

**LAND DEVELOPMENT CODE AMENDMENT**

**PETITION**

PL20190002265

**ORIGIN**

Board of County  
Commissioners

**HEARING DATES**

BCC 01/14/20  
CCPC 11/21/19  
DSAC 10/02/19  
DSAC-LDR 09/17/19

**SUMMARY OF AMENDMENT**

This amendment clarifies that the minimum floor area for commercial in the Bayshore Gateway Triangle Redevelopment Area does not apply to the size of a hotel room.

**LDC SECTION TO BE AMENDED**

4.02.16 Design Standards for Development in the Bayshore Gateway Triangle Redevelopment Area

**ADVISORY BOARD RECOMMENDATIONS**

**DSAC-LDR**  
Approval

**DSAC**  
Approval

**CCPC**  
Approval

**BACKGROUND**

At the Board’s September 10, 2019, meeting, Staff was directed to clarify the dimensional requirements related to the minimum floor area for commercial building types in the Bayshore Gateway Triangle Redevelopment Area (See agenda item 12.A).

Staff’s position is that this commercial dimensional requirement of 700 square feet per unit does not apply to a hotel guest room (or any particular room in any commercial building for that matter). It should be noted that no other zoning district in the County contemplates a 700 square foot requirement for hotel guest rooms.

The County has not historically applied the 700 square foot minimum to guest rooms in hotels. In fact, the County recently approved a hotel in the same GTMUD-MXD zoning overlay with guest room sizes between 259 and 360 square feet.

This amendment adds a note to the apartment, mixed-use, and commercial building types indicating that the minimum floor area does not apply to guest rooms in hotels to in all relevant tables throughout LDC section 4.02.16.

*DSAC Recommendation:*

The DSAC-LDR Subcommittee reviewed the amendment on September 17, 2019, and unanimously recommended approval of the amendment.

During the DSAC-LDR Subcommittee’s discussion, the following additional recommendations were made:

- Staff should provide further clarification of the language regarding minimum unit sizes as it relates to dwelling units.
- Staff should provide clarification regarding the minimum size of guest rooms in hotels.

- 
- Staff should return to the next DSAC-LDR subcommittee meeting to discuss the definition of the term “mixed-use” as used in LDC section 4.02.16 B. Table 7, Note 7. It was noted that it may not have been the intent of the district to allow the maximum building height if a sufficient mix of uses is not provided.

These issues are not addressed in the amendment since this amendment is intended to be narrow in scope. Staff suggests these issues should be addressed through a separate amendment process.

The DSAC reviewed the amendment on October 2, 2019, and unanimously recommended approval of the amendment and supported the DSAC-LDR Subcommittee’s additional recommendations.

*CCPC Recommendation:*

The CCPC reviewed the amendment on November 21, 2019 and unanimously recommended approval (4-0).

---

**FISCAL & OPERATIONAL IMPACTS**

There are no anticipated fiscal or operational amendments related to this amendment.

---

**GMP CONSISTENCY**

The proposed LDC amendment has been reviewed by Comprehensive Planning staff and may be deemed consistent with the GMP.

---

**EXHIBITS:** None.

Amend the LDC as follows:

4.02.16 – Design Standards for Development in the Bayshore Gateway Triangle  
Redevelopment Area

- A. Dimensional and Design Standards for the BMUD.
  - 1. Neighborhood Commercial Subdistrict (BMUD-NC).
    - a. Specific District Provisions:
      - i. Maximum Density: 12 units per acre comprised of density allowed by the underlying zoning district and available density bonuses.
      - ii. Lot and building dimensional requirements for new development are provided below. These requirements shall be based on the building type of the principal structure(s) as described in section 4.02.16 D., Building Types and Architectural Standards.

Table 1. Dimensional Requirements in the BMUD-NC

	House <sup>1</sup>	Rowhouse <sup>2</sup>	Apartment	Mixed-Use	Commercial	Civic & Institutional
Min. Lot Width (ft)	50	25 <sup>3</sup>	100	100	100 <sup>5</sup>	100
Min. Front Yard (ft)	10	10	10	5	5	10
Max. Front Yard (ft)	20	15	20	20	20	20
Min. Side Yard (ft)	5	5	5	5	5	10
Min. Rear Yard (ft)	15	15	20	20	20	20
Waterfront Yard (ft)	25	25	25	25	25	25
Min. Floor Area (sq ft)	700	700	700 per unit <sup>6</sup>	700 per unit <sup>6</sup>	700 per unit <sup>6</sup>	n/a
Min. Building Separation	n/a	n/a	10	10	10	10
Max. Building Height (ft) <sup>4</sup>	42	42	42	56	56	42

Notes:

- <sup>1</sup> See 4.02.16.A.7 regarding Duplexes.
- <sup>2</sup> See 4.02.16.A.7 regarding Two-Family Dwellings.
- <sup>3</sup> Applies to individual unit.
- <sup>4</sup> Zoned Height of Building.
- <sup>5</sup> Property zoned C-3 shall have a minimum lot width of 75 feet.

