

CPSP-2010-2 Staff Report Revisions 1/12/11

Below are two provisions from the Staff Report for the December 16, 2010 CCPC hearing, followed by proposed revisions based upon discussion at that hearing and subsequent collaboration between Comprehensive Planning Section staff and staff from the Office of the County Attorney.

1. FLUE Policy 5.1 (pages 1-2 of Staff Report)

Text as proposed in Staff Report:

Policy 5.1:

All rezonings must be consistent with this Growth Management Plan. For properties that are zoned inconsistent with the Future Land Use Designation Description Section but have nonetheless been determined to be consistent with the Future Land Use Element, as provided for in Policies 5.9 through 5.13, the following provisions apply:

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d. For property deemed to be consistent with this Element pursuant to one or more of policies 5.9 through 5.13, said property may, through a zoning change, be combined and developed with other property, whether such other property is deemed consistent via those same policies or is deemed consistent with the Future Land Use Designation Description Section. Such combination of properties may include re-distribution of zoning districts so long as the acreage for each existing zoning district that is deemed consistent via the referenced policies does not increase. For residential and mixed use developments only, the accumulated density between these properties may be distributed throughout the project, as provided for in the Density Rating System or the Commercial Mixed Use Subdistrict, as applicable.

REVISED text:

~~d. For property deemed to be consistent with this Element pursuant to one or more of policies 5.9 through 5.13, said property may, through a zoning change, be combined and developed with other property, whether such other property is deemed consistent via those same policies or is deemed consistent with the Future Land Use Designation Description Section. Such combination of properties may include re-distribution of zoning districts so long as the acreage for each existing zoning district that is deemed consistent via the referenced policies does not increase. For residential and mixed use developments only, the accumulated density between these properties may be distributed throughout the project, as provided for in the Density Rating System or the Commercial Mixed Use Subdistrict, as applicable.~~

d. Any property deemed consistent may be combined and developed with other property provided the density and intensity of development derived from the property deemed consistent is not increased.

Words in single underline/~~strike through~~ are added/deleted per Staff Report for 12/16/10 CCPC hearing. Words in double underline/~~strike through~~ are added/deleted per 1/12/11 REVISIONS.

2. Office and Infill Commercial Subdistrict (page 2 of Staff Report)

Text as proposed in Staff Report:

1. For properties zoned commercial pursuant to any of the Infill Subdistricts in the Urban Mixed Use District or in the Urban Commercial District, said commercial zoning shall not qualify to cause the abutting property(s) to become eligible for commercial zoning under this Office and Infill Commercial Subdistrict if said commercial zoning is the only commercial zoning abutting the site for which rezoning is sought.

REVISED text:

d. The site abuts commercial zoning:

- (i) On one side and that abutting commercial site is not within an infill Subdistrict in the Urban Mixed Use District or the Urban Commercial District ~~non-commercial zoning on the other side~~; or,
- (ii) On both sides.

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~~1. For properties zoned commercial pursuant to any of the Infill Subdistricts in the Urban Mixed Use District or in the Urban Commercial District, said commercial zoning shall not qualify to cause the abutting property(s) to become eligible for commercial zoning under this Office and Infill Commercial Subdistrict if said commercial zoning is the only commercial zoning abutting the site for which rezoning is sought.~~