



LDC AMENDMENT FOR SETBACK RELIEF TO ENCOURAGE RESIDENTIAL INFILL IN THE PH OVERLAY DISTRICT

SUMMARY

Applicant

The City of Orlando

Applicant's Request

Amend Chapter 58, Part 2AI of the Land Development Code to provide flexible development standards, subject to appearance review, for vacant non-conforming one and two-family residential lots in the Parramore Heritage Overlay District.

In addition, amend Chapter 67, Part 6 of the Land Development Code to update procedures and alternative development standards for certified affordable housing projects and to create consistency with other sections of the LDC. The proposed amendments to Chapter 67 would apply throughout the City.

Staff's Recommendation

Approval of the request.

Project Planner

Brian Ford
Planner II

PROJECT DESCRIPTION

The Parramore Comprehensive Neighborhood Plan (PCNP) is focused on Ten Healthy Community Design principles which are intended to create a healthy, sustainable and vibrant community that looks to the future while preserving, enhancing, and celebrating the culture and heritage of Parramore.

PCNP Principle #4—Increase Housing Opportunities calls for the City to preserve and strengthen existing single family and multi-family housing, and promote new housing initiatives, consistent with the City's Fair Housing ordinance, Consolidated Plan and the City's sustainability efforts. In an effort to implement Principle #4, staff is proposing an amendment to Chapter 58, Part 2AI of the Land Development Code to provide more flexible development standards in the previously established Parramore Heritage Overlay District.

Staff is also proposing a companion amendment to LDC Chapter 67, which deals specifically with affordable housing projects. The proposed amendments to Chapter 67 are intended to streamline the development review process for certified affordable housing projects and to ensure consistency throughout the LDC.

BACKGROUND

HUD Sustainable Communities Regional Planning Grant

- The East Central Florida Regional Planning Council (ECFRPC), on behalf of twenty-six (26) partners that comprised the East Central Florida Sustainable Communities Consortium, was awarded \$2.4 million from the U.S. Department of Housing and Urban Development (HUD) to plan for sustainable, transit-oriented development around SunRail station locations. The majority of the grant funds were passed directly to local governments with special emphasis on promoting sustainable and inclusive growth, particularly in minority and/or low-income neighborhoods adjacent to several of the SunRail stations. The overall process was branded "Enhance Central Florida".

Parramore Comprehensive Neighborhood Plan

- The Parramore Comprehensive Neighborhood Plan, which was accepted by the Orlando City Council on January 26, 2015, was a major component of the "Enhance Central Florida" regional planning effort.
- The Parramore Comprehensive Neighborhood Plan is an important continuation and further refinement of the **Pathways for Parramore** initiative.
- The Parramore Comprehensive Neighborhood Plan is considered to be an integral component of the **Project DTO—Advancing Downtown Orlando** initiative and the associated CRA Redevelopment Plan.

The Parramore Comprehensive Neighborhood Plan in its entirety can be found on the City of Orlando's City Planning website here: <http://www.cityoforlando.net/city-planning/plans-and-studies/parramore-comprehensive-neighborhood-plan/>

ANALYSIS

Understanding the Issue

The Parramore Heritage (PH) Overlay District, which is bounded by Colonial Drive on the north, Gore Street on the south, Interstate 4 on the east, and Orange Blossom Trail on the west, was originally created in order to reduce the over-concentration of social service uses within the district. No changes to the social service use provisions are being considered as part of this proposed amendment. Instead, this proposed amendment is intended to expand the purpose of the overlay district, specifically to provide for increased flexibility in development standards for existing non-conforming one and two-family residential lots for the express purpose of encouraging infill residential development.

The Parramore Comprehensive Neighborhood Plan (PCNP), Principle #4—Increase Housing Opportunities, specifically calls for the City to establish a strategy to preserve and strengthen existing single family and multifamily residential housing, and to promote housing initiatives. This set of proposed amendments represents an important component of the City's overall housing strategy.

