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DATE: August 5, 2019

TO: Nathaniel Dye, Chair
Title 49 Committee

FROM: Amy Liu, Planner
Laurel Christian, Planner

CASE NO.: AME2018 0004

PROPOSAL: Proposed Rezoning of Downtown Juneau ADOD Area

Attachments

Attachment A – Presentation

General Overview

This report examines lot area and setbacks for the following topics:

- Retaining the Highlands Area in the Project Scope
- Sliding Setbacks
- Lot Size Recommendations

It does not address, though it may inform, other topics, such as lot coverage, vegetative coverage, etc.

Retaining the Highlands in the Project Scope

Staff recommends the Highlands remain in the scope of the project. While the Highlands are more conforming than other neighborhoods, homeowners still experience similar challenges to other neighborhoods during remodeling that changes building footprint and requires variances or an Alternative Development Permit (ADP) under the current Alternative Development Overlay District (ADOD) ordinance.

Sliding Setbacks

Sliding setbacks are flexible and still reasonably constrained by maximum lot coverage. Dimensional standards for each zoning district within the existing ADOD boundary are proposed. While the underlying zoning's uses and density would remain, the dimensional standards would be superseded by the overlay district's sliding setbacks and other new dimensional standards.

Staff recommends a setback sum of 20 feet, with a minimum setback of 3 feet. The sum achieves significant improvement to conformity in all zoning districts, and may allow more flexible modification to building footprints. Staff illustrates the setbacks on several properties within the ADOD area that have an as-built (Attachment A, slides 9-12). The minimum setback is intended to encourage development that may meet building and fire code requirements for public safety. A lesser minimum setback, such as 1 foot, does not significantly improve conformity in any instance (Attachment A, slides 6-8).

Staff observes several benefits and challenges to implementing sliding setbacks:

Pros:

- Sliding setbacks allow for greater flexibility
- ADOD boundary is already established

Cons:

- Concept is not well known, there may be a learning curve for the public and staff
- Greater flexibility allows for more varied results; the character of the neighborhood may not remain as it is today
- Setback exceptions in code today would not apply – a new setback exception would be required to reduce the total sum of setback required for these situations.
- Specific language will need to be added to discuss why this method is only appropriate for downtown and not throughout the borough

Lot Size Recommendation

As discussed at the July 10, 2019 Title 49 meeting, new dimensional standards should balance preservation with aspiration.

Staff recommends a minimum lot size of 3,500 square feet. This is partly informed by lot areas used within 49.25.400. The minimum area required for the D10 Single Family zoning, 3,600 square feet, was based off existing conditions in Casey Shattuck. The minimum lot size for a bungalow lot in D5 is 3,500 square feet. The scale of development associated with a 3,500 square foot lot exists in the community and within Title 49.

Conformity by zoning district within ADOD with a 3,500 square foot minimum lot size:

Zoning District	Proposed Minimum Lot Size	% Conforming	Current Minimum Lot Size	% Conforming
D5	3,500	70%	7,000	23%
D10	3,500	57%	6,000	30%
D18	3,500	68%	5,000	33%

Conformity by D5 neighborhood within the ADOD with a 3,500 square foot minimum lot size:

Neighborhood	Proposed Minimum Lot Size	% Conforming	Current Minimum Lot Size	% Conforming
Casey Shattuck	3,500	61%	7,000	2%
Starr Hill	3,500	72%	7,000	15%
Highlands	3,500	96%	7,000	34%

There is justification for recommending 3,500 square feet, rather than 3,600 square feet. If the minimum lot size were 3,600 square feet, the conformity in Casey Shattuck neighborhood, for example, would be 38%. If the minimum lot size were 3,500 square feet, the conformity in this area would be 61% (Attachment A, pg. 14-15).

Less than 26% of all lots located within the ADOD area are at least 7,000 square feet, or twice the proposed lot size regardless of zoning district. Of the lots within the Highlands area, only 33% of lots are at least 7,000 square feet. Approximately 17 of those lots are in the severe landslide and avalanche zone. Title 49 prohibits subdivision of lots within this hazard zone.

Staff will make recommendations on other dimensional standards that should be included in the overlay district once minimum lot sizes are determined, and whether the dimensional standards should be revised after the minimum standard lot size is reduced.

Proposed Rezoning of Downtown Juneau ADOD Area

Title 49 Committee Meeting
August 7, 2019

Discussion Topics

- Retaining the Highlands Area in the Project Scope
- ADOD overlay boundary and Sliding Setbacks Method

Highlands

The Highlands should remain in the scope of the project. While the Highlands are more conforming than other neighborhoods, they still experience similar challenges as other neighborhoods during remodeling that changes building footprint and requires variances or an ADP.



 Non-conforming lot size

 ADOD boundary

ADOD overlay boundary and the sliding setback method

Discuss:

- Dimensional standards for the overlay district
- Sliding setback examples
- Setback exception to reduce the total setback sum required

Pros:

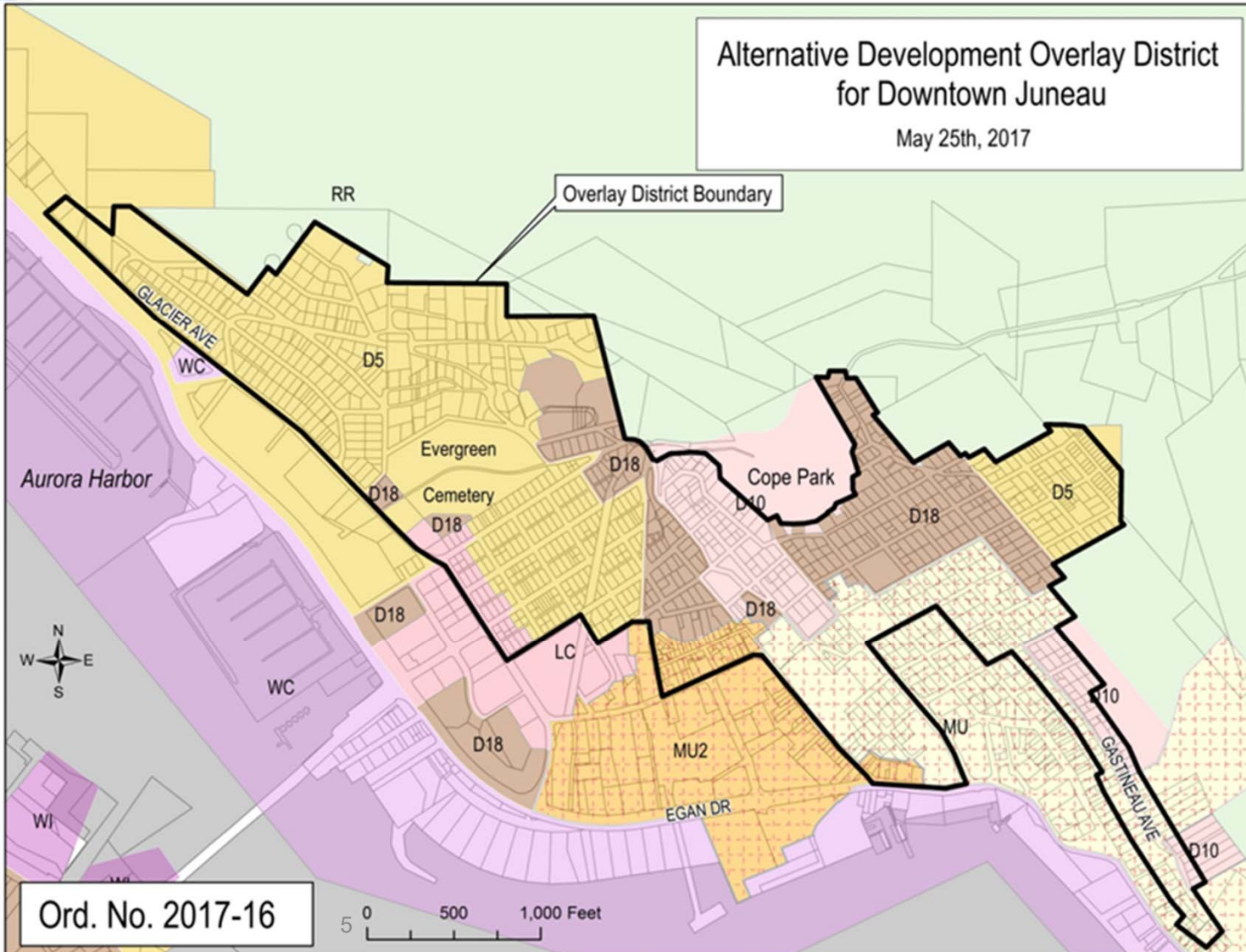
- Sliding setbacks allow for greater flexibility
- ADOD boundary is already established

