



Desk Item

DATE: JULY 20, 2023
TO: PLANNING COMMISSION
FROM: CARMELA CAMPBELL, ECONOMIC AND COMMUNITY
DEVELOPMENT DIRECTOR
SUBJECT: OBJECTIVE DESIGN AND DEVELOPMENT STANDARDS TEXT
AMENDMENT (AT-23-004)

Staff received questions/comments from Commissioner Lew regarding the Text Amendments associated with establishing objective development and design standards (AT-23-004). The following are the questions/comments and staff's responses (in *red italics*). Some of staff's responses propose updates to the text amendment wording. Any updates recommended by the Planning Commission will be incorporated into the version provided to the City Council for their consideration.

Commissioner Lew Comments

Exhibits A and B (page numbers listed below correspond to Exhibit B)

1. *Page 2:* the definition of bicycle parking facility was renumbered from 18.08.075 to 18.08.076 but the change is not shown in Exhibit B in underscored red text. Please explain this exclusion. By the way, I referred to the on-line version of Title 18 to verify the change.

The renumbering, from 18.08.075 to 18.08.076, occurred as part of the industrial code amendments (AT-23-003) approved by the City Council on July 11, 2023 (a second reading will occur on July 25, 2023). As a result, the amendments are not yet reflected in the Zoning Ordinance located online. The amendments associated with AT-23-003 can be accessed on-line through the City's Planning Commission and City Council Meetings and Videos webpage: <https://unioncity.novusagenda.com/agendapublic/CoverSheet.aspx?ItemID=3961&MeetingID=163>. The draft text amendments included in AT-23-004 associated with the objective design and development standards include the amendments adopted as part of the industrial code amendments to avoid conflicts when both sets of amendments are in place.

2. Page 2: the definitions of both bicycle parking facility and bingo games are numbered 18.08.076. Please correct this duplication of numbers.

Please see the response to #1 above. The definition of “Bingo games” is not included in Exhibit A or Exhibit B, and no changes are proposed to that definition as part of AT-23-004.

3. Page 2: three new definitions were added to Chapter 18.08, but Exhibit B does not show them as changes using underscored red text. These new definitions are conference center, construction equipment sales and rental and contractor services. Please explain this exclusion.

Please see the response to #1 above. No new definitions are added as part of AT-23-004 for the three definitions referenced. The three definitions referenced (conference center, construction equipment sales and rental, and contractor services) and convenience market were renumbered as part of AT-23-004 because new definitions were added before those four in the chapter.

4. Page 20 and 21: the building design for townhomes and row houses contains a requirement for “variations of two (2) feet or more between the horizontal planes of the primary entrance façade of adjacent units” and the accompanying figure shows an example of this requirement. However, the figure shows four adjacent townhomes but only one variation in the horizontal plane. This appears to be noncompliant with the requirement. Please clarify whether the figure on page 21 meets the City’s variation requirement as specified on page 20.

The requirement for “variations of two (2) feet or more between the horizontal planes of the primary entrance façade of the adjacent units” is part of a menu of five options, of which a minimum of two must be incorporated. Each townhome is not required to have a variation in horizontal plane in order to meet the requirement. For example, a roofline offset of 18 inches and a change in color would satisfy the requirement. The figure shows an example of how the menu of options may be applied.

5. Pages 20 and 21: the building design for townhomes and row houses requires “a change in roof orientation between adjacent units (e.g., a gable roof adjacent to a hipped roof).” Examples of both roofs are shown on page 16. The figure on page 21 shows four adjacent townhomes but only two types of roofs—one gable and three flat roofs. This appears to be noncompliant with the requirement. Please

clarify whether the figure on page 21 meets the City's roof orientation requirement as specified on page 20 and whether a flat roof is acceptable.