<sup>6</sup> Not applicable to guest rooms in hotels.

**DRAFT**

Text underlined is new text to be added  
~~Text strikethrough is current text to be deleted~~

- 1           2.     Waterfront Subdistrict (BMUD-W).
- 2
- 3           a.     Specific District Provisions:
- 4
- 5                 i.     Maximum Density: 12 units per acre comprised of density allowed
- 6                     by the underlying zoning district and available density bonuses.
- 7
- 8                 ii.    Lot and building dimensional requirements for new development
- 9                     are provided below. These requirements shall be based on the
- 10                    building type of the principal structure(s) as described in section
- 11                    4.02.16 D., Building Types and Architectural Standards.
- 12
- 13

**Table 2. Dimensional Requirements in the BMUD-W**

	House <sup>1</sup>	Rowhouse <sup>2</sup>	Apartment	Mixed-Use	Commercial	Civic & Institutional
Min. Lot Width (ft)	50	25 <sup>3</sup>	100	100	100 <sup>5</sup>	100
Min. Front Yard (ft)	10	10	10	5	5	10
Max. Front Yard (ft)	20	15	20	20	20	20
Min. Side Yard (ft)	5	5	5	5	5	10
Min. Rear Yard (ft)	15	15	20	20	20	20
Waterfront Yard (ft)	25	25	25	25	25	25
Min. Floor Area (sq ft)	700	700	700 per unit <sup>6</sup>	700 per unit <sup>6</sup>	700 per unit <sup>6</sup>	n/a
Min. Building Separation	n/a	n/a	10	10	10	10
Max. Building Height (ft) <sup>4</sup>	42	42	42	56	56	42

Notes:

- <sup>1</sup> See 4.02.16.A.7 regarding Duplexes.
- <sup>2</sup> See 4.02.16.A.7 regarding Two-Family Dwellings.
- <sup>3</sup> Applies to individual unit.
- <sup>4</sup> Zoned Height of Building.
- <sup>5</sup> Property zoned C-3 shall have a minimum lot width of 75 feet.
- <sup>6</sup> Not applicable to guest rooms in hotels.

\*     \*     \*     \*     \*     \*     \*     \*     \*     \*     \*     \*     \*

- 31    B.     Dimensional and Design Standards for the GTMUD.
- 32
- 33         1.     Mixed Use Subdistrict (GTMUD-MXD).
- 34
- 35         a.     Specific District Provisions:

**DRAFT**

Text underlined is new text to be added  
~~Text strikethrough is current text to be deleted~~

- i. Maximum Density: 12 units per acre comprised of density allowed by the underlying zoning district and available density bonuses.
- ii. Lot and Building Dimensional Requirements: Lot and building dimensional requirements for new development are provided below. These requirements shall be based on the building type of the principal structure(s) as described in section 4.02.16 D., Building Types and Architectural Standards.

**Table 7. Dimensional Requirements in the GTMUD-MXD**

	House <sup>1</sup>	Rowhouse <sup>2</sup>	Apartment	Mixed-Use	Commercial	Civic & Institutional
Min. Lot Width (ft)	50	25 <sup>3</sup>	100	100	100 <sup>5</sup>	100
Min. Front Yard (ft)	10	10	10	6.5 <sup>6</sup>	6.5 <sup>6</sup>	10
Min. Side Yard (ft)	7.5	5	7.5	10	10	10
Min. Rear Yard (ft)	15	15	20	5	5	15
Min. Waterfront Setback (ft)	25	25	25	25	25	25
Min. Floor Area (sq ft)	1,100	1,000	750 per unit <sup>8</sup>	700 per unit <sup>8</sup>	700 per unit <sup>8</sup>	n/a
Min. Building Separation	n/a	n/a	10	10	10	10
Max. Building Height (ft) <sup>4</sup>	42	42	42	56 <sup>7</sup>	56 <sup>7</sup>	42

- Notes:
- <sup>1</sup> See 4.02.16.B.3 regarding Duplexes.
  - <sup>2</sup> See 4.02.16.B.3 regarding Two-Family Dwellings.
  - <sup>3</sup> Applies to individual unit.
  - <sup>4</sup> Zoned Height of Building.
  - <sup>5</sup> Property zoned C-3 shall have a minimum lot width of 75 feet.
  - <sup>6</sup> Development in the Mini-Triangle Area of the GTMUD-MXD subdistrict shall have a maximum setback of 20 feet.
  - <sup>7</sup> MUPs in the Mini-Triangle Area of the GTMUD-MXD subdistrict shall have a maximum zoned building height of 112 feet.
  - <sup>8</sup> Not applicable to guest rooms in hotels.

# # # # # # # # # # # # # # #