Cons:

- Concept is not well known, there may be a learning curve for the public and staff
- Greater flexibility allows for more varied results; the character of the neighborhood may not remain as it is today
- Setback exceptions in code today would not apply – a new setback exception would be required to reduce the total sum of setback required for these situations.
- Specific language will need to be added to discuss why this method is only appropriate for downtown and not the entire borough

Alternative Development Overlay District for Downtown Juneau

May 25th, 2017



Dimensional standards for each zoning district would live in ADOD.

The underlying zoning for uses and density would remain.

New dimensional standards would supersede the underlying Table of Dimensional Standards requirements.

Staff recommends a setback sum of 20', with a minimum setback of 3'

D5 Conformity

Casey Shattuck		
Standard	Value	% Conforming
Setback Sum	20	89%

Highlands		
Standard	Value	% Conforming
Setback Sum	20	87%

Starr Hill		
Standard	Value	% Conforming
Setback Sum	20	64%

Combined		
Standard	Value	% Conforming
Setback Sum	20	81%

D10 Conformity

D10 Zoning		
Standard	Value	% Conforming
Setback Sum	20	84%

D18 Conformity

D18 Zoning		
Standard	Value	% Conforming
Setback Sum	20	83%

3' setback conformity D5 Zoning

Casey Shattuck, 3' Standard				
Standard	Value	Count	Total	% Conforming
F	3	118	148	80%
R	3	95	148	64%
S	3	141	301	47%
SS	3	54	75	72%

Highlands, 3' Standard				
Standard	Value	Count	Total	% Conforming
F	3	189	225	84%
R	3	168	225	75%
S	3	307	459	67%
SS	3	33	41	80%

Starr Hill, 3' Standard				
Standard	Value	Count	Total	% Conforming
F	3	23	73	32%
R	3	47	73	64%
S	3	44	147	30%
SS	3	14	24	58%

Combined, 3' Standard				
Standard	Value	Count	Total	% Conforming
F	3	334	465	72%
R	3	315	465	68%
S	3	499	946	53%
SS	3	103	142	73%

Casey Shattuck, 1' Standard				
Standard	Value	Count	Total	% Conforming
F	1	118	148	80%
R	1	97	148	66%
S	1	151	301	50%
SS	1	55	75	73%

Highlands, 1' Standard				
Standard	Value	Count	Total	% Conforming
F	1	189	225	84%
R	1	170	225	76%
S	1	325	459	71%
SS	1	34	41	83%

Starr Hill, 1' Standard				
Standard	Value	Count	Total	% Conforming
F	1	23	73	32%
R	1	47	73	64%
S	1	44	147	30%
SS	1	14	24	58%

Combined, 1' Standard				
Standard	Value	Count	Total	% Conforming
F	1	334	465	72%
R	1	319	465	69%
S	1	527	946	56%
SS	1	105	142	74%

Casey Shattuck, Current D5 Zoning				
Standard	Value	Count	Total	% Conforming
F	20	44	148	30%
R	5	46	148	31%
S	20	117	301	39%
SS	13	23	75	31%
Area	7000	3	148	2%

Highlands, Current D5 Zoning				
Standard	Value	Count	Total	% Conforming
F	20	92	225	41%
R	5	124	225	55%
S	20	272	459	59%
SS	13	17	41	41%
Area	7000	76	225	34%

Starr Hill, Current D5 Zoning				
Standard	Value	Count	Total	% Conforming
F	20	5	73	7%
R	5	29	73	40%
S	10	42	147	29%
SS	13	9	24	38%
Area	7000	11	73	15%

Combined, Current D5 Zoning				
Standard	Value	Count	Total	% Conforming
F	20	143	465	31%
R	20	202	465	43%
S	5	437	946	46%
SS	13	51	142	36%
Area	7000	106	465	23%

3' setback conformity D10 and D18 Zoning

D10, 3' minimum				
Standard Value	Count	Total		%
				Conforming
F	3	36	73	49%
R	3	54	68	79%
S	3	73	134	54%
SS	3	13	18	72%

D18, 3' minimum				
Standard Value	Count	Total		%
				Conforming
F	3	93	175	53%
R	3	113	158	72%
S	3	165	318	52%
SS	3	48	71	68%

D10, 2' minimum				
Standard Value	Count	Total		%
				Conforming
F	2	36	73	49%
R	2	54	68	79%
S	2	74	134	55%
SS	2	13	18	72%

D18, 2' minimum				
Standard Value	Count	Total		%
				Conforming
F	3	95	175	54%
R	3	113	158	72%
S	3	166	318	52%
SS	3	49	71	69%

D10, 1' minimum				
Standard Value	Count	Total		%
				Conforming
F	1	36	73	49%
R	1	54	68	79%
S	1	74	134	55%
SS	1	13	18	72%

