recommend a change in land use from that which is on the ground or would be allowed under the existing zoning district, areas should generally be mapped to new zoning districts to accommodate the recommended uses. During the mapping process, staff will carefully take into account the Comprehensive Plan and other adopted plans, while making efforts to minimize the creation of nonconforming uses. It is anticipated that transformation of these areas will take place as properties redevelop over time under the standards of the new zoning district. In some redeveloping parts of the city where redevelopment will occur in conjunction with new land divisions, detailed zoning will occur at the time of platting.

b) Avoid Ad Hoc Planning Decisions

During the mapping process, it is staff's intent to minimize ad hoc planning and "transformational zoning" decisions. The application of new districts which allow uses or bulk characteristics not explicitly recommended in plans may occur in some cases. However, absent a specific recommendation in an adopted plan for change, care will be taken to preserve both existing land use rights and predictability with regard to what is and is not allowable.

For instance, in areas with light industrial uses in the manufacturing districts (M1 or M2), a new industrial district (IL or IG) is most likely to be applied, rather than a mixed-use or residential district. On blocks consisting of single-family homes in a single-family zoning district (R1R, R1, R2, R2S, R2T, R2Y, or R2Z), rather than rezoning to a district with a broader range of uses, a new single-family residence district will likely be applied.

Within a given type of existing or recommended land use, there are often multiple zoning districts that could be applied to a specific area. For instance, a single-family residential area could be rezoned to SRC1, SRC2, TRC1, TRC2, or TRC4. Although each of these allows single-family homes and very few other uses, the lot characteristics and building setbacks differ among these districts. In these cases, staff recommends utilizing the new district that most closely matches the existing lot, bulk, and setback requirements, so that the consistency and rhythm currently in place remains the predominant pattern.

Items specifically referred to Transformational Zoning discussion

Memo 1, p. 3, #7 and #8 – Recommendations from SDEC regarding Transformational Zoning

Discussion: See recommendation in Memorandum 1

Memo 2, #5 – Residential Dimensional Standard Table Revisions

pp. 14-32

Discussion: Staff has recommended changes to generally reduce the minimum lot size, minimum lot width, and side and rear yard setbacks in many of the traditional residential (TR) districts from what was proposed in the draft. Rather than equating this with “transformational zoning”, staff notes that these changes would minimize the nonconformities on the ground in near-Isthmus areas today and in some cases allow for greater flexibility for home additions or the redevelopment of residential properties. Importantly, it will allow for residential development at greater densities in newly developing areas, which will help to implement many adopted plans.

Also in these tables are recommendations for the Plan Commission to consider the incorporation of 3-unit buildings in the TR-C3 district (drafted as only single and two-family), and the incorporation of 2-unit buildings in the TR-C4 district (drafted as only single-family), with the intent to increase the number of conforming lots in areas likely to be mapped to these districts. As discussed at a February 4, 2010 Special Meeting, staff concluded that while these two changes may be fine, they are less necessary than assumed prior to “test mapping” the districts.

It is important to note that if the Plan Commission *does* vote to make these use changes, the addition of dispersion requirements, along with the lot area requirements could ensure against widespread, unintended conversions of single-family homes to two and three-unit buildings.

Memo 2, #7 – Mixed Used Buildings at Corners in Residential Districts

p. 12 [Table 28C-1]

Discussion: Currently, the draft use table includes “*mixed-use buildings at corner location*” as a conditional use in all residential districts besides the SR-C1 and TRR. Recognizing that some mixed-use buildings in otherwise residential neighborhoods may be desirable in the near and long term future, staff recommend that corners appropriate for mixed-use buildings should be allowed where identified on adopted neighborhood plans or special-area plans. These locations should instead be zoned to accommodate mixed-use buildings.

Staff recommend that this use be removed from the residential use table for a number of reasons:

- While some corner lots may be fine for these uses, the “corner” characteristic is somewhat arbitrary, and does not inherently make a property more appropriate for a mixed-use building. This would provide greater economic potential for a property owner of a corner lot than that for adjacent property owners. In addition, it would become advantageous for property owners to acquire and combine lots adjacent to a corner lot

to expand their opportunities, which could lead to a very different urban form in residential zoning districts.

- In order to support the long term vitality of existing and planned neighborhood mixed-use nodes and corridors within walking distance of residential areas, predictability is needed in order to attract concentrated clusters. If mixed-use buildings are widely allowed on corner locations with little predictability, important mixed-use areas within a short distance of residential neighborhoods could be threatened.
- If allowed as a conditional use in residential districts, the supplemental regs now require that NMX frontage requirements and commercial block building form standards apply. Adhering to these standards would significantly change the urban form on these blocks, even if non-residential uses in the building became infeasible in the future. Maintaining the bulk standards of the underlying district would at least ensure that the existing form and setbacks are maintained so that if a non-residential use fails, it could more readily be converted back to residential use.
- It is unclear that the supplemental regulations or conditional use standards could adequately address the many issues at play for this use (distance to existing commercial or mixed-use districts, lot size, relationships with adjacent and nearby land uses, etc.)

Memo 2, #8 – Lot coverage standards for non-residential development in SR-C1 and SR-C2

pp. 14-15

Discussion: Staff sees this issue as unrelated to the broader transformational zoning discussion. The staff recommendation here is for a very slight change which is essentially a “clean-up” measure. This only relates to lot coverage standards for non-residential development (churches, schools, etc.) in these residential districts.

Memo 2, #13 - Lot coverage standards for non-residential development in TR-C1

p. 21

See above.
