

**Slot Home Evaluation & Text Amendment Task Force
Summary – Meeting 8 – October 19, 2017**

Meeting Objectives:

- Review approach for effective date/pipeline projects; confirm staff recommended approach
- Review revisions to existing proposed tools based on testing; confirm revisions for inclusion in Final Strategy report
- Review new tools proposed by testers and/or community; determine which tools should be included in Final Strategy report

Task Force Members in Attendance: Nathan Adams, Enrico Cacciorini, Anne Cox, Scott Chomiak, Councilman Rafael Espinoza, Jane Crisler, Christine Franck, Maggie Miller, Councilman Wayne New, Melissa Rummel, Ty Mumford **Not in Attendance:** Dave Berton, Don Elliott, Heather Noyes, Sarah Kaplan, **CPD Staff:** Analiese Hock, Josh Palmeri, Abe Barge, Kyle Dalton, Morgan Gardner

I. Staff Presentation: Effective Date Approach

Staff presented an overview of three different approaches to the effective date and the impacts of each approach on existing projects. The staff recommendation is an effort to balance effectiveness and equity. The recommended approach allows for existing projects (with a formal SDP submitted prior to the effective date) to continue under existing regulations and new projects (where a formal SDP has not been submitted by the effective date) must adhere to new regulations upon the effective date. Staff highlighted the benefits and disadvantages for each of the different approaches.

II. Task Force Discussion

The task force raised the following questions and provided the following comments:

- There has been a lot of discussion about this project, the development community is aware that the change is coming – so the effective date should trigger project review under the new code for all projects
- The community should be provided with the same level of “rights” as the developers
- The staff recommended solution feels like a fair compromise, but it will still impact some developers negatively
- These changes and impacts happen all of the time with the building codes – in the case of building code changes, there is a 6-month window to use either set of rules. Following the 6-month transition period, everyone must adhere to the new regulations. This is an approach to explore.
- There seems to be a clear reduction of density, which will impact how much developers will pay for land; that’s acceptable as long as buyers and sellers know the new rules and can make buying and selling decisions accordingly
- The staff recommended approach is the most logical approach and a fair solution

The task force concluded that the staff recommended option (#2) was the best approach. Staff committed to extensive outreach and asked task force members to assist in getting the word out now that the code will change.

III. Staff/External Tester Presentations: Testing Results

Staff and the external testers presented the results of their efforts to apply the zoning tools to a variety of zone lots and zone districts. Details of the testing results can be found in the attached Testing Results PDF.

IV. Staff Presentations: Revisions to existing tools

In review of the community comments from the September 7th community open house, external testing and internal testing, staff recommended these revisions to the existing proposed tools:

- **Require units oriented to the street.** Staff recommended revisions to better address corner lots and ensure appropriate outcomes on all street frontages. The discussion centered on how to designate the primary street. The task force confirmed this approach, highlighting the need to give additional attention to the primary street.
- **Entry feature for street-facing pedestrian entry.** Staff recommended adding a minimum depth of 5' to the porch or patio definition, and a minimum depth of 3' to the canopy definition. The task force confirmed this approach.
- **Decrease maximum building height in feet.** Staff recommended maintaining the proposed heights (30' for 2-story, 35' for 3-story in MU/RO, 38' for 3-story in MX/MS/RX), however for pitched roofs, allowing greater heights of (35' for 2-story, 40' for 3-story in MU/RO, 45' for 3-story in MX/MS/RX). The task force agreed that this concept was good, however the draft code should promote more a substantial pitched roof than was depicted in the staff recommendation graphic.
- **Increase minimum side street setback.** Staff recommended a 10' side street setback in alignment with the primary street setback. The task force felt that a side street setback was necessary, however considering that the side street typically has smaller setbacks than the primary street, many of the task force agreed that a 7.5' side street setback was appropriate; some task force members suggested that a 5' side street setback would be adequate.
- **Allow side street setback encroachments.** Staff recommended allowing for vehicle back-out areas (max of 5') to encroach into the side and side street setbacks when screened. The task force confirmed the approach, stating that more flexibility for vehicle use areas is beneficial.
- **Introduce build-to exception.** Staff recommended adding a build-to exception for the vehicular access drive when no alley is present. The task force confirmed this approach.
- **Revise off-street vehicle parking area dimensions.** Staff recommended maintaining the internal drive access width of 12' and revising the drive aisle width to 20'. Staff also recommended that these standards should be allowed for any side-by-side residential projects, including row houses. The task force concurred.

V. Staff Presentations: Additional Tools for Task Force Consideration

In review of the community comments from the September 7th, external testing and internal testing, staff presented additional tools for the task force to consider.

- **Standards addressing protected districts.** External testers and community comments suggested additional standards when adjacent to a protected district. Staff recommended the following proposed standards:
 - Proposed standard: Limit rooftop and second story decks in the rear 35% when adjacent to a protected district with the same standard.
 - Proposed standard: Increase the rear setback for the primary structure to align with the protected district building form standards.
 - The task force expressed support for these provisions, ensuring that the protected district standards effectively work together with the adjacent zone districts. The task force also acknowledged the challenge this will pose to 38th Avenue and other MX districts abutting protected districts as well as the reduction in units or value to the rear units without a deck.
- **Increase transparency standards.** Staff recommended increasing the primary street and side street transparency standards. The task force agreed with this recommendation, however encouraged staff to look at upper story transparency as well.

- **Introduce residential street level use requirement in MU/RO.** Staff did not make a recommendation for the inclusion of this standard in the final strategy. The task force provided the following comments:
 - It's difficult for zoning to control the interiors of the buildings, therefore we should focus on what can be controlled and experienced from the public realm, like transparency and porches.
 - Forcing people to live on the ground floor is not the role of the city or the developers.
 - This also puts significant constraints on the site design and layout.
 - Transparency to a garage or a small hallway with stairs does not sufficiently activating the public realm.

The task force was unable to come to consensus and make a recommendation to staff. This tool will not be included in the strategy report.

- **Introduce side interior setback in MX/MS/RX districts.** Staff did not make a recommendation for the inclusion of this standard in the final strategy. The task force provided the following comments:
 - This is where a protected form would be a useful tool.
 - If someone is needing to access the side interior to access the unit, this is an extension of the public realm and should be addressed.
 - 5' would align with fire code access, however it may not be sufficient.

The task force agreed that a setback of at least 5' should be required when providing pedestrian access to rear units. This tool will be included in the strategy report.

- When staff asked about any other tools for inclusion into the final strategy report, reductions to side setbacks for drive aisles was considered as a way of disincentives the cantilevered buildings above the driveways.

VI. Next Steps

- The next task force meeting will be November 16th 2-5pm. The purpose of the meeting is to review the final strategy report before staff distributes the report for public review
- Planning Board Informational Item on November 1st
- Land Use Transportation and Infrastructure Committee Informational Item on November 28