

## [ ACTION LIST ]

*Pursuant to the approved work program for this project, the Task Force has prepared the following a recommended “strategic approach” for Planning Commission review prior to drafting any specific code language. The attached ‘Action List’ outlines the strategic approach. It lists” Topic Areas”, a “Discussion” of the issue and a description of the likely or potential code “Amendments Being Considered” to resolve the issue. An additional column, called “Parking Lot” is included, under this field are recommendations/actions identified by the Task Force that, while outside the scope of this project, should be addressed in future code amendments by the Planning Commission and City Council. (9-22-2010)*

## ACTION LIST

| TOPIC AREA   | DISCUSSION  | AMENDMENTS BEING CONSIDERED   | “PARKING LOT”   |
|--|---|---|---|
| <p><b>1. Planned Unit Development (PUD)</b></p> <p><i>Chapter 24 regulates PUD's</i></p> | <p>Chapter 24 was intended for large residential subdivisions, but it is being applied (per CDC) to all developments with environmentally sensitive lands (&lt;25%), to commercial, mixed use and industrial uses, as well as <u>to</u> small residential infill sites.</p> <p>The PC, in particular, has spent considerable time identifying the ineffectiveness of this chapter in terms of adequately protecting environmentally sensitive lands, <u>addressing the unique aspects of smaller residential subdivisions sites, allowing for permitting greater</u>-design flexibility, <u>and or</u> providing clear <u>and objective</u> standards for review.</p> <p>City does not receive adequate public benefit for permitting modifications to development standards under the PUD.</p> <p><u>PUD's are</u> Often perceived as <u>offering too many</u> 'giveaways' <u>to developers</u> and <u>as increases in density</u> <del>increased density</del> to the public.</p> | <p>Chapter 24 will be modified, <u>in terms of applicability</u>, to clarify obtuse criteria, <u>to</u> require more public amenities, and as follows:</p> <ul style="list-style-type: none"> <li>▪ PUD not permitted on sites &lt;3 acres;</li> <li>▪ PUD <u>no longer a requirement</u> <del>not requirement</del> for sites with &lt;25% Type I or II lands or for attached housing (as is currently the case)</li> <li>▪ Require dedication of open space and preservation areas to COWL (if desired by City)</li> <li>▪ <u>Clarify/Modify</u>/update density transfer table</li> <li>▪ Require overall Master/<u>Regulating Phasing Plan, as applicable.</u></li> <li>▪ <del>Edit and m</del>Make certain 'quality design features' required elements</li> <li>▪ <u>If development will be phased, a detailed specific Phasing Plan</u> will be required as part of the approval.</li> </ul> | <p>Council should have Staff create separate, <u>distinct</u> 'planned development' regulations for commercial, industrial, large residential developments.</p> <p>Emphasis should be on permitting more flexibility <u>in conjunction</u> with accompanying public benefits.</p> |
| <p><b>2. Compatibility issues with surrounding development:</b></p>                      | <p>City does not have design review for single-family homes.</p>  | <p>Reviews of surrounding properties to establish and require similar massing, scale, building height, setbacks, or architectural character.</p>  | <p>Council should consider establishing design guidelines for</p>   |

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| <p><i>Various CDC Chapters</i></p> <p><b>2. Compatibility (cont.)</b></p> | <p>In 2006 City adopted language to address compatibility; including maximum FAR’s and side yard transitions. These were originally to be much more expansive, but through the approval process, were abridged.</p> <p>Current Code effectively requires all new developments, even SFH’s, to construct sidewalks, curbs, etc. along frontage even when inappropriate to the surroundings.</p> | <p><del>Require ‘tiered’ setback approach (portions of building over a certain height must be set back further).</del></p> <p>Utilize elements of the recently adopted Historic District accessory dwelling unit language to address setbacks and heights of accessory units.</p> <p>Create specific regulations for garages regarding placement on lot, compatibility, and percentage of frontage in front yard. <del>Require ‘tiered’ setback approach (portions of building over a certain height must be set back further).</del></p> <p>Adding landscaping requirements, both minimums and/or as part of a menu-based option for applicants.</p> <p>Requirement for architectural renderings at neighborhood association meetings.</p> <p>Allow flexibility to consider locational context for street improvements (sidewalks) for certain new developments. City could collect fee in-lieu of improvements if the improvement is not made. The fees collected would be allocated in vicinity of the development.</p> <p>Sliding scale for FAR’s and lot coverage requirements to encourage lower scale home or garage placement to be more consistent with surrounding homes.</p> | <p>areas of the City that have unique development characteristics. These guidelines would apply to developments in those areas. These guidelines should also include unique/desired streetscapes for distinct neighborhoods.</p> <p>The current “Mixed Use Transition” zone has never resulted in any mixed use developments and should be revisited.</p> |

