



April 23, 2019 Meeting Notes

Attendance:

- 10 taskforce members in attendance, 4 staff members, and 4 city council representatives

Taskforce Questions and Discussion:

- DSD Administrator Cat Hernandez presented the proposed amendments to Chapter 35, Table 310 for review and comment by the taskforce
 - Taskforce members were in general agreement with the proposed revisions
 - Taskforce members asked if additional height would be permitted by right if abutting a residential zoning district that allows higher height than 35 feet/ 2 ½ stories by right
 - Staff stated that language could be added that would allow 3 stories for a lot zoned MF-33 in between lots zoned RM-6 (which permits 3 stories) and circulate that new language to the taskforce for review.
 - No other comments or questions from taskforce were documented so the session was open to the public for comment

Public Comment:

- Tony Garcia, Monte Vista Historical Association, asked if the Taskforce addressed all components of the CCR.
- Taskforce discussed the following components of the CCR:
 1. Multi-family zoning that is not consistent with land-use designations, community plans, or current use
 - Staff provided some reasons why multifamily zoning exists within neighborhoods. When reviewing the history of many of these areas it is found that the properties were originally zoned "D" Apartment District in the 1930's and converted appropriately to "MF-33" with the UDC update in 2001. This was with the intention of preserving the original land use rights, even if the established use of the property was single-family residential. Another reason that some of these anomaly's exist is because although land use may have been established in certain areas of the city, the corresponding rezoning was not initiated due to resources or other prioritized projects.
 - Additionally, multifamily zoning that is not consistent with low density land use designations is being addressed through large area rezoning efforts as a result of another CCR that was initiated by Council District 1. This is also being addressed through the SA Tomorrow process which will include a rezoning effort.
 - Taskforce members agreed that should neighborhoods have multifamily zoning and desire to have zoning reflect current use, rezoning of these neighborhoods will address the issue
 2. Updating the UDC to safeguard development patterns that are compatible with surrounding land use
 - The taskforce discussed that this item of the CCR is being addressed by the proposed amendments to address height. The main concern appears to be height in terms of new commercial, office, or multifamily development in relation to existing single-family homes. The task force is proposing a height restriction for these new developments that is consistent with the height of



existing single-family homes that are within 50 linear feet of these existing homes. Thus, if the existing home on the adjacent lot is 2 ½ stories, zoned R-6, then the project for a MF-33 zoned property cannot exceed 2 ½ stories, within the first 50 feet.

2. a) The code as it was written historically was not able to take into account new development patterns, and allows for developments that are similar to infill without requiring a rezoning to IDZ.
 - The Taskforce asked staff about the process for IDZ projects and the recent amendments completed. Staff explained that all IDZ projects require zoning of IDZ, which is a rezoning process for properties not currently zoned IDZ. This means, rezoning and a site plan which indicates the proposed layout of the development of the lot with all required site plan details (i.e parking, driveways, setbacks, etc...). The rezoning process is public and requires two (2) public hearings where property owner, neighborhood and community input/concerns can be communicated and responded to.
 - Staff stated that IDZ allows for small lots fronting an ingress/egress easement. The RM and MF zones do not allow subdividing of land similar to IDZ (IDZ allows 1250 square foot lot sizes), require fronting a public street, and therefore, is not similar to IDZ.
 - The Taskforce discussed that developments in RM and MF are dictated by the market, and that addressing massing with the height restriction would address the incompatibility inner city neighborhoods are concerned about.
2. b) The benefits that come from requiring a rezoning to IDZ, such as allowing for neighborhood notification and involvement, a review of a site plan for appropriateness, and a decision by zoning commission and council for compatible development are not available in these areas
 - Tony Garcia asked about notification to neighborhoods for development within neighborhoods. The taskforce discussed that rezoning does offer opportunity for public notification and input, however all property owners (both residential and commercial) have the right to develop their property within the parameters of the zoning district requirements, with a permit from the City, if they already have the required zoning. Additionally, the taskforce asked staff to confirm if the code was changed to require notification when a permit is issued. Staff confirmed that as a result of a CCR by D1, several years ago, registered neighborhood associations are notified weekly by email of the permits issued and that these reports are posted on the website. Additionally, any citizen can receive notice of these permits by signing up for email notifications through Constant Contact. Taskforce felt this item was addressed already with this CCR and required rezoning renotification procedures.
 - The Taskforce discussed the option to require a site plan for RM or MF rezoning request but for small developments, with RM districts, it was noted that a conditional use on a single-family district could be utilized, instead of requiring site plans for all RM districts. Typical MF rezoning developments are not occurring on vacant lots within neighborhoods, this is where IDZ is used. Additionally, the taskforce discussed requiring a site plan for RM and MF



developments that could be reviewed for neighborhood input for all building permits. Staff informed them that this is a policy decision by Council.

Additionally, the taskforce did not agree that the site plan review by neighborhoods should occur for properties already zoned RM or MF.

- 2) c) The intention of these zoning designations is not consistent with the current utilization, RM-4 specifically was intended to be a low-density designation, (duplexes, triplexes, or four-plexes) but is being used for high density developments, such as multiple individual structures on a single lot which result in a high impact in the surrounding community with little to no oversight or input from that community or appropriate commissions
 - The Taskforce asked staff to clarify if RM zoning is considered high density. Staff stated that RM has never been considered high density development, because the maximum units that can be constructed is four (4), with appropriate RM zoning. Any more than four (4) constitutes multifamily (5 or more units).
 - The Taskforce discussed the possibility of requiring either attached or detached development for RM and MF throughout the city. The taskforce did not agree that it should be applied citywide. They noted that certain types of development are appropriate in different neighborhoods/parts of the city. A council staff members asked if there were any other avenues that neighborhoods had to control types of development. Staff noted that if the goal of a neighborhood was to review this style of development, it could more appropriately be accomplished through overlay zoning such as Neighborhood Conservation Districts (NCD) or historic districts. This would allow the neighborhood to prescribe the style of architecture/design standards (i.e. attached versus detached) for each of their neighborhoods, as applicable.

Next Steps:

- Staff to draft added language in Table 310 to allow height consistent with abutting height allowances (i.e. 3 stories for a lot zoned MF-33 in between lots zoned RM-6 which permits 3 stories) and circulate that new language by email to the taskforce for review. Should the comments received back require another meeting, a placeholder of May 28 is on everyone's calendar.