

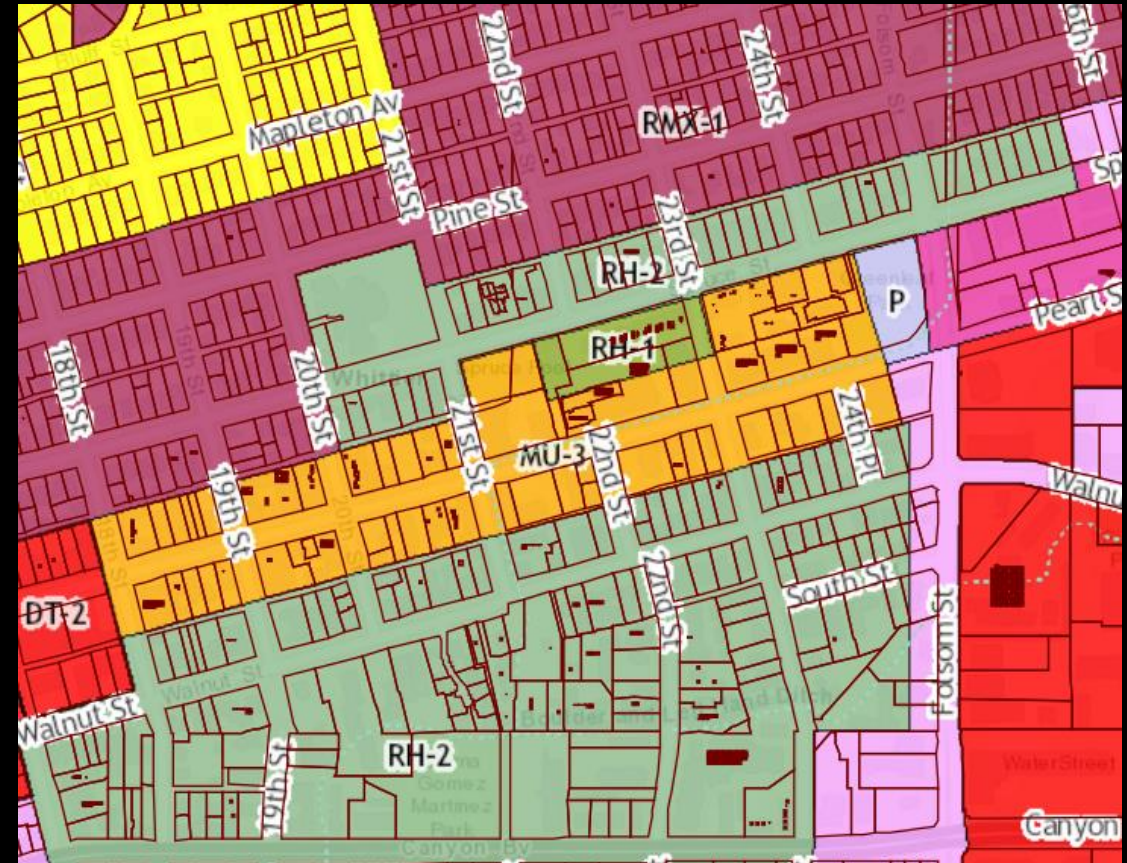
MU-3 Zoning District

Land Use Code Change
City Council
October 16, 2018

Mixed Use – 3 (MU-3) code change

Background:

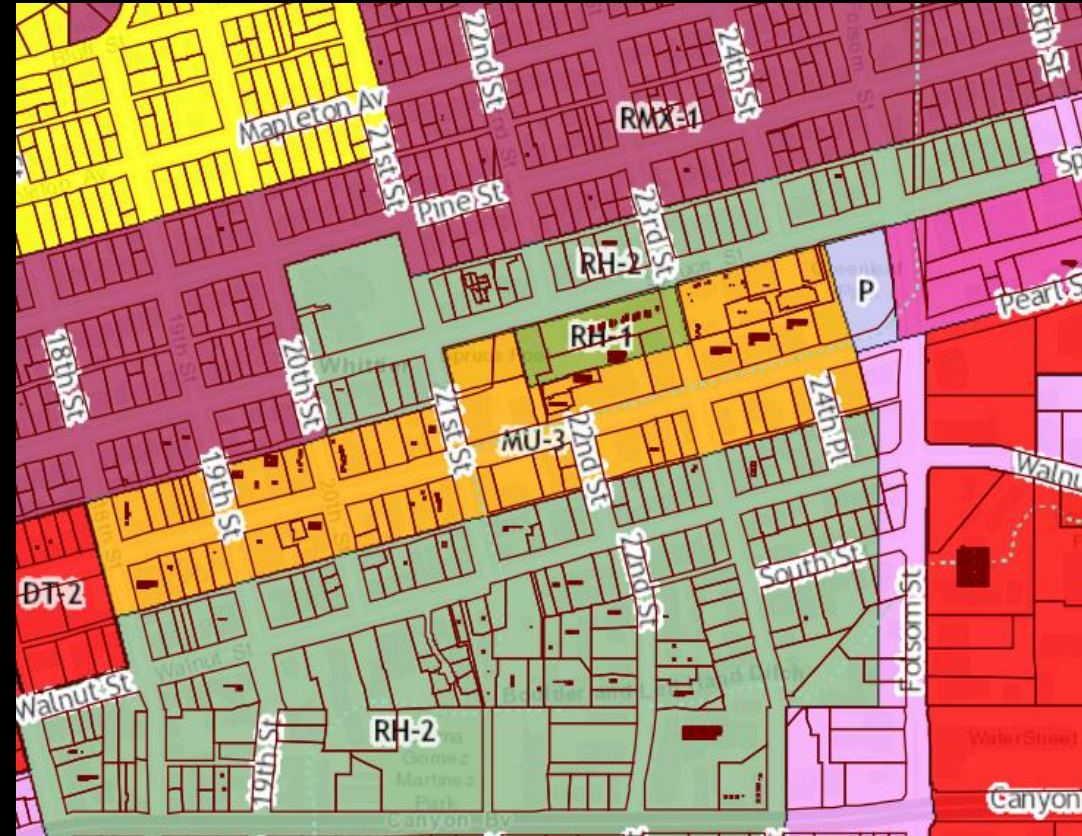
- Based on concern about residential uses on the ground floor changing the mixed use, store front, pedestrian-oriented character of east Pearl
- Residential uses in MU-3 now through Conditional Use to preserve the retail/commercial character of the east Pearl corridor
- Planning Board reviewed on March 5, 2018
- City Council adopted changes on June 5, 2018 (Ordinance 8244)



Mixed Use – 3 (MU-3) code change

Proposed correction:

- A minimum required depth of non-residential space was previously proposed (25-feet)
- At the recommendation of the board, the requirement was removed by council to enable flexibility
- Concern: The removal of the requirement creates ambiguity in what space is exempted from parking calcs & may result in insufficient depths of commercial spaces as a loophole



Mixed Use – 3 (MU-3) code change

- Mixed Use – 3 (MU-3) code change – amend previously adopted ordinance on the MU-3 zone along east Pearl to include a minimum depth of **20 feet** for non-residential space along Pearl Street
 - Would **add “minimum required depth”** for parking exemption and a minimum for storefront space at 20 feet
 - Would **remove the storefront requirement from side streets** to allow transition to residential uses / focus on Pearl Street frontage
 - See Attachment A (Ordinance 8292)
 - Planning Board unanimously recommended approval

Mixed Use – 3 (MU-3) code change

- (1) For properties that front onto Pearl Street ~~or streets that intersect with Pearl~~, the first floor above the finished grade at the street level shall be constructed to permit a portion of the first floor as specified in subsection (j)(2) to be used for dining and entertainment use, personal service use or retail sales use that is permitted in the MU-3 zoning district.
- (2) The nonresidential spaces shall have a minimum depth of 20 feet measured from the front of the building along the Pearl Street frontage to the inside wall opposite of the street frontage and the intersecting street frontage to the inside wall opposite of the street frontage. Building entries for uses above the first floor may be permitted to the extent necessary to provide access.
- (3) Additional parking will not be required to be provided for the floor area that is necessary to meet the required minimum depth of the first floor nonresidential use. All floor area beyond the required minimum depth shall meet the parking requirements of Section 9-9-6, "Parking Standards," B.R.C. 1981.

Public outreach

- MU-3 code change notices were included in several Planning Newsletters
- A mailing was sent to property owners MU-3 informing them of the Planning Board and City Council meetings
- Staff has received input on the MU-3 change leading to proposed revisions

Staff recommendation

Suggested Motion Language:

Motion to adopt Ordinance 8292 amending Title 9, “Land Use Code” by correcting and clarifying provisions in the recently adopted code changes to the Mixed Use – 3 (MU-3) zoning district.

Questions?