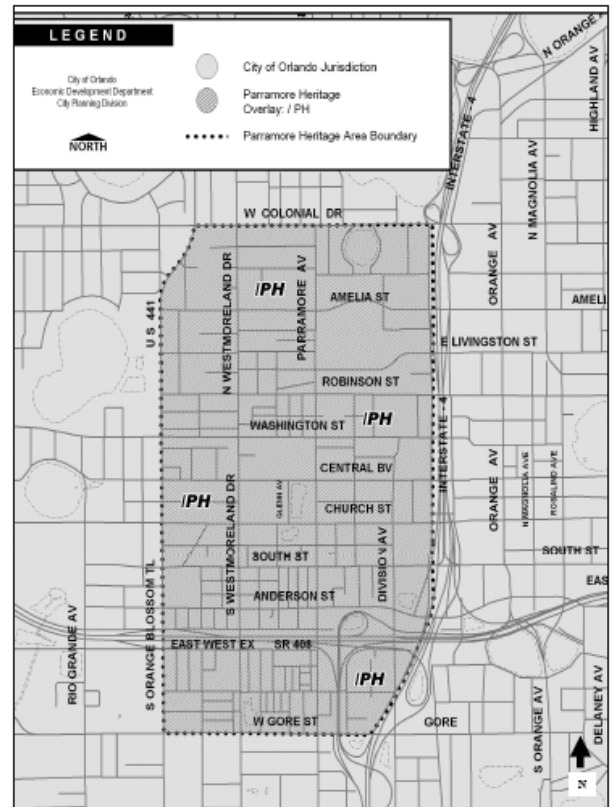
The PH Overlay District contains numerous lots that were platted prior to 1959, and which have building envelopes that are greatly limited by current zoning development standards. The table below and the map on page 3 depict lots in the PH Overlay District that have at least one non-conforming dimension. Of the 733 lots zoned R-1/T, R-2A/T, and R-2B/T in the PH Overlay District, a total of 479 are considered non-conforming in terms of lot area. That equates to approximately 65% of all residential one and two-family zoned lots in the district.

The socio-economic challenges and predominant development pattern of small lots are unique to Parramore, and can be traced back to the original platting done in the early part of the 20th century as well as subsequent transportation improvements over decades (paving of roads and provision of sidewalks) that resulted in the reduction of the size of the lots. Due to ownership patterns, the possibility of combining lots to meet current code appears unlikely.

Zoning	Minimum Lot Area (Single Family)	Total Lots	Non-Conforming Lots (Lot Area)	% Non- Conforming
R-1	6,000 sq. ft.	45	45	100%
R-2A	4,400 sq. ft.	372	253	68%
R-2B	4,000 sq. ft.	316	181	57%
Total		733	479	65%

