

## MEMORANDUM

TO: Ordinance Revisions Committee

FROM: Planning Staff

DATE: April 28, 2020

SUBJECT: Amendment to UDC Section 5.30.1 Planned Project Site Plan Modifications

The Planning Commission has been working to amend UDC Section 5.30.1 Planned Project Site Plan Modifications. The work is intended to clarify expectations for all stakeholders and to modernize the justifications when considering approval to more closely align with current goals and policies for development, sustainability, and future land uses.

Most recently, Planning Commission discussed the topic at its working session of February 11, 2020. It was agreed that the work needed to be done, and direction on how to proceed was given to staff, but no firm conclusions were drawn. Staff have taken the feedback and direction from that working session and have prepared a discussion draft for the Ordinance Revisions Committee. This discussion draft includes high level concepts, not precise regulating language. Staff ask for the ORC's comments, suggestions and recommendations in order to prepare a proposed ordinance for possible future public hearing.

### 1. Eligible Modifications

*Staff suggest adding a new paragraph to clarify what can (and thus cannot) be modified through the planned project tool. This new paragraph is not intended to include additional modifications, only to specify exactly which of the "area, height, placement, and design requirements, and lot sizes" that may be modified (quote from purpose statement, Section 5.30.1.A).*

#### Eligible Modifications

The following dimensional standards may be modified by a planned project modification:

- i. Minimum and maximum front, side and rear setbacks provided in Section 5.17 Tables 5:171 through 7 including footnotes.
- ii. Maximum building height provided in Section 5.17 Tables 5:17-1 through 7 including footnotes.
- iii. Dimensional design requirements as provided in Section 5.17.C.2.
- iv. Minimum lot area per dwelling unit when the minimum required is more than 14,520 square feet as provided in Table 5:17-1.

## 2. Standards for Approval

*Staff suggest revising the standards for approval to newly require prerequisites for all planned project modification, and to update the justifications for requesting a planned project as well set clear expectations for what the modifications should achieve. In a few cases, additional requirements are introduced.*

### Standards for Approval

The Planning Commission may recommend approval, and City Council may approve, certain modifications of the dimensional standards when:

- I. The development is entirely electrified, solar panels cover at least 30% of roof surface area, use geothermal energy.
- II. The modification is for one of the following purposes:
  - i. Preservation of Natural Features.
    - Modifications to preserve natural features must include preservation of all natural features on the site without any disturbance whatsoever, and
    - Must have no net reduction in the required setback area in total on the site. Areas of decreased setback must be balanced by areas of increased setback.
  - ii. Pedestrian-friendly, pedestrian-first design.
    - Modifications to enable pedestrian-friendly, pedestrian-first design are those that enable an arrange buildings for optimal pedestrian access, to create pedestrian and amenity plazas, that provide comfortable sidewalk widths and amenity zones that cannot be accommodated within the adjacent right-of-way, so the development aligns with adjacent walkways or plazas, or that provide facilities to support nonmotorized transportation and alternative transit. *Additional bicycle parking, car share, ride hailing services, bike and scooter share, courier and deliveries?*
  - iii. Sustainability.
    - Modifications to enable sustainability practices are those that use pervious or porous hardscape materials, capture and reuse stormwater on the site, have at least 50% of roof area covered by solar panels, or have at least 50% of roof area covered by vegetative material. *All wood frame construction?*
  - iv. Preservation and Adaptive Reuse.
    - Modifications to preserve existing historical and architectural features, or adaptively reuse existing buildings, are those that do not demolish any existing building, incorporate all existing buildings into a redevelopment program, or design buildings to adapt to future uses without reconstruction or demolition.

- v. Affordable Housing or Mixed Uses.
  - Modifications to support the development of affordable housing and mixed use development.
  - Provided that all units in the development are affordable.
  - Provided that mixed uses are at least 1/3 residential and 1/3 nonresidential, with the remaining 1/3 either.
- vi. Downtown Design Guidelines.
  - In the D1 and D2 zoning districts, building placement, architectural design or use of building materials that maximize the extent of a building satisfies the Downtown Design Guidelines that could not be achieved with strict conformity with the design requirements of Section 5.17.6.C.
- vii. Permanent Open Space
  - Provided that [*same as current*]
  - Recorded conservation easement
  - 2 acre minimum site size
  - Only in R1A district
  - *Etc.*

Below is a side-by-side comparison of the proposed concepts and current provisions.