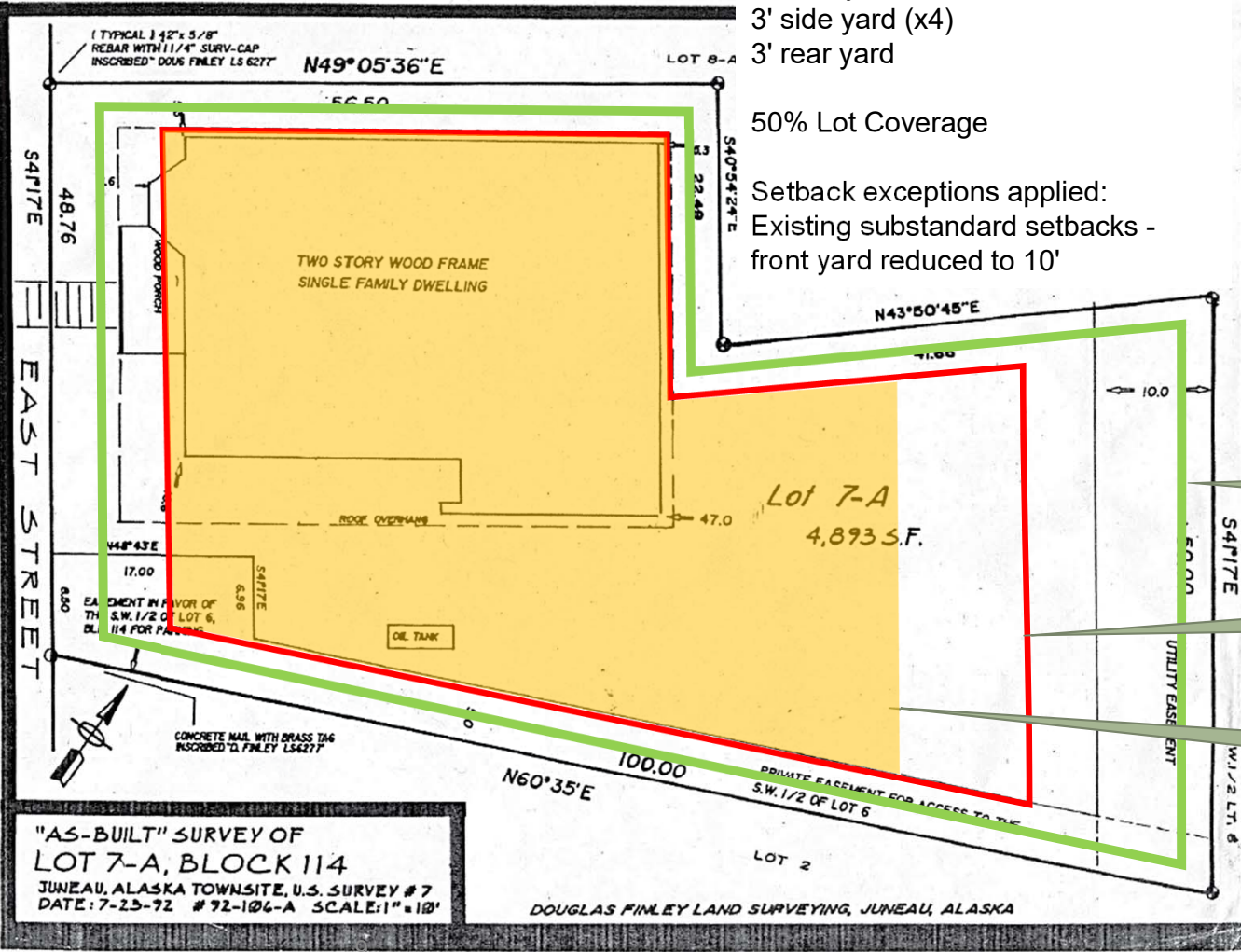
D18, 1' minimum				
Standard Value	Count	Total		%
				Conforming
F	1	95	175	54%
R	1	113	158	72%
S	1	166	318	52%
SS	1	49	71	69%

4893 SF Lot in Starr Hill

20' Setback Sum Required
 5' front yard
 3' side yard (x4)
 3' rear yard

50% Lot Coverage

Setback exceptions applied:
 Existing substandard setbacks -
 front yard reduced to 10'



Sliding Setback Box

D5 Setbacks

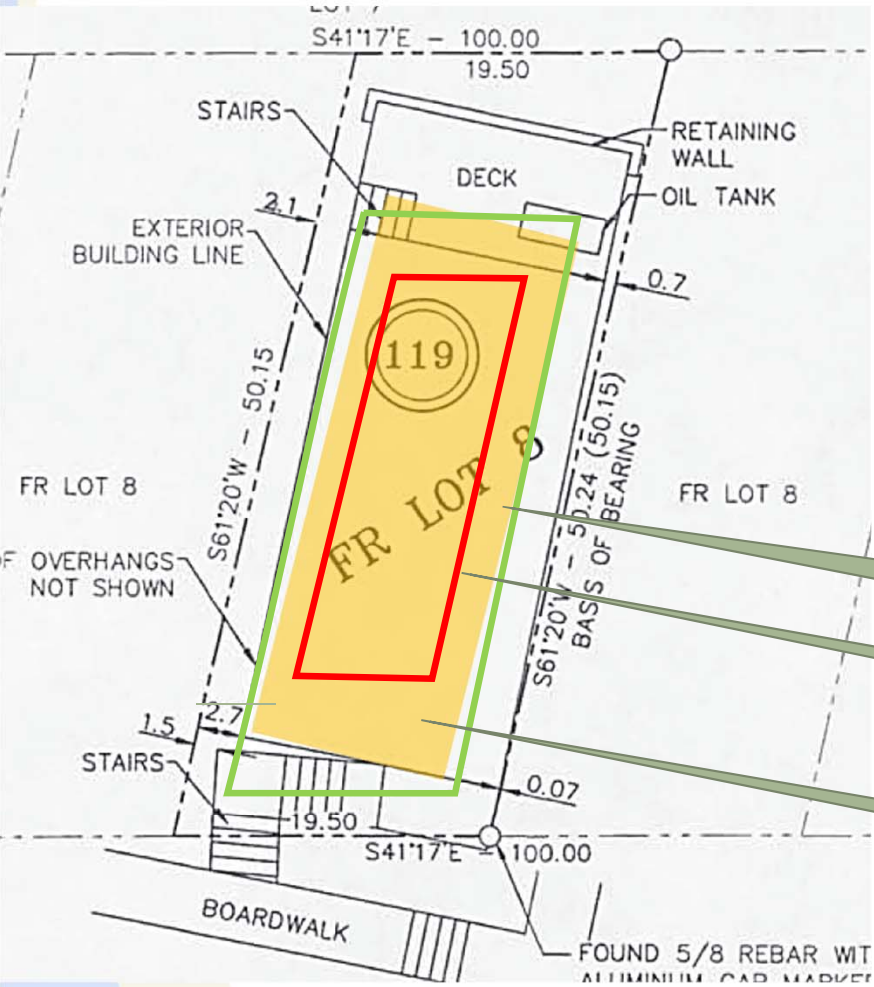
D5 Lot Coverage

"AS-BUILT" SURVEY OF
 LOT 7-A, BLOCK 114
 JUNEAU, ALASKA TOWNSITE, U.S. SURVEY # 7
 DATE: 7-23-92 # 92-106-A SCALE: 1"=100'

DOUGLAS FINLEY LAND SURVEYING, JUNEAU, ALASKA



954SF Lot in Starr Hill



20' Setback Sum Required
 3' front yard
 3' side yard (x2)
 11' rear yard

50% Lot Coverage

Setback exceptions applied:
 Existing substandard setbacks -
 front yard reduced to 10'

Non-conforming lot depth -
 Rear yard reduced to 14'