Unfortunately, most of the lots in Parramore, whether publically and privately owned, must apply for a zoning variance through the Board of Zoning Adjustment to receive setback relief to create buildable lots. This process requires a public hearing and takes approximately 3-4 months to complete, creating a very real deterrent to the expeditious redevelopment of these infill lots.

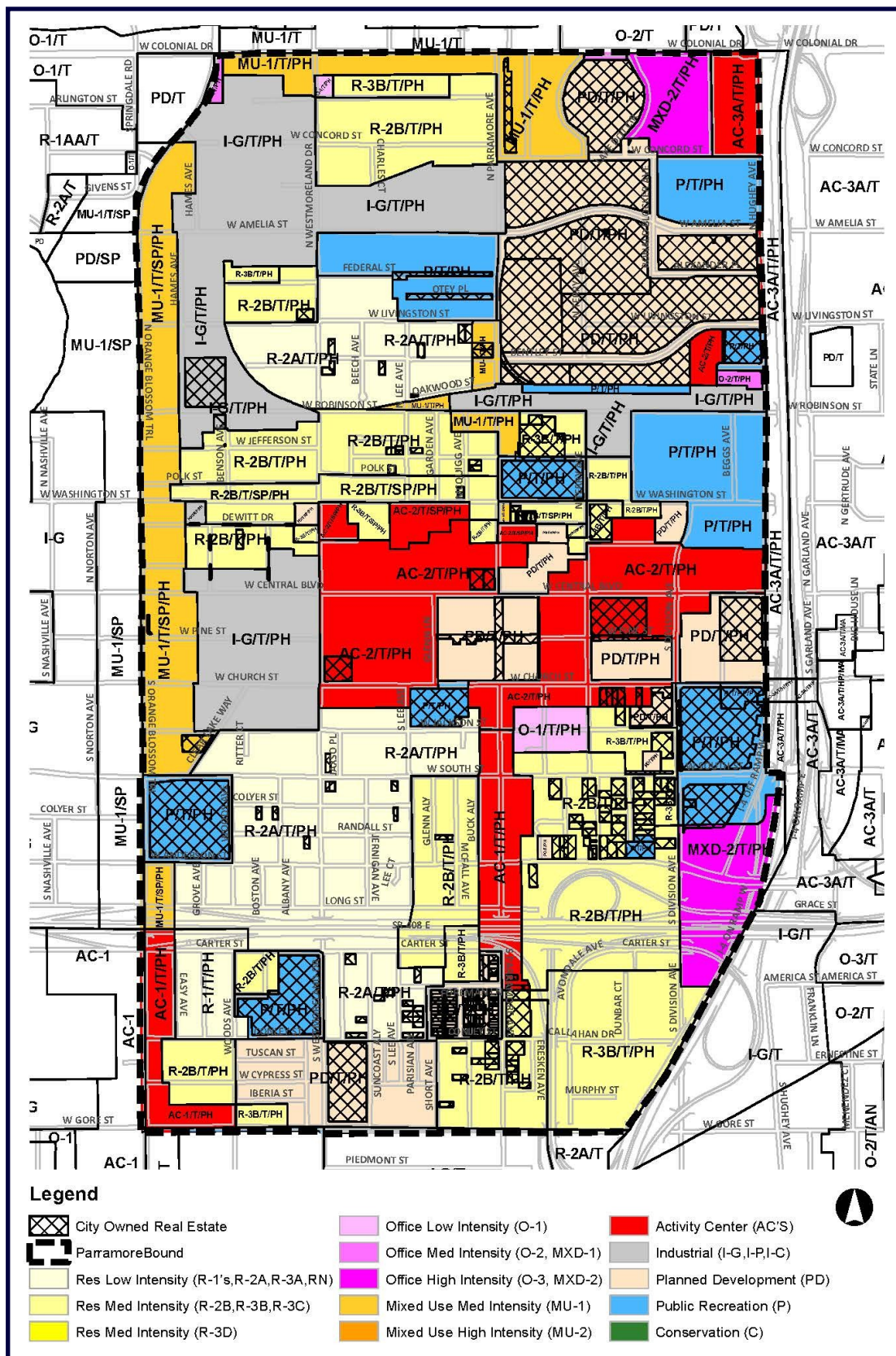
It should also be noted that individual residential lots are generally not able to utilize other provisions of the LDC that would provide flexibility. For instance, LDC Chapter 67 provides alternative development standards but only for certified affordable housing projects (not for market-rate housing). And, in recent years, multi-family residential developers have taken advantage of the Planned Development (PD) zoning option, which allows for the creation of flexible development standards in exchange for superior design. While that mechanism works well for larger projects, the LDC only allows this option to be used on lots greater than 10,000 square feet in size. The vast majority of one and two-family residential lots in the PH Overlay District are much smaller than the 10,000 square foot PD minimum. For these reasons, many lots in Parramore are not eligible for alternative development standards and must instead go through the time-consuming variance process to obtain setback relief.



