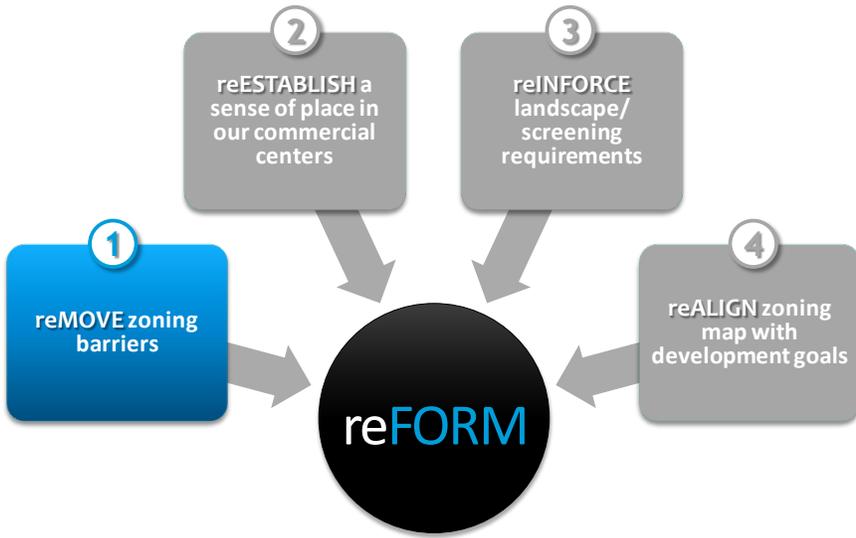


1. reMOVE



GOAL: reMOVE Zoning Barriers

“Revise the Zoning Ordinance to provide more flexibility, particularly in commercial districts.”

— LPlan2040 (p. 6.1)

The foundations for the development review process are the Zoning Ordinance and Design Standards. The Zoning Ordinance is a set of rules that the community has agreed to abide by when developing and using land. These rules not only promote the health, safety and welfare of this community, but also provide predictability and set expectations for development. The existing zoning ordinance was developed over 30 years ago at a time when infill and redevelopment was not emphasized. It promoted separation of uses and established height and area regulations more conducive to developments on the edge of town rather than in the existing developed areas. This chapter of reFORM reviews existing zoning regulations and proposes how they might be modified to encourage infill and redevelopment while still protecting the integrity of surrounding neighborhoods.

Table of Contents

Objective A. Relax height and setback requirements.....6

Objective B. Revise Parking Standards.....9

Objective C. Streamline the Project Review Processes.... 12

Objective D. Apply the Planned Unit Development (PUD) Tool to Smaller Development Sites13

Objective E. Allow more opportunities for residential uses in commercial zoning districts..... 15

Objective F. Expand options for residential infill..... 16

Objective A. Relax height and setback requirements

Provide a mechanism for adjustments in older zoning districts to lot area, height, setbacks, and parking standards, similar to the provisions already available for newer districts.

— *LPlan2040 (P. 6.11)*

Strategy 1. Facilitate 3 and 4 story buildings by increasing the maximum building height in commercial zoning districts from 35 and 40 feet to 50 feet with proper setbacks from residential zoning.

The 2040 Comprehensive Plan identifies the need and desire for mixed use development in older areas of the city. Redevelopment projects often happen on land that is constrained by other existing development. To encourage a mix of uses, particularly adding residential above 1st floor commercial, it is often necessary to increase the overall square footage of a project. The only way to do that in some areas is to build up instead of out. Although it is important to allow flexibility for building height adjustments, it is also important to consider the privacy of the abutting residential property. One solution is to use the step-back method to calculate the allowed height of a building over the district height. Another is to