Sliding Setback Box

D5 Setbacks

D5 Lot Coverage

Maximum lot coverage = 477SF



3,600SF Lot in Casey Shattuck

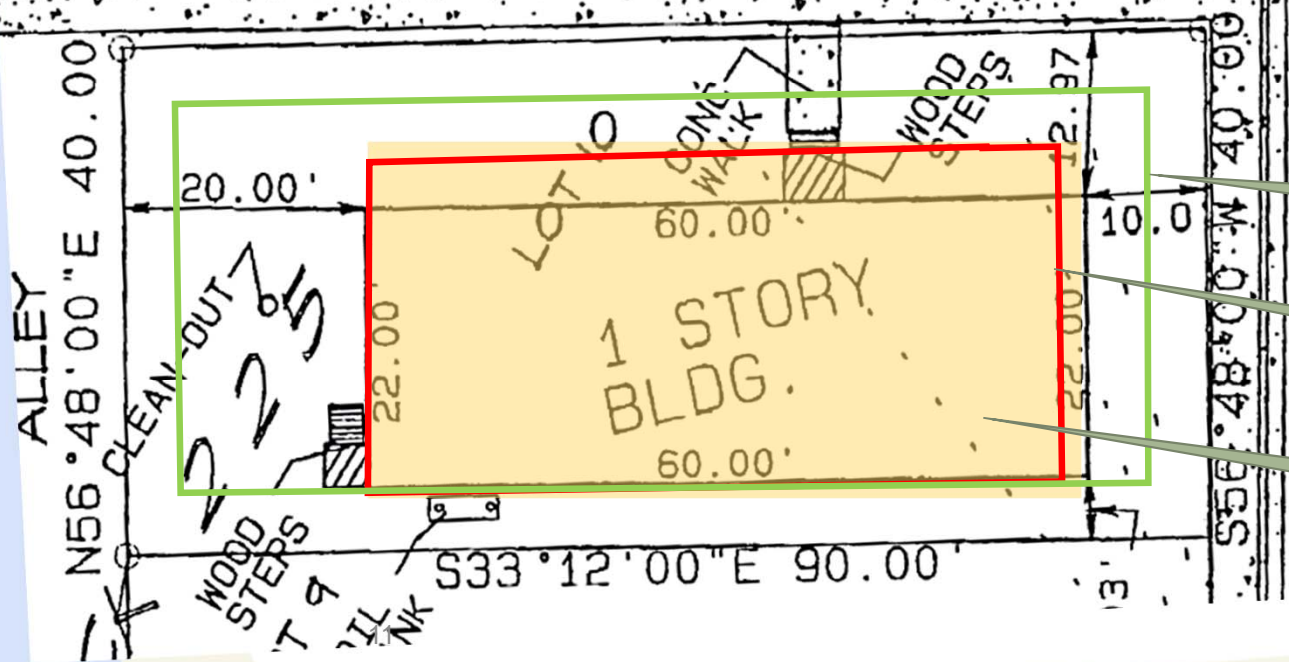
20' Setback Sum Required
 5' front yard
 5' side yard
 5' street side yard
 5' rear yard

Setback exceptions applied:
 Existing substandard setbacks - front yard reduced to 12' and street side yard reduced to 10'



"D" STREET

S33°12'00"E 90.00'