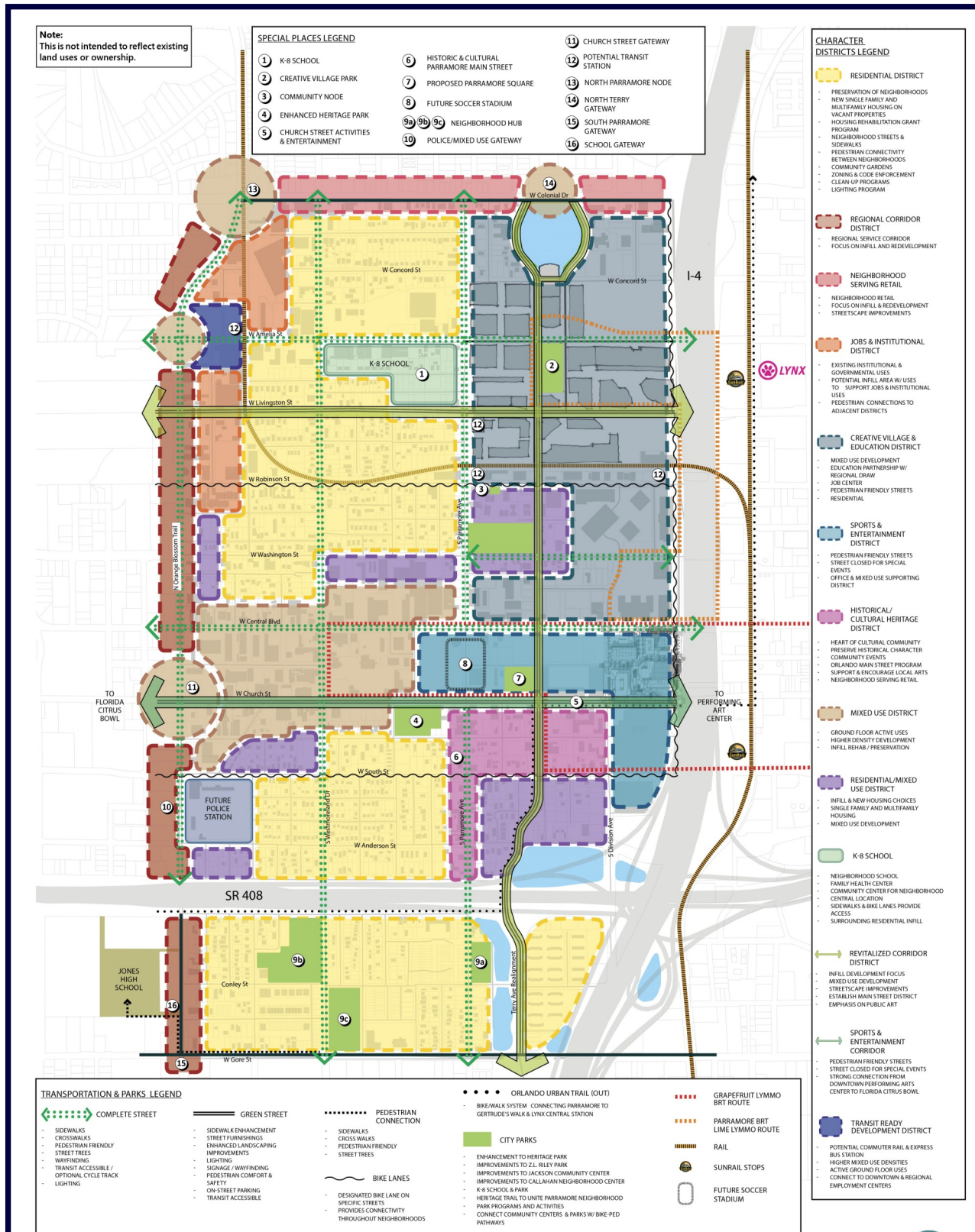
Legend

- R-1 less than 6000 sq ft
- R-2A less than 4400 sq ft
- R-2B less than 4000 sq ft
- Conforming residential lots

PARRAMORE HERITAGE OVERLAY DISTRICT— ZONING MAP



PARRAMORE COMPREHENSIVE NEIGHBORHOOD PLAN— COMMUNITY VISION PLAN MAP



Creation of More Flexible Development Standards in the PH Overlay District (Chapter 58)

In analyzing possible solutions to the issues previously described, staff looked at the LDC and the City's existing land development processes to create the most efficient and effective method of allowing for meaningful setback relief, as well as relief from ISR (Impervious Surface Ratio) requirements, to address the Parramore community's abundance of small, non-conforming lots and the City's desire to encourage redevelopment of these lots.

Proposed amendments include:

- ◆ Expand the purpose of the Parramore Heritage (PH) Overlay District to provide flexible development standards for non-conforming lots of record, or lots being replatted to match a plat recorded prior to 1959.
- ◆ The flexible development standards provisions would apply only to lots that are vacant as of March 1, 2017. The provisions may be extended to all non-conforming lots once the City determines the best way to preserve the character of the neighborhood.
- ◆ All residential development will be subject to all sections of code not superseded by this section, such as Traditional City, along with the density and intensity standards of the applicable zoning district.
- ◆ All residential development within the PH Overlay District will be subject to appearance review with consideration to architectural elements such as exterior finish, front porches, windows, and mechanical equipment.
- ◆ Flexible development standards would be administered via a Modification of Standards by the Zoning Official. Setbacks may be relaxed, at the discretion of the Zoning Official, over and above the 20% numerical standard for Modification of Standards. However, the minimum setback standards described in this section must be met.
- ◆ In addition, impervious surface ratio (ISR) requirements may be relaxed up to 10% for the total lot area, and up to 20% for the front yard area, subject to the approval of the City Engineer.
- ◆ In order to encourage infill residential development, the Modification of Standards application fee will be waived.

Alternative Development Standards for Affordable Housing (Chapter 67)

In Chapter 67, Part 6 of the Land Development Code, there are provisions for alternative development standards for certified affordable housing developments. The current language, last updated in 1994, allows both infill lots and residential subdivisions to utilize alternative development standards, subject to a neighborhood compatibility review to be completed by the Technical Review Committee.

Developers have rarely taken advantage of the current alternative development standards, most often opting instead to develop through the Planned Development (PD) district that references portions of this section. Since these references exist, staff recommends updating the alternative development standards for the affordable housing section to create consistent procedures and alternative standards.

The issues and proposed remedies are described below:

- ◆ The current alternative development standards apply to both residential subdivisions and infill housing that meet affordable housing criteria; however, the building site standards and other development criteria are not well suited for infill housing on small platted lots. This proposed code amendment would modify and move provisions for infill housing to the Parramore Heritage Overlay district, where they would be most beneficial to encourage mixed-income housing.
- ◆ The current alternative development standards permit minimum front and rear yard setbacks at 5 feet, which staff would not support today. The code amendment would modify the minimum front and rear setbacks to 15 feet, matching setbacks proposed for infill housing in the Parramore Heritage Overlay district.
- ◆ Under the current code, the Technical Review Committee (TRC) is expected to conduct a neighborhood compatibility review and approve or deny a request for alternative development standards. However, the TRC is a staff advisory committee that has not been designed to vote on projects or be subject to State sunshine laws. The code amendment proposes that alternative development standards be reviewed and approved through a Planning Official Determination, mirroring procedures in Chapter 58, Part 6D - Bonuses for Low Income Housing.

A copy of the proposed code amendment is attached as Exhibit "A".

