



Land Use Code: Possible Revisions

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2. Do Councilmembers support proposed revisions?



An Evolving City

Our City's past and future evolution is summarized below in three eras distinguished by different growth patterns that resulted from our evolving city planning priorities and policies, regulatory systems, and transportation modes.

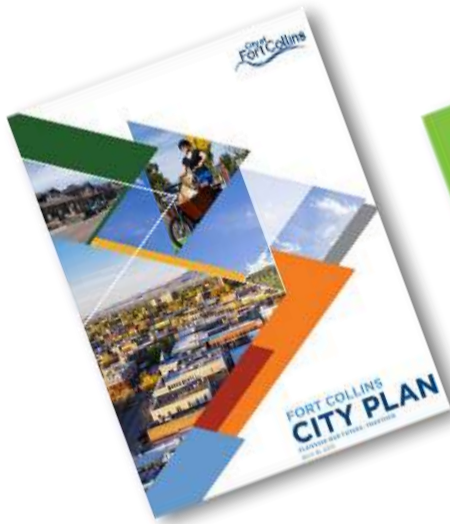


**Phase 1:
New Land
Use Code**

Purpose of the Land Use Code Updates:

To Align the LUC with Adopted City Plans and Policies with a focus on:

- Housing-related Changes
- Code Organization
- Equity



FIVE GUIDING PRINCIPLES

Revisions to the code will continue to support the five guiding principles confirmed by City Council in November 2021 with an emphasis on Equity.

1. *Increase overall housing capacity* (market rate and affordable) and calibrate market-feasible incentives for deed restricted affordable housing
2. *Enable more affordability* especially near high frequency transit and growth areas
3. *Allow for more diverse housing choices* that fit in with the existing context
4. *Make the code easier to use* and understand
5. *Improve predictability* of the development permit review process, especially for housing

Work Stream #1 (Immediate Next Step):

- Direct staff to bring forward a draft Land Use Code that removes controversial items
- Achieves reorganization, clarification and deed restricted affordable housing improvements
- Will require direction from Council on items to remove or revise
- Anticipated timeline:
 - Feb/March: Planning and Zoning Commission Hearing and Recommendation
 - March/April: City Council First Reading
 - April/May: City Council Second Reading

Work Stream #2 (For Council Consideration): Further consideration of items removed from draft Land Use Code (e.g., revision, referral to ballot, or other)

Work Stream #3 (For Council Consideration):

- **Phase II:** Consider **ALL** remaining priorities for Land Use Code update (e.g., commercial zoning and TOD, xeric-landscaping, tree standards)
- Direct staff to develop a proposed scope, engagement strategy and timeline

Foundational Land Use Code Changes

- Reorganize content so the most used information is first in the Code
- Reformat zone districts with consistent graphics, tables, and illustrations
- Consolidate form standards in new *Article 3 – Building Types*
- Consolidate use standards into table in new *Article 4 – Use Standards*
- Update definitions and rules of measurement for consistency
- Expand and re-calibrate incentives for affordable housing
- Rename some zones and create subdistricts to consolidate standards
- Create a menu of building types and form standards to guide compatibility
- Update use standards, rules of measurement, and definitions to align with new building types and standards
- Regulate building size through maximum floor area and form standards instead of units per building
- Regulate density through form standards and building types instead of dwelling units per acre

Proposition 123

- Established eligibility **this year only**
- 90-day review requirement is likely necessary for future eligibility

Philosophy For Incentives (Deed Restricted Affordable Housing)

- Focus for Phase 1 Land Use Code updates
- Remove barriers to build deed restricted affordable housing
- Provide market feasible incentives to allow for more deed-restricted units
- Most effective methods include parking reductions and increases to capacity

Philosophy For Requirements (inclusionary housing, fee in lieu, etc.)

