



Bureau of Planning and Sustainability

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MEMO

DATE: June 23, 2016
TO: Planning and Sustainability Commission
FROM: Barry Manning, Project Manager
CC: Susan Anderson, Joe Zehnder, Eric Engstrom, Bill Cunningham, BPS
SUBJECT: Mixed Use Zones Project – PSC Work Session #2

At the Planning and Sustainability Commission meeting on June 28, 2016 the Commission will hold a second work session on the Mixed Use Zones Project. Staff's memo to PSC dated May 23, 2016 identified a number of thematic topics to address in work sessions.

On May 24, the PSC addressed Topic #1, the Low-Rise Commercial Storefront zoning issue. On June 14, PSC heard from PBOT on the TDM issue (Topic #2) and provided direction for the MUZ project. A future work session on July 12 will address the Division Design Initiative (Topic #8), Zoning Map Amendments/Requests (Topic #9), Design Overlay Zones (Topic #10), and questions about EX and CM3 zoning (Topic #11). Staff will also seek final direction on remaining Low-Rise Commercial Storefront areas (Division, Sellwood, Moreland, Multnomah) in the context of the zoning and design discussions.

Also note that a final work session and decision is now planned for August 9, 2016. This final work session will allow staff time to develop zoning code language and map changes in response to PSC direction from the work sessions.

The June 28 work session is focusing on the topics below. The session will start with a brief BPS staff overview, followed by staff comments from partner bureaus: Portland Housing Bureau (PHB), Portland Development Commission (PDC) and Bureau of Development Services (BDS). Given limited time at the meeting, staff is proposing the following agenda to work through the topics.



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- 5:30 p.m. **Topic 3.** Base and Bonus floor area allowances; Inclusionary Housing relationship
- 5:40 p.m. **Topic 4.** Development and design standards: building height; step-backs/downs; articulation, length, etc.
- 6:00 p.m. **Topic 6.** Grocery and large site development zoning (CE zoning); building orientation and other development standards
- 6:20 p.m. **Topic 5.** Drive-throughs; Quick Vehicle Service uses; Auto-oriented development standards
- 6:40 p.m. **Topic 7.** BDS Code Requests and other code issues from the PSC, Design Commission, Historic Landmarks Commission, Urban Forestry Commission and BPS.

This memo addresses topics 3-7 (including sub-topics) providing a brief discussion of the issue, followed by a staff recommendation. (Note, the order of topics 5 and 6 are reversed to better facilitate PSC discussion.) The staff recommendations are followed by options the PSC may wish to consider in light of testimony/requests. In some cases staff does not support options that may directly respond to testimony. These are indicated. Staff seeks direction from PSC on these issues and will return to PSC with proposed code prior to August 9, 2016.

Topic 3. Base and Bonus floor area ratio (FAR) allowances; Inclusionary Housing relationships

3.1 FAR Discussion:

The proposed structure of “base” and “bonus” floor area ratios (FAR) was developed in conjunction with allowed height limits and structured to respond to community development concerns about scale of development, provide adequate level of development capacity to meet future growth needs, and to create an economic incentive for use of proposed bonuses. Subsequent work on the city’s implementation of Inclusionary Housing/Zoning (IZ) provisions may result in modifications to the details of code. However, as currently envisioned, the IZ provisions are expected to utilize “bonus” floor area as part of a package of measures intended to offset the costs of provision of affordable units.

3.1 FAR - Staff Recommendation:

	Recommendation	Comment
A	Retain current structure of base and bonus allowances, subject to future IZ changes (Table 130-2; 33.130.212; Table 130-3).	The current FAR structure provides the base and bonus relationships on which IZ provisions are expected to be developed. The base and maximum FAR levels have been analyzed from an economic and physical development perspective.



