

City Council Agenda Memo

From: Mike Struck, Community Development Director

Meeting: July 26, 2022

Subject: Residence R-3 Apartment District Amendments

Person(s) Responsible: Mike Struck, Community Development Director

Summary:

Proposed amendments to the Residence R-3 Apartment District to eliminate the per unit density requirement, increase the maximum height allowed, and clarify additional setbacks.

Background:

The Residence R-3 Apartment District is a high density zoning district offering a variety of residential uses, including single-family, two-family, apartments, condominiums, townhouses, fraternities and sororities and community facilities such as schools, parks, churches, and community and public buildings. The R-3 District regulations includes per unit density square foot requirements; minimum lot area; minimum lot width; minimum front yard, side yard and rear yard requirements; and a maximum height allowance.

The housing market has changed over time with the market adjusting towards smaller dwelling units in apartment projects as well as incorporating underground parking into projects where feasible. In addition, the Comprehensive Plan promotes contiguous and compact development along with the creation of diverse housing options. The City encourages efficient utilization of available land and resources to build housing capacity for additional housing units and options. One of the areas to assist in achieving capacity is reviewing existing codes to ensure they are still relevant and necessary.

Item Details:

The proposed ordinance amendments modify the intent of the Residence R-3 Apartment District by acknowledging the zoning district as one for the highest density of multi-family residences. Additional amendments are proposed to remove the per unit density requirement and increase the maximum height allowance.

The per unit density square foot requirement is only applicable to apartments, condominiums, and townhouses of three or more units in the R-3 District. The per unit density is not applicable to any other uses allowed in the R-3 District. Trends in the multi-family residential construction has been moving towards smaller units, focusing more on efficiency and one bedroom apartments. The smaller square foot dwelling

units allow for more units within a building footprint; however, the current per unit density regulations can unduly restrict the number of units even though all other regulations are met (i.e. setbacks, landscaping, parking, bufferyards, etc.).

The second part of the amendment is increasing the maximum height allowance from forty-five (45) feet to sixty (60) feet. The forty-five (45) foot height allowance was acceptable for a four-story apartment if the apartment contained eight-foot finished interior ceiling heights. Market conditions have trended towards interior ceiling heights of nine- feet with two- foot floor trusses to accommodate HVAC systems causing developments to seek variance requests to the height allowance.

The third part of the amendment is clarifying conditional requirements by making reference to the Bufferyard standards when an R-3 zoned property is adjacent to any residential zoned property. In particular, the Bufferyards require an increased separation distance when a structure exceeds 30-feet in height, where the current language would require the side yard setback to increase from seven-feet to 10-feet if the proposed structure was three or more stories in height.

Legal Consideration:

None

Strategic Plan Consideration:

Sustainability – Review and analysis of the Zoning Regulations is part of the Comprehensive Plan Implementation strategies and the proposed amendments are consistent with recommendations of Comprehensive Plan to eliminate and/or reduce barriers for housing development.

Economic Growth – The proposed amendments will help the economic growth of the community by providing the ability to create more capacity for housing units within the community through the elimination of per unit density requirements and increasing the maximum height requirements.

Options and Recommendation:

The City Council has the following options:

1. Approve as presented
2. Amend
3. Deny
4. Move the item to a study session
5. Discuss / take no action / table

The Development Review Team and Staff recommend approval of the proposed R-3 District amendments. The Planning Commission voted 7 – 0 recommending approval.

Supporting Documentation:

Memo

Ordinance – Clean

Ordinance – Marked
Legal Notice – City Council
Legal Notice – Planning Commission
Planning Commission Minutes
Bufferyards