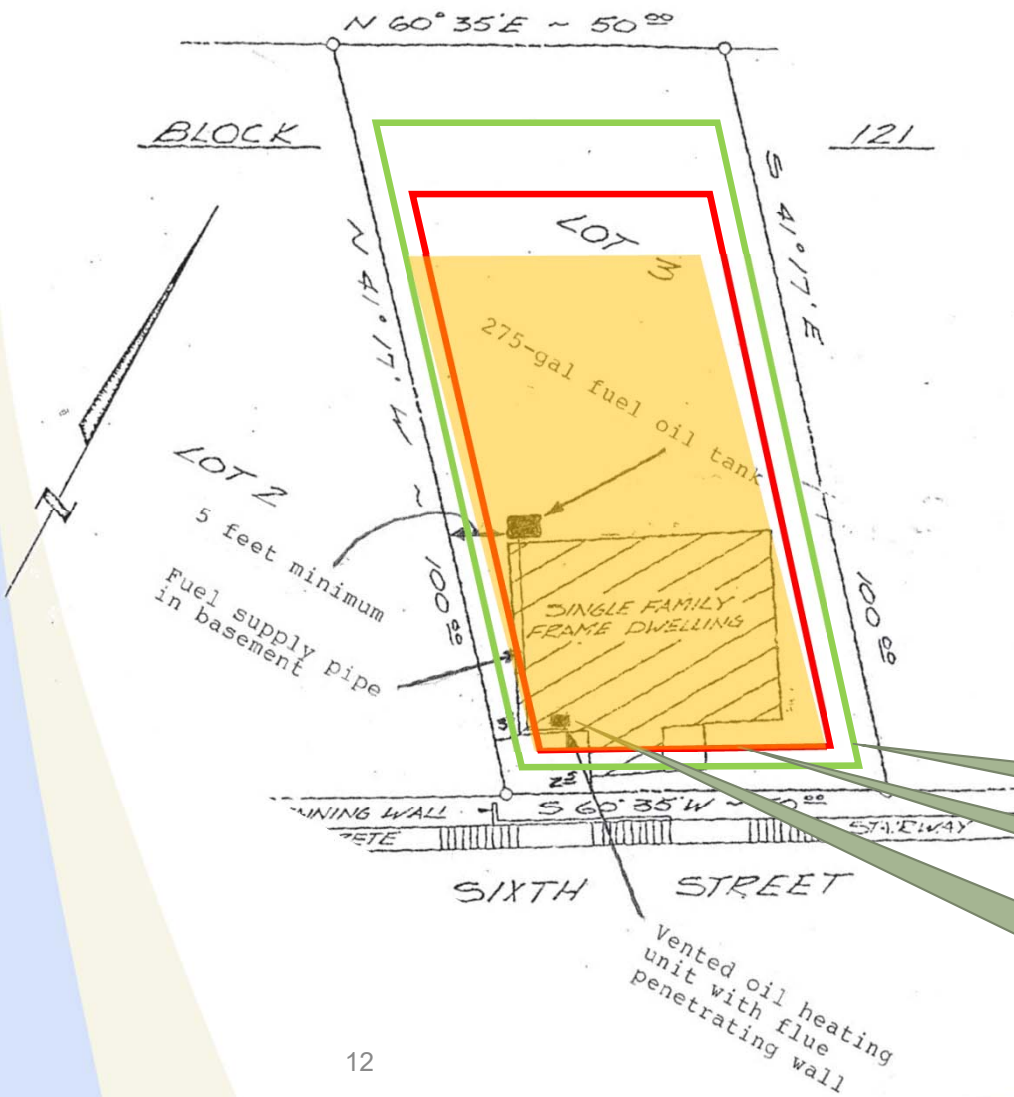
Sliding Setback Box

D5 Setbacks

D5 Lot Coverage



4,893SF Lot in Starr Hill



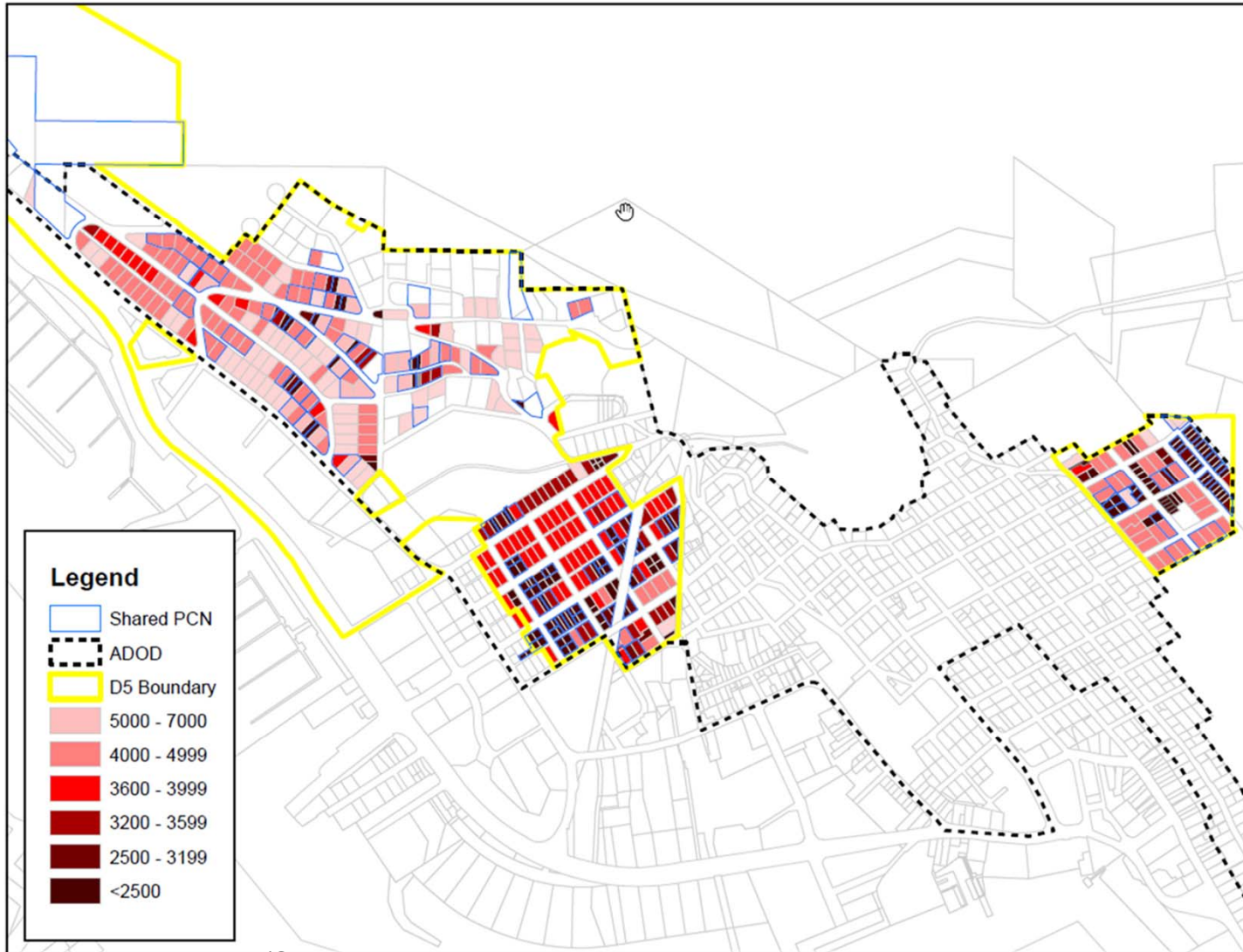
20' Setback Sum Required
 3' front yard
 3' side yard (x2)
 11' rear yard

Setback exceptions applied:
 Sloping lot – slope of this lot is 46%, so front yard reduced to 5' based on neighboring lots 0' front yard setback.

Sliding Setback Box

D5 Setbacks

D5 Lot Coverage



Minimum Lot Size

Staff recommends 3500 sf minimum lot size

Casey Shattuck		
Standard	Value	% Conforming
Area	3500	61%

Casey Shattuck, Current D5 Zoning					
Standard	Value	Count	Total	% Conforming	
Area	7000	3	148	2%	

D10			D10		
Standard	Value	% Conforming	Standard	Value	% Conforming
Area	3500	57%	Area	6000	30%

Highlands		
Standard	Value	% Conforming
Area	3500	96%

Highlands, Current D5 Zoning					
Standard	Value	Count	Total	% Conforming	
Area	7000	76	225	34%	

D18			D18		
Standard	Value	% Conforming	Standard	Value	% Conforming
Area	3500	68%	Area	5000	33%

Starr Hill		
Standard	Value	% Conforming
Area	3500	72%

Starr Hill, Current D5 Zoning					
Standard	Value	Count	Total	% Conforming	
Area	7000	11	73	15%	

Combined		
Standard	Value	% Conforming
Area	3500	70%

Combined, Current D5 Zoning					
Standard	Value	Count	Total	% Conforming	
Area	7000	106	465	23%	

This lot size **substantially increases** conformity.
 This lot size is currently the minimum area for a bungalow lot in D5

Staff recommends 3500 sf minimum lot size

D5		
Standard	Value	% Conforming
Area	7000	23%

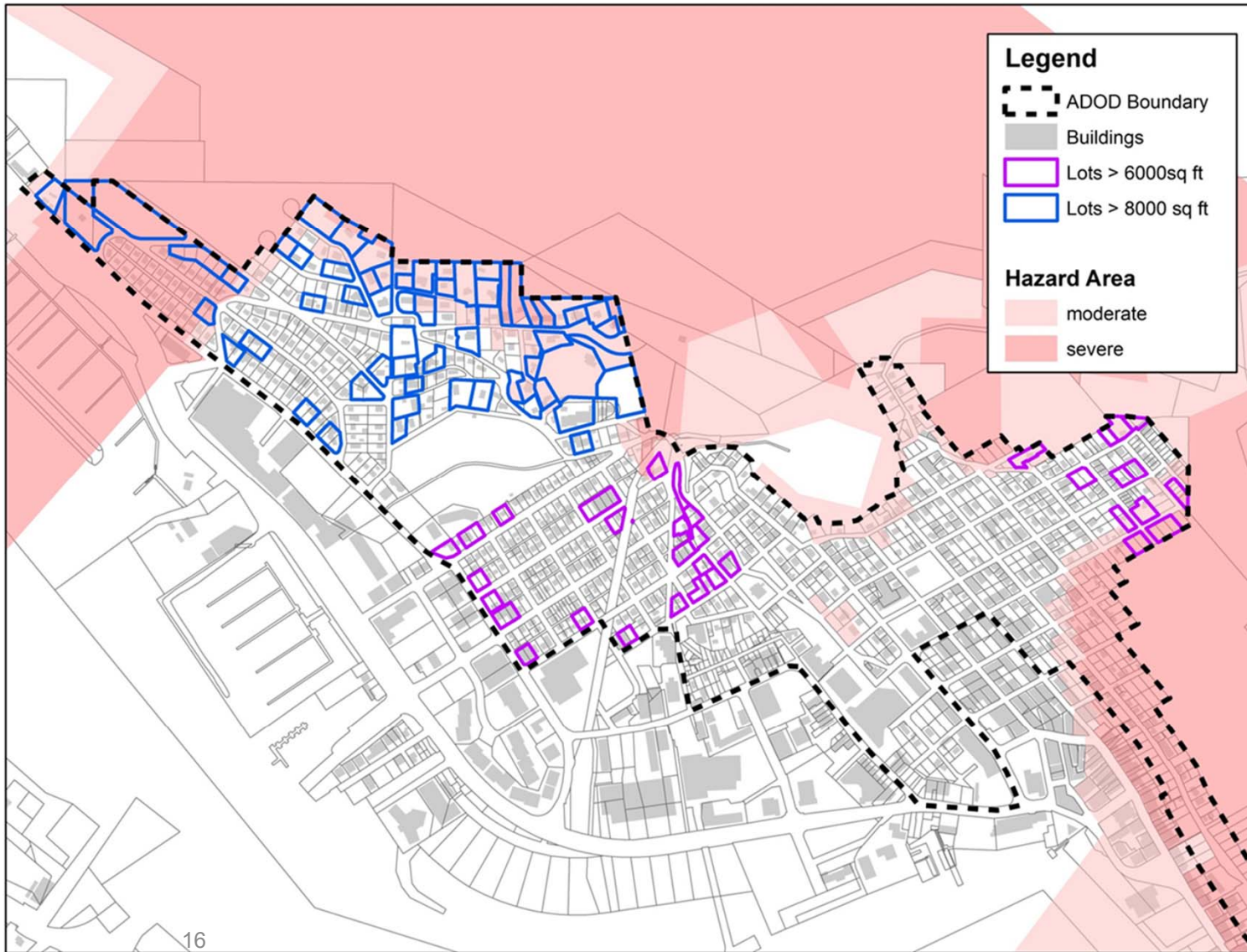
D10		
Standard	Value	% Conforming
Area	7000	25%

