

PLUSH HOMA Requests

<i>Section</i>	<i>Request</i>	<i>Response</i>
20.25A.070.C.2.a	The updated language appears to be attempting to honor our request to include the bonus area, but the language is unclear. Suggested revision: Up to a maximum of 50 percent of the applicable base FAR, any affordable housing floor area, plus 4.0 square feet of market rate residential floor area for every 1.0 square feet of affordable housing floor area, shall not be counted for the purpose of calculating the FAR of a project.	The draft has been updated.
20.25A.070.C.2.v.	AHDF Incentive: Unlimited floorplates for midrise buildings. Change from “Exempt buildings that are both less than 80 feet in height and located in the Perimeter Overlay from the maximum floorplate above 40 feet requirements...” to “Exempt buildings that are 100 feet or less in height from the maximum floorplate above 40 feet requirements...”	This change is not proposed to be incorporated into HOMA. The request will be carried forward for discussion as part of the DTL 2.0 LUCA, which will include further engagement and analysis related to building form changes.
20.25A.070.C.2.vi	AHDF Incentive (new): For buildings located within the Perimeter Overlay, eliminate the trigger height requirement listed in Chart 20.25A.060.A.4.	This change is not proposed to be incorporated into HOMA. The request will be carried forward for discussion as part of the DTL 2.0 LUCA.
20.25A.070.D.4(6), 20.25A.075.B.3.b	Edit to: “...at least one plaza entrance shall abut and be located within 30 inches...”	The draft has been updated.

20.25A.070.D.4(18)	Delete the requirement for a performance bond for use of the LEED incentive.	The draft has been updated. The code now refers to LUC 20.20.420.C.
20.25A.075.C.1.	Stepbacks. Eliminate the stepback requirements for midrise buildings by changing the word “building” to “tower”.	This change is not proposed to be incorporated into HOMA. The request will be carried forward for discussion as part of the DTL 2.0 LUCA, which will include further engagement and analysis related to building form changes.
20.25A.080.B Footnote 6	Visitor Parking. Delete footnote 6, which requires visitor parking in addition to the residential parking.	Will be looked at through the Parking LUCA or DTL 2.0.
4.52	Allow the MFTE supercharger to apply to ADF units.	No change proposed.
20.15.060.B.5	Bedroom Mix. Change “is the same proportion” to “is substantially the same proportion”.	The formula for the bedroom mix is addressed in detail in the Affordable Housing Standards Director’s Rule, which is currently being finalized.
20.15.060.B.7	Comparable Materials. Change “those of the other dwelling units in the development” to “at least an equal number of other dwelling units in the development.”	This is addressed in the Affordable Housing Standards Director’s Rule.
20.25A.120.A.4.	Green Factor denominator excludes interior driveways. Add “Required vehicular travel and parking areas, dedicated emergency vehicular access, critical areas and buffers, and traffic circulation may be deducted from the site area for the purpose of calculating the Green and Sustainability Factor.”	The draft has been updated.
20.25A.120.A.5.	Green Factor points – vegetated walls. Increase vegetated walls to 0.5.	This change is not proposed to be incorporated into HOMA. The request will be carried forward for discussion as part of the DTL 2.0 LUCA.
20.25A.170.A.8.b.	Above grade parking standards. Replace the standards for elevated parking with the more simplified requirements of 20.25R.040.D.3.b.	This change is not proposed to be incorporated into HOMA. The request will be carried forward for discussion as part of the DTL 2.0 LUCA.

20.25A.170.B.1.b.v. 20.25A.170.B.2.b.v	Active uses on “A” and “B” Rights-of-Way. Reduce from 100% of street wall to 75%. Vesting. Allow projects that have submitted MDP or ADR applications prior to the adoption of the ordinance to (a) elect to vest to the current land use code; or (b) elect to utilize the new land use code provisions without resubmitting and application.	This change is not proposed to be incorporated into HOMA. The request will be carried forward for discussion as part of the DTL 2.0 LUCA. Change accepted. We will discuss exempting pipeline projects with Council.
20.25A.075.A.2.b 20.25A.010.A	Floorplate averaging. Change 100’ back to 80’. Active Use Definition. Delete the Downtown definition of Active Uses and instead use the city-wide definition (20.50.010 A).	The draft has been updated. This change is not proposed to be incorporated into HOMA. The request will be carried forward for discussion as part of the DTL 2.0 LUCA.
20.25A.020.A	DT-Build-To Line. Replace “upon the request of the applicant, it is designated otherwise by the Director through an Administrative Departure pursuant to LUC 20.25A.030.D.1” with “except as necessary”.	This change is not proposed to be incorporated into HOMA. The request will be carried forward for discussion as part of the DTL 2.0 LUCA.
20.25A.080.F.2.	Compact Parking. Change to: “This subsection supersedes LUC 20.20.590.K.9. For all uses, the property owner may design and construct up to 65 percent of the parking spaces in accordance with the dimensions for compact stalls provided in LUC 20.20.590.K.11.”	The draft has been updated.
20.25A.110.B.2.	5’ Landscape Buffer. Eliminate the requirement to provide a 5’ Type III landscape buffer on rear yards and side yards if buffering a surface vehicular access or parking area.	The draft has been updated.