Proposed Concepts	Current Provisions
<p>The development is entirely electrified, solar panels cover at least 30% of roof surface area, use geothermal energy</p>	<p>[no equivalent]</p>
<p>Preservation of Natural Features.          Modifications to preserve natural features must include preservation of all natural features on the site without any disturbance whatsoever, and          Must have no net reduction in the required setback area in total on the site. Areas of decreased setback must be balanced by areas of increased setback.</p>	<p>Open space in excess of minimum requirement for the zoning district. Where no minimum open space standard is required by the zoning district, a minimum open space standards shall be established by the approval of the planned project.          Preservation of natural features that exceeds the requirements of this chapter, especially for those existing features prioritized in this chapter as being of highest and mid-level concern.</p>
<p>Pedestrian-friendly, pedestrian-first design.          Modifications to enable pedestrian-friendly, pedestrian-first design are those that enable an arrange buildings for optimal pedestrian access, to create pedestrian and amenity plazas, that provide comfortable sidewalk widths and amenity zones that cannot be accommodated within the adjacent right-of-way, so the development aligns with adjacent walkways or plazas, or that provide facilities to support nonmotorized transportation and alternative transit. <i>Additional bicycle parking, car share, ride hailing services, bike and scooter share, courier and deliveries?</i></p>	<p>Required setback lines or parking setback(s) in excess of the minimum requirement for the zoning district. Where no minimum required setback lines or parking setback is required by the zoning district, a minimum setback standard shall be established by approval of the planned project.          An arrangement of buildings that provides a public benefit, such as transit access, pedestrian orientation, or a reduced need for infrastructure or impervious surface.</p>
<p>Sustainability.          Modifications to enable sustainability practices are those that use pervious or porous hardscape materials, capture and reuse stormwater on the site, have at least 50% of roof area covered by solar panels, or have at least 50% of roof area covered by vegetative material. <i>All wood frame construction?</i></p>	<p>Solar orientation or energy conserving design.</p>

Proposed Concepts	Current Provisions
<p>Preservation and Adaptive Reuse.</p> <p>Modifications to preserve existing historical and architectural features, or adaptively reuse existing buildings, are those that do not demolish any existing building, incorporate all existing buildings into a redevelopment program, or design buildings to adapt to future uses without reconstruction or demolition.</p>	<p>Preservation of historical or architectural features.</p> <p>Solar orientation or energy conserving design.</p>
<p>Affordable Housing or Mixed Uses.</p> <p>Modifications to support the development of affordable housing and mixed use development.</p> <p>Provided that all units in the development are affordable.</p> <p>Provided that mixed uses are at least 1/3 residential and 1/3 nonresidential, with the remaining 1/3 either.</p>	<p>Affordable housing for lower income households.</p>
<p>Downtown Design Guidelines.</p> <p>In the D1 and D2 zoning districts, building placement, architectural design or use of building materials that maximize the extent of a building satisfies the Downtown Design Guidelines that could not be achieved with strict conformity with the design requirements of Section 5.17.6.C.</p>	<p>In the D2 and D2 zoning districts, building placement, architectural design or use of building materials that maximize the extent of a building satisfies the Downtown Design Guidelines that could not be achieved with strict conformity with the design requirements of Section 5.17.6.C.</p>
<p>Permanent Open Space</p> <p>Provided that ... [same as current]</p> <p>Recorded conservation easement</p> <p>2 acre minimum site size</p> <p>Only in R1A district</p> <p>Etc.</p>	<p>A recorded conservation easement or similar binding instrument providing for permanent open space of 20% or more of the planned project, in any residential zoning district allowing three or fewer dwelling units per acre.</p>