

LU 15-0017 SUBSTANDARD LOTS -CODE AMENDMENTS

LOC 50.01: GENERAL PROVISIONS

50.01.006 NONCONFORMING USES, STRUCTURES, LOTS AND SITE FEATURES

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5. Non-Conforming Lots

a. Development Permitted

- i. A nonconforming lot in a residential zone that does not meet the minimum size or dimensional requirements of the zone in which it is located may be developed with only one dwelling unit on the lot and provided it complies with all applicable code provisions, including but not limited to setbacks, height limits, and lot coverage requirements. The code provisions may be modified by the following: as permitted in that zone, provided that (i) the structure complies with all applicable Code standards or (ii) the applicant obtains a variance pursuant to LOC 50.08, Variances.

(1) Development proposed on the lot shall not have a significant negative impact on the neighborhood in terms of

(a) Scale, including floor are, height and lot coverage

(b) Noise

(c) Traffic

(d) Parking

(e) Buffers from adjacent properties

(f) Loss of privacy on adjacent properties

- ii For lots that do not meet the minimum thresholds, below, the application for development shall be referred to the Development Review Commission for a public hearing

(1) 5,000 sf in area and 50 feet in width in the R-7.5 zone;

(2) 7,500 sf in area and 65 feet in width in the R-10 zone; and

(3) 10,000 sf in area and 80 feet in width in the R-15 zone.

b. Lot Line Adjustment

Lot lines may be adjusted provided that the resulting lots comply with the minimum lot size of the zone; or where the area of all contiguous, commonly owned lots is less than twice the minimum lot size of the zone, the degree of any existing nonconformity is not increased and no new nonconformity is created on any of the lots involved as a result of the adjustment.

LOC 50.03: USE REGULATIONS AND CONDITIONS

50.03.002 USE TABLE

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2. RESIDENTIAL USE TABLE

TABLE 50.03.002-1: RESIDENTIAL DISTRICTS USE TABLE												
P = Permitted Use Blank = Not Permitted C = Conditional Use												
[x] Table notes located at the end of the table												
Use Cat.	Use Type	Residential										Use Specific Standards
		R-15 [9]	R-10 [9]	R-7.5 [9]	R-6 [9]	R-5 [9]	R-DD [9]	R-W [9]	R-3 [8,9]	R-2	R-0 [8]	
RESIDENTIAL USES												
Household Living	Dwelling unit, any type					P			P		P	
	Single-family detached dwelling	P [one per lot]				P	P	P	P	P	P	50.03.003.1
///	////		////		///	///	//	///	///	///	///	
Notes:	<p>///</p> <p>[8] If lot has multiple zones, e.g., R-0/EC, see LOC 50.02.002.2.e.</p> <p><u>[9] If lot is less than the minimum lot size, see LOC 50.01.006.5.a (one dwelling unit per lot)</u></p>											

LOC 50.04: DIMENSIONAL STANDARDS

50.04.003 EXCEPTIONS, PROJECTIONS, AND ENCROACHMENTS

2. GENERAL EXCEPTION TO LOT AREA AND DIMENSION REQUIREMENTS

b. Substandard Lots or Dimensions

A lot which does not comply with the minimum lot area or dimensional requirements required by this Code at the time of application for development may be occupied by a permitted use in the zone in which the lot is located. Any proposed use of the lot must comply with all other applicable code provisions, including but not limited to **LOC 50.01.006.5.a** setbacks, height limits, and lot coverage requirements. ~~The lot lines of a lot which does not comply with the minimum lot area or dimensional requirements of this Code~~

at the time of application may be adjusted as long as the adjustment does not increase the degree of noncompliance.

LOC 50.07: REVIEW AND APPROVAL PROCEDURES

50.07.003 REVIEW PROCEDURES

13. MINISTERIAL DEVELOPMENT DECISIONS

a. Ministerial Development Classification

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ii. Ministerial Development Types

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- (2) Construction or exterior modification of a detached single-family dwelling, a single duplex on a lot, zero lot line dwelling or a structure accessory to such structures which:

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(g) Is not located on a lot that is less than the minimum lot size of the zone

- (4) Lot line adjustments which ~~that:~~ do not increase the allowable density on a site.

(a) Do not increase the allowable density on a site, and

(b) Maintain or achieve conformance to the minimum lot size of the zone.

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14. MINOR DEVELOPMENT DECISIONS

a. Minor Development Classification

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- i. "Minor development" under subsection a.i.(1) of this section includes:

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- (7) Lot line adjustments which would ~~increase allowable density on the site.~~

(a) Increase allowable density on the site, or;

(b) Result in a lot that does not meet the minimum lot size of the zone

LOC 50.10: DEFINITIONS AND RULES OF MEASUREMENT

50.10.003 DEFINITIONS

2. DEFINITION OF TERMS

Lot

A unit of land created in compliance with all legal requirements in effect and applicable at the time of creation. **A legal or legalized unit of land that meets the minimum lot dimensions of the zone. If the**

unit of land does not meet the minimum lot dimensions of the zone, the 'lot' shall consist of the contiguous, commonly-owned lots that meet the minimum standards of the zone. If all contiguously, commonly-owned lots are insufficient to meet the minimum standards of the zone, the 'lot' shall be all of the contiguously, commonly-owned lots. Where a structure that has been constructed over the common lot line of two lots has been demolished, there are two 'lots' for development only if each lot meets the minimum lot size".