

Public Hearing

CODE AMENDMENT FOR NCMC
18.10.060 (E) RELATED TO MEASURING
HEIGHT FOR NEW STRUCTURES



Background

- NCMC 18.10.060 regulates “Rules of Measurement”.
 - Distance, height, lot width and depth, floor area, etc.
 - Subsection (E) deals specifically with measuring height
- “Vertical distance from the highest point of any structure to the ground level directly below”.
- On sloped lots, this results in the need to “step” buildings
 - Significantly more expensive to produce and have less potential
 - Zone Variance
 - “Average grade” definition would allow more projects

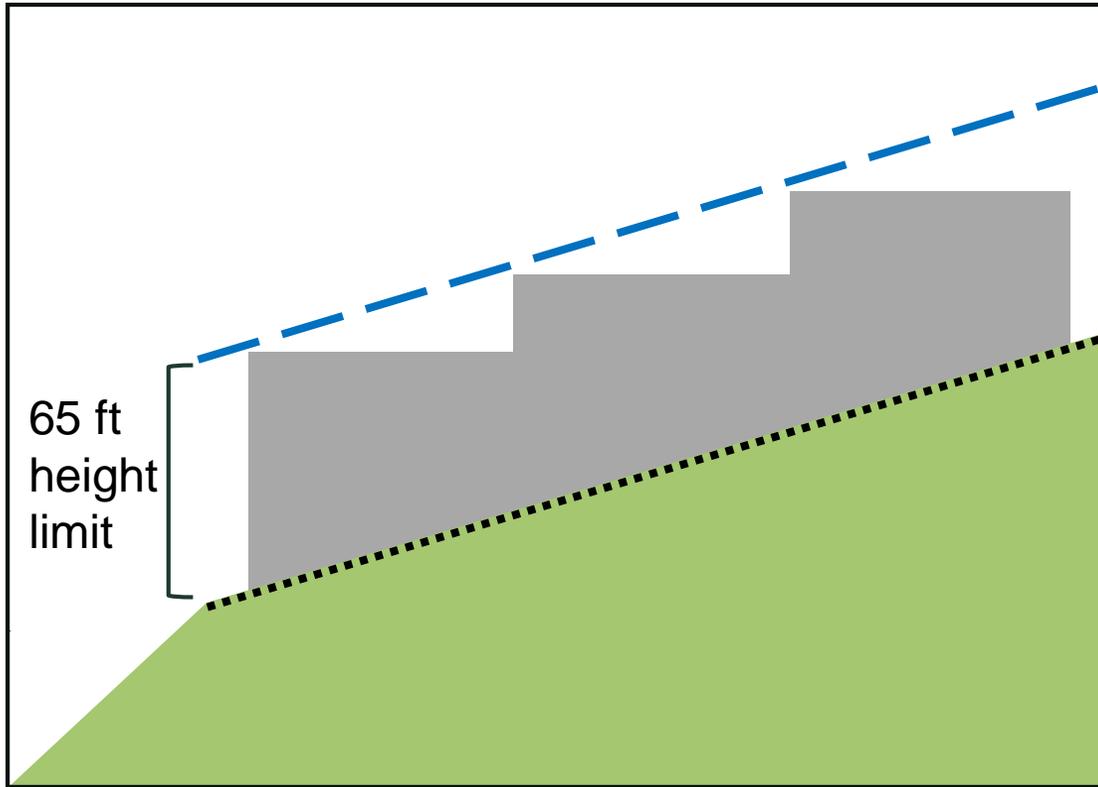


Proposal