20.25A.170.B.1.b.ii 20.25A.170.B.2.b.ii 20.25A.170.B.3.b.ii 20.25A.170.B.4.b.ii	Weather protection depth. Exempt weather protection from areas where the building is not on the build-to line or enhanced streetscape. Alternatively, adopt the requirements of 20.25R.030.E.4.	This change is not proposed to be incorporated into HOMA. The request will be carried forward for discussion as part of the DTL 2.0 LUCA.
20.20.460, 20.20.425, development standards tables in all zones	Limits remain suburban-style (80-85% hard surface, 60-65% impervious surface limits).	Impervious surface and hard surface limits have been increased in all districts.
20.20.460 (Footnote 37)	Confusing and impedes development; this footnote is one of the issues in Bel-Red and also appears in the Eastgate code.	Impervious surface and hard surface limits have been increased in all districts. BelRed is not included in HOMA.
20.20.425	Includes vegetated roofs and permeable pavement, creating unnecessary restrictions.	Impervious surface and hard surface limits have been increased in all districts.
20.20.590.M	Requires 1 bike stall per 5 rooms; excessive standard.	Updated to 1 per 20 rooms.
20.20.590.M	No provision for in unit bike parking.	No changes proposed. Bike parking on ground level remains important and is consistent with City's planning goals.
20.20.590.M	No departures allowed for location or amount of bike parking	No changes proposed. Bike parking on ground level remains important and is consistent with City's planning goals.
20.25F1.010 20.25I.050	Missing footnote 6 for stepback requirements. Definitions and requirements inconsistent and overly strict. The code does not use consistent language—there is no definition of “pedestrian-oriented frontages”—the code changes it. In addition, the qualifying typology of uses should match Wilburton. Why are we being more strict on nonresidential uses here?	Updated to correct the footnote. A definition for Pedestrian-Oriented Uses is proposed through the HOMA amendments (see LUC 20.50.040). The intent of this definition is to clarify that ground floor residential is not permitted in these areas, as they are intended to function as neighborhood-serving commercial areas. This approach is consistent with the Comprehensive Plan and reflects input received through public comment.

20.25I.050	The departure language could almost never be granted—the language is far too strict. Needs to be loosened.	The language has been updated to allow departure processes for projects that provide additional benefits; however, requirements for commercial uses remains an important element of HOMA and reflects community input.
20.25I.050.C	Requires retention of vegetation and natural spaces; conflicts with tree code.	No change proposed.
20.25I.050	Assumes garden style apartments; podium style cannot comply. This is existing suburban language that should be revised.	The code has been updated to say if ground level units are provided rather than requiring garden units.
20.25F1.120, 20.25I.060	Open space exemption inconsistent across zones.	This is intentional and based on the existing framework. No modification is being proposed.
20.25I.070	Language unclear; within 150' of noncommercial uses seems like it will apply to most developments given the very strict mixed-use / commercial requirements in the code. Are we trying to buffer residential uses from commercial uses, or are we trying to minimize height bulk and scale transitions? inconsistent with the code.	The intent is to buffer for different uses and scales. No changes are proposed to the tree requirements, and HOMA is not inconsistent with the existing tree code.
20.25P.060.A, 20.25P.085	Still capped at 60%; same confusing footnote applies.	Impervious surface and hard surface limits have been increased in all districts.

Nonconforming
Uses

Sections are overly complex and hard to read.
Proportional compliance is a problematic concept that
has killed projects.

This language is substantially similar to what stakeholders, the Planning Commission, and Council reviewed through the Wilburton LUCA process and the nonconforming code provisions were adopted 5 months ago. We have not received direction from Council to overhaul this newly adopted code section.

We appreciated the follow-up discussion with you on December 18 on this topic. As discussed, staff is following Council's direction to consolidate the City's nonconforming code sections where practicable and to ensure that future phases of a Master Development Plan are not inadvertently or prematurely treated as nonconforming. Council also emphasized avoiding requirements that could force unnecessary reinvestment in properties during interim phases before redevelopment is ready.

In response, staff believes the proposed revisions strike a reasonable balance. For multi-phase projects, the HOMA LUCA proposal would allow up to 50% of the total FAR from a sending phase to transfer to another phase. This is a significant increase from the previous allowance of zero percent FAR transfer without triggering proportional compliance. The proposed changes set a clear and appropriate threshold and is consistent with Council's guidance.