

Topic: Small Site Exceptions and Deviations

July 10, 2017 City Council Study Session

During the June 26, 2017 Council Study Session, questions were raised regarding the development of small sites, and additional information was requested regarding application of the Downtown Code to these sites. There are many provisions contained in the Planning Commission Recommended code amendment that provide flexibility for the development of “small sites” in Downtown. This topic sheet provides a summary of the relevant code sections and departures available to developers of small sites.

PLANNING COMMISSION RECOMMENDED CODE REFERENCES:

DT-Small Site: A lot in existence prior to [EFFECTIVE DATE OF THIS ORDINANCE] that is less than or equal to 40,000 square feet in area and corresponds to the project limit within which the small site is located. This definition does not apply to lots less than 40,000 square feet in area that are aggregated into a project limit that is greater than 40,000 square feet.

Exceptions Specifically Recommended by the Planning Commission for Small Sites:

1. In the Amenity Incentive System, developers must allocate at least 75 percent of the amenities used to open space amenities. The recommended Downtown Code does not require a minimum allocation for small sites. Recommended LUC 20.25A.070.D.2.b
2. The tower separation requirements do not apply to small sites. Recommended LUC 20.25A.075.B.4
3. An upper level setbacks may be modified or eliminated if the setback is infeasible because the lot is small or irregularly shaped. Recommended LUC 20.25A.075.C.1.a
4. The Green and Sustainability Factor is 0.30 for most lots, but it is 0.25 for small sites.

General Departures that Could Provide Relief for Small Sites:

There are also departures applicable to all sites that are particularly useful for small sites. The general provisions for administrative departures and City Council departures are in recommended LUC 20.25A.030.D.

1. General Administrative Departure – The general administrative departure applies to numeric standards in walkways and sidewalks, planter strips and tree pits, the Pedestrian Corridor, street trees, linear buffers, and the design guidelines. Recommended LUC 20.25A.030.D.1. These would be especially useful on small sites where sidewalk widths, planter strip widths, or other numeric standards can be adjusted to address site constraints.

Topic-Specific Administrative Departures that Could Provide Relief for Small Sites:

There are administrative departures available in the following sections that would provide flexibility when developing on a small site. They are:

1. The ability to build a higher residential tower that exceeds 220 feet in the B-2 overlay. Recommended LUC 20.25A.060, Footnote 12. Small sites are not as able to expand floor plates, so the building must be taller to gain more area.
2. The ability to build intrusions over sidewalks, into setbacks, into stepbacks and to obtain height exceptions for mechanical equipment. Recommended LUC 20.25A.060.B.2 and 3. This allows parts of the building to intrude into spaces that normally would not be available for building features, whether required or not. For instance, weather protection, decks, balconies, and the building structure itself on Mixed and Neighborhood streets are allowed to intrude over the sidewalk.
3. The ability to use shared and off-site parking. Recommended LUC 20.25A.080.C and D. The ability to use shared and off-site parking increases the amount of the site available for the building and other amenities.
4. The ability to modify the location and screening of mechanical equipment and exhaust systems. When the mechanical equipment or exhaust system is allowed to be placed in an area that is normally free of equipment, then more habitable space becomes available. Recommended LUC 20.25A.130.

DISCUSSION:

There are several small site departures in the Planning Commission recommended Downtown Code Update. Owners of small sites may choose to build to base FAR or allocate amenities in any fashion desired. The tower separation requirements do not apply to small sites and upper level stepbacks can be modified or eliminated upon a showing that the stepback is not feasible. The Green and Sustainability Factor is reduced by 0.05 from 0.30 to 0.25 for small sites.

General administrative departures are also available to small sites. They include departures from numeric standards for walkways and sidewalks, planter strips and tree pits, the Pedestrian Corridor, street trees, linear buffers, and the design guidelines. In addition, small site owners can take advantage of departures to build intrusions over sidewalks, into setbacks and stepbacks and to obtain height exceptions for mechanical equipment. The small site owner may pursue an administrative departure for shared or off-site parking to reduce or eliminate portions of the site used for parking.