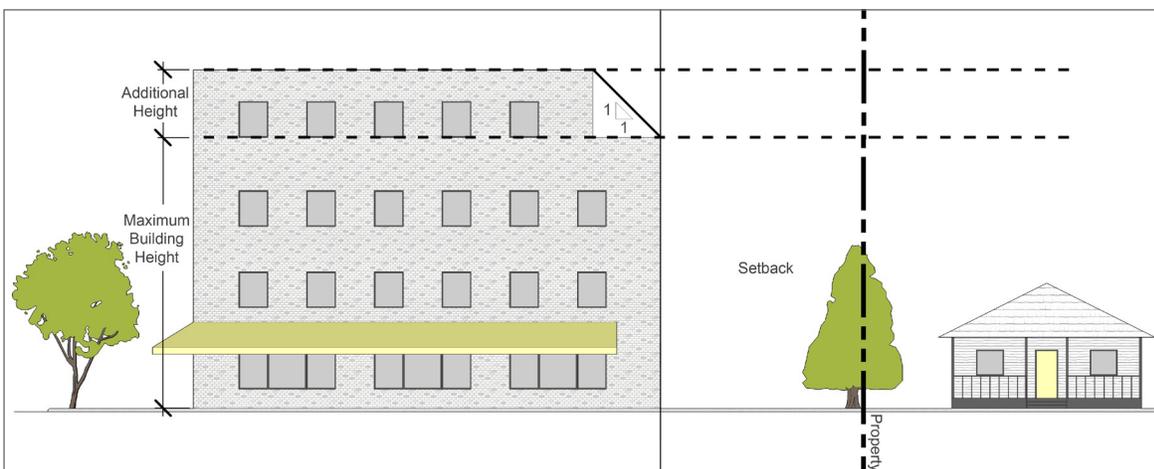
provide adequate buffering between uses. (See Chapter “3. reINFORCE”.

It is typical for communities to allow buildings to exceed the maximum allowed height in a zoning district by using a 1 to 1 ratio, otherwise known as a step-back approach. This ratio consists of setting back portions of the building so that for each additional foot of height, that portion of the building which exceeds the district height would be set back from the property line an additional foot.

Strategy 2. Reduce front yard setbacks in “Corridors” to provide consistent streetscapes that encourage pedestrian-oriented development.

Older areas of the city such as Downtown, Havelock, University Place and College View, established prior to the existing zoning ordinance, have an established street wall — a continuity of store fronts that connect people with buildings instead of parking. The current zoning ordinance requires a front yard setback in some of these areas. This requirement encourages developers to put their buildings on the back or center of the lot with parking up front in order to maximize the use of the land. By allowing zero foot front yard setbacks in areas

Definition: The close proximity of building facades along a street frontage create a feature known as a “street wall”.



Example of Step-Back Approach



17th Street Example of a Street Wall

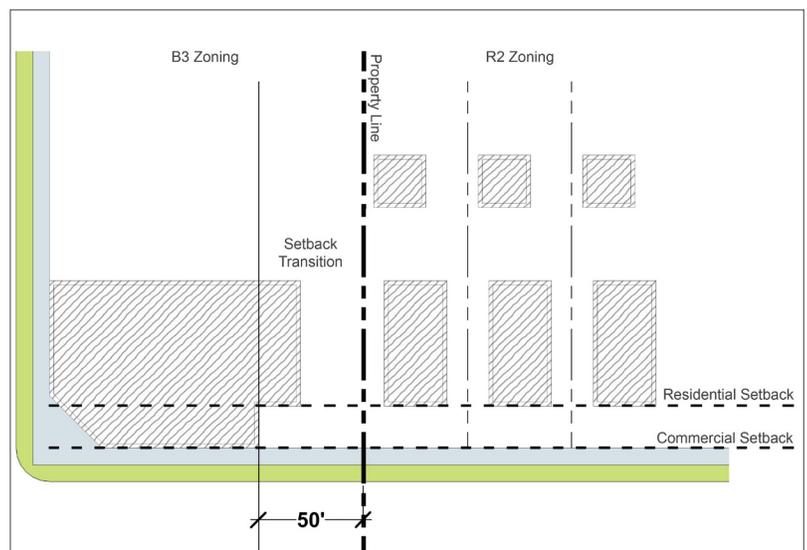
designated as “Corridors” in the Design Standards, developers can create streets that reinforce the character and appeal of these older areas.

