TO: Title 49 Committee

FOM: Greg Chaney

DATE: May 14, 2009

SUBJECT: Potential modifications to the Table of Permissible Uses.

Currently land use permits are listed in the Table of Permissible Uses and are partially categorized by intensity of use. In many cases they are divided into categories based on the classification of “minor” or “major” development. The dividing line between “minor” and “major” development is provided in the “Definitions” section of Title 49:

**Minor Development** means development which consists solely of a subdivision of four or fewer lots, a residential structure containing four or fewer dwelling units, or a nonresidential structure of 5,000 square feet or less.

**Major Development** means all development that is not a minor development.

The classification above is simplistic and does not distinguish between projects based on zoning districts. For example, a four unit common-wall structure might benefit from a public hearing in a single family D-5 neighborhood but it would be superfluous to have a public hearing for a five unit apartment in a D-18 multifamily district. Furthermore, the definitions do not provide direction for classification of projects such as outdoor storage or automobile sales that use land but may not require proportionately large structures. Therefore, Community Development Staff is proposing the following modified definition of Minor versus Major Development:

**Minor development** means development which consists solely of:

**Rural Reserve District**
A residential building containing two or fewer dwelling units,
Or a nonresidential building of less than 10,000 square feet or using less than 1 acre of land.
Single Family Residential Districts
A residential building containing two or fewer dwelling units, or a nonresidential building of less than 5,000 square feet or using less than 26,000 square feet (6/10 acre) of land.

Multifamily Family Residential Districts
A residential building containing eight or fewer dwelling units, or a nonresidential building of less than 5,000 square feet or using less than 26,000 square feet (6/10 acre) of land.

Commercial and Mixed Use Districts
A residential building containing twelve or fewer dwelling units, or a nonresidential building of less than 10,000 square feet or using less than 26,000 square feet (6/10 acre) of land.

Industrial Districts
Non-residential buildings of 15,000 square feet or using less than 1 acre (43,560 square feet) of land.

*Major development* means all development which is not *Minor development*. 