D18		
Standard	Value	% Conforming
Area	7000	19%

A small fraction of lots could be subdivided as a result of reducing the minimum lot size.

7000 sf would be approximately two standard lots.

35% of all lots in the Highlands, or 77 out of 218 lots, are at least 7000 square feet. Of those lots, many are in the moderate hazard zone, and several are in the severe hazard zone.



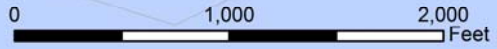
Staff recommends 3500 sf minimum lot size

Lot size is 3507 sf. Building footprint without garage is approximately 965 sf. Lot coverage is 28%.



■ parcel <3500 sq feet

ADOD Boundary



Zoning Regulations		D-5	D-10	D-18	MU
Minimum Lot Size					
	Permissible Uses	7,000	6,000	5,000	4,000
	Bungalow	3,500	3,000	2,500	
	Duplex	10,500			
	Common Wall Dwelling	7,000	5,000	2,500	
Minimum lot width		70'	50'	50'	50'
	Bungalow	35'	25'	25'	
	Common wall dwelling	60'	40'	20'	
Minimum lot depth		85'	85'	80'	80'
Maximum lot coverage					
	Permissible uses	50%	50%	50%	None
	Conditional uses	50%	50%	50%	None
Maximum height permissible uses		35'	35'	35'	None
	Accessory	25'	25'	25'	None
	Bungalow	25'	25'	25'	
Minimum Setback Sum		<u>20' , minimum 3' setback per side</u>			
Minimum vegetated cover					

Staff will make recommendations on other dimensional standards that should be included in the overlay district once minimum lot sizes are determined, and whether the dimensional standards should be revised after the minimum standard lot size is reduced.

Setback reduction for non-conforming lots

- **The Title 49 Committee should consider creating a setback exception for lots that remain non-conforming after the adoption of this ordinance.**
- For example, if a lot remains non-conforming in lot size, could the setback sum required could be reduced to the same percentage. If the minimum lot size is 3,000 square feet, and my lot is 2,000 square feet, my setback sum could be reduced to 66% the required (13.33 feet).
- Sample language: Substandard lots. If lot size is non-conforming to the requirements set forth in the ADOD overlay dimensional standards, the required setback sum may be reduced to the same percentage that the lot size bear to the ADOD overlay dimensional requirements. In no case shall the required setback sum be less than 12 feet.

Questions?



Meeting Agenda of the City and Borough of Juneau
Title 49 Committee of the Planning Commission

Wednesday, August 7, 2019
Community Development Department
Large Conference Room, 12:00 pm

Members Present:

Nathaniel Dye, Travis Arndt, Shannon Crossley, Ben Haight

Members Absent:

Ken Alper

Staff Present:

Jill Maclean (CDD Director), Alexandra Pierce (CDD Planning Manager), Irene Gallion (CDD Senior Planner), Laurel Christian (CDD Planner), Amy Liu (CDD Planner), Chelsea Wallace (CDD Admin)

I. Call to Order

The meeting was called to order at 12:03pm.

II. Approval of Agenda

MOTION: by Ms. Crossley to approve the agenda.

The motion passed with no objection.

III. Approval of Minutes

A. October 15, 2018 Draft Minutes - Common Wall Section

MOTION: by Ms. Crossley to approve the October 15, 2018 minutes – Common Wall Section.

The motion passed with no objection.

IV. Agenda Topics

A. Proposed Rezoning of Downtown Juneau Alternative Development Overlay District Area

Before diving into meeting material, Ms. Maclean stated that she and Mr. Dye had discussed the meeting style and decided that it would be best to keep with the formal style of the meetings, rather than fall into a casual style that subcommittee meetings can sometimes become. She asked that everyone follow Mr. Dye's lead as the Chair of the Committee and allow him to direct the meeting as he sees fit.

Mr. Dye expressed support for Ms. Maclean's recommendation and asked for a brief overview of what would be discussed at the meeting.

Ms. Christian gave a brief overview of what the meeting agenda consisted of and started her presentation with the Highlands area of downtown Juneau. Ms. Christian showed a map with the Alternative Development Overlay District (ADOD) boundary lines and which lots are non-conforming, and discussed why minimum lot

size for the highlands area should remain within the range of scope, noting that while the Highlands are more conforming than other neighborhoods, they still experience similar challenges as other neighborhoods during remodeling that changes building footprint and requires variances or an Alternative Development Permit (ADP).

Mr. Dye pointed out that some of the lots highlighted as non-conforming in the Franklin Street area were not included in the boundary lines and asked for the reasoning behind this.

Ms. Liu stated that this was an error in the map, but it did not affect the data that goes with this information.

Mr. Dye asked that the lines be fixed and everything matches up.

Ms. Christian stated they would fix the map and moved forward to the ADOD boundary and the sliding setback method and some pros and cons for this method. Ms. Christian stated that Staff needed specific language on why this would only apply to downtown Juneau, and not the entire borough.

Mr. Dye asked if that language would just be for the introduction.

Ms. Christian replied that it would be just for the introduction and moved forward to show a map that displayed the dimensional standards for each zoning district that was included in the ADOD. She discussed how the underlying zoning for uses and density would remain the same and new dimensional standards would supersede the underlying Table of Dimensional Standards requirements. Ms. Christian then presented some numbers of conformity with the recommended adjustments to setbacks, noting that they extended the setback to 3 feet, rather than just 2.5 feet. She stated they were recommending a minimum 20' setback sum for all side of a lot.

Mr. Arndt noted that the cases showed more conformity than the minimum.

Ms. Pierce stated that, that was the rationale behind extending to 3 feet. Since 2.5 feet brought most cases up to the minimum conformance, they decided to extend to a 3-foot setback and this brought more cases into conformance.

Mr. Arndt expressed support for this and felt that it should be put in code, especially because people would need to know this information for the fire code requirements.

Ms. Christian pointed out that the Starr Hill case was the least conforming for the examples they chose, but all the others came much closer to conformance with the 3-foot minimum setback.

Ms. Maclean stated that if Committee members were satisfied with the numbers, then consideration should be given for just accepting the Starr Hill case with all of the issues, as is, and knowing that it will not be able to completely come into conformity.

Mr. Dye and Mr. Arndt stated they had no concerns with this.

