

**Long Range Target Issue (LRTI) Committee Response to CONA's
Suggested Protections for the Residential Preservation Land Use Category**

Below are the recommendations that CONA has provided in response to protecting Residential Preservation areas in the City and County. Planning Department staff reviewed the recommendations and provided a response to each of the recommendations before the LRTI Committee.

The LRTI Committee reviewed the responses and provided the following direction:

CONA Suggested Protections for the Residential Preservation Land Use Category

1. Expand the notice requirements for land use map changes (and rezonings) from 500 feet to at least 1,500 feet and from 21 calendar days in advance to 30 calendar days in advance of the first public hearing (Planning Commission).
2. Give a 30 day notice of any use changes to affected registered neighborhood associations.
3. Increase buffers from 30 feet wide to at least 100 feet wide with a two-story height limit and 200 feet with a three-story height limit: there should also be requirements for fencing, vegetation, and other features which will mitigate the effects of traffic, lighting, and noise.
4. Require setbacks and minimum vegetation to be retained on individual lots.
5. Require compatible design standards.
6. Restrict commercial encroachment into residential neighborhoods.
7. Restrict ancillary uses of religious facilities.
8. Increase rezoning and Comprehensive Plan map amendment fees for properties proposing to be removed from the Residential Preservation Land Use Category.
9. Require a super-majority vote of the City (4-1) and County (5-2) Commissions for properties that proposing to be removed from the Residential Preservation Land Use Category.

1. Expand the notice requirements for land use map changes (and rezonings) from 500 feet to at least 1,500 feet and from 21 calendar days in advance to 30 calendar days in advance of the first public hearing (Planning Commission).

Long Range Planning Target Issue Committee Response: Forward this issue to the full Commission for direction/action.

2. Give a 30 day notice of any use changes to affected registered neighborhood associations.

Long Range Planning Target Issue Committee Response: No change in the current time span was directed. Planning Department will provide notices through email to the CONA distribution list.

3. Increase buffers from 30 feet wide to at least 100 feet wide with a two-story height limit and 200 feet with a three-story height limit: there should also be requirements for fencing, vegetation, and other features which will mitigate the effects of traffic, lighting, and noise.

Long Range Planning Target Issue Committee Response: Staff should look at buffer requirements between multi family and light industrial adjacent to residential areas. Staff should obtain a better description of the problem from CONA . Staff was directed to ask CONA to list the zoning districts that are problematic. Staff was directed to consider increasing the buffer based on light versus heavy traffic land uses.

4. Require setbacks and minimum vegetation to be retained on individual lots.

Long Range Planning Target Issue Committee Response: See response to number 5 below.

5. Require compatible design standards.

Long Range Planning Target Issue Committee Response: Do not direct staff to address this issue. However, in order to address the recent trend to subdivide lots in previously platted neighborhoods, staff was directed to prepare an ordinance to address this particular issue.

6. Restrict commercial encroachment into residential neighborhoods.

Long Range Planning Target Issue Committee Response: This issue will be discussed at a future LRTI Committee meeting.

7. Restrict ancillary uses of religious facilities.

Long Range Planning Target Issue Committee Response: This issue will be discussed at a future LRTI Committee meeting.

8. Increase rezoning and Comprehensive Plan map amendment fees for properties proposing to be removed from the Residential Preservation Land Use Category.

Long Range Planning Target Issue Committee Response: This issue will be discussed at a future LRTI Committee meeting.

9. Require a super-majority vote of the City (4-1) and County (5-2) Commissions for properties that proposing to be removed from the Residential Preservation Land Use Category.

Long Range Planning Target Issue Committee Response: Do not take action on this issue.

10. Additionally, CONA has suggested that TLCPD should stop processing any amendments to the RP land use category until the EAR is finished.

Long Range Planning Target Issue Committee Response: Do not take action on this issue.

Additional Concerns Identified by Staff

There are areas that should not be designated as Residential Preservation. There are large parcels that are not a part of any subdivision. Some of these parcels are located along collector and arterial roads and could serve as infill development opportunities. Additionally, there are a number of properties that are designated as Residential Preservation, but the uses and/or densities are not consistent with the Residential Preservation category or zoning districts. These uses are deemed to be nonconforming and as such limits reinvestment opportunities on these properties. Essentially, lending institutions will not grant loans for rehabilitation work or for use changes (i.e., selling an existing commercial building for another commercial use) when the use is nonconforming with the Zoning Code and Comprehensive Plan.

Long Range Planning Target Issue Committee Response: This issue will be addressed, in part, through a current Comprehensive Plan amendment application review. Additionally, staff will be working with CONA to identify areas within the Residential Preservation Future Land Use Map category where nonconforming uses are located.

There should be a clear distinction between Residential Preservation 1 and 2 zoning districts in the Comprehensive Plan. The Residential Preservation Future Land Use Map category allows up to 6 dwelling units per acre. Additionally, the Comprehensive Plan identifies low density residential as 0-8 dwelling units per acre. Therefore any Residential Preservation zoning district (including PUD's) that is consistent with the uses and densities of the Residential Preservation Land Use category is consistent with the Comprehensive Plan. However, the use and the density could be "different" or more intense than the surrounding residential preservation properties.

Long Range Planning Target Issue Committee Response: In order to address the recent trend to subdivide lots in previously platted neighborhoods, staff was directed to prepare an ordinance to address this particular issue.