

Better Housing by Design: Worksheet for PSC Work Session on September 25, 2018

Topics: Development Scale/FAR, Bonuses and Transfers, Minimum Densities

ITEM	PROPOSED DRAFT PROPOSAL	POTENTIAL AMENDMENTS	PSC AND STAFF COMMENTS																									
1	<p>Regulate by building scale instead of unit density. Proposed spectrum of FAR, building height and coverage:</p> <table border="1" data-bbox="282 530 879 762"> <thead> <tr> <th></th> <th>Base FAR</th> <th>Bonus FAR</th> <th>Height</th> <th>Coverage</th> </tr> </thead> <tbody> <tr> <td>RM1</td> <td>1 : 1</td> <td>1.5 : 1</td> <td>35'</td> <td>50%</td> </tr> <tr> <td>RM2</td> <td>1.5 : 1</td> <td>2.25 : 1</td> <td>45'</td> <td>60%/70%</td> </tr> <tr> <td>RM3</td> <td>2 : 1</td> <td>3 : 1</td> <td>65'</td> <td>85%</td> </tr> <tr> <td>RM4</td> <td>4 : 1</td> <td>6 : 1</td> <td>75'/100'</td> <td>85%</td> </tr> </tbody> </table> <p><i>See Attachments 3 and 4 for graphics and more detail, including a comparison of development standards in the single-dwelling and multi-dwelling zones.</i></p> <p><i>Additional information comparing multi-dwelling and commercial/mixed use zones will be provided during the September 25 work session.</i></p>		Base FAR	Bonus FAR	Height	Coverage	RM1	1 : 1	1.5 : 1	35'	50%	RM2	1.5 : 1	2.25 : 1	45'	60%/70%	RM3	2 : 1	3 : 1	65'	85%	RM4	4 : 1	6 : 1	75'/100'	85%	<p>Option 1: Retain current code. Keep current approach that regulates development intensity by maximum unit density in the R3, R2, and R1 zones (e.g., maximum density of 1 unit per 2,000 sq. ft. in the R2 zone, maximum density of 1 unit per 1,000 sq. ft. in the R1 zone). Do not shift to an FAR-based approach for these zones.</p> <p>Option 2: Support staff proposal. Keep the staff proposal for FARs, height, and coverage, allowing flexibility for numbers of units within the proposed development parameters.</p> <p>Option 3: Increase the proposed base zone scale allowances (FAR, height, coverage). Increase the proposed FAR and building scale allowances to allow greater development potential, beyond what is in the Proposed Draft. (Specific FAR levels and other scale parameters would need to be decided during future work sessions.)</p> <p>Option 4: Change the zoning map proposal. Replace RM1 zoning along major corridors (Civic and Neighborhood Corridors) with RM2 zoning.</p> <p><i>Note: changes to the details of setbacks, building height step downs, etc., will be considered during the November 13th PSC work session.</i></p>	<p>PSC Comments:</p> <ul style="list-style-type: none"> I'm intrigued by the chart Rick Michaelson submitted that shows the progression of height and FAR across the RM and CM zones (RM zones that allow the same height as CM zones allow much less FAR [table included in Sept. 11 work session packet]). (Smith) <p>Staff Comments:</p> <ul style="list-style-type: none"> The options presented for potential changes to this proposal reflect the range of public testimony received on the Proposed Draft. Some testimony expressed concern about the density allowed by the proposals, while other testimony requested increased FAR and scale to more closely match allowances in the Commercial/Mixed Use zones, or requested upzoning along major corridors. By proposing to allow for more flexibility for the numbers of housing units within a defined building scale, staff believe that the Proposed Draft proposals strike a balance between expanding housing options on the one hand, with community concerns about building scale and the need for outdoor spaces and landscaping. Option 4: staff do not recommend introducing a major mapping component to the BHD project, other than assigning the closest comparable new zones to existing zoning, as this was not part of public outreach or community discussion. Staff's intent is to improve the zoning code regulations, leaving remapping to future planning projects.
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2	<p>Historic District exclusions - limitations on bonuses, FAR transfers, and building height in Historic and Conservation Districts. The proposals:</p> <ul style="list-style-type: none"> Allow FAR bonuses for inclusionary housing and moderate-income 3-bedroom units in historic districts. Do not allow the deeper housing affordable bonus (providing 100% additional FAR and greater building height and coverage) in historic districts. Do not allow FAR transfers into historic districts. Exclude RM4 zoning in historic districts from the allowance for 100' building height that otherwise applies in the RM4 zone within 1,000 feet of a transit station (height would be limited to a maximum of 75'). 	<p>Option 1: Support staff proposal.</p> <p>Option 2: Modify the proposal to allow FAR transfers into Historic and Conservation districts, but do not allow additional height. This would be consistent with the regulatory approach used in the Central City historic districts, where FAR bonuses and transfers are allowed, but not additional height. This approach would exclude the deeper housing affordability bonus from being used in historic districts, because the additional 100% FAR provided by this bonus is generally not achievable without providing additional building height. This approach would also not provide the 100' building height allowance close to transit stations to be used in historic districts.</p> <p>Option 2: Change proposal to not exclude Historic and Conservation districts from any of the bonus, FAR transfer, and additional building height allowances.</p>	<p>PSC Comments:</p> <ul style="list-style-type: none"> Concerned about historic district exclusions and the potential use of historic or conservation district designation as means to limit development scale and housing opportunities. (Spevak) <p>Staff Comments:</p> <ul style="list-style-type: none"> See PSC Questions and Staff Responses document, which compares regulations for historic district bonuses and transfers inside and outside the Central City (the latter allows FAR bonuses and transfers in historic districts, but does not allow for bonus height). An issue is that the Historic Landmarks Commission has the ability to not allow full utilization of building height or FAR allowances, if they determine that this scale is not appropriate for the historic context. 																									

