

Conditional Zoning Justifications
CUP - ADU for 2303 W Hwy 290
Pollard

(a) The proposed use at the specified location is consistent with the policies embodied in the Comprehensive Plan;

The Comprehensive Plan calls for this area to be a Retail / Commercial Hub. The property has been used for residential for the history of the tract and continues to be used for residential. With the potential imposition of WQBZs and the restrictive covenant imposed by the seller, the use of this tract remains residential or agricultural which is how the property is currently used by the owners, Glenn and Leigh Ann Pollard.

(b) The proposed use is consistent with the general purpose and intent of the applicable zoning district regulations;

Based on conversations with the City staff, using the limited cumulative zoning allowed in General Retail (GR) that allows for less intense uses that includes SF4 type zoning district uses which further allows for less intense uses which includes SF1 type of uses (which is the current use), an Accessory Dwelling Unit is allowed as Conditional Use.

(c) The proposed use meets all supplemental standards specifically applicable to the use, as established in the Development Standards, [Section 5](#);

The proposed use will be compliant with any supplemental standards as may be applicable.

(d) The proposed use is compatible with and preserves the character and integrity of adjacent development and neighborhoods, and (as required by the particular circumstances) includes improvements or modifications (either on-site or within the public rights-of-way) to mitigate development-related adverse impacts, including but not limited to the following:

(1) Adequate ingress and egress to property and proposed structures thereon with particular reference to vehicular and pedestrian safety and convenience, and access in case of fire;

The site has access through their primary gate at the front of the property onto Tiger Lane / US 290; as well as a secondary access from the west that accesses back to Arrowhead Ranch Blvd.

(2) Off-street parking areas, loading areas, and pavement type;

Since this is a residential use (ADU), all of the parking is off-street as it is only required to have two additional spaces; there are no loading areas since this is not commercial; and the pavement type is not applicable for residential uses; however, the driveway coming in off of Hwy 290 is paved.

(3) Refuse and service areas;

The refuse and service areas will be located in the appropriate locations as required by building codes. The refuse for the ADU will be located at the same location for pick up as the refuse for the primary residence.

(4) Utilities with reference to location, availability, and compatibility;

Utilities will be shared with the primary residence; including an updated, enlarged septic that is proposed to accommodate the ADU. They will share a private water well or rainwater collection. Electric will either be on its own PEC meter or will be shared on the same meter if PEC's regulations allow.

(5) Screening and buffering, features to minimize visual impacts, and/or setbacks from adjacent uses;

This ADU will be screened from the highway by existing tree coverage and further screened from adjacent residential properties by a line of shade trees planted by the Pollards to provide them with privacy not provided by the developer on the residential lots to their immediate south.

(6) Control of signs, if any;

N/A

(7) Control of exterior lighting with reference to glare, traffic safety, economic effect, and compatibility and harmony with properties in the district;

All exterior lights will be compliant with the City's Exterior Design Ordinance.

(8) Required yards and open space;

All setbacks will be complied with; no open space requirements are applicable.

(9) Height and bulk of structures;

The height and bulk of the ADU will be compliant with applicable ordinances.

(10) Hours of operation;

Not applicable as this is not a commercial development.

(11) Exterior construction material, building design, and building facade treatment;

N/A since this is not a commercial development.

(12) Roadway adjustments, traffic-control devices or mechanisms, and access restrictions to control traffic flow or divert traffic as may be needed to reduce or eliminate development-generated traffic on neighborhood streets; and

N/A since this is not a commercial development.

(13) Provision for pedestrian access/amenities/areas;

N/A since this is not a commercial development.

(e) The proposed use is not materially detrimental to the public health, safety, convenience and welfare, or results in material damage or prejudice to other property in the vicinity; and,

The proposed use is not materially detrimental to the public health, safety, convenience and welfare and does not result in material damage or prejudice to other properties in the vicinity as it is the same type of use as the immediately surrounding uses.

(f) Noise;

The property and use will be compliant with the applicable noise ordinance.

(g) Odors; and

No odors are anticipated from this use other than what is ordinary for residential uses

(h) Dust.

No dust is anticipated from this use other than what is ordinance for residential uses.