

Date: February 3, 2023
To: Planning and Zoning Commission Members
From: Patrick R. Zenner, Development Services Manager
Re: UDC Text Change – Cottage-style Development

In March 2017 with the adoption of the UDC a new type of development approval was created for “cottage-style” housing. This type of development is permitted within the R-2 (Two-family Dwelling) district via approval by the Board of Adjustment as part of a series of new development typologies referred to as “Optional Development Standards”. The underlying premise behind these new standards was to allow for greater flexibility within the built environment under specific conditions and as a means of implementing several goals and objectives outlined within the 2013 Comprehensive Plan.

In addition to the R-2 cottage-style dimensional standards, the UDC also allows for pedestrian and transit-oriented development standards in the M-N (Mixed-use Neighborhood) and M-C (Mixed-use Corridor) zoning districts. Each of these alternative standards requires that the Board of Adjustment authorize their use following a public hearing and finding that the following three (3) criteria have been met:

The board may approve an application for optional development standards if it determines that the following criteria have been met:

- (i) The use of optional development standards is consistent with the intended character of the area as shown and described in the city's adopted comprehensive plan;
- (ii) The use of the optional development standards will provide adequate off-street parking for the permitted uses available in the zone district where the property is located, and will not result in significant increases in off-site parking on sections of local neighborhood streets other than those immediately fronting the applicant's property; and
- (iii) The use of the optional development standards will not create additional traffic congestion or risks to public health and safety in the surrounding area.

At the January 19, 2023 work session, it was discussed that the current BOA approval process for cottage-style development standards be reviewed and possible revised. The potential revision would result in the approval process being re-written to permit the PZC to review cottage development proposals as part of a rezoning action to R-2; thereby providing a level of assurance to adjoining property owners that duplexes would not be developed on the acreage.

Since the January 19 work session staff has contemplated how potentially revised text could be incorporated into the UDC rezoning process. Two possible options exist to address the issue and the expressed concerns of the Commission. The first option contemplated would be to allow cottage-style development to occur via a 'conditional use' utilizing the same dimensional standards that are stated in the R-2 district via the BOA's approval.

The second option contemplated would be to potentially create a new zoning classification that would accommodate discretely cottage-style lots. This district, R-C (Residential-Cottage), would carry over the current dimensional standards found within the R-2 zoning district with the exception of a singular minimum lot area of 3,000 sq. ft. In place of the minimum lot area, this new district could potentially offer a range of lot sizes that is complementary to the R-2 (5,000 sq. ft) and R-MF (2,500 sq. ft) districts. Furthermore, the new district would make clear that only single-family detach houses would be permitted; thereby limiting concerns with a change in housing typology following a rezoning.

As noted, staff has contemplated these changes. It would like to garner the input of the Commission to determine which option is the preferred approach prior to engaging in further work and preparation of a formal text amendment. It should also be noted that the staff is not proposing to alter the process for granting pedestrian or transit development standard approval.

Since adopting the UDC's in March 2017, there has only been one request before the BOA to grant pedestrian standard approval and none for transit standards. As the need arises to more efficiently process such requests staff may seek Commission guidance. As it presently stands, staff believes that commercial developments seeking dimensional standard relief via BOA action is appropriate.

Staff looks forward to discussing the two options outlined within this correspondence at the upcoming work session. Should you have questions please let me know.