FINDINGS

In review of the proposed LDC amendment, it is found that:

1. The proposal is consistent with the State Comprehensive Plan (Chapter 187, Florida Statutes).
2. The proposal is consistent with the East Central Florida Strategic Regional Policy Plan.
3. The proposal is consistent with the provisions of Chapter 163, Part II, Florida Statutes.
4. The proposal is consistent with the goals, objectives and policies of the City's adopted Growth Management Plan (GMP). In particular, the proposal further implements GMP Future Land Use Subarea Objective 6B.2 and Subarea Policy S.6.14.
5. The proposal is consistent with the Parramore Comprehensive Neighborhood Plan, which was accepted by the Orlando City Council on January 26, 2015.

RECOMMENDATION

Staff recommends approval of the proposed amendments to the Orlando Land Development Code, subject to review by the City Attorney for form and legality.

CONTACT INFORMATION

Housing and Community Development Department

For questions regarding the code amendment, please contact Brian Ford at 407.246.3413 or brian.ford@cityoforlando.net.

City Planning Division

For questions regarding the Growth Management Plan (GMP) and Parramore Comprehensive Neighborhood Plan, please contact Paul Lewis at (407) 246-3358 or paul.lewis@cityoforlando.net.

REVIEW/APPROVAL PROCESS—NEXT STEPS

1. City Council approval of the MPB minutes (tentatively scheduled for April 24, 2017).
2. Staff forwards ordinance request to City Attorney's Office.
3. 1st Reading of the LDC amendment ordinance in May 2017 (tentative).
4. 2nd Reading (adoption) of the LDC amendment ordinance in June 2017 (tentative).
5. Ordinance becomes effective in July 2017 (tentative).

As noted above, the schedule is tentative and subject to change.

Attachment “A”

Proposed Revisions to LDC Chapter 58, Part 2AI. Parramore Heritage Overlay District (PH)

2AI. PARRAMORE HERITAGE OVERLAY DISTRICT (PH)

Sec. 58.499.13. Relationship to the Growth Management Plan.

The Parramore Heritage Overlay District implements GMP Future Land Use Element, Subarea Policy S.6.9, by prohibiting the establishment, expansion, and relocation of certain social service uses within the district.

In addition, the Parramore Heritage Overlay District implements GMP Future Land Use Element, Subarea Policy S.6.14, by providing development standards which encourage a compact urban form, enhance economic vitality, and promote housing and income diversity within the Parramore community.

Finally, the Parramore Heritage Overlay District implements GMP Housing Element Goal 5 and Objective 5.1 to promote infill housing development by supporting alternative development standards where necessary and feasible. The District also implements Housing Objective 5.10 and Policy 5.10.1 to support efforts to make Parramore a mixed income, economically diversified neighborhood; as well as Housing Policy 5.10.5 to encourage design standards that promote image improvement opportunities in the neighborhood.

Sec. 58.499.14. Purpose of the District.

The purpose of the Parramore Heritage Overlay District is to promote the stability and prosperity of the Parramore Heritage neighborhood by reducing the over-concentration of social service uses within the district.

In addition, the District is intended to provide flexible development standards for non-conforming one and two family residential properties, particularly those properties that have substandard lot or parcel configurations. Specifically, these standards and processes shall apply only to non-conforming lots of record, or lots being re-platted to match a plat that was recorded prior to 1959, and which were vacant prior to March 1, 2017.

Flexibility in development standard(s) for non-conforming one or two family residential properties must be coupled with appropriate urban design principles in order to implement the Parramore Comprehensive Neighborhood Plan and the Traditional City concept. However, all proposed residential development must comply with the density and intensity standards associated with the individual property's Future Land Use designation and Zoning classification.

Sec. 58.499.15. District Use Standards.

In addition to the uses prohibited in an underlying zoning district, the following uses may not be established, expanded, or relocated within the Parramore Heritage Overlay District:

- a. Emergency shelter; and
- b. Treatment and recovery facility; and
- c. Residential care facility; and
- d. Social service use.

For the purposes of this part, a social service use is any that exists to advance human welfare by solely or primarily providing healthcare, food, clothing, or human services to individuals onsite for no fee or a below market rate fee, the use is nonprofit in nature, and the use receives the majority of its funding from donations, grants, or government programs. Schools, libraries, community centers, parks, civic clubs, and religious institutions are not included within the meaning of social service use.

Uses protected by the state or federal Fair Housing Acts, the Americans with Disabilities Act, the Rehabilitation Act, or other state and federal laws, are not included within the meaning of any of the uses prohibited under this part.

Sec. 58.499.16. Modification of Standards in the PH Overlay District.

When, in the judgment of the Zoning Official, reasonable development of a non-conforming one or two family residential building site justifies such action, principal building setbacks may be relaxed on individual lots within the PH Overlay District over and above the 20% numerical standard specified in Sec. 65.302(b)1. However, all one and two family residential infill lots must meet the minimum standards shown below. The front, side, and street side yard setbacks shall be measured from the face of the structure to the property line or, if present, the city services easement.

Front yard setback: 15 ft.; 20 ft. for a garage

Side yard setback: 5 ft.

Street side yard setback: 5 ft.; 20 ft. for a garage

Rear yard setback: 15 ft.

