



PREPARED FOR THE PLAN COMMISSION

**Proposal:** Zoning Text Amendment

**Legistar File ID #:** [75911](#) (Downtown Height and Affordable Housing Incentive), [75855](#) (Residential Point System for Downtown Residential 1 (DR1) and Downtown Residential 2 (DR2) zoning districts)

**Prepared By:** Planning and Zoning Staff

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[75911](#) – This amendment includes four changes related to height within the downtown.

*Allows Taller Stories under the Maximum Number of Stories*

The zoning code currently establishes a maximum number of stories and a maximum floor to floor height for each story. This amendment removes the maximum floor to floor height limit and instead adds a total building height limit. Buildings must be at or below both the maximum height and the maximum number of stories. The purpose of this change is to allow buildings with taller stories, which are more common with uses like a museum, where a taller floor-to-floor height may allow more room for museum exhibits, or a place of worship, which may have a taller sanctuary space.

*Adds Affordable Housing Incentive*

The amendment adds an affordable housing incentive where a project with affordable housing units can exceed the maximum number of stories as long as the project does not exceed the maximum height in feet. While the height and story limits align fairly well for commercial buildings, the heights of residential floors are typically lower than commercial floor heights. Thus, a greater number of residential stories would be possible without exceeding allowable height limits.

The proposal is primarily intended to provide an incentive for market rate developers who would not otherwise include affordable units in their developments but might be willing to do so in return for being able to add more stories to their buildings. Developers agreeing to the proposed incentive must use at least 50% of the additional space for affordable housing and maintain that affordability for at least 30 years. The affordable housing units may be located throughout the building, not just on the upper floors.

Where a developer is already planning to build affordable housing and is receiving City financial assistance, the number of additional units required to earn the bonus stories would be negotiated with the City as part of receiving that financial assistance.

*Removes Non-Residential Ground Floor Elevation Restrictions*

Additionally, the proposal removes non-residential ground floor elevation restrictions that have not worked well when applied to a variety of sites with slope in the downtown. The purpose of the ground floor elevation restrictions is to have active and engaging street level uses that are at a similar elevation to the sidewalk. Site-specific considerations could still be addressed through the Urban Design Commission's application of the

[Downtown Urban Design Guidelines](#). Among the related recommendation is a building orientation guideline that states, *“The Street level of a building should be designed with active uses and architecture that engages the street/sidewalk in a contextually appropriate manner, and integrates the building architecture and the landscape architecture.”* The Urban Design Commission will be able to use the guidelines to achieve this goal, without being as overly prescriptive as the zoning code.

#### *Clarifies Height Measurement*

Lastly, the amendment clarifies the code regarding how height in the downtown is measured, without changing how it is measured. In addition to the revised language, the amendment includes new graphics to show how height is measured in the downtown.

Staff supports this amendment.

[75855](#) – This amendment removes the residential point system in the Downtown Residential 1 (DR1) and Downtown Residential 2 (DR2) zoning districts. The residential point system was designed to implement recommendations from the Downtown Plan to encourage the development of housing units with more bedrooms. The system has not been effective in creating larger housing units for families with children, but instead has been an obstacle to creating more housing in the DR1 and DR2 districts.

Staff supports this amendment.