Topic 4. Development and design standards: building height (1); step-backs/downs (2); articulation, length, etc. (3)

4.1 Height Discussion:

The proposed height limits for “base” and “bonus” levels of development were developed based on existing allowed height limits in base zones and plan districts, conversations with the community about scale of development, and research from approaches employed in other jurisdictions. The height limits relate to the proposed FAR by accommodating the FAR allowances within height limits that respond to neighborhood-scaled development. The height limits assume commercial, residential, and mixed use developments that feature ground floors with heights ranging from 12-15 feet, and residential floors of approximately 10 feet.

4.1 Height – Staff Recommendations:

	Recommendation	Comment
A	Retain current heights CM1 - 35'; CE - 45'; CM2 - 45'/55'; CM3 - 65'/75' (Table 130-2).	Height limits were established based, in part, on current height limits and neighborhood expectations about development scale. The CM1 zone is expected to allow up to 3 stories. The CE zone is expected to allow up to 4 stories. The CM2 zone is expected to allow up to 4 stories, or 5 stories with bonus. The CM3 zone is expected to allow up to 6 stories, or 7 stories with bonus.
B	Provide 3-foot allowance for extra ground floor height citywide.	The MUZ proposed to allow an additional 3-feet of height at the ground floor in CM2 and CM3 zones for buildings with high-ceiling ground floor activities as part of the Centers Main Street Overlay zone (33.415.400). Staff recommends allowing this provision citywide and extending the provision to the CE zone.

4.1 Height – Alternatives/Options:

	Option	Comment
C	Allow additional 5 feet of height at ground floor for commercial use and mechanized parking citywide.	Provides height at ground floor to better accommodate high ceiling commercial space and mechanized parking stackers in mixed use development zones throughout the city. Keeps height of upper floors in check; limits ability to add a full floor of development to buildings.
D	Revise height limits overall (add additional 3- to 5-feet, plus additions for structural).	Revises height overall to accommodate taller ground floors (adds 3-5 feet to accommodate commercial and/or mechanized parking) and more generous floor-to-floor heights in upper stories (10' 6" floor to floor). Also adds 1-foot structural dimension to allow for a roof deck. +3': CM1 - 39'; CE - 50'; CM2 - 50'/61'; CM3 - 71'/82' +5': CM1 - 41'; CE - 52'; CM2 - 52'/63'; CM3 - 73'/84'



4.2 Step Downs and Step Back Discussion:

The MUZ proposed height “step-downs” and “step-backs” in different situations. Step-downs are proposed to transition height of larger buildings adjacent to residentially-zoned properties. Step-backs are proposed on street-facing facades for several reasons: 1) to minimize the impact of bonus height allowances on street walls; 2) to respond to Comprehensive Plan policies that call for better matching allowed building heights to street widths.

4.2 Step-Down and Step-Back – Staff Recommendations:

	Recommendation	Comment
A	Retain step-downs to residentially-zoned properties (33.130, 210.C.2.b & c).	The proposed step-downs address scale transitions to residential zones and are similar to codes employed in many plan districts and through design standards.
B	Retain Bonus step backs in CM2, CM3 (33.130.212B.5.b).	An additional 10 feet of bonus height is available in the CM2 zone in selected areas where Comprehensive Plan designations are MU-UC or MU-CC and the Design overlay zone is applied. Additional building height makes bonus FAR more usable, but additional height has been a concern for community members. This provision allows additional height but reduces the appearance of building height at the street wall.
C	Remove CM3 zone step-back over 55’ on narrow streets (33.130.210.C.2.a).	The proposed step-back responds to Comprehensive Plan policies that call for better matching building heights to street width. However, projects in the CM3 zone over 55’ feet are currently subject to discretionary design review and may not use Community Design Standards. Design review provides a degree of design oversight that may address the scale issue adequately. Removal of the step back also reduces code complexity, a concern for BDS.

4.2 Step-Down and Step-Back – Alternatives/Options:

	Option	Comment
D	Map CM3 step back over 55’ on selected streets and situation	This alternative limits application of the step-back by requiring step backs only on specific narrow streets, rather than codifying the process for determining to which facades this applies. BPS would produce a map of specific narrow street segments the step-back applies to.



