

SUBJECT: Proposed text amendment for §1433-17 Determination of Maximum Building Envelope in the Hillside Overlay Districts.

PURPOSE:

To obtain approval from the City Planning Commission (CPC) on text amendments related to the Hillside Overlay District.

PROPOSED TEXT AMENDMENT:

§ 1433-17. Determination of Maximum Building Envelope.

Each applicant must establish a maximum building volume area to determine the size of a structure that can be built on the site by calculating the following in accordance with the rules of measurement set forth in Chapter 1400:

- (a) **HS Rear Yard Setback.** Average rear yard setback of abutting structures on both sides; or the required rear yard setback of the underlying district if no abutting structure(s) exists.
- (b) **HS Side Yard Setback.** Average side yard setback of abutting structures on both sides; or the required least width side yard setback of the underlying district if no abutting structure(s) exists.
- (c) **HS Front Yard Setback.** Average front yard setback of abutting structures on both sides; or the required front yard setback of the underlying district if no adjacent structure(s) exists.
- (d) **HS Height of Front.** Maximum height of the front of the structure; either the maximum height of the underlying zoning district or the average height of the front of ~~adjacent~~abutting structures having the same street frontage as measured from the finished grade of the front of each ~~adjacent~~ abutting structure, whichever is greater.
- (e) **HS Height of Rear.** Maximum height of the rear of the structure; either the maximum height of the underlying zoning district or the average height of the rear of ~~adjacent~~abutting structures having the same street frontage as measured from the average grade, whichever is greater.

The maximum building envelope is the solid defined by vertical planes constructed at the HS rear, side and front yard setbacks and the plane between the HS height of front and the HS height of rear.

JUSTIFICATION:

The Mt. Adams Civic Association has raised concerns regarding the Hillside Overlay District regulations. The Zoning Text Amendment Committee (ZTAC) reviewed their concerns and recommended the above amendments.

Public Comments:

A Public Staff Conference was held on November 1, 2007. No comments were received on this text amendment from those in attendance. However, a developer in Mt. Adam's called and suggested that sections (d) and (e) above should read as follows:

(d) HS Height of Front. Maximum height of the front of the structure; either the maximum height of the underlying zoning district or the average height of the front of ~~adjacent~~ structures on the abutting properties having the same street frontage as measured from the finished grade of the front of each ~~adjacent~~ abutting property structure, whichever is greater.

(e) HS Height of Rear. Maximum height of the rear of the structure; either the maximum height of the underlying zoning district or the average height of the rear of ~~adjacent~~ structures on the abutting properties having the same street frontage as measured from the average grade, whichever is greater.

The heights are determined by the structures on the abutting properties, not abutting structures. The ZTAC did not agree with this recommendation.

RECOMMENDATION:

The Department of Community Development and Planning staff recommends that the City Planning Commission approve the text amendment as recommended by the ZTAC.

Respectfully Submitted By:

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Reviewed By:

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9/13/07
ZTAC

Approved By:

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