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| <p><b>3. Alternative housing types:</b></p> <p><i>CDC does not provide specific language for alternative housing types</i></p> | <p>For non-standard housing types and development techniques, the CDC requires applicants to process a PUD and request modifications, or receive a variance, to specific development regulations. This limitation is unnecessary. There are alternative housing types that could be more compatible, sustainable, equitable and affordable than standards developments under the Code.</p>   | <p>Establish clear and objective standards for specific housing types (e.g. zero lot lines, cottage housing, houseplexes) Each will likely have its own Code section, with criteria, applicability and procedures. This would provide for predictability to both neighbors and property owners which is not currently possible under the PUD.</p> <p><u><a href="#">Create an ‘a la carte’ menu of specific housing types and building designs that can be utilized ‘off the shelf’ on smaller lots, possibly under an expedited review.</a></u></p> | <p>Council should consider adding Code provisions for alternative housing developments for larger sites (traditional neighborhood developments) as well as for mixed use and commercial areas (mixed-use, live-work units).</p>                                       |
| <p><b>4. Environmentally constrained lands:</b></p> <p><i>Typically regulated in Chapters 27, 28, and 32</i></p>               | <p>The majority of infill sites in the City include some environmentally constrained lands. Several recent development applications have resulted in less than desirable results when applying the current requirements. Issues included denials due to inability to meet CDC requirements, City purchase of property due to potential ‘takings’, and uncertainty about future maintenance of protected areas.</p> <p>The TF is not tasked with amending the environmental regulations, only how they are applied to small residential development applications.</p> | <p>Create new ‘cluster housing’ requirements for properties with environmentally constrained lands on them. They will specify appropriate clustering of housing on site to protect natural areas/open spaces. They will specify the permitted flexibility to provide compatibility with the surroundings while protecting natural features. <del>They</del> will address the preservation and maintenance of natural areas/open spaces.</p>  | <p>Upcoming CDC amendments to Chapter 32 should review and evaluate recent WRA applications and applicability and impact on infill developments.</p> <p>Council should consider creating a new zoning district and review requirements for public facilities such</p> |

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|   |   |  | as Schools and Parks.   |
| <p><b>5. Design flexibility:</b></p> <p><i>Currently must use PUD, Design Review, or variance</i></p> | <p>Variations under Chapter 75 are for unique sites and extraordinary circumstances on a site that create a hardship to the property owner. CDC lacks method to permit requests for alternative, superior design, other than the PUD chapter, which is not always appropriate. Some standards (access standards of infill lots) are not applicable for some housing types.</p>  | <p>Opportunities for minor, prescribed deviations from the CDC (and engineering standards) that permit more creative, preferred designs should be provided for small residential sites without a need for a PUD or Chapter 75 variance. The exact sections of the CDC <u>that can be modified will should</u> be identified and <u>the</u> limitations applied <u>to on</u> the amount of deviation permitted.</p> <p>Most of these will be specified under the new regulations and criteria for alternative housing types. Possible 'discretionary' review process will permit greater design freedom for applicants.</p> | <p>Opportunity to request minor deviations from engineering standards should be considered for any development (commercial, mixed use, etc).</p>                                |
| <p><b>6. Flag Lots:</b></p> <p><i>Chapter 85 regulates flag lots</i></p>                              | <p>The TF <u>recognizes a identified</u> general <u>public</u> dissatisfaction with excessive number of flag lots. <u>Flag lot developments</u> <del>They</del> can be incompatible in established neighborhoods due to building scale, locations and incongruous private driveways. They often intrude into the privacy of surrounding homes. Flag lot partitions are often noted in community surveys as representing an increase in density.</p> | <p>Review limiting the number of lots permitted from a flag lot. Specify the building orientation of new structures on flag lots. Apply more restrictive setbacks and height restrictions for homes on flag lots to address privacy issues. Pursue street connectivity on larger lots.</p> <p>Staff will provide a written report on the issues and ramifications of a prohibition on any future flag lot partitions as well as a review of the approach by other Cities.</p>  | <p>Some areas of the City may have inappropriate zoning. If so, the Council should consider 'downzoning' those areas, alleviating pressure on these lots to be partitioned.</p> |

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| <p><b>7. Steep Slopes:</b></p> <p><i>Chapter 41 regulates development on steep slopes (&lt; 25%).</i></p> | <p>Many of the infill sites to be developed in the City are located on steeply sloped lots. Current Code application can result in 'towering', incompatible houses.</p> <p>Method of measuring building height on steep slopes can be confusing. TF believes excessive cut/fill takes place on steeply sloped lots.</p> | <p>Edit building height calculation and setback methodology for steeply sloped lots to encourage more flexibility in home design, minimize excavation, and lessen height variation on adjacent lots.</p> <p>Allow variation in building height based on the slope of the land.</p> <p>Clarify the CDC language on garage locations and setbacks on steep slopes to create more compatible development with surroundings.</p> <p>Consider limiting the amount of fill/cut permitted on a site.</p>  | <p>Large, undesirable retaining walls are often required due to steep slopes.</p> <p>(Engineering issue)</p>  |
| <p><b>8. Clear &amp; objective standards</b></p> <p><i>Various CDC Chapters</i></p>                       | <p>Many Chapters in the CDC (e.g. PUD) have broad criteria that can be subject to interpretation. This creates uncertainty for staff, public and developers.</p>  | <p>Modifications to the PUD, as discussed, will remove the need for small residential developments to have to meet the PUD regulations. New standards for any alternative housing types and cluster housing will include clear/objective criteria.</p> <p>Consider adding a two-tier approval process that would permit applicants to either; (1) meet clear standards under an expedited review; or (2) request modifications to regulations and undergo more detailed discretionary review.</p> <p>Provide 'design menu' of required amenities for developer to pick and choose (all or some).</p> | <p>The approval criteria and standards for other code sections should be audited for subjectivity and amended as well.</p> <p>Especially:</p> <ul style="list-style-type: none"> <li>▪ Water Resource Area permits</li> <li>▪ Variances</li> <li>▪ Design Review</li> </ul> |

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|                   |                   | Create an 'a la carte' menu of specific housing types and building designs that can be utilized 'off the shelf', possibly under an expedited review. |                      |