<p>3</p>	<p>100' building height allowances in the RM4 zone. The proposals extend to the RM4 zone existing allowances for 100' building height that apply to properties with RH zoning (4 to 1 FAR) that are located within 1,000 feet of transit station. However, the proposals exclude properties located within Historic or Conservation districts from using this allowance (see item 2, above). Current regulations do not exclude historic districts from this 100' height allowance.</p> <p><i>See also attachments 6, 7, 8. These maps show:</i></p> <ul style="list-style-type: none"> • <i>Multi-dwelling zoning and historic districts</i> • <i>RM4 zoning within 1,000' of transit stations, and</i> • <i>RM4 zoning within 500' of transit streets with 20-minute peak hour service</i> 	<p>Option 1: Support staff proposal. This would provide the RM4 zone 100' height allowance to locations within 1,000 feet of transit stations, but outside Historic or Conservation districts. This would allow the 100' building height option to be available for 15 acres of land with RM4 zoning (this excludes 10 acres of RM4 zoning located in historic districts).</p> <p>Option 2: Expand the RM4 zone 100' height allowance to also apply to locations close to streets with frequent transit service, but outside Historic or Conservation districts. Besides locations close to transit stations, this would allow buildings in the RM4 zone to be up to 100' high (instead of 75') on properties located with 500' of transit streets with 20-minute peak hour service. This would make the 100' building height option available for 68 acres of land with RM4 zoning outside historic districts.</p> <p>Option 3: Expand the RM4 zone 100' height allowance to also apply to all locations close to streets with frequent transit service, with no exclusion for Historic or Conservation districts. Besides locations close to transit stations, this would allow buildings in the RM4 zone to be up to 100' high (instead of 75') on properties located with 500' of transit streets with 20-minute peak hour service. This would make the 100' building height option available for 122 acres of land with RM4 zoning. With no historic district exclusion, this allowance would apply to most areas proposed for RM4 zoning within the Alphabet Historic District, approximately half of RM4 zoning in the King's Hill Historic District, and RM4 zoning in the Irvington Historic District (54 total acres within historic districts).</p>	<p>PSC Comments:</p> <ul style="list-style-type: none"> • Interested in testimony requesting the RM4 100' building height allowance to be made available to sites located within 500' of frequent transit service bus lines (instead of being limited to sites within 1,000' of transit stations). (Spevak, Schultz) <p>Staff Comments:</p> <ul style="list-style-type: none"> • The 500' distance from streets with frequent transit service, used in options 2 and 3, corresponds to the metric used for reduced parking requirements and for TDM requirements. An alternative metric could be to limit this allowance to sites that directly abut a frequent transit street, so that this greater height is not allowed on sites that only have frontage on secondary streets. • Staff reviewed RH zone building permit information from the past 10 years and found only one building (9 stories) that exceeded the standard 75' building height limit. All other buildings were 6 stories or less. This, combined with the greater construction costs related to buildings taller than 6 stories, suggests that the 100' building height allowance will not frequently be utilized.
<p>4</p>	<p>FAR allowances for sites previously approved for unit-based density transfers. For zones that are currently regulated by maximum unit density (R3, R2, R2), but are now proposed to be regulated by FAR, the proposals correspondingly change development transfer allowances to be FAR-based (with no specified limit on unit density).</p> <p>The proposals do not include provisions for properties that previously recorded density transfers (which have covenants recording reductions and increases in numbers of units for the sending and receiving sites). Because the new code would longer set maximum numbers of units, these properties would be subject to the new FAR allowances and would not be subject to the previous unit limits.</p>	<p>Option 1: Support the staff proposal. This would mean that properties previously involved in unit-based density transfers would no longer be bound by the decreases or increases in housing units stated in the transfer covenants, but would be subject to the new FAR limits.</p> <p>Option 2: Create regulations that translate decreases or increases in numbers of units from preexisting density transfers to decreases or increases in allowed FAR. This unit-to-FAR translation could use methodology used for the Manufactured Dwelling Parks code amendments, in which 1 unit translates to 800 sq. ft. of floor area.</p>	<p>PSC Comments:</p> <ul style="list-style-type: none"> • Interested in ramifications of switch from unit-based to FAR-based entitlement for projects with pre-existing recorded development transfer covenants. Should sites that previously sent or received units have these changes translated to changes in FAR? (Spevak) <p>Staff Comments:</p> <ul style="list-style-type: none"> • Staff has concerns about the complexity involved in creating regulations specific to properties with pre-existing density transfers. Also, there are many examples of zoning code amendments that changed density or FAR allowances, that did not create provisions specific to properties that used bonuses or transfer provisions based on earlier zoning code regulations.

