PLANNING

OFFICE

MEMO

To: FILE

From: Planning Staff

Subject: Required road frontage and lot width determined by the classification of road a lot proposes to take access from.

Date: August 16, 2007

The Height, Area and Bulk Requirements in Article 18 of the Douglas County Zoning Regulations base the minimum lot area, depth, and width based on the type of road **fronted.** The word fronted is not defined in the Subdivision Regulations, the County Zoning Regulations or the County Access Management Standards. The word frontage is defined differently in the 3 documents.

'Frontage' is defined in the Douglas County Zoning Regulations (Section 3-1.33) (a) as "*Street Frontage: all of the property on one side of a street between two intersecting streets (crossing or terminating) measured along the line of the street, or if the street is dead-ended, then all of the property abutting on one side between an intersecting street and the dead end of the street.*" and (b) "*Lot frontage: The distance for which the front boundary line of the lot and the street line are coincident.*"

'Frontage' is defined in the Lawrence-Douglas County Joint Subdivision Regulations [Section 20-815(b)] as "*The boundary of a lot or Residential Development Parcel that abuts a street or a road.*"

The Douglas County Access Management Standards defines 'frontage' in Section 9-503(b) as "*the portion of private property touching the adjacent public road right-of-way from which the property gains its primary access, provided, however, that such private property must have a depth equal or greater than required by applicable Zoning Regulations or Subdivision Regulations.*"

The Subdivision Regulations in Sections 20-804(x), 20-805(vi), 20-806(v) all require that land divisions meet the minimum frontage and entrance spacing requirements established in The County's adopted "Access Management Standards" in Article 5, Chapter IX of the Douglas County Code as amended. Regarding the term 'frontage' they state that the **frontage and entrance spacing requirements are based on the classification of the road upon which Residential Development Parcel (or the cross access easement in the case of a Cluster Development) is proposed to have access.**

It has been determined that the word 'fronted' is being used in the same manner in the County Zoning Regulations as the word frontage is defined in the County Access Management Standards and used in Sections 20-804, 805 and 806 of the Subdivision Regulations.

The minimum lot depth, area, width and frontage required are all dependent on the type of road fronted; which means the type of road from which the lots propose to take access.

This distinction is important for corner properties which abuts different classifications of roads, as shown in the example below. The Zoning Regulations require minimum lot width at road right-of-way of 250', minimum lot area of 3 acres, a minimum lot depth of 250' and a minimum lot width of 225' if a local road is 'fronted' and requires minimum lot width at road right-of-way of 1320', minimum lot area of 20 acres, minimum lot depth of 300' and minimum lot width of 1188' if a principal arterial is 'fronted'. The lack of a definition for 'fronted' and the differing definitions of 'frontage' produced confusion about which lot dimension requirements in the County Zoning Regulations would apply.
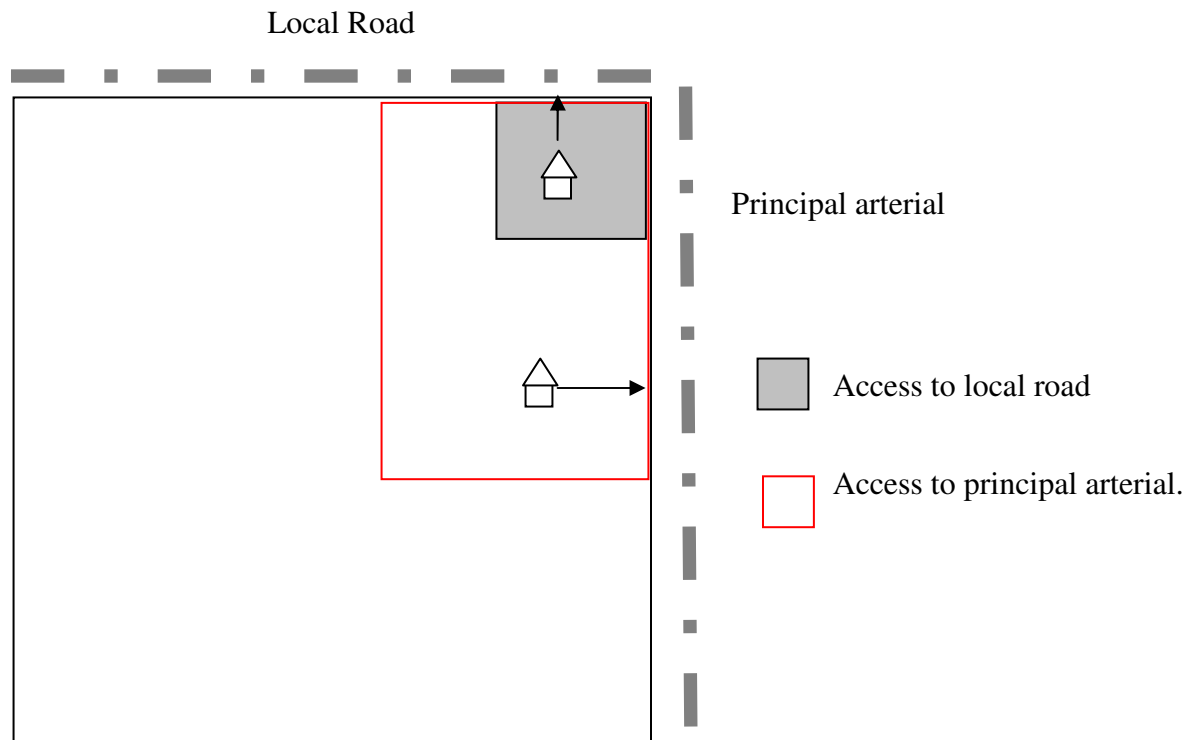
	Min lot width at road	Min lot width	Min lot area	Min lot depth
Access taken from Local Road	250'	225'	3 acres	250'
Access taken from Principal arterial	1320'	1188'	20 acres	300'

This Code Interpretation is intended to clarify that the minimum lot width at road right-of-way, lot depth and lot area are all based on the classification of road where access is proposed. If 'fronted' is assumed to have a similar meaning to 'frontage' as defined in the Subdivision Regulations and the County Zoning Regulations, then only the lot in red, above, would be possible along a principal arterial. The table, above, illustrates how the road that access is taken from impacts the size of lot which is possible.