The maximum ISR for individual non-conforming one or two family residential lots within the PH Overlay District may also be modified by the Zoning Official with concurrence by the City Engineer, but shall not exceed 10% of the established district standard (For example, a non-conforming R-1 lot would typically be limited to 0.55 ISR, but this provision would allow up to a 0.6 ISR. Similarly, an R-2B lot would typically be limited to 0.60 ISR, but this provision would allow up to a 0.66 ISR).

Front and Street Side Yard Parking. Section 61.302(f)(2) states that the impervious surface area within the front and street side yard setbacks in residential areas shall not exceed 0.40. Within the PH Overlay District, this standard may be modified by the Zoning Official but shall not exceed 20% of the established district standard, or 0.48.

In all other respects, the procedures for Modification of Development Standards specified in Chapter 65, Part 2F, Sections 65.300 through 65.311, as well as the appeal procedures specified in Chapter 65, Part 2G, Sections 65.320 through 65.322, shall apply.

This section supersedes the provisions of Sections 58.986 and 58.1152(e) regarding the Modification of Development Standards process on non-conforming one or two family residential lots within the PH Overlay District. However, the remaining provisions of Sections 58.984 and 58.985 regarding mechanical equipment, and Section 58.1152 pertaining to non-conforming residential lots, shall remain in full force and effect unless otherwise amended by this part.

Sec. 58.499.17. Appearance Review Standards and Guidelines

Residential development on both conforming and non-conforming lots within the PH Overlay District must undergo Appearance Review. The Zoning District and the Use Regulations of Figures 1 and 2 of this Chapter, the Traditional City Design Standards specified in Chapter 62, Part 6, and the Specific Standards described in Chapter 65, Part 2F, Section 65.310, shall apply.

In addition to the standards specified above, the following architectural elements shall be considered during Appearance Review:

- a. Exterior Finishes: Exposed concrete block is prohibited unless otherwise approved during appearance review.
- b. Front Porch: Porches shall be accessed directly from a public street or pedestrian easement and must be visible from the street. Front porches shall have a minimum depth of six (6) feet and comprise a minimum of 30% of the width of the building's

- primary front façade (not including the garage) or ten (10) feet, whichever is larger. Porches for duplexes may be shared. Posts and balustrades that match the style of the primary structure are encouraged.
- c. Windows: All windows must have sills and trim that match the style of the primary structure.
 - d. Mechanical Equipment. The provisions of Section 58.984 – Mechanical Equipment Used in Single Family, Duplex and Attached Dwelling Development shall be utilized with the following exception of the rear yard, where such mechanical equipment shall be located not less than 10 feet from the rear lot line. The alternative standards specified in Section 58.985 may be utilized.

Sec. 58.499.18. Application Fee Waivers

In order to encourage infill development within the PH Overlay District, application fees for Modification of Standards on non-conforming one and two family residential lots of record, or lots being re-platted to match a plat that was recorded prior to 1959, shall be waived.

Attachment "B"

Proposed Revisions to LDC Chapter 67, Part 6.

PART 6. - ALTERNATIVE DEVELOPMENT STANDARDS FOR LOW AND VERY LOW INCOME HOUSING PROJECTS

Sec. 67.600. - Purpose of Alternative Development Standards for Low and Very Low Income Housing.

The alternative development standards contained in this Part are intended to promote innovative design, encourage the production of low and very low income housing, and allow the more efficient use of land as compared with ~~the single family~~ conventional residential development. In order to achieve these goals, this Part provides flexible design options and incorporates cost saving measures without compromising the quality of the resulting development.

Growth Management Plan Consistency. The development permitted pursuant to this part shall be consistent with the Orlando Growth Management Plan Land Use goals, objectives, and policies and Future Land Use ~~m~~Map designations. This part implements ~~the~~ GMP Housing Element Objective 1.35.1 to promote infill residential development; Policy 1.3.15.1.1 to provide residential land uses at varying densities and locations through land development code regulations; Policy 1.6.15.3.1 to ensure adequate sites are correctly planned and zoned to accommodate the projected housing growth, including low and very low income housing; and Policy 1.6.35.3.6 to establish design incentives that provide flexible design options for residential development without compromising the quality of the resulting development. ~~to review the existing land development regulations to consider the necessity of implementing such provisions as higher densities, smaller lots, and innovative designs; and Policy 1.7.1 to encourage developments containing units affordable to a range of income groups.~~

Sec. 67.601. - ~~Prerequisites to Utilization of Alternative Housing Development Standards.~~ Eligibility for Alternative Development Standards.

~~In addition to the other applicable standards of the City Code, the~~ The following ~~prerequisites requirements~~ shall be met in order to be eligible to utilize the alternative housing development design incentives and options contained in this part:

Minimum Unit Count. The development must consist of no less than ten (10) contiguous residential units.

