



MAYOR AND COUNCIL COMMUNICATION

DATE: 03/05/2013

**CONSENT**

ITEM #: 7

**ORDINANCE**

**AGENDA ITEM:** Consideration of Amendments to Article 10 of the Zoning Ordinance – Urban Residential Districts

**SUBMITTED BY:** Kyle Klatt, Planning Director

**THROUGH:** Dean A. Zuleger, City Administrator

**REVIEWED BY:** Planning Commission  
Nick M. Johnson, City Planner

**SUMMARY AND ACTION REQUESTED:**

The City Council is being asked to consider text amendments to the recently adopted Zoning Ordinance update for urban residential districts. Specifically, Staff and the Planning Commission are recommending that certain provisions pertaining to lot dimension and setback requirements as listed in Table 10-2 in Section 154.452 be revised as follows:

- Reducing the minimum lot width required for single family homes in LDR (Low Density Residential) districts from 70 feet to 60 feet.
- Reducing the minimum lot width required for single family homes in MDR (Medium Density Residential) districts from 60 feet to 50 feet.
- Amending the required interior side yard setbacks from 8 feet to 10 feet for principal buildings and 5 feet for attached garages and accessory buildings.
- Adding a new notation for side yard setbacks to specify that any building that is setback less than 7 feet from a side lot line may not have encroachments that extend any more than two feet into the required setback.

The proposed amendments have been drafted primarily to provide for additional flexibility in the City's urban residential districts and to make smaller, narrower lots a more viable option for potential builders. As new development concepts are being considered for planned residential areas, Staff is continuing to encourage developers to cluster housing as much as possible in order to incorporate larger open space into these developments.

The recommended motion to act on this request is as follows:

*“Move to approve Ordinance 08-071 amending Section 154.452 of the Zoning Ordinance concerning the urban residential district standards”*

**BACKGROUND INFORMATION:**

In preparation for the amendments that are being proposed, Staff reviewed several other zoning ordinances from developing communities and found that many have gone to narrower side yard setbacks or are following the standards being recommended by Staff for garages and principal structures. The attached ordinance represents a small subsection of Article 10 from the Zoning Ordinance, and only those pages with revisions are attached. Staff is able to provide a copy of the entire residential zoning regulations to City Council members upon request.

**PLANNING COMMISSION REPORT:**

The Planning Commission reviewed the proposed residential district amendments at its February 25, 2013 meeting and conducted a public hearing on the draft revisions at this time. No public comments were received concerning the changes. The Commission generally discussed the following issues associated with the draft ordinance:

- The Commission questioned whether or not variances could be used in cases where reduced setbacks were requested by a developer. It was noted that a variance could be used, but that it might be difficult to meet the variance standards at the time of platting.
- It was noted that the proposed changes would not have an impact on any existing residential neighborhoods and would only apply to the new urban residential districts.
- Staff clarified that developers would still need to meet the density requirements of the Comprehensive Plan even with a reduction in specific lot dimensional requirements.

The Planning Commission adopted a motion to recommend approval of the proposed amendments as drafted.

**PLANNING COMMISSION RECOMMENDATION:**

Based upon the above background information, Staff report and Planning Commission recommendation, it is recommended that the City Council approve text amendments to the Zoning Ordinance update for the urban residential districts by undertaking the following action:

*“Move to approve Ordinance 08-071 amending Section 154.452 of the Zoning Ordinance concerning the urban residential district standards”*

**ATTACHMENTS:**

1. Ordinance 08-071 Urban Residential District Amendments

**SUGGESTED ORDER OF BUSINESS:**

- Introduction of Item ..... City Administrator
- Report/Presentation.....Planning Director
- Questions from Council to Staff ..... Mayor Facilitates
- Public Input, if Appropriate ..... Mayor Facilitates
- Call for Motion ..... Mayor & City Council
- Discussion..... Mayor & City Council
- Action on Motion..... Mayor Facilitates