The roof design standard in 18.24.050(B)(3)(e)(ii) on page 16 is only applicable in the VMU Zoning District. Roofs within the VMU District are required to be gabled, cross-gabled, or hipped, and are not permitted to be flat. Regarding "a change in roof orientation between adjacent units," see the response to #4 above. The requirement is part of a menu of five options, of which a minimum of two must be incorporated. Each townhome is not required to have a change in roof orientation. The figure depicts one example of meeting the roof orientation requirement.

6. Pages 20 and 21: the building design for townhomes and row houses requires a "roofline offset of at least eighteen (18) inches for each unit exposed on the associated elevation." The figure on page 21 shows four adjacent townhomes but only one roofline offset. Is this compliant with the requirement? Please clarify whether the figure on page 21 meets the City's roofline offset requirement as specified on page 20.

See response to #4 above. The requirement for a "roofline offset of at least eighteen (18) inches for each unit exposed on the associated elevation" is part of a menu of five options, of which a minimum of two must be incorporated. Each townhome is not required to have a roofline offset. The figure depicts one example that meets the requirements.

7. Page 31: 2nd full paragraph on "Accessibility", which requires that "common indoor activity space shall be accessible to all building occupants" – if there are multiple buildings in the same development, is the developer required to provide the same common indoor activity space in each building or can space in one building be used by occupants from other buildings? Please clarify.

The space in one building may be used by occupants from other buildings. Multiple buildings in the same development are not required to provide the same common indoor activity space in each building.

8. Page 39: Item 7.c – if a new transit stop is provided “adjacent to the lot frontage” after the project is built and occupied, is the developer required to provide the pedestrian connection(s)? Please clarify.

No. The requirement would not retroactively apply.

9. Page 47: Item 18.27.180C – previous sections used the term “decision maker” instead of the Planning Commission, City Council or Zoning Administrator. I recommend consistency with previous sections of this exhibit by changing “Planning Commission” to “decision maker” here and in 18.36.140A on page 71.

Based on the feedback, staff recommends the following updates to the proposed amendments. In addition, staff recommends similar updates to some additional sections, which are listed below.

- *Page 47: Section 18.27.180(C) will be updated to read:*
 - The ~~Planning Commission~~ **decision maker** may grant relief from the off-street parking requirements, if it can be demonstrated that sufficient parking is available off-site to service the proposed use.
- *Page 64: Section 18.32.160 (B)(3) will be updated to read:*
 - 3. Senior Housing. One-half (0.5) of a covered parking space shall be provided for each bedroom, and one-quarter (0.25) of a parking space shall be provided for each unit for guest parking. The number of parking spaces required for senior housing may be decreased by the ~~Planning Commission~~ **decision maker** if it is found that a specific use will not create as great a need for off-street parking.
- *Page 69 Section 18.36.050 (D) will be updated to read:*
 - D. A use not conducted entirely within a completely enclosed structure shall be screened by a solid wall or fence, or compact evergreen hedge not less than six (6) feet in height, if such use without such screening is found by the ~~Planning Commission~~ **decision maker** to have a substantial and detrimental effect on property values in the area.
- *Page 71: Section 18.36.140(A) will be updated to read:*
 - Required Loading Berths. Where appropriate, the ~~Planning Commission~~ **decision maker** may require loading berths for each of

the commercial districts that shall not be less than ten (10) feet by twenty-five (25) feet and shall be provided in accordance with the following schedule.

10. *Page 71:* Item L is proposed for deletion; however, the remaining Items M and N are not shown as renumbered to “L” and “M.” Please explain the resultant gap between Items K and M.

The error will be corrected in the version provided to the City Council.

11. *Page 88:* Item C refers to Chapter 15.64, which is titled “Building Security Code” in the City’s Municipal Code. Is this a correct reference? Please confirm or provide a correction.

The language references existing code language. After further consideration, staff recommends Section 18.100.070 (C), which refers to compliance with the Building Security Code, be deleted as it would be a requirement of all development to comply with Title 15 (Building Code). Staff will make this change in the version provided to the City Council.