Low and Very Low Income Units Requirement. A minimum of twenty percent (20%) of the units in the ~~project-development~~ shall meet the definition of Low and/or Very Low Income Housing set forth in this Chapter.

~~*Affordable Housing Certification Requirement; Submittal of Application.*~~ The low and very low income housing units must be certified pursuant to the Affordable Housing Certification Process ~~Policy~~ as amended by City Council from time to time. ~~An applicant Developer~~ seeking approval for a proposed Alternative Housing Development shall ~~simultaneously first file submit~~ an application under the Affordable Housing Certification Process seeking to have the proposed affordable units certified as such. Information regarding the Affordable Housing Certification Process ~~Policy~~ shall be made available to the public by the ~~Planning and Housing and Community~~ Development Department upon request.

Sec. 67.602. - Procedural Requirements.

~~The Alternative Development Standards contained in this Part may be approved in connection with a Preliminary or Short Form Subdivision Plat approval for one and two family dwellings wherever such dwellings are permitted under Chapter 58 and the gross residential density does not exceed seven (7) units per acre. An applicant wishing to undertake alternative housing development shall specifically request such approval in connection with application for Preliminary or Short Form Subdivision Plat approval if platting is required to develop the project as proposed. Further, if the applicant proposes to develop the site utilizing Attached Dwelling, Average Lot, Cluster, Zero lot line, or Z lot development standards, the request shall be specifically included as part of the request for alternative housing development, and platting shall be required.~~

~~*Effect of Approval.* If platting is required to develop the project as proposed, no building permit shall be issued except in accordance with an approved Final Plat and upon evidence that any covenants, restrictions, and easements for the alternative housing development have been duly recorded.~~

~~*Planned Development.* For purposes of the Alternative Development Standards, Low and Very Low Income Housing shall be permitted to develop as a Planned Development in accordance with sections 58.360—58.369 of the LDC without having to meet the minimum development site area established in the LDC.~~

~~*Variances and Modification of Standards.* Because the Alternative Development Standards establish reduced front, rear, and side yard setbacks, lot widths, and lot depths, variances or modification of standards to front, rear, and side yard setbacks, lot width, or lot depth shall not be permitted. Variances or modification of standards for other development site standards or building setbacks may be permitted.~~

~~*Infill Development*~~*Neighborhood Compatibility Review.* ~~A developer~~The applicant for an Affordable Housing Development ~~wishing proposing~~ to utilize the Alternative Development

Standards for ~~existing-platted-lots~~ residential development shall undergo neighborhood compatibility review by the Planning Official to determine whether a significant negative impact is present to adjacent neighborhoods. ~~these standards can be utilized on the existing-platted infill lot.~~ The ~~developer applicant~~ shall submit ~~an Affordable Housing Certification application~~ and the following documents to City Planning staff for review:

- (a) A letter from the Housing and Community Development Department certifying the project as Affordable Housing;
- (b) An ~~Accurate~~accurate, ~~Up-to-Date~~current ~~Survey~~survey: As completed by a registered surveyor;
- (c) A ~~Site Plans~~site plan: Showing the individual units on the lots and the entire property;
- (d) ~~Elevation Drawings and Floor Plans~~Elevations and floor plans: Showing the interior and exteriors of the proposed building(s);
- (e) Alternative ~~Design-development standards~~ Request~~request~~: Including a statement of consistency with the standards established by this Part;
- (f) Additional ~~Information~~information: ~~Including Any~~ such ~~additional~~ information ~~as that~~ may be reasonably required to carry out the purposes of this Chapter;
- (g) Waiver by the Planning Official: The Planning Official shall be authorized to waive the informational requirements above where deemed appropriate.

Neighborhood Compatibility Review Criteria. Because alternative housing development standards permits significantly reduced front and rear yard setbacks, these development standards may, in some instances, be insufficient to ensure compatibility with the surrounding ~~block face~~neighborhoods. In order to ensure that the ~~design of an existing-platted infill lot~~design and configuration of lots created through utilizing alternative housing development standards remains compatible ~~with existing development within the block face~~with the adjacent neighborhoods, the ~~Technical Review Committee~~Planning Official shall issue a written report determining whether the use of the alternative development standards will have a significantly greater negative impact on ~~the block faces~~surrounding neighborhoods than ~~infill residential~~ development ~~developed-designed~~ in accordance with the general development standards of the applicable zoning district. The ~~comparison-determination~~ shall be based upon a comparison of the proposed ~~infill-residential~~ development utilizing the alternative development standards to the same development utilizing, the general development standards of the applicable zoning district, ~~and the existing development within the surrounding block face and shall address~~with the following considerations:

- (a) ~~whether~~Whether the proposed building setbacks vary significantly from the applicable zoning requirements and the existing setbacks within the ~~block face~~adjacent neighborhoods;
- (b) ~~whether~~Whether the proposed building envelopes ~~is-are~~ appropriate for the ~~block face~~neighborhood and for the width and depth of the residential infill lots;

- (c) ~~whether~~Whether building setbacks significantly decrease sight-line separation between building sites; and
- (d) ~~whether~~Whether the massing of the proposed ~~infill-residential~~ development is appropriate for the surrounding ~~block-face~~neighborhoods.

