

FLEXIBLE ZONING DISTRICT OVERLAY SUMMARY [Last Revision: 4-20-16]

1. The Flexible Zoning District Overlay is intended to stimulate innovative development and promote reinvestment by providing relief from regular land use controls.
2. The City Council would have final authority to approve an Overlay District and a District Plan following staff review, a neighborhood meeting and a Planning Commission hearing.
3. Flexible Zoning Districts could be located anywhere in the City, except in greenfield areas or sites which do not meet the definition for infill.
4. The approved District Plan would replace standard zoning requirements.
5. Flexible Zoning Overlay Districts would allow development that does not meet standard zoning requirements. Requirements like building setbacks, height limitations, parking, landscaping and architectural standards could be reduced or completely eliminated.
6. Building code and infrastructure requirements for development could not be waived. Existing standards for street, stormwater, water, sewer, emergency services and building safety would still apply.
7. Flexible Zoning Overlay Districts would be established for specific locations and would “float” over existing zoning. Therefore, the existing, underlying zoning would not change, but would be suspended unless the District expired or was terminated by the City Council.
8. Property owners (or City Council) could apply to establish a Flexible Zoning Overlay District.
9. Each district could include one or more properties, with no minimum size requirement.
10. Prior to submitting an application for an Overlay District, participating owners would be required to have a concept review meeting with development review staff.
11. To apply for Overlay District designation, applicants would be required to submit conceptual plans for the project area, provide a narrative explanation of their proposal, and indicate what standard zoning requirements (if any) they are seeking to apply—similar to a PUD.
12. Upon staff review of an Overlay District application, a neighborhood meeting would be conducted with notice provided to property owners within an established radius of the site.
13. The Overlay District request could proceed to a Planning Commission public hearing only if the development review team determined that the necessary infrastructure is available to serve the site—ie. the project is feasible in terms of the provision of adequate water, sewer, stormwater, fire and transportation facilities.
14. The Planning Commission would review the proposal in a public hearing and make a recommendation to City Council, including any recommended conditions.
15. Council would conduct a public hearing and approve, approve with conditions or deny.
16. If approved, the applicant(s) could then submit a site development plan for (administrative) review and approval of any sites within the overlay area. Projects would only be subject to the development standards specified in the approved Overlay District Plan. All other city standards/requirements would need to be met unless specifically waived by City Council.