

Summary of Changes for the Public Hearing Draft (Effected by the Public Comment Review)

During the public comment draft period a number of comments were received addressing neighborhood and subdivision design requirements. In response to the comments received, staff and the consultant met with the development community and the Homebuilder's Association to further consider their concerns and requests. As a result of this process, the adoption draft was modified as follows:

- Added "City Lot" [5K s.f. / 40' width] to be allowed in R-1A zoning district.
- Moved allowed setback encroachments from Article 1 (Section 1.02.D.3) to section immediately following residential development standards / Table 5-2 (5.02.C). Made some minor adjustments to coordinate specifically with residential setbacks. [Note: this will mean some duplication, as now a similar section will need to repeat in Article 6 for non-residential buildings]
- Emphasized that "Frontage Types" modify / replace general front setbacks from existing base zoning standards (Table 5-2). Moved frontage standards to sub-section following more closely to development standards table (5.02.D).
- Modified "Suburban Yard Frontage" – switched allowance in existing RDS standards for side-facing garages to encroach to 15', to also allow living space to be brought up to 15' provided any front-loaded garage remains setback at least 12' from FBL. (Table 5-5)
- Emphasized Director discretion to apply frontage types based on context. (5.02.D.4) [Note: this was also accounted for in all previous drafts and is a modified approach to the current RDS standards for "compatibility review" which allow front setback averaging.]
- Simplified application of frontage types – based application zoning districts rather than building type. (Suburban Yard frontage type allowed in R-1 and R-1A districts; Neighborhood Yard and Terrace required in R-1B and R-2 districts where greater mix of different building types and more compact lots are allowed.) [Note: this is the same or similar effect as public review draft, but a simpler application; this combined with the Director ability to give exceptions / apply frontage types based on context will have the same effect.]
- Revised the Detached House – Compact Lot standards. Previously 3K s.f. / 30' width / 5' side setback; revised to 3K s.f. / 25' width / 4' side setback. [Note: this better reflects some patterns seen in tour sites and additional prototypes studied, but also reflects some characteristics of some of the narrower (and non-conforming) lots in the older neighborhoods (25' wide).
- Emphasized different lot arrangement exceptions that were enabled in other sections (new sub-section 5.02.C.1). This emphasizes ability to do Courtyard Patterns, plat units of duplexes or row houses separately with party wall, and do easements for side yards to have the effect of 0' line yards/buildings.
- Added Accessory Buildings to the table, simply to create an explicit cross-reference to a section that was being overlooked (5.02.E.,) where accessory buildings are permitted different setbacks; however clarified that alley loaded garages could be attached and still have the "accessory building" setback exceptions provided it remained clearly subordinate part of the principal structure.
- Clarified exceptions to lot open space, particularly when lots are platted through a subdivision plan that meets or exceeds these open space requirements on a block or neighborhood scale. (5.03) Simplified required open space to a per-unit requirement (rather

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than % of lot size) on most lot/building types to allow easier accounting of requirements, credits and application to specific open space design types. (Table 5-2)

- Relocated Front Entry Features standards as a sub-section of the Building Design Standards (new sub-section 5.04.C; was previously a sub-section of Frontage Design section, but moved since Frontage Design was merged with building standards)
- Added option for incentives for desired mix of housing types likely to result in “attainable” housing. (5.08.C.2)
- Removed provision that allowed city to require affordable housing in exchange for incentives at the 200 unit threshold (removed previous section 5.09.D)
- Revised some formatting and graphics to emphasize other footnotes and cross-references that were being overlooked.

A majority of these changes were minor clarifications or corrections needed to translate the intent of the standards for the reader/user. A few of them seek to allow more buildable area, and flexibility within a building envelope, however, staff has added some very specific criteria to ensure that the context and application of these standards is appropriate (as outlined above). For the exact terms and descriptions of the modified regulations, please refer to the public hearing draft of the Land Use and Development Code.