

White Paper 4-7 Summary

October 31, 2011

Use Categories and Definitions

Issues

- The Zoning Ordinance contains 170 land use.
- The Land Use Table has eighty-four footnotes containing supplemental conditions for various uses to occur in a specific zone.
- Definitions exist for some uses and not others.

Options

- Consolidate the number of land use categories into fewer, more generalized types.
- Pare back the number of footnotes by eliminating redundant and dated language
- Move special use regulations to new code sections created for this purpose.
- Provide additional definitions, particularly for the new consolidated land use types.

Discussion Questions

1. How general (and flexible) should the land use types in the Zoning Ordinance be?
2. If footnotes are pared back, how comfortable will we be with generalized zoning regulations?
3. Will additional definitions provide for clear regulatory direction, or will they constrain our ability to "interpret" which land uses are allowed or regulated?

Parking

Issues

- Regulation doesn't reflect benefits of mixed-use, walkable neighborhoods near transit.
- Regulation does not provide incentives for owners of existing parking facilities to share their parking when it is not being used.
- Current regulations are inflexible in parking lot design and how off-street parking can be provided.
- Many existing infill sites contain little or no parking and cannot meet suburban parking standards.

Options

The city is currently evaluating the existing parking regulations and will make recommendations that may include the following:

- Revise parking ratios;
- Establish tools (e.g. in-lieu fees, car sharing, ministerial process) to provide alternatives to on-site or off-site parking requirements; and
- Identify a process for additional implementation.

Discussion Questions

1. What do you think are the biggest issues facing the City as it relates to parking, both in terms of meeting demand and achieving financial success?
2. What have your experiences been in trying to develop in the City given the existing minimum parking requirements?
3. What are your thoughts regarding "context sensitive parking requirements" in which parking requirements vary based on factors such as the level of transit service?
4. Are you supportive of concepts such as:
 - Fees paid in-lieu of on-site parking spaces;
 - Car sharing;
 - Parking space sharing; and
 - Greater flexibility with providing offsite parking?

Housing

Issues:

- The mixed Income Housing Ordinance has resulted in large apartment complexes that are not well-integrated into the surrounding neighborhoods.
- The current Mixed Income Housing Ordinance is complicated, inflexible and imposes a heavy financial burden on small and medium-sized development projects subject to it.
- Small single-family subdivisions are especially hard-hit by requirements to build affordable for-sale units, where finding qualified low-income buyers is difficult. The mandatory deed restrictions for 55 years also limit resale options for low-income families.
- Infill development is generally more expensive than green field development. Requirements for on-site, concurrently built affordable housing may make these projects infeasible.

Options

- Develop a tiered approach to affordable housing that minimizes burdens on small infill projects while giving flexibility to larger projects to pay a fee that may be used to help subsidize affordable housing near transit stations and in mixed-use infill neighborhoods;
- Establish an in-lieu fee program; and
- Clarify the Housing Trust Fund for improved interpretation by staff and applicants.

Discussion Questions

1. Should the Mixed Income Housing Ordinance require affordable housing units to be built in infill areas or should it be a fee only system? Or a combination of both?
2. Should land dedication be more emphasized as part of the Mixed Income Housing Ordinance?

3. Are there better ways to encourage the production of affordable housing in infill areas?
4. Should we waive the HTF fee for qualified vertical mixed use projects?
5. Is it better to build a large volume of affordable housing, taking advantage of “economy of scale” or should we build smaller but better designed projects, which are more expensive?

Green Development and Infill Incentives

Issues

- Infill development can be more expensive than comparable greenfield development due to higher land costs, and higher construction costs, perceived lack of market for mixed use development;
- Although the operating cost of green buildings is much less expensive than traditional buildings, the savings incurred may not provide builders incentive to voluntarily invest in the added upfront costs for a product they will sell upon completion; and
- The City’s primary barrier to providing financial incentives for green development is lack of funding to provide subsidies to offset construction and infrastructure costs.

Options

Additional incentives and mandates will be established in Phase II and III of the Green Development Code. Options for Phase I include:

- New construction at the LEED Gold standard or higher would be a staff level review for projects over 40,000 square feet or four stories in height that would otherwise require commission-level site plan and design review; and
- New construction of in Tier I infill areas that is built at the LEED Gold standard or higher would be a staff level review for site plan and design review (same as the above Citywide incentive) *and* flexibility in development intensity (i.e. higher FAR, higher density, increased building height, development on undersized lots).

Discussion Questions

The following questions apply to Phase I:

- Are the proposed incentives enough to attract green development?
- How can public input be incorporated into the process while still providing an expedited review process? Or should it?
- How will the review process for green development differ from the overall Green Development Code design and review revisions that apply to all development?
- Is there a way to incentivize green improvements to existing buildings?
- What other “green” benchmarks should be considered?