

TC-4-08 NCOD Process Revisions

Amends the process for individual neighborhoods proposing to establish a Neighborhood Conservation Overlay Zoning District (NCOD). The ordinance proposes to eliminate the lengthy Comprehensive Plan element (creation and adoption of a Neighborhood Plan) from the process and replace this with a neighborhood built environmental characteristics analysis.

The revised process is as follows:

- Submittal of a petition requesting City Council’s consideration for a neighborhood analysis. The petition shall include the following:
 - defines the study area,
 - provides evidence that the area complies with the locational guidelines,
 - identifies the specific built environmental characteristics (elements) requested to be analyzed (i.e. lot size, setbacks, height, parking), and
 - be signed by a minimum of three (3) persons owning different lots within the study area.
- The City Council determines whether to approve the request for the neighborhood analysis and determines the number of elements to be analyzed.
- The Department of City Planning completes the analysis and proposes a regulation for each element such that greater than 75% of the existing lots would conform. The Department of City Planning notifies all persons owning property within the study area the results of the analysis and the date of a scheduled neighborhood meeting. Following the neighborhood meeting, the analysis and summary of the neighborhood meeting will be presented to the City Council.
- The City Council reviews the results of the analysis and determines whether to propose any specific neighborhood regulations into the City Code by means of a public hearing. The City Council may propose regulations less than or greater than the 75% conformance threshold identified by the analysis.
- Following the public hearing, if any specific neighborhood regulations are adopted, an application to zone property to a NCOD may be submitted. Once an NCOD petition is submitted, no building permits shall be issued or subdivisions approved while the zoning case is pending unless the proposed development complies with the adopted neighborhood regulations.

Following the adoption of neighborhood regulations into the Code, any request to revise the neighborhood regulations shall require City Council authorization for a public hearing and notification to all neighborhood property owners of the proposed changes and the date of the scheduled public hearing.

NCOD Locational guidelines:

The general characteristics desired of land placed in the Neighborhood Conservation Overlay District are the following:

- It is located in an area in which development began at least twenty-five (25) years prior to application of the NCOD.
- At least seventy-five (75) per cent of the land within the area is developed.
- The area contains at least fifteen (15) contiguous acres unless either it is an extension of any existing Neighborhood Conservation Overlay District, or is authorized by City Council.
- The area possesses unifying distinctive elements of built environmental characteristics that create an identifiable setting, character and association.

Built Environmental Characteristics and Regulations:

- Lot Size
- Lot Frontage Width
- Density per net acre
- Building Setbacks
- Building Height
- Building Entrances
- Driveway/Parking
- Street Design (Street Width/Sidewalks)

NCOD Zoning Petition:

- Except for applications filed by the City or authorized by the City Council, the Department of City Planning is instructed not to accept applications for zoning property to a NCOD unless the application is signed by a majority of the property owners within the area sought to be zoned NCOD.
- Is applied to property which is at least a minimum of seventy-five (75) per cent developed.
- It is located in an area in which the City Council has adopted specific neighborhood regulations.