4.3 Building Articulation and Length Discussion:

The building articulation and building length standards work in conjunction with other development standards to address building the mass and size of buildings as viewed from the street. Articulation is intended to break-up/prevent large flat building planes that may be out of character with neighborhood scale, and add variety to development. The building length standard is also intended to reduce mass and scale of new buildings by limiting the length of a continuous building frontage to 200 feet, the length of a traditional Portland block. Some have expressed concerns that these standards may be cumbersome to implement and may be overly prescriptive. The Historic Landmarks Commission has expressed concern that the building length limitation may result in interruptions to the continuity of building street frontages along sidewalks.

4.3 Building Articulation and Length – Staff Recommendations:

	Recommendation	Comment
A	Retain Articulation and Length Provisions (33.130.222).	These provisions respond to community concerns about the mass and bulk of large new mixed use buildings. Other measures to address this issue have been suggested (change in materials, color or other design elements), but these options are best addressed through design standards or a discretionary design review process rather than development standards.



Topic 6. CE zoning for auto-accommodating uses, grocery stores, and other large site developments (1); building orientation and development standards (2)

6.1 CE Zoning Discussion:

The proposed MUZ zoning map is based on a process described on page 316-318 of the Proposed Draft. Its foundation is a conversion table that assigns new MUZ zones based generally on the existing zoning and the new Comprehensive Plan. As part of the zoning map conversion, some areas or sites that are currently zoned for auto-accommodating zoning (CN2, CG) were converted to a more pedestrian-oriented mixed use zone (CM1, CM2); this primarily occurred in areas designated as “centers” in the Comp Plan. This resulted in an overall loss of area zoned for auto-accommodating uses. Several stakeholders (RTF, Space-Age Fuel, Albertsons, Fred Meyer, U-Haul, McDonalds, others) have testified that they wish to retain or be zoned to CE, the most auto-accommodating zone, to support business operations or to anticipate future development where pedestrian-oriented or mixed use development is not economically feasible in the foreseeable future.

6.1 CE Zoning – Staff Recommendations:

	Recommendation	Comment
A	Apply CE zoning on a limited number of sites outside of Inner Ring and town centers in response to testimony to accommodate large/grocery retail, and other uses.	Staff is analyzing opportunities to rezone specific properties where CE zoning was requested through testimony. A preliminary map for PSC feedback will be shown on June 28 with a complete proposed map on July 12.
B	Consider selective rezoning from CM1 and CM2 to CE outside of Inner Ring and Centers more broadly map CE.	Staff is analyzing opportunities for rezoning from CM1 or CM2 to CE outside of Inner Ring districts and Centers. A preliminary map for PSC feedback will be shown on June 28 with a complete proposed map on July 12.



6.1 CE Zoning Map – Alternatives/Options:

	Option	Comment
C	Rezone to CE as requested by those that testified (all areas).	Several pieces of testimony were received requesting application of the CE zone. Many of these locations are within designated centers and may not be appropriate for CE zoning and allowances.
D	Broad rezoning to CE outside of centers to accommodate additional/new auto-accommodating uses.	Some testimony was received requesting a much broader application of CE zoning and/or allowance for drive through facilities (RTF, Space-Age Fuel, Albertsons, Fred Meyer, U-Haul, McDonalds, Bitar, others). Testimony suggests taking this approach in support of new Comp Plan Policy 4.24. This approach would create opportunity for auto-accommodating and auto oriented development in areas where this type of activity has been prohibited since at least 1990; it may be counter to the desires of neighborhoods that have developed plans and/or worked with city staff on rezoning proposals. <i>Staff does not support this approach.</i>

6.2 Development Standards Discussion:

The development standards of the CE zone are intended to be both auto-accommodating and pedestrian friendly. They allow for generous parking areas, drive thru facilities and uses that are auto-oriented; they also call for buildings to be oriented to the street and provide ground floor windows and entrances. To better accommodate some large-scale retail uses, the alternative maximum building setback standard threshold was reduced from 100,000 SF to 60,000 SF. This standard allows primary buildings to be set behind parking when smaller, secondary buildings are located in front of the parking along public sidewalks. However, many retailers have testified that the development standards of the zone are still too difficult and/or costly to meet for many tenants such as large-format grocers, national retailers, or national restaurant chains. They may also create nonconformity for users which adds cost and uncertainty in the development process.