Ms. Christian stated that even with a setback of 1 foot, they would still not see all non-conforming cases come into conformity. She used the Casey Shattuck case as an example, showing the current existing conformity to compare to the improvement of adopting a 3-foot setback, noting that it is important to

embrace how much it would be improved, rather than focusing on the fact that it doesn't become completely conforming.

Mr. Dye thought the information was good, but might be more easily understood by members of the public if the columns were broken out more and showed just the percentages of conforming, instead of duplicating columns.

Ms. Christian agreed and showed a new slide with conformity examples of a 3-foot setback in the D5 Zoning District.

Mr. Arndt stated that he felt the previous slide was very good and showed a better overview of the improvements for neighborhoods.

Ms. Christian pointed out that the neighborhoods aren't broken up in zoning districts other than D5. .

Mr. Arndt asked if these properties were considered in the previous slide.

Ms. Christian stated that they were not, because this slide showed just the D5 Zoning.

Ms. Pierce stated that this information could be looked at from the public's point of view and adjustments could be made as necessary.

Mr. Dye felt it would be best to concentrate on the neighborhoods, in order to help people better understand the information.

Mr. Arndt agreed and expressed support for showing the improvements in the neighborhoods. He suggested considering showing it via whole zones, as well.

Mr. Dye agreed and felt that the information could be simplified more.

Ms. Christian agreed and stated that Staff had come up a few examples to show how the sliding setbacks work. Ms. Christian showed a new slide with an example of how the sliding setback could work. She noted that Staff had discussed the examples and how to consider changing, or not changing, the lot coverage, because the setback box is not very constraining.

Ms. Crossley pointed out that the ADOD was currently at 60% coverage, but 50% was being suggested in this example. She asked for the reasoning behind this.

Ms. Christian replied that in the D5 zoning district, maximum lot coverage is 50%. If an applicant applied for an Alternative Development Permit through the ADOD section of code, that could be increased to 60%.

Ms. Maclean stated that Ms. Christian was correct. When the ADOD was being discussed, Staff chose a higher number than what they thought would work, based on the variances they had seen at the time and other factors.

Mr. Dye also noted that the ADOD was developed quickly, as people needed a better method to develop than the method that was currently in place. He asked if this example was conforming.

Ms. Christian stated that it was non-conforming, but the porch might be a setback exception. She said that this house was chosen as an example, because it had an extra side.

Mr. Dye expressed concerns with this example, believing that people may think they will lose space, and suggested using a different example for the public.

Ms. Christian agreed. She then moved on to the next example, stating that this case may not be able to come into full conformity, but it could definitely be improved. With the sliding setback box, a 3-foot setback could be applied on each side except the rear. This would bring the house into full conformity, except on one side. Staff could not find a way to fix all sides with this method, but would be able to fix all sides, except one. Ms. Christian then presented the next example, noting that it is a corner lot with standard setbacks, and is non-conforming on the front side.

Mr. Arndt asked how this house was a non-conforming case.

Mr. Dye thought the setback box may not be positioned correctly.

Ms. Christian explained the lot has a front yard and a street side yard setback and also has a side along an Alley.

Mr. Dye asked if the front yard is what was considered the street side.

Ms. Christian replied that this was correct.

Mr. Arndt asked one was allowed to choose which side would be the front and which would be the rear, if there was more than one right-of-way.

Ms. Christian stated that it was possible this house received variances for their development.

Mr. Dye expressed concerns with Mr. Arndt being able to “poke holes” in these examples and felt that it would be best to have examples that more straight forward.

Ms. Pierce stated that this discussion was helpful for clarification, but in terms of the examples shown, Staff could find better examples that were less confusing for the public, and more straightforward. She felt these examples were very helpful for Staff, but explaining them to the public and to the CBJ Assembly might prove more difficult.

Mr. Dye agreed with Ms. Pierce.

Ms. Crossley asked if the alley was considered the front yard for this example.

Ms. Christian stated that it was not.

Mr. Dye clarified this example for Ms. Crossley.

Ms. Crossley then asked if the alley would be considered a side, not a right-of-way, if someone were to take this building down and build a new house.

Ms. Christian stated this would be possible.

Mr. Dye pointed out this would be possible, but not if they used the alley for access.

Ms. Crossley agreed.

Ms. Christian also agreed and noted that with the setback box, they come into conformity.

With as-builts being complicated, Ms. Maclean suggested showing the existing structure with the perimeter, as that may be very helpful, especially for public meetings.

Mr. Dye agreed with Ms. Maclean.

Ms. Christian then moved forward to the next example, showing a Starr Hill lot that is nonconforming under the current standards. She showed that the sliding setback box can get the lot closer to conformity, but not completely. However, conformity could still be possible, if the arctic entry met the setback exception requirements for arctic entries.

Ms. Crossley stated that she is working on a separate project that has outdated as-built drawings and noted that these as-builts being used as examples may fall into the same era. She wondered if it would be possible to get new as-builts, if the patron came into conformity.

Ms. Christian stated that this would be possible. She asked if anyone had any other questions regarding what had been presented thus far.

Mr. Dye did not have questions, but spoke in favor of a 3-foot setback and the sliding setback box method with 20 feet, as well. Regarding lot coverage, Mr. Dye suggested that the limit for lot coverage should be some kind of function, but tricky lots needed consideration, as well.

Ms. Christian stated that some numbers could be brought to the next Committee meeting regarding lot coverage.

Mr. Dye felt this would be good and moved the conversation on to minimum lot size.

Ms. Liu presented a slide showing the ADOD perimeter and also separately showing the D5 zoning areas within the ADOD perimeter and gave a brief explanation of the boundary.

Mr. Dye asked if the minimum lots size only included the boundary lines drawn.

Ms. Liu stated that a recommendation would be made by Staff and they would go into how it could improve conformity.

Ms. Christian stated that this map did not show the D18 zones, but they would be discussed.

Ms. Liu stated that Staff recommends a minimum lot size of 3500 square feet, but that could be adjusted. Staff is suggesting 3500 square feet, because the D10SF was modeled after the Casey Shattuck case, there is familiarity with it, and it can be compatible with the neighborhoods. Staff broke down examples by

neighborhoods to show conformity by neighborhood. Ms. Liu noted that it is important to take into account what the improvement would be, rather than just looking at if it goes from nonconforming to conforming.

Mr. Dye pointed out that the combined percent conforming goes from 23% to 70%.

Ms. Liu agreed and stated that there was a point to be made on what a 3500 square foot lot looks like. Ms. Liu gave a brief explanation of why staff recommends 3500 square feet and what it would mean for the neighborhoods. She noted that any concern of large increases in neighbors shouldn't be too critical. Ms. Liu then moved forward to hazard areas, showing a map of the ADOD perimeter and the hazard areas within and around the perimeter.

Mr. Dye pointed out that this was still being approached as an overlay, but thought the idea had been suggested that this did not apply to subdivision. He asked if this was correct.

Ms. Maclean stated that she did not recall.

Ms. Arndt remembered talking about the dates of everyone's plats.

Mr. Dye felt the biggest potential is to subdivide, so he thought it best not to start that discussion.

Ms. Christian indicated that subdivision was currently possible, but only for bungalows.

Mr. Dye stated that this wasn't to increase density in terms of number of lots, but he felt it would be advantageous to the public argument.

Mr. Arndt noted that there has been some public comment on it already and the public is not in favor of it.