The B-3 and H-2 zoning districts are proposed to be “Corridors” under the proposed design standards. This suggests zero foot front yard setbacks for districts that currently have a 20 foot setback. Much of the land now zoned B-1, which has a 20 foot setback, is proposed to be consolidated into B-3, which has a zero foot setback. H-2 would require a change from 20 feet to 0 feet in the zoning regulations.

Strategy 3. Reduce front yard setbacks in “Corridors” by establishing a transitional area at the edge of abutting residential districts.

Today’s zoning ordinance requires that commercial zoning districts located on the same block face as a residential zoning district have the same setback as the abutting residential zoning district. This could require a setback from the property line anywhere between 20 to 30 feet. Many of the older commercial zoning districts, such as B-3, are located in areas of town where it is typical to find both residential and commercial zoning on a single block face. Unlike Use Permits in the newer zoning districts, which allow for setback reductions under the right circumstances, these older zoning districts do not have any mechanism to ask for relief of a setback established by the residential zoning district, even if it could be beneficial to the development and the neighborhood.

A transition, from residential to commercial, can be provided by requiring 50 feet of the commercial property to have the same setback as the adjacent residential zoning district. A 50 foot transitional area will protect neighboring residents while allowing streetscapes that encourage pedestrian oriented development.

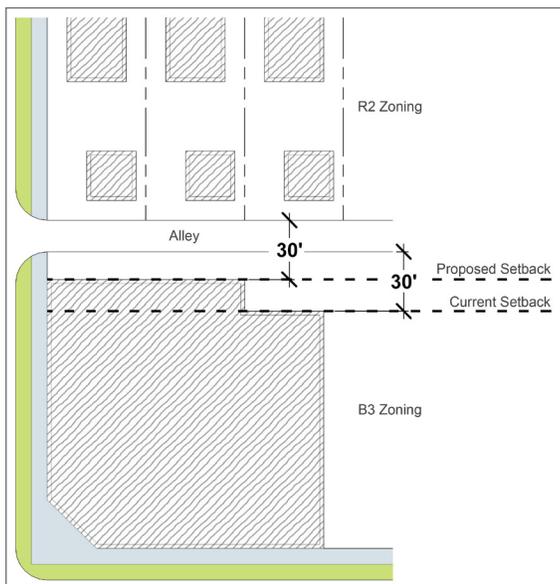


Example of 50 foot Transitional Setback Area

Strategy 4. Allow developers to count alley right-of-way towards the required side and/or rear yard setback requirements allowing for more flexibility in site design.

Alleys generally are found in older areas of town, where infill/redevelopment faces obstacles of smaller sites and may have existing buildings and utility easements. Alleys result in more required space between buildings on either side of the alley than the space between buildings on abutting lots.

Allowing setbacks to be measured from the property line on the opposite side of the alley will "level the playing field" in older areas by providing on average an additional 16 feet for development.



Use of Alley Right-of-Way in Setbacks

Strategy 5. Provide for waivers to Height and Lot Regulations through a special permit process;

In the newer commercial zoning districts, relief of zoning requirements can be found through a Use Permit. In the case of a proposed expansion or reconstruction of a nonconforming use or nonstandard structure, a Special Permit can be used for this purpose. Depending on the size of the property and intended uses, the Planned Unit Development ordinance may be used. The City Council may reduce parking standards in the case of a change in use on the property.

If a property does not fit one of these categories, then usually there is no practical way to make adjustments to zoning district requirements. These properties are often in areas of town that are redeveloping and most in need of waivers to facilitate good projects. This strategy would create a new special permit to allow waivers for commercial properties that have no other avenue of relief. The Planning Commission could approve waivers within a limited range, with more extensive waivers requiring City Council approval.

