

Town Zoning

The current Land Development Code features many different overlapping regulations adopted individually over the course of nearly 40 years. In some cases, the combined (and often, unintended) impact of these multiple different, competing layers of regulation undermines the type of transit-supportive growth that the city's policies and plans envision.

While the city has, in recent months, undertaken some initiatives to improve our transit-supportive outcomes, the current lack of appropriate zoning districts has encouraged some projects to repurpose older land use tools to achieve these goals. For instance, some applicants have repurposed zoning categories originally intended for industrial development for use with mixed-use and residential developments.

Town Zoning (TZ) will help address these issues in the short term by creating a zoning option that provides city policymakers with added flexibility during zoning cases – allowing the city to respond more nimbly to development pressures until such time as the city is able to better resolve the contradictions within the current Land Development Code.

It will accomplish this by providing certain base entitlements that broadly reflect CS zoning, though with a more cultivated list of commercial uses (allowing activated commercial while prohibiting more suburban-style, auto-centric commercial uses) – while allowing the zoning ordinance to modify use and site development standards (including base entitlements, compatibility, and other zoning overlays and combining districts), and parking requirements, on a case-by-case basis. It will also establish an affordable housing requirement for such modifications.

- **Base Zoning Standards.** Proposal for staff consideration as follows:
 - Base Height: 60 ft.
 - Impervious Cover: 95 percent (*no building cover requirement*)
 - FAR: 2 : 1
 - Site Area Requirements: No Limit
 - Setbacks 5 ft. front and side streets; interior side and rear No Limit
 - Permitted Uses: Residential – all residential types permitted
Commercial – only active, pedestrian-oriented commercial

- **Site Development Standard Modifications.** An ordinance for Town Zoning may modify site developments, compatibility standards, overlays and combining districts, and parking requirements, including provisions from the following:
 - Chapter 25-2, Subchapter C – Use and Development Regulations
 - Chapter 25-6, Appendix A – Tables of Off-Street Parking and Loading Requirements

- **Affordable Housing Requirement.** In order to develop under any modified site development standards included in a TZ rezoning ordinance, an applicant must provide at least 10 percent of the incremental increase in units (calculated as 10 percent of the difference between the total number of units minus the number of units otherwise achieved under base development

standards) at 60 percent of MFI for rental and 80 percent of MFI for Ownership, with a per-unit fee-in-lieu option available that reflects the actual cost of achieving a 60 percent MFI unit.