Ms. Maclean thought it best to move forward with both ideas. She noted that there were many people present, but concerns were only heard from three or four people. Ms. Maclean felt it would be advantageous to pursue both ideas and have multiple options.

Mr. Arndt thought it may be better to let properties try to conform to standards, rather than allow for bungalow subdivisions. He asked if the 6,000 square foot lots meet the standards for the 7,000 square foot lots.

Ms. Liu stated that some lots exceed 14,000 square feet in this area, but they would not be able to subdivide due to the hazard zones.

Mr. Arndt noted that the purple boxes in the presentation are 6,000 square feet, and asked if they stay with the 7,000 square feet.

Ms. Christian stated that she could update the map.

Mr. Dye noted that this may nullify a good portion of this argument.

Mr. Arndt asked about downsizing to a 3,000 square foot lot.

Mr. Dye stated that a 3,000 square foot lot was not a good idea, because there would not be many more lots that come in to conformity by reducing the minimum lot size.

Ms. Liu affirmed that it was sort of diminishing returns, but Staff also tried to take the concerns about subdivisions into consideration and didn't want to provoke more concerns.

Ms. Pierce stated that 3,500 square feet requirements already exist in code, as well.

Mr. Dye thought it would be good to have multiple choices. He asked Staff to show examples with 3,500 square feet and 7,000 square feet to see the difference. He noted that D10SF may have been modeled after Casey Shattuck, however this may not have been the best model, and the 3,500 square foot requirement may be adjustable.

As the models get closer to 3,000 square feet, Mr. Arndt wondered when it would become impractical to build. He felt that a 3,500 square foot lot made sense and maybe shrinking to a smaller lot wouldn't be beneficial, because a developer wouldn't be able to build much.

Ms. Liu presented an example with a 3,500 square foot lot. She pointed out that this lot has 28% lot coverage, which is below the 50% requirement for D5 and Staff wanted to gauge the comfortableness with this lot size and everything that comes with it.

Ms. Maclean asked if the garage was included in the lot coverage percentage.

Ms. Liu stated that it was not included and she had used the Assessor's database to gather the information.

Ms. Maclean felt it would be better to see a different example, or to estimate the garage size and account for it in the coverage.

Ms. Liu stated that this would be possible for Staff to do. She wanted to gauge if the Committee felt it would be appropriate to look at smaller models than this, if lots should be bigger, or if this size was appropriate.

Mr. Dye stated that he does not reside in the Highlands area of downtown, but he thought this example looked more open than what most of the Highlands area looks like.

Mr. Haight thought this was a much smaller house than what is typically seen, as most people develop more and reach the coverage limit.

Ms. Pierce felt this example was a good fit and represented the character of the neighborhood well.

Ms. Maclean thought that this lot being the corner lot might make it look more deceptively open than what it is and Mr. Arndt agreed with her.

Ms. Liu noted that while there will still be nonconforming properties in this area, most would be in the Casey Shattuck neighborhood. She then moved forward in the presentation, onto minimum lot size.

Mr. Arndt asked if the numbers Ms. Liu was showing were for the rest of the Borough.

Ms. Liu replied that they were.

Mr. Dye asked, hypothetically, if bungalows should have a minimum lot size of 1,000 square feet for the overlay.

Ms. Liu replied that this was not necessarily needed, and that a lot supporting a larger structure should be a bigger lot. She noted that consideration in how it may affect others should be given when making the changes for single-family homes, as well.

Mr. Dye asked if there were issues with common wall dwellings when considering two units versus three units.

Ms. Maclean replied that there were no issues with this. She pointed out that, when looking at this information, it would be helpful to know that there are duplexes and triplexes, what their lot sizes are, and how they could come into conformity.

Mr. Arndt asked what the difference is between common walls and duplexes.

Ms. Maclean replied that residential common walls are located on their own lot, but share a wall, with the lot line running through the shared wall and property. Duplexes are completely on one lot and owned by the same owner.

Mr. Dye stated he struggled with this concept, as well. The Committee had previously decided to stay away from Use completely; however adding duplexes and triplexes opens that topic again. Mr. Dye felt that there isn't a lot of common wall or duplex construction in these subject areas, so discussion on this subject may not be needed.

Ms. Pierce felt it was a worthy topic for conversation and it would be good to consider the diminishing returns numbers.

Ms. Crossley spoke in favor 7,000 square foot minimum lot size and the sliding setback box. She also noted that while there may not be many duplexes now, more options could be left open. Ms. Crossley then departed the meeting at 12:55pm.

Mr. Haight noted that the basic appearance of the subject areas is single-family. He asked if adjusting the common wall duplex would change the appearance and if the original appearance should be maintained.

Mr. Dye stated that he was less nervous about fixing the numbers regarding bungalow lots, but if there was a demand for it, it could be discussed.

Mr. Arndt suggested focusing on the overlay, changing lot coverage and setbacks, and leaving the other topics for a later discussion.

Ms. Christian pointed out that the numbers presented by Ms. Liu show that there aren't many homes that can go from single-family to duplexes.

Mr. Arndt asked for some clarification on the minimum lot size, which was provided by Ms. Christian. Mr. Arndt noted that while the changes weren't large, the Committee may be unnecessarily changing numbers.

Mr. Dye pointed out that the changes were small, but if you change 25% of the character, it means it's not the same. He noted that it largely depended how things progressed.

Ms. Christian also pointed out that on a 3,500 square foot lot someone could have a bungalow today.

Mr. Dye agreed and felt it would be best to leave this topic for a later discussion. He asked if anyone had any questions or if more information was needed at this time.

Ms. Liu asking what the Committee would like to see from Staff at the following meeting, noting that Staff would keep digging into the recommendations.

Mr. Dye spoke in favor of the 3-foot minimum setback and the 20-foot setback sum and felt this should be for all zones. He stated that he would like to see the information on minimum lot size again, with examples of 3,500 square feet versus 7,000 square feet.

Mr. Arndt stated that he would like to see a map with the 3,500 square feet and 7,000 square feet, as well.

Mr. Dye agreed. He also stated that he would like to discuss the underlying zoning districts more and not allowing subdivisions through this, with opinions on what may be best.

Mr. Haight asked about lot coverage and Mr. Dye stated that the Committee would like a recommendation for that as well.

Ms. Maclean stated vegetative coverage should be discussed, as well.

Mr. Arndt felt that changing the table for duplex common walls and exclusion would bring the Committee back to the beginning goal and if the goal is to not create more lots, then that is the path the Committee should take, moving forward.

Mr. Dye pointed out that the ADOD was developed at the Planning Commission's request and was done quickly, with the Committee trying to maintain the character of the neighborhoods. He felt there is good argument to leave subdivisions out of the discussion, but if Staff felt the Committee should discuss it, they would.

Mr. Arndt felt the topic of vegetative coverage would be an easy one to settle.

Mr. Dye asked if there were any other questions or if anyone had anything else to discuss.

Ms. Pierce felt that this discussion was very helpful for Staff and answered a lot of questions they had, giving them more direction to move forward with.

Mr. Arndt and Mr. Haight spoke in favor of the 20-foot setback sum and both felt Staff did a great job in preparing and presenting this information.

Mr. Dye asked when the Committee and Staff would like to meet next. After some deliberation, the group decided the next meeting date would be September 4, 2019.

V. Committee Member Comments and Questions

VI. Adjournment

The meeting adjourned at 1:16pm.