Required Code Revisions

- Revise the Height and Lot Requirements Chapter, Section 27.72.110 (Exceptions to the Height Requirements).
- Provide for changes to the front yard setbacks for the H-2 zoning district in the Height and Lot Chapter, Section 27.72.030 table 27.72.030(a), Maximum Height and Minimum Lot Requirements for the O, R-T and B Zoning Districts.
- Amend the Height and Lot Chapter, Section 27.72.080 Exceptions to Front Yard Requirements.
- Add language to the Height and Lot Chapter, Section 27.72.090 and 27.72.100 Exceptions to the Side and the Rear Yard Requirements.
- Add new special permit to the special permit chapter 27.63. to allow for the adjustment of Height and Lot Regulations in the B-3 and H-2 districts.
- Eliminate the 40% provision in 27.72.080 (e) for B-3 and H-2.
- Consolidate all of the B-1 zoning district into B-3 and other zoning districts. (See Chapter "4. reALIGN".)

Objective B. Revise Parking Standards.

Strategy 1. Expand shared parking provisions in all commercial zoning districts to allow up to 25% reduction, administratively, based on mix of uses with different peak hours.

To promote mixed use developments and redevelopment in older areas of the City, parking regulations need to be more flexible and sensitive to specific locations, yet still provide predictability for developers and neighbors. Shared parking is a concept based on the simple idea that different destinations attract customers, workers and visitors during different times of the day. For example, an office that closes at 5:00 PM could share parking with a restaurant that has peak parking after 5:00 PM. Shared parking allows developers to decrease the amount of land required for a mixed use development. Shared parking reduces development costs, and allows for more efficient use of the land and better design including walkability and traffic flow. Use of central parking lots or garages discourages the development of many scattered facilities. Requiring more parking than the market demands adds substantial cost to the development and may prevent development.

Parking Needs by Time of Day and Day of Week

Uses	M-F	M-F	M-F	Sat/Sun	Sat/Sun	Sat/Sun
	8am-5pm	6pm-12am	12am-6am	8am-5pm	6pm-12am	12am-6am
Residential	60%	100%	100%	80%	100%	100%
Office/Warehouse/Industrial	100%	20%	5%	5%	5%	5%
Commercial	90%	80%	5%	100%	70%	5%
Hotel	70%	100%	100%	70%	100%	100%
Restaurant	70%	100%	10%	70%	100%	20%
Movie Theater	40%	80%	10%	80%	100%	10%
Entertainment	40%	100%	10%	80%	100%	50%
Conference/Convention	100%	100%	5%	100%	100%	5%
Institutional (non-church)	100%	20%	5%	10%	10%	5%
Institutional (church)	10%	5%	5%	100%	50%	5%

“Encourage shared parking between land uses with different peak demand periods.”

— LPlan2040 (P. 6.8)

This strategy would not require hiring a consultant to do a complicated analysis for every development to determine the required parking. To calculate the allowable reduction, the developer can use tables included in the code.

Strategy 2. Credit on street parking toward required parking.

On street parking is advantageous not only because it provides convenient access for visitors, but it also lessens the need for parking lots and parking structures. On street parking meets short term parking needs well. Long term parking demand should still be directed to parking lots and parking structures. The need for parking structures is reduced and development costs are reduced when short term parking can be allocated to on street parking stalls. These short term parking spaces can discourage long term parkers and become a source of revenue by metering the most desirable spots.

Maintain or enhance on-street parking resources, especially in established/historic commercial districts.

— LPlan2040 (P. 5.15)



Example of On Street Parking Serving Commercial

Developers and planners should collaborate with Public Works and Utilities to identify current and future rights-of-way that would be good candidates for on street parking. Higher speed and higher volume roadways will not be good candidates for additional on street parking.

It can be difficult to allocate the credit for on street public parking stalls to multiple businesses fronting the street. One option for allocating such on street parking would be to reduce the overall parking requirement for a business by 10% if that business was located on a block that had 3 or more on street parking stalls.

Strategy 3. Increase off-site parking options for some commercial districts.

Additional off street parking is typically required when there is an increase in floor area or a change in use such as retail to restaurant. Often there is no space on the same lot to add additional parking, prohibiting uses that might otherwise be desirable at that location. This is an impediment to potential development and reuse of vacant buildings.

Ensure the priority in older areas is on retaining areas for residential development. Prior to approving the removal of housing in order to provide for additional parking to support existing centers, alternatives such as reduced parking requirements, shared parking, additional on-street parking, or the removal of other commercial structures should be explored.