<p>5</p>	<p>Minimum density requirements for sites with existing development. The proposals would require projects adding new units to come all the way into conformance with minimum density requirements. Exceptions are provided to allow for an ADU to be added to an existing house, or for units to be added within an existing structure when the building footprint is not expanded (to facilitate internal conversions and preservation of existing buildings). This is a change from current regulations, which allow any addition of new units to sites with existing development to not come all the way into conformance with minimum density requirements, which has sometimes resulted in significant underbuilding of the intended development intensities of multi-dwelling zones. See PSC Questions and Staff Responses document, page 5.</p> <p>Sites with historic resources, where trees are being preserved, or that are in flood or landslide hazard areas are also exempt from coming all the way into conformance with minimum densities.</p>	<p>Option 1: Modify the proposal, so that new units can be added to an existing structure without coming all the way into conformance with minimum density requirements, even if the structure’s footprint is being expanded. This proposal would still require that projects adding new buildings with additional units would need to meet minimum density requirements (with an exception for detached ADUs).</p> <p>Option 2: Retain current code, allowing any addition of units to a site with existing development to not have to meet minimum density requirements. This provides flexibility for sites to add units (whether as additions to existing buildings or as new buildings), without coming all the way into conformance with minimum density requirements.</p>	<p>PSC Comments:</p> <ul style="list-style-type: none"> Consider allowing reduction of minimum density by some number of units for preserving a pre-existing house on a property (akin to what’s proposed for tree preservation), so you have to get closer to minimum, but not all the way there. Sometimes perfectly good homes on larger MF lots are located such that it’s hard to work around them., thereby reducing the development potential for the site in such a way that preserves the house. (Spevak) <p>Staff Comments:</p> <ul style="list-style-type: none"> Option 1: this amendment, supported by BPS staff, is based on testimony from BDS, which requested that the proposal be modified so that units being added to an existing building are exempt from meeting minimum requirements, even if the building footprint is being expanded. This is intended to encourage preservation of existing buildings, which sometimes are expanded to accommodate additional units. Project staff’s original intent in limiting this exception to units added within a building’s existing footprint was to prevent situations from qualifying for the exception when only a small portion of an existing structure is retained (but may have a major addition with a small number of large units that do not meet minimum density requirements). Option 2: Instead of a creating a new methodology for reduced minimum density for situations in which buildings are being added to site with an existing structure, staff suggests this option as one that would retain existing minimum density regulations. If retained, this would provide flexibility for additional buildings to be added without coming into conformance with minimum required densities, but would allow continuation of the underbuild situation shown on page 5 of the PSC Questions and Staff Responses document.
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