- Recommended for future work stream
- Best practice to establish base density, then evaluate and calibrate requirements



Potential Revisions

	Currently allowed	Changes adopted in October 2023	Potential Revisions for RL
Housing Types	Single-unit detached house	Add Accessory Dwelling Unit (ADU)	<p>To maintain the RL zone as it is today:</p> <ol style="list-style-type: none"> Remove ADU as an allowable housing type in RL
Max Density	1 dwelling unit per lot	Increase to 2 dwelling units per lot (detached house + ADU only)	
Lot Size	6,000 sq feet minimum <i>AND</i> 3 times the total floor area, whichever is greater		
Maximum Height	28 feet for residential buildings		
Other		Additional ADU Policies	

	Currently allowed	Changes adopted in October 2023	Potential Revisions for NCL
Housing Types	<ul style="list-style-type: none"> Single-unit detached house carriage house 	<ul style="list-style-type: none"> Add duplex expand where ADUs are permitted permit 3-unit apartment rowhouse, and cottage court for affordable housing only 	<p>To maintain the NCL zone as it is today:</p> <ol style="list-style-type: none"> Remove duplex as a permitted housing type Maintain current lot size for residential units Remove affordable housing incentive of additional housing types (apartment, rowhouse, cottage court)
Max Density	2 dwelling units (single-family home, + carriage house)	3 units per lot	
Lot Size	6,000 sq. feet minimum; 12,000 sq. feet minimum for carriage house (10% of NCL lots)	4,500 sf; 6,000 sf for 3-unit apartment/rowhouse, 9,000 sf for 3-unit cottage court	
Maximum Height	2 stories; 1.5 stories for carriage house or building at the rear of the lot	28 ft; 24 feet for ADU; 15 ft for detached ADU with no alley	
Other		Additional ADU Policies	

	Currently allowed	Changes adopted in October 2023	Potential Revisions for NCM
Housing Types	<ul style="list-style-type: none"> Single-unit detached house carriage house multi-unit up to 4 units (e.g. duplex, triplex, fourplex) 	Allow up to 5 units in multi-unit buildings	<p>To maintain the NCM zone as it is today:</p> <ol style="list-style-type: none"> Maintain current 4 unit maximum for multi-unit building Maintain current lot size for residential units Remove affordable housing incentive of additional density (+1 unit)
Max Density	Up to 4 units	6 units per lot	
Lot Size	5,000 sf for single-unit detached house; 6,000 sf for multi-unit buildings up to 4 units; 10,000 sf for carriage house	4,500 sf; 6,000 sf for 4-unit apartment/rowhouse, 9,000 sf for 3-6 unit cottage court	
Maximum Height	2 stories, 24 ft for carriage house or building at the rear of the lot	28 ft; 24 feet for ADU; 15 ft for detached ADU with no alley	
Other		Additional ADU Policies	

	Currently LUC HOA Regulations	Changes adopted in October 2023	Potential Revisions
Cannot Prohibit or Limit	<ul style="list-style-type: none"> • xeric landscaping • solar/photovoltaic collectors on roofs • clothes lines in back yards • odor-controlled compost bins 	<ul style="list-style-type: none"> • the number and/or type of dwelling units permitted on a lot when that number and/or type of dwelling unit(s) would otherwise be permitted • the ability to subdivide property when that subdivision would otherwise be permitted 	<p>To maintain HOA standards as they are today:</p> <p>8. Remove language prohibiting HOAs from regulating the number and/or type of dwelling units permitted on a lot</p> <p>9. Remove language prohibiting HOAs from regulating the ability to subdivide property</p>
Cannot Require	Turf grass yards/lots	No change	
Can Regulate	external aesthetics including (but not limited to) site placement/ setbacks, color, window placement, height, and materials	Added: if ADU is internal or detached	

Items for Council Discussion

Potential revisions for RL:

- 1 Remove Accessory Dwelling Unit (ADU) as a permitted housing type

Potential revisions for NCL/OT-A:

- 2 Remove duplex as a permitted housing type
- 3 Maintain current lot size for residential units
- 4 Remove affordable housing incentive of additional housing types (apartment, rowhouse, cottage court)

Potential revisions for NCM/OT-B:

- 5 Maintain current 4 unit maximum for multi-unit building
- 6 Maintain current lot size for residential units
- 7 Remove affordable housing incentive of additional density (+1 unit)

Potential revisions for HOAs:

- 8 Remove language prohibiting HOAs from regulating the number and/or type of dwelling units permitted on a lot
- 9 Remove language prohibiting HOAs from regulating the ability to subdivide property

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