Neighborhood Compatibility Review Findings. The ~~Technical Review Committee~~ (TRC)Planning Official shall issue written findings of impact at any time before the issuance of alternative development standards approval. If a significant negative impact is present, or if the proposed development does not comply with Sec. 67.604, the ~~TRC~~Planning Official shall deny the request or, as a condition of alternative development standards approval, shall require compliance with ~~enhanced-project-specific development and design standards-conditions~~ to ~~remove-mitigate~~ the negative impact. ~~Such enhanced development standards may include increased building setbacks, reduced building massing, and/or reorientation of the building.~~ Whenever the applicant disagrees with the decision of the ~~TRC~~Planning Official or any conditions and safeguards imposed by the ~~TRC~~Planning Official, the ~~developer-applicant~~ may elect to appeal the ~~application-decision~~ to the Municipal Planning Board (MPB). Such appeal shall be filed within 10 days of the ~~TRC decision or~~Planning Official determination. The MPB shall review the decision and approve, deny, approve with modifications or refer the matter back to the ~~TRC~~Planning Official for further consideration based on specific instructions. If the ~~TRC~~Planning Official determines that there is no negative impact, or if the ~~developer-applicant~~ agrees to comply with ~~enhanced-the~~ development and design standards-conditions set by the ~~TRC~~Planning Official, then the ~~developer-applicant~~ need only submit all necessary documents for building ~~permitting-permits~~ in accordance with the ~~TRC~~Planning Official determination approval and the requirements of Chapter 65, Part 2C.

Effect of Approval. If platting is required to develop the project as proposed, no building permit shall be issued except in accordance with an approved Final Plat and upon evidence that any covenants, restrictions, and easements for the alternative housing development have been duly recorded.

Variances and Modification of Standards. Because the Alternative Development Standards establish reduced front, rear, and side yard setbacks, lot widths, and lot depths, variances or modification of standards to front, rear, and side yard setbacks, lot width, or lot depth shall not be permitted. Variances or modification of standards for other development site standards or building setbacks may be permitted.

Sec. 67.603. - Specific Residential Developments.

Attached Dwelling, ~~Average-Lot, Cluster,~~ Zero-lot-line, and Z-lot development ~~options~~ configurations may be utilized as part of an alternative housing development.

Sec. 67.604. - Development Site Standards and Principal Building Setbacks.

The Alternative Housing Development may be designed as an Attached Dwelling, ~~Average Lot, Cluster, Z-lot~~, or Zero-lot-line development. In all cases, the following development site standards and building setbacks shall apply:

Alternative Housing Development Site Standards.

Max. Residential Density: Varies by zoning district.

Building Site Standards:

<u>Site Standards</u>	1-Family	2-Family
Min. Avg. all lots	Varies by zoning district	
Min. Area each lot	1600 sq. ft.	2400 sq. ft.
Mean Lot Width	None	25 ft.
Mean Lot Depth	95 ft.	95 ft.
Max. ISR	0.55	0.55

~~All one family lots under 4000 sq. ft. and all two family lots under 5000 sq. ft. must be developed as Zero lot line or Attached Dwelling units utilizing the Alternative Development standards.~~

Principal Building Setbacks. Except as otherwise specifically permitted by this Chapter, the following standards shall apply. The front yard setback shall be measured from the face of the structure to the property line or, if present, the city services easement. If the Developer elects a 0 ft. side yard setback, the project shall be platted as a Zero-lot-line, Z-lot, or Attached Dwelling development utilizing the Alternative Development standards. For Zero-lot-line or Z-lot development, access and maintenance easements shall be required in accordance with the Zero-lot-line development standards. For Attached Dwelling development, there shall be no minimum building separation ~~requirement, requirement~~; however, a minimum perimeter setback of 10 ft. shall be required in accordance with the Attached Dwelling development standards.

Development Standards:

<u>Development Standards</u>	<u>With</u>	<u>Without</u>
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	On-Street <u>Parking Dimension</u>	On-Street <u>Parking</u>
Min. Front Yard (primary structure)	5-15 ft.	5 ft.
Min. Front Yard (garage/carport)	5-20 ft.	20 ft.
Side Yard	0 or 5 ft.	0 or 5 ft.
Min. Street Side Yard	15 ft.	15 ft.
<u>Min. Street Side Yard (garage/carport)</u>	<u>20 ft.</u>	
Min. Rear Yard	5-15 ft.	5 ft.
Min. Building Separation	10 ft.	10 ft.
Max. Density Min. Open Space	Same as permitted or required by the zoning district, including bonuses.	