— LPlan2040 (P. 5.15)

- **Allow off-site parking in the B-5 and H-4 zoning districts.**
- **Increase the maximum distance for off-site parking from 300 feet to 600 feet for all commercial districts that allow off-site parking.**



Off-Street Parking at N. 47th and St. Paul Streets

Off-site parking is allowed in most business/commercial zoning districts in Lincoln with the condition that the property owner enter into a long term lease for the parking. The B-5 and H-4 zoning districts are exceptions to the general rule.

Expanding off street parking options should also be extended to all the commercial zoning districts by allowing some or all off-site parking to be within 600 feet instead of 300 feet, which is still a reasonable walk for patrons or employees.

Provides a “town center” orientation in the overall center plan to create a quality mixed use environment (e.g. by having design elements such as a “main street” environment with a row of on-street parking on both sides, slower traffic speeds, and the majority of parking at the rear with buildings, sidewalks, benches and other amenities oriented to pedestrians).

— LPlan2040 (P. 5.14)

Strategy 4. Reduce required parking in the B-5 Planned Regional Business District from 4.5 stalls per 1,000 square feet to 1 space per 300 square feet of commercial space.

The B-5 zoning district is designed for the development of regional retail shopping facilities and related activities, and is represented by the "Regional Commercial Center" designation in the Comprehensive Plan:

“Regional Centers generally include a unique blend of commercial and other compatible land uses. Within this type of center, one may find retail shopping, restaurants, entertainment complexes, cultural and artistic institutions, offices, personal and business service facilities, public institutions and governmental functions, and the center should include residential uses. The scale of such centers can offer a sense of place with a unique character or cohesive theme”.

— LPlan2040 (p. 5.9)

Regional centers are very large in nature, requiring at least 30 acres of land. These centers incorporate a large number of use types and they usually have a high tenant turnover rate, making it very difficult to keep track of parking requirements. This difficulty is compounded by joint parking provisions where tenants share parking stalls instead of stalls allocated specifically for their business.

The Comprehensive Plan does not expect to see any more regional centers in Lincoln over the next 30 years, but it does expect redevelopment within these centers. To facilitate and encourage redevelopment on unused paved parking areas a reduction in minimum parking standards for this district would be helpful.

Allowing a reduction in parking for the B-5 zoning district would have a positive impact on the existing developments by allowing the developer the flexibility to determine how much parking is needed while maintaining an minimum number of parking stalls to satisfy parking expectations. This change has already been implemented over a portion of East Park Plaza at 66th and O Street,

where parking was reduced to 1 stall per 300 square feet of floor area for all uses. The approval helped facilitate new tenants in a center that was having trouble recruiting new businesses. Other B-5 districts that would benefit from this change include: Lincoln Crossings (N. 27th/Superior), NE corner of N. 27th/Cornhusker, Gateway & the remainder of East Park (N. 66th/O St.), South Pointe (S. 27th/Pine Lake), Edgewood (S. 56th/Hwy 2), and Prairie Lakes (S. 87th/Hwy 2).

Required Code Revisions

- Revise the table at the end of the Parking Chapter 27.37.
- Replace 27.67.040 (dd) with parking demand calculation language
- Add to 27.69.040 language allowing required off street parking to be reduced by 10%.
- Amend the parking table at the end of the Parking Chapter 27.67 to reflect the above changes.



B-5 Example in East Park (N. 66th and O Streets)

Objective C. Streamline the Project Review Processes.

Chapter "2. reESTABLISH" sets out specific new standards for site development and building design in "Centers" that will be zoned B-2, B-5 or H-4.

Because design standards will provide more predictability, the current requirement for Planning Commission review of development plans in these districts could be replaced by an administrative approval process.

Reduce the time it takes to move city-assisted projects through the City review process.

— LPlan2040 (P. 6.11)

Strategy 1. Allow for New Use Permits to be approved administratively.

If zoning has already been approved on a property, a new Use Permit could be submitted to the Planning Director for review and approval as long as there were no waivers being requested that require Planning Commission or City Council action.

