MINIMUM LOT SIZE AND SETBACK PROCESS

Application Requirements

- A proposed area, including at least 1 blockface and no more than 2 opposing blockfaces. A blockface is either side of a street and the intersection of one street to the next street (or the cul-de-sac of a dead end street);
- Sketch showing lots, addresses and land use in the proposed area;
- Setback lines / lot size for each lot in the area;
- Petition signed by an owner of property within the proposed area; and
- Evidence of support, usually a petition signed by area owners.
- NOTE: The Planning Dept. will calculate the minimum building line / lot size for the proposed area. [1]

Owners may protest by filing a written notice with the Planning Dept. within 30 days of the date (not receipt) of the notice letter.

Protest

Notice to Owners

- 10 days after its determination that an application is complete, the Planning Dept. will notify all owners in the proposed area (according to tax rolls) by U.S. Mail.
- Additional notice by 2 signs.

No Protest

Public Hearing

If there is a protest, or any of the applicable requirements are not satisfied, the Planning Dept. will set the application for a public hearing before the Planning Commission.

- The Commission shall schedule the public hearing within 30 days after referral by the Planning Dept.
- Notice of the public hearing will be given to each owner at least 15 days beforehand.
- Owners or any other member of the public may speak or present information in writing.

Planning Commission Review

The Commission shall recommend the application for City Council approval only if it meets the following criteria:

- Area boundaries include all properties within at least 1 block face and no more than 2 opposing block faces;
- More than 60% of the lots are developed with single family residential units (setback) or developed w/ or restricted to not more than 2 single family residential units per lot;
- "Sufficient support" (majority signing a petition is not required);
- Approval furthers "the goal of preserving the building line / lot size character of the area"; and
- The area has a "building line character" / "lot size character" that can be preserved by the est. of a min. building line / lot size, taking into account certain factors such as age and architectural features of structures in the neighborhood.

If the Commission does not recommend the application for City Council approval, that decision is final.

Not Recommended

Recommended

Final Approval by City Council

- City Council shall consider the application (based on the foregoing criteria), without another public hearing.
- Approval requires a majority vote of City Council in attendance.
- An ordinance approves the application.
- A certified copy of the ordinance is recorded in the Real Property Records by the Planning Dept.
- The ordinance is effective for 20 years, unless earlier terminated by City Council.
- If no City Council action within 180 days after filing, any intervening development is not subject to the special building line / minimum lot size requirement.

Planning Dept. Approval

If no protest, AND the owners of 51% of the lots / tracts within the proposed area sign a supporting petition, the Planning Dept. will administratively approve IF the application meets the applicable requirements and refer application to City Council for final approval.

[1] The minimum building line will be the constructed building line farthest from the street that the constructed building line of at least 60% of the structures in the proposed area is the same as or farther from the street than, as measured from the property line to the closest point nearest to the property line.
The minimum lot size will be the largest existing lot size that lots in 70% (60% if the proposed area is within a properly designated historic district) of the proposed area are equal to or greater than.

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