

Item 28

Objective Standards for Density, Design and Shadows

JOINT SUBCOMMITTEE FOR THE IMPLEMENTATION OF STATE HOUSING LAWS
CITY COUNCIL MEETING
JULY 27, 2021

Background

State Housing Legislation Package adopted in Fall 2017


JSISHL established by City Council Resolution in January 2018

- HAC + PC + ZAB

Met 11 times between April 2018 and July 2020

- Receive / Request Information
- Discuss Priorities / Potential Actions
- Develop Recommendation


Process: Density

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- Analysis of existing conditions
 - Survey of recent projects
 - Visualize “density”
 - Review of density standard methods
 - Make a recommendation

Recommendation: Density

To recommend using FAR as a density standard with a secondary form-based approach in residential and commercial districts.

Process: Design

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- Develop a matrix of existing design guidelines
 - Identify design goals by reviewing approved projects
 - Introduce objective language to reflect desired outcomes
 - Test-fit real projects and finalize proposed objective standards
 - Make a recommendation

Recommendation: Design

To recommend to City Council that the proposed design standards be reviewed and further developed by the Design Review Committee and Planning Commission.

Process: Shadows



- Review current regulations

- Evaluate methodologies utilized by other jurisdictions

- Identify priorities

- Make a recommendation

Recommendation: Shadows

MOTION FOR OBJECTIVE STANDARDS FOR SHADOWS

1. Applicability of Shadow Impacts:
 - a. Shadow impacts would not be considered when a proposed new building or new construction meets all base development standards.
 - b. Shadow impacts on an adjacent property would only be considered when a side or rear yard setback reduction or an increase in height is requested by use permit or by state density bonus over the allowable standard. Shadow impacts for Front or Street yard setback reductions would not be included or considered.
 - c. The shadow impact would only be calculated on the increase in shadow caused by the additional height or reduced setback portion of the project, not the cumulative.
 - d. Adjustments would seek to limit reductions in overall building envelope and could compensate with increases in height in another portion of the building, or reduced setback in another portion of the site, or some other mutually agreed adjustment to a development standard or mitigation. Adjustments may require, if no other solution can be proposed to mitigate the impact, a reduction in the overall total building envelope proposed. However, for state density bonus projects, adjustments to a proposed new residential construction shall not require a reduction in the overall total building envelope, habitable area, or cause the number of bedrooms or units to be reduced.
 - e. If the adjacent building being affected has a reduced building setback on the adjacent side or rear yard, a light and air impact would not be applicable, except in those cases where the building has a historic designation or was built prior to the implementation of the zoning code.
2. Elements of consideration for Shadow Impact:
 - a. Light & Air for Building Openings of Applicable adjacent buildings: The light and air shadow impact shall consider impact to light and air access only of the existing windows and door openings of the applicable adjacent buildings. The new construction would be required to adjust its setback such that a minimum 3 foot perpendicular distance was achieved and a 6 foot width, with minimum 1 foot on either side of the window or door for 2 stories (min. 6 foot for courts with openings on both sides) and 1 foot additional setback for each additional story up to 14 stories, or a total maximum setback of 15 feet from the adjacent building. For instance if the building is 3 feet away from the property line, a 12 foot maximum from the property line for the new building
 - b. Minimum Required Open Space of Adjacent properties: An increase in shadow impact caused by the additional height or reduced setback on the minimum required open space of the adjacent impacted property shall not be more than a 50% increase in direct shade averaged over the entire year. If the affected property has more than the required open space, the calculation would be made on the open space that is least impacted by the shadow. The setback or height shall be adjusted to result in a net shadow increase of no more than 50% (or suggest alternate per staff research) as limited in Section 1 above. The shadow impact would only be calculated on the increase in shadow caused by the additional height or reduced setback portion of the project, not the cumulative.
3. Solar Access: An increase for the additional impact only of more than 50% of direct shading on existing solar panels averaged over the entire year and over the entire area of solar array would require that an adjustment to the requested height or setback be made, or other mutually agreed adjustment to a development standard or mitigation be made. If a mitigation such as moving the solar panels or re-orienting the solar panels has been mutually agreed upon in lieu of a development standard adjustment, this mitigation should be completed prior to building permit issuance, if possible.
4. The shadow impact would only be calculated on the increase in shadow caused by the additional height or reduced setback portion of the project, not the cumulative.

Motion to recommend to City Council the following proposed shadow standards be reviewed and further developed by the staff and Planning Commission.

Next Steps & Closing Remarks:

Estimated Timeframe	General Task
Summer 2021	City Council refer to City Manager additional work to move three recommendations forward.
Fall 2021	Staff to analyze recommendation in advance of commission meetings.
Winter 2021	Planning Commission and Design Review Committee to provide input on standards.
Spring 2022	Staff to develop zoning language.
Summer 2022	Planning Commission and City Council hold public hearings and adopt objective standards.

Questions
