

MEMORANDUM

TO: Planning Commission

FROM: Planning Staff

DATE: August 9, 2016

SUBJECT: Continued Discussion of Downtown Zoning Premium Amendments

Following a discussion at its July 19 meeting, the Planning Commission asked for a final review of the (slightly revised) proposed amendments to the Zoning Ordinance premium options and a report of updated comments from the development community. Staff has revised the proposed amendments as requested. The final draft is attached and changes are summarized below.

Minor Revisions of August 5 Draft

1. Paragraph referring to incentives for development of public spaces and pedestrian amenities has been deleted because the premiums no longer incentivize these things. Section 5:64(1)(c), page 5.
2. References to C1A and C1A/R have been eliminated, correcting an oversight of previous drafts. Section 5:65, page 5.
3. The Tier 1 Residential Use premium formula has been changed from 0.75 square foot bonus for each 1 square foot of residential to 1.0 square foot bonus. Because of the cap of 150% or 100% FAR in Tier 1, this change will not affect how this premium functions but will make explaining, calculating and verifying compliance much easier. Section 5:65(2)(a)(1), page 7.
4. The Tier 1 Energy Efficiency premium threshold has been reduced from 40% or higher improvement over the state approved energy code to 30% or higher. Section 5:65(2)(a)(2), page 8.
5. The Tier 2 LEED Certification premium levels have been revised to generally refer to “current LEED version” instead of specifying LEED version 4, and Silver has been added to the eligible certifications. Section 5:65(2)(b)(2), page 10.
6. A new provision has been added to the Tier 2 LEED Certification penalty section to confirm that no penalty will be assessed when a certification has been gained but lost at a later date. Section 5:65(b)(2)(g), page 9.

Developer Feedback

Our consultant is speaking with several downtown developers and property owner stakeholders to gain updated feedback on the most recent versions of the two-tier premium format. A summary of those conversations will be provided when available.

Summary

Staff is seeking three things from the Planning Commission. First, its feedback on the minor revisions prepared in response to the discussion of July 19. Second, endorsement of the proposed amendments as attached or as specifically revised. And third, if the Commission is comfortable with the first two tasks, a recommendation to schedule a public hearing for the final draft of proposed amendments on September 20.

Website Link: www.a2gov.org/premiums

Attached: August 5, 2016 Draft Premium Ordinance Amendments

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Reviewed by Ben Carlisle
8/5/2016