New Use Permits could be approved administratively if:

- The Use Permit is in B-2, B-5 or H-4
- There are no waivers of zoning or design standards requiring Planning Commission or City Council approval.
- There are no new public streets being dedicated.

The developer asking for a Change of Zone may choose to bring a Use Permit to the Planning Commission or City Council along with a Change of Zone. By filing a Use Permit with a Change of Zone for public review, the developer can agree to specific conditions that alleviate neighbors' concerns about the Change of Zone.

See Chapter "2. reESTABLISH" for specification on when the new proposed design standards for centers would apply to existing Use Permits.

Strategy 2. Convert all Special Permits for Planned Service Commercial into Use Permits.

Planned Service Commercial special permits function in a similar way to Use Permits. The difference between the two has often caused confusion for both developers and neighborhoods. Planned Service Commercial Special Permits are only allowed in the H-4 zoning district. Originally they were intended to regulate uses beyond what was allowed in the H4. The requirements for this special permit have been amended so many times over the years that the permit no longer functions as it was originally intended. It makes practical sense to review and regulate them in the same manner that we regulate Use Permits today. It is proposed that all property zoned H-4 (Some areas currently zoned H-4 are proposed for rezoning to H-3. See Chapter "4. reALIGN") would become subject to the Use Permit requirement as in B-2 and B-5. When a property owner chooses to rezone to H-4 or to modify his development plan, he will be required to submit a Use Permit and meet the new design standards for Centers as discussed in the "2. reESTABLISH" chapter of this document.

Required Code Revisions

- Eliminate the Special Permit for Planned Service Commercial.
- Add the H-4 zoning district to the Use Permit Chapter.
- Add design standard information to the Use Permit Chapter.

Objective D. Apply the Planned Unit Development (PUD) Tool to Smaller Development Sites

The PUD is a valuable tool for redevelopment. PUDs are similar to Community Unit Plans (CUPs) in that they allow more flexibility than typical zoning, but they also allow a greater mix of uses and other modifications to the ordinance.

Strategy 1. Reduce the PUD to a 1 acre minimum in those areas designated as "Corridors" by the new Design Standards.

Allowing for 1 acre PUDs in Corridor development areas, the same as the minimum size for a Community Unit Plan (CUP), promotes mixed-use and infill development. The 3 acre PUD is still appropriate for areas of new development as the constraint of land assemblage typically does not exist.

There will be instances where the PUD is not appropriate, because it would not be consistent with the purpose of a PUD as stated in the Zoning Ordinance. Planned unit development districts are intended to promote the public convenience and necessity; protect the health, safety, and welfare, to implement the goals and policies



PUD at Holdrege and Idylwild Streets

of the Comprehensive Plan and are to be used when it is necessary or appropriate to:

1. Permit flexibility in the regulation of land development;
2. Encourage innovation in land use, variety in design, layout, and type of construction;
3. Encourage the economy and efficiency in land use, natural resources, the provision of public services and utilities and the preservation of open space.

Strategy 2. Allow PUDs to use adjacent right-of-way in calculating minimum area.

The Community Unit Plan (CUP), a provision of the Zoning Ordinance used for residential developers allows for adjacent right-of-way to be calculated as part of the minimum required area, but the PUD provisions currently do not. Allowing all Planned Unit Developments to count the adjacent rights-of-way when meeting their minimum acre requirements will provide consistency with the methods used to calculate areas in Community Unit Plans.

There are cases where a smaller integrated development on a tract approximately one-half a city block (approximately 1 acre) in area can be appropriate with the right planning. An example of infill development might consist of lots 50' x 142', where six such lots, or one-half of a city block, amounts to 42,600 square feet of area. If allowed to count one-half the adjacent rights-of-way to meet the minimum threshold of one-acre (as is now done with Community Unit Plans), one-half block sized tracts in

the city's older commercial centers would be eligible for PUDs. Such sites, similar to the old Green's Plumbing and Furnace site in University Place, which are bounded on two sides by local streets, an alley, and an arterial street, would have built-in buffers which help lend them to redevelopment.

