

June 21, 2021

Board of Zoning Appeals

Re: 1053 Broadway & Mixed-Use Form Based Zoning District Development Standards

In response to the board's request for the context behind the implementation of the Mixed-Use, Form-Based, Zoning Districts, an inquiry was sent to Director, Brad Glass. The board originally asked for public input materials and minutes of meetings that pertained to the specific drafting of the provision relating to area variance in question.

The Planning Department does not possess the relevant materials that the board is requesting. A PowerPoint can be given relating to public input, but this may not meet the boards need in understanding the context of public participation in the development of the ordinance disallowing porches and decks in the city right-of-way or public easement area.

The Department can provide the context behind the proposal from the department of the ordinance in question. While, as written, the Mixed-Use Development Standards are meant to really speak to new construction and not much is written on on additions, admittedly, the reason for the specific ordinance of disallowing porches and decks in the public right of way or easements was related to the encouragement of building within lot-lines as opposed to over public lands.

The Form Based design principles were meant to be flexible in build-to zone area so that encroachments would not be necessary as they are in other neighborhoods. For example, in Pine Hills, porches in the right of way are allowed and new construction would be expected to continue that development pattern should they pursue an in-fill development project.

It is the opinion of the department that the applicant should seek to develop their structure in an area where it may be allowed.

For the Director,



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