6.2 Development Standards – Staff Recommendations:

	Recommendation	Comment
A	Retain building orientation standards in CE zones.	The proposed development standards largely continue regulations that promote buildings near the sidewalk that are easily accessible by transit users and pedestrians, while allowing for parking areas to the side and rear of buildings. The proposed standards provide increased flexibility for large sites, allowing parking in front of portions of buildings. In the CE zone, building orientation is less rigorous than in the existing CG zone when sites are located at two transit streets. Recent national retail developments such as Wal-Mart, Safeway, and Walgreens, as well as local retailers such as New Seasons demonstrate that it is possible for national firms and large format retailers to conform closely to Portland building orientation standards.

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B	Retain proposed alternative setback size threshold of 60,000.	Large scale uses that are unable or choose not to conform to the base zone development standards may pursue adjustments or this alternative setback approach in which the threshold size has been reduced by 40% from the existing 100,000 SF to the proposed 60,000 SF.
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6.2 Development Standards – Alternatives/Options:

	Option	Comment
C	Change setback allowances in the CE zone.	PSC received testimony requesting that maximum setbacks in the CE zone be dropped and that no maximum setback standard be applied to facilitate buildings being located behind parking areas. <i>Staff does not support this approach.</i>
D	Reduce ground floor window requirements in the CE zone.	PSC received testimony requesting an exemption to the ground floor window standards for retail store walls devoted to truck loading or external to internal areas used for storage, refrigeration or mechanical equipment. The proposed code provides sufficient flexibility to accommodate these needs, such as by requiring less window coverage on secondary street frontages, allowing display windows or public art to substitute for views into interior spaces, and by not requiring windows for building walls more than 20' from street frontages (accommodating truck loading areas). <i>Staff does not support this approach.</i>
E	Eliminate transit street main entrance requirements in the CE zone.	PSC received testimony requesting an exemption to the transit street main entrance requirements. <i>Staff does not support this approach.</i>
F	Revise alternative setback size threshold for large retailers to 40,000 or 45,000 SF.	PSC received testimony requesting a reduced threshold for utilization of the Alternative maximum building setback for large retailers (33.130.215.E). Buildings in the 40,000+ SF size range have proven an ability to meet or adapt to the current setback standards and may not need this alternative. <i>Staff does not support this approach.</i>



Topic 5. Drive-through facilities; Quick Vehicle Servicing (QVS) uses (gas stations, oil change, car wash, etc.); other related site development standards

5.1 Drive Thru and QVS Discussion:

The MUZ proposes to allow drive through facilities and Quick Vehicle Servicing uses (gas stations, vehicle lube facilities, car washes, etc.) in the CE zone, but prohibit them in the CM1, CM2, and CM3 zones. Currently, drive through facilities and Quick Vehicle Servicing uses are only allowed in the CG zone and in the CN2 zone when adjacent to major arterial streets. The new array of zones maintains a similar relationship, but as noted in #6.1 above, has resulted in an overall reduction of area zoned for such uses.