Where compatible mixes of uses, appropriate site layout, and quality design standards still can be upheld, reduce the minimum size for Planned Unit Developments to promote mixed use redevelopment on smaller parcels in identified Mixed Use Redevelopment Nodes and Corridors.

— LPlan2040 (P. 6.11)

Required Code Revisions

- Amend Chapter 27.60.020 (a) (1) to reflect a condition that allows for 1 acre PUDs in areas designated as Corridor.
- Amend Chapter 27.65.020 to add minimum area can include ½ of adjacent right-of-way.



The PUD at University Place allows Residential on the First Floor 40' from N. 48th Street

Objective E. Allow more opportunities for residential uses in commercial zoning districts.

The Comprehensive Plan projects a significant shift in demographics during the planning period, which is expected to create a demand for some smaller dwellings, smaller lots and more walkable neighborhoods that have retail and services integrated to serve residents. The mixed use redevelopment concept focuses on the existing and expected large supplies of undeveloped or under-utilized commercial land with city services already in place. Many of the existing commercial centers are underutilized with regards to their residential potential.

Strategy 1. Allow residential uses in the first floor of commercial buildings.

Live/work units are a growing part of the real estate market. Although it is important to have a cohesive and consistent commercial block face, it is possible to utilize space within the building for residential use without detracting from the commercial corridor. Allowing for residential uses in commercial zoning districts promotes mixed use development and all the social and economic benefits associated with this type of development.

“Incorporate a variety of residential use types such as rowhouses, apartment buildings, apartments in mixed use buildings, live-work units, and special needs housing. These buildings could also serve as a transition to the existing neighborhood.”

— LPlan2040 (P. 6.8)

Commercial zoning districts allowing residential uses could allow residential on the first floor if the residential use is set back 40 feet from the front of the building facing an arterial street or front of a building on a block face which is primarily commercial in nature.

Strategy 2. Allow residential uses in H-2 Highway Business district and H-4 General Commercial district by special permit.

The H-4 zoning district functions more like a center than a Highway Commercial District. Many of the H-4 centers are retail and office in nature and function like a B-2 or B-5 zoning district.

Allowing for residential in H-4 centers that are retail and office in character would be beneficial in creating mixed use developments as encouraged by the Comprehensive



H-4 Zoning at S. 27th and Pine Lake Streets Appropriate for Mixed Use

Plan. H-4 centers that are heavy on contractor services or are located next to Industrial districts may not be appropriate centers to incorporate residential development. Some of these areas are suggested for rezoning to the H-3 district in the reALIGN chapter.

The H-2 zoning district is primarily retail and is located in the area of N. 48th and O Street. This area is generally characterized by retail shops and personal services. It is not adjacent to Industrial zoning and could foster dwelling units above the commercial ground floor.

Required Code Revisions

- Add to the Conditional Use Chapter Section 27.62.040 language such as; “In all commercial zoning districts, except the H-3 and H-1, and H-2 and H-4 by Special Permit, residential uses on the first floor of a building are permitted under the following condition: must be set back 40 feet from the front of the building facing an arterial street or front of a building on a block face which is primarily commercial in nature”.
- Add a special permit to Chapter 27.63 the Special Permits chapter to allow residential uses in H-2 and H-4 recognizing its appropriateness is situational. Revise the Use Group chapter (27.06) to reflect this change in the Household Use Group table 27.06.070 and the Group Living Use Group table 27.06.080.

Objective F. Expand options for residential infill

The Comprehensive Plan suggests 1,000 dwelling units of “residential infill” by 2040. This infill could happen in a variety of ways including vacant lots, redevelopment, or Accessory Dwelling Units.

Strategy 1. Establish Accessory Dwelling Units (ADUs) as conditional uses in the single family residential districts (R-1, R-2, R-3 and R-4).

The Comprehensive Plan specifically suggests allowing ADUs as a way to achieve modest levels of infill in existing and future neighborhoods.

Requirements for

ADUs must balance the desire to make this a broadly available option for homeowners with the interests of neighboring properties.

