



Planning Commission

Recommendation: High Density Corridor Zone Building Step-backs and Setbacks

Agenda Date: 11/18/2013
Agenda Item Number:
File Number: 13-0956

Type: recommendation **Version:** 1 **Status:** Passed

Title

Recommendation: High Density Corridor Zone Building Step-backs and Setbacks

Recommended Action

Move to select from options below and provide recommendation to City Council on or before November 18, 2013.

Report

Issue:

Whether to amend development code to limit tall buildings adjacent to single-family housing; and whether to require more step-back of tall buildings adjacent to streets and residential zones.

Staff Contact:

Todd Stamm, Principal Planner, Community Planning & Development, 360.753.8597

Presenter(s):

Todd Stamm, Principal Planner

Background and Analysis:

On December 11, 2012, the Olympia City Council responded to public concerns about development near certain single-family housing by adopting an emergency 'interim' ordinance changing building height regulations in the High Density Corridor zones (HDC-1; HDC-2; HDC-3; and HDC-4). Ordinance 6820 temporarily requires that within any of the four High Density Corridor zones any new buildings within 100 feet of an existing single-family home site shall not exceed a height of 35 feet and any buildings on property adjacent to single-family housing or a residential zone or along a public street shall have 8-foot step-backs at every third floor (aka 'wedding cake' design).

That ordinance will be in effect for one year, or more if extended by the Council. The Council referred this matter to the Planning Commission for a public hearing and recommendation on the appropriate means of addressing this issue, including whether or not to amend the development code. The Commission was briefed on this matter on August 19, 2013. At the briefing the Commission affirmed the October 21 date for a hearing on this potential code amendment, directed that notice of the hearing be mailed to potentially most-affected property owners, that the possibility of including General Commercial and Professional Office - Residential Multi-family zones be addressed, and that

alternative measures be presented.

Olympia's development code includes numerous provisions for transitioning building scale and buffering land uses at zoning boundaries. Among these are requirements that new buildings taller than three stories in the Professional Office - Residential Multi-family, General Commercial, and High Density Corridor 1, 2, 3 & 4 zones must be 'stepped back' a minimum of 8 feet, i.e., the setback for the fourth floor and above is 8-feet more than lower floors, where adjacent to a street or residential zoning district. In addition, buildings in these zones may not exceed 35 feet if within 100 feet of any of three low-density residential zones (R-4, R4-8, and R6-12). These three zones are generally composed of single-family homes.

In addition to building size limits set by zoning, the City's design requirement often requires consideration of the size of adjacent structures. For example, for multi-family buildings Olympia Municipal Code 18.70.110 requires, "The building scale identified for the district may be larger than the building scale that exists in the neighborhood. Minimize any appearance of scale differences between project building(s) and existing neighborhood buildings by stepping the height of the building mass, and dividing large building facades into smaller segments. Reflect the architectural character of the neighborhood (within 300' on the same street) through use of related building elements." [Emphasis added.] Note that such limits do NOT change the height allowed by zoning and that the zoning 'step-back' requirement is a form of additional setback applicable to upper floors - as such a developer may choose to meet the zoning requirement by setting the entire structure back to the upper-floor distance, thus it is not a 'design' criteria requiring modulation.

The Council's December 2012 action moved the zoning step-back requirement down to the 3rd floor and every 2nd floor thereafter in the HDC zones, added that step-back requirement to projects in the HDC zones that are adjacent to single-family housing even if such homes are not in a low-density residential zone, and capped heights at 35 feet within 100 feet of such single-family home sites. The attached map highlights locations within the City where standard zoning imposes such special limitations adjacent to certain residential zones, and where new regulations would be applicable if extended to existing single-family housing not otherwise buffered by these regulations, i.e., where the code might be changed to limit development adjacent to existing single-family housing.

As indicated on the map, there are about fifty scattered single-family homes outside low-density residential areas that are within or near the six zones in question. In combination with limiting the size of buildings near these homes, the proposed amendment would probably reduce the total commercial or residential density or both of affected projects, and could increase construction costs.

The current Comprehensive Plan includes various provisions regarding compatibility of large and smaller structures. For instance, Land Use Policy 8.3 is, "Locate and design multi-family structures so they are compatible with adjoining lower density residences." Similarly Land Use Policy 8.4 reads, "Establish zoning and design standards that ensure compatibility of adjoining residential and commercial areas, in order to maintain or enhance the neighborhood's character, livability, and property values. Consider requiring commercial structures to use building scales, roof forms, and building materials similar to, or compatible with, the adjoining residential structures; 'low key' signage; and carefully controlling site lighting that minimizes off-site impacts."

Land use compatibility provisions are scattered throughout the Land Use and Urban Design Chapter of the Comprehensive Plan. The Commission is encouraged to review the whole chapter in

considering the issues presented by this code amendment. In particular, Land Use Goal 17 and the underlying policies describe the purposes of the High Density Corridors in some detail. (Note the corridors as described in Policy 17.1 are geographically more extensive than the specific HDC categories described in the later policies.) As described in the Plan, each of these areas is to gradually transition to a mixture of commercial and multi-family housing uses. Building heights in the HDC zones may vary from 3-story limits adjacent to low-density area to 6-story buildings and taller. The similar PO/RM areas are likely not to exceed 4-story buildings, while the General Commercial areas can have taller structures.

The High Density Corridor zones of the City extend about 400 feet from certain major streets, although on the westside in the vicinity of the Capital Mall larger areas are in this zone. The General Commercial zone is usually located away from the major streets adjacent to the 'HDC' zones. The Professional Office - Multi-family zone is generally located on the fringe of these areas. The HDC areas encompass about 800 acres, of which most are in the HDC-4 designation. The GC and PO/RM areas are about 320 acres each. In total these are less than 10% of the City. The purposes of each of these six zones are set forth in the Development Code at OMC 18.06.020 (B)(6 and 9 thru 14). See attached excerpts. Existing and new single-family homes are permitted uses in all six zones.

Ensuring adequate space between buildings is a foundation principle of zoning, sometimes referred to as access to 'light and air.' But limiting the size of a building is just one of many means of minimizing the impact of new development upon existing homes. Other regulations may include requiring enhanced landscaping (plants or structures such as walls), increased setbacks, lighting and noise restrictions, limited hours of operation, odor and other pollution limits, restrictions on windows and balconies (for privacy), and similar measures.

The Commission opened the hearing on this matter on October 21, 2013, and continued the hearing to November 4, 2013, to provide additional time and opportunity for public comment. During this period Commission members have raised a number of questions about the proposal. These are addressed in the attached memo from City staff to the Commission, including the referenced illustration. The public hearing was closed on November 4, 2013.

Neighborhood/Community Interests (if known):

Prior to the Commission hearing, all interested parties were owners and residents of property northwest of the intersection of Harrison Avenue and Division Street; additional interest from other affected areas has resulted from notice of the public hearing.

Options:

The Commission may recommend that the City Council:

1. Adopt amendment of Table 6.02 of Development Code as presented in the Attachment to this staff report
2. Adopt the code amendment expanded to include the GC or PO/RM zone, or both
3. Adopt a variation of the code amendment - see alternatives described above
4. Extend the interim zoning provision to provide time for further study of the issue
5. Not adopt a code amendment
6. Chair Parker submitted an alternative proposal for consideration. See Attachment 7.

Financial Impact:

Type: recommendation **Version:** 1 **Status:** Passed

Cost of process included in base budget