5.1 Drive Thru and QVS – Staff Recommendations:

	Recommendation	Comment
A	Retain allowance for QVS and drive through facilities in CE; prohibit <u>new</u> in CM1, CM2, CM3.	Keep use and development allowances as proposed for new uses to limit development on new facilities except in CE zone.
B	Make <u>existing</u> drive thru facilities and QVS uses in CM1, CM2, and CM3 ‘allowed.’	This would amend code to clarify that drive through facilities and Quick Vehicle Servicing uses that existed as of the effective date of the new code are considered allowed facilities. The facilities may be intentionally destroyed and rebuilt, but would be subject to current development standards. This approach eliminates nonconforming status of existing facilities and allows more flexibility for adjustments if needed. Staff also proposes a three year “sunset” of the allowance for facilities that have been in disuse.
C	Revise code to allow “Click and Collect” facilities for grocers/large retailers.	Revise code to clarify that “click and collect” type facilities where an order is placed from a remote location and then picked up on site at a parking/loading spot, is allowed. The facilities are differentiated from drive thrus. Consider a building or site size threshold.
D	Retain prohibitions on QVS and drive through facilities in Centers Main Street Overlay zone, but revise boundary where appropriate.	The Centers Main Street overlay zone (CMSO) is applied to limited areas within the centers of the proposed Town Centers and Neighborhood centers in order to promote active, pedestrian-oriented development that anchor walkable communities. Staff proposes minor revisions to the boundaries of the CMSO to better accommodate existing uses, while encouraging pedestrian orientation.



5.1 Drive Thru and QVS – Alternatives/Options:

	Option	Comment
E	Allow new drive-thrus outside of centers more broadly.	PSC received testimony asking to broaden allowances for drive thru facilities. This may require rezoning to CE in many areas - see Option 3.1.B. <i>Staff does not support this approach.</i>
F	Allow new drive thru inside centers.	PSC received testimony asking to broaden allowances for drive thru facilities. This may require rezoning to CE in many areas - see Option 3.1.B. <i>Staff does not support this approach.</i>
G	Revise code to allow drive thru and quick vehicle servicing uses accessory to grocery stores.	This proposal would allow drive thru and quick vehicle servicing uses accessory to grocery stores or retailers of a minimum size on a minimum site size. This would result in a minimal number of curb cuts and pedestrian conflicts.
H	Drop prohibition on drive thrus in CMSO and allow rebuilding in when minimum FAR is achieved.	This would drop the prohibition for drive thrus and allow rebuilding of facilities when minimum FAR is met. Similar to Hollywood and St Johns provisions.

5.2 Development Standards Discussion:

The Buffer overlay zone (44.410), which addresses the interface of commercial activities and residential uses, is being removed from the zoning map in many areas. To address the loss of the buffer standards, the proposed base zone (33.130) includes several development standards that buffer commercial use activities such as exterior work areas and drive through facilities allowed in CE from adjacent and nearby residential zones. PSC received testimony that these standards overly constrain the ability to locate drive through facilities on small sites adjacent to residential zoning, requesting that standards be reduced or eliminated.

5.2 Development Standards - Staff Recommendations:

	Recommendation	Comment
A	Revise “buffering” standards to allow drive thru and exterior work activities closer to Residential zones (25’); mitigate impacts with landscaping.	Revise code language to remove prohibition within 50 feet of residential zone. Change the standard to state that drive through facilities are “not allowed” within 25 feet of a residential zone. This is a reduction from the proposed 50 feet, and removal of the prohibition allows for adjustments. Also remove the provision that prohibits drive thrus across the street from a residential zone; mitigate with landscaping.



Topic 7. Code Issues – Additional issues raised in testimony and/or identified by PSC, Design Commission, Historic Landmarks Commission, BDS, and BPS

Many of the issues raised in testimony or raised by Design Commission, Landmarks Commission, Planning and Sustainability Commission, and BDS have been addressed in the thematic issues in topics 3-6. Below are other issues that may not be addressed in the topics above.

7.1 Planning and Sustainability Commission and Public Testimony Issues

	Issue	Comment and Staff Recommendation
A	Required residential open area size.	Staff proposed 48 SF per unit. Research on other jurisdictions show a range of size requirements from zero to 100 SF per unit. For example, Chicago and San Francisco require 36 SF in higher density zones. Tacoma and Santa Monica require 100 SF. Staff Recommendation: Retain 48 SF requirement.
B	10' setback on outer Civic Corridors.	Staff proposed a 10 foot building setback on Civic Corridors in Eastern and Western pattern areas. This is to address impacts of wide, high traffic volume streets, allow for enhanced pedestrian space and provide opportunity for a “green” edge. Staff Recommendation: Retain proposed 10 foot setback.
C	LEED requirement in PD Bonus.	Staff recommended using an energy efficiency standard similar to LEED Gold for buildings using the Planned Development bonus. A specific standard or certification is not spelled out or required due to the fact that certification comes after construction. BPS will develop administrative rules for implementing this feature. Staff Recommendation: Retain the requirement for energy efficient buildings in the Planned Development bonus. Ask BPS to return to PSC with administrative rules for review when drafted.
D	Sandy Boulevard step-down transitions.	The MUZ project proposes to create three plan districts to replace a main street overlay zone, because the standards that apply to affected areas vary, which is not the way overlay zones are applied. The step-down/transition standard was developed as part of a specific Hollywood and Sandy area planning effort. Staff Recommendation: Retain current standard
E	Operating Hours in CM1; change threshold size (15,000 sf) and broaden surrounding R zones to MFR.	PSC received testimony from Irvington neighborhood requesting that limitation on hours of operation for small CM1 zoned sites be extended to sites of 15,000 SF. Others requested the limitation be extended to all Residential zones. BDS expressed concern about code enforcement issues regarding hours of operation.



		Staff Recommendation: Consider amending standard to 15,000 SF, in situations when surrounded by RF-R1 zones.
F	Require Commercial uses in the CM1 zone.	<p>PSC received testimony from community groups and members requesting that specific sites in CM1 (e.g. SW hills) and nonconforming uses being rezoned to CM1 be required to have commercial uses. This approach would also support Comp Plan Policy 6.66 that calls for small commercial nodes in areas between centers to expand local access to goods and services.</p> <p>Staff Recommendation: Consider requiring commercial use in CM1 zone; exempt vacant sites and sites in residential use as of effective date of new code.</p>
G	Ground floor window height issue.	<p>PSC received testimony from community members concerned about the placement, height and measurement of ground floor windows.</p> <p>Staff Recommendation: Consider suggested code revisions and incorporate changes, if necessary, to ensure windows relate to pedestrian viewing areas.</p>
H	Rooftop Mechanical and stairwell enclosures allowances	<p>Concern raised that required step backs combined with open space requirements will make meeting the exceptions of 15' setbacks for stair enclosures in 33.130.210.D difficult to achieve.</p> <p>Staff Recommendation: Retain this existing code language pending further discussion with BDS; return to PSC for further discussion and with a revision if this is an issue.</p>
I	Auto-Accommodating Development (33.910)	<p>Suggestion to re-label the section in 33.910 from "Auto-Accommodating Development" to "Auto-Oriented Development," and also amend references to it in other parts of the code.</p> <p>Staff Recommendation: Retain Auto Accommodating language. The term "Auto-Accommodating" is used in the zoning code to describe uses, situations and developments that are designed to facilitate access for vehicles, but that still have pedestrian orientation (limited setback from street, entrances close to sidewalk, windows etc.). Recasting as "Auto-Oriented" might suggest that pedestrian oriented features of development are less important.</p>

7.2 Design Commission and Historic Landmarks Commission Issues

	Issue	Comment and Staff Recommendation
A	Ground Floor Windows - require 50% overall.	<p>The Portland Design Commission recommended that the Ground Floor Window standard be increased to 50% coverage, or an average of 50% for multiple facades.</p> <p>Staff Recommendation: retain the proposed standard.</p>



B	Limit Ground Floor Residential uses and require separate entrances for each ground-level residential unit.	The Portland Design Commission recommended that residential uses should not be allowed on a corridor unless it is a live/work unit, and that all ground floor residential units be required to have an individual entrance. With many miles of CM zoning, it may be difficult to require active uses or live/work in all situations. Although an option, requiring individual entries may not be appropriate in all cases. Staff Recommendation: Retain the proposed standard.
C	TDR radius - apply a two-mile radius standard.	The Portland Historic Landmarks Commission recommended that the radius for TDR be extended to two miles. Staff Recommendation: Revise the standard to two miles.
D	Apply minimum FARs to all Commercial/Mixed Use Zones.	The Portland Design Commission recommended that minimum FARs be established for all Commercial/Mixed-Use zones. The MUZ proposed minimum FAR in the CMSO, where intense activity and development is desired. Because the zones are applied citywide in a number of development contexts, staff does not support applying minimum FARs broadly. Staff Recommendation: Retain the proposed standard.

7.3 Urban Forestry Commission Issues

	Issue	Comment and Staff Recommendation
A.	Relationship between MUZ and Title 11, Trees.	The Commission Chair expressed concerns about the relationship of Mixed Use Zones project goals to Title 11: Trees, and about the proposed future amendments to Title 11. Staff Recommendation: Staff will meet with the Urban Forestry Commission and staff to review and discuss the MUZ, and any future proposed changes to Title 11.

7.4 Bureau of Development Services (BDS) Issues

Many thematic comments/concerns raised by BDS are addressed through the topics above. Staff will continue to work with BDS on technical fixes to code issues identified by BDS and others. Substantive issues raised by BDS that are not addressed in other topics are outlined in the table below.

	Issue	Comment and Staff Recommendation
A	Height measurement standards for Commercial/Mixed-Use zones.	BDS expressed concern about applying a new height measurement standard to C/MU zones, and different height measurement standards for other zones, including new standards that may be developed for the Residential Infill Project.



		Staff Recommendation: Staff will work with BDS and BPS staff to determine if a singular new approach may be used. Alternatively, retain the proposed approach, but relocate the standard to Chapter 33.930.
B	Setback requirements for residential windows.	The building code currently requires windows to setback a minimum of 3-feet from property lines. Staff proposed a minimum setback of 5 feet for windows adjacent to property lines to address livability and provide light and air. Staff Recommendation: Retain the proposed 5-foot setback.
C	Ground floor windows: clarify qualifying areas; add minimum 24” depth of display area; clarify parking structures; application on sloped sites.	PSC received testimony from BDS concerned about the measurement of ground floor windows in situations with sloped lots as well as other aspects of ground floor window requirements. Staff Recommendation: Staff will work with BDS to clarify code, including qualifying areas and depth of display. Some sites, such as sloped sites may require an adjustment.
D	Consider eliminating specific plan districts, or incorporate plan district provisions into base zone. Drop specific references to allowed and prohibited materials in plan districts.	The Sandy, Division, and Lombard Plan Districts were formerly part of a Main Street overlay zone. They were the result of specific area planning efforts. The overlay zone was broken into separate plan districts in keeping with current code practice. Where redundant with base zone, standards were dropped from plan districts; what remains is unique to the area. Staff Recommendation: Retain the plan districts. Staff will work with BDS to clarify the regulations of plan districts and make changes where appropriate to incorporate in or reference other codes.

7.5 Bureau of Planning and Sustainability Issues

BPS continues to identify substantive zoning code and zoning map issues that warrant discussion by PSC.

	Issue	Comment and Staff Recommendation
A.	Agriculture uses.	Agriculture is currently a CU in Commercial/Mixed Use zones. Agriculture is Allowed/Limited use in E/I zones. New state law allows marijuana grow operations; these are currently being permitted in EX. Allowing/Limiting Agriculture use in CM3 will be consistent with existing EX code. Allowing Agriculture uses in CE with size with limits will relieve pressure on E/I zones to accommodate these facilities. Staff Recommendation: Consider allowing Limited Agriculture use in CM3 and CE zone up to the size limits allowed for industrial uses.