Definition: An Accessory Dwelling Unit (ADU) is a self-contained dwelling unit on the same lot as an attached or detached single-family dwelling.

Suggested Conditions

- Residency Requirement: The owner is required to live on the property either in the main building or the ADU. The ADU and the main building must each meet the definition of “family” according to the zoning code.



Existing ADU in Lincoln

- The ADU and single-family dwelling may not be subdivided or otherwise sold separately.
- Cannot be a mobile home, recreational vehicle, or other moveable or temporary vehicle or structure.
- Minimum 5,000 sq. ft. lot area for detached ADUs; no minimum for attached.
- Height: 20 feet or equal to or shorter than the main house for detached ADUs; height of zoning district for attached ADUs.
- Limited to one bedroom, one bathroom, and one kitchen.
- Size limited to:
 - Detached ADUs: Not more than: 500 sq. ft. for lots 5,000-7,499 sq. ft.; 650 sq. ft. for lots 7,500-9,999 sq. ft.; 800 sq. ft. for lots 10,000 sq. ft. or greater.
 - Attached ADUs: The lesser of 40% of the main building or 800 sq. ft.
- Parking: One parking stall in addition to that required of the main building. If the main building currently has no parking, one stall shall be provided.
- Setbacks:
 - Any expansions of the existing accessory building may not further encroach closer to lot lines than the setbacks established by the existing accessory building. Otherwise, detached ADUs must be 5 feet from side and rear lot line. If above a garage that takes vehicular access to and has garage doors facing an alley, then the garage must be setback 10 feet from the alley.
 - Attached ADUs must respect the setbacks of the district for the main building.
- Utilities: ADUs shall share utility connections with the main building.
- Design Standards:
 - Design features such as roof pitch, building materials, windows, and general style for ADUs is meant to be subordinate to the main house; setbacks, elevated decks, balconies, window placement are given special attention to consider privacy of neighbors.



A Detached ADU

- ADUs contained completely within an existing house require no additional design review.
- If meets all requirements, Planning Director issues a Certificate of Approval listing all conditions, which must be accepted by the applicant in writing and file the document with the Register of Deeds.
- Waiver and appeal process available.

Strategy 2. Eliminate “penalty” provisions limiting density in smaller scale Community Unit Plans.

Language in the CUP Chapter that imposes a 10% density reduction on CUPs that are between 5 and 10 acres and a 20% reduction for those less than 5 acres.

The purpose of the Community Unit Plan, as stated in the zoning ordinance, is to permit and encourage the creative design of new living areas, as distinguished from subdivisions of standard lot sizes and standard street systems in order to permit such creative design in buildings, open space, and their interrelationship while protecting the health, safety, and general welfare of existing and future residents of surrounding neighborhoods. With creative design and a public review process, added density through a CUP can not only enhance a development but also an entire neighborhood. Allowing the same on all sized tracks of land will make redevelopment feasible on small tracts that might otherwise sit vacant or underutilized. Creative design can allow for density that meets cash flow requirements but still designed in a manner that complements surrounding areas.

Strategy 3. Allow for ½ to one acre Community Unit Plans for single family lots.

It is common in older areas of town to see large lots of ½ to one acre in size surrounded by smaller residential lots. These lots are often irregularly shaped with narrow widths, long depths and limited access to the rear area. The Community Unit Plan (CUP) tool, which currently is limited to tracts of at least one acre in size, could be utilized in these situations to modify roadway or setback standards, allowing for additional lots to be developed.

Because these types of lots are typically surrounded by single family detached homes, the extension of the CUP tool to tracts of less than an acre should be limited to only allow for additional single family detached lots and not other types of dwellings. CUPs must be approved through a process of public input and review, which also will help ensure compatibility with the surrounding neighborhood.

Required Code Revisions

Revise the Use Groups Chapter 27.06.020 (c) and the Height and Lot Chapter 27.72.120 to allow ADUs.

- Remove the language in the Community Unit Plan Chapter Section 27.67.020 that requires a reduction in units based on number of acres in the CUP.
- Revise 27.65 to all for ½ to 1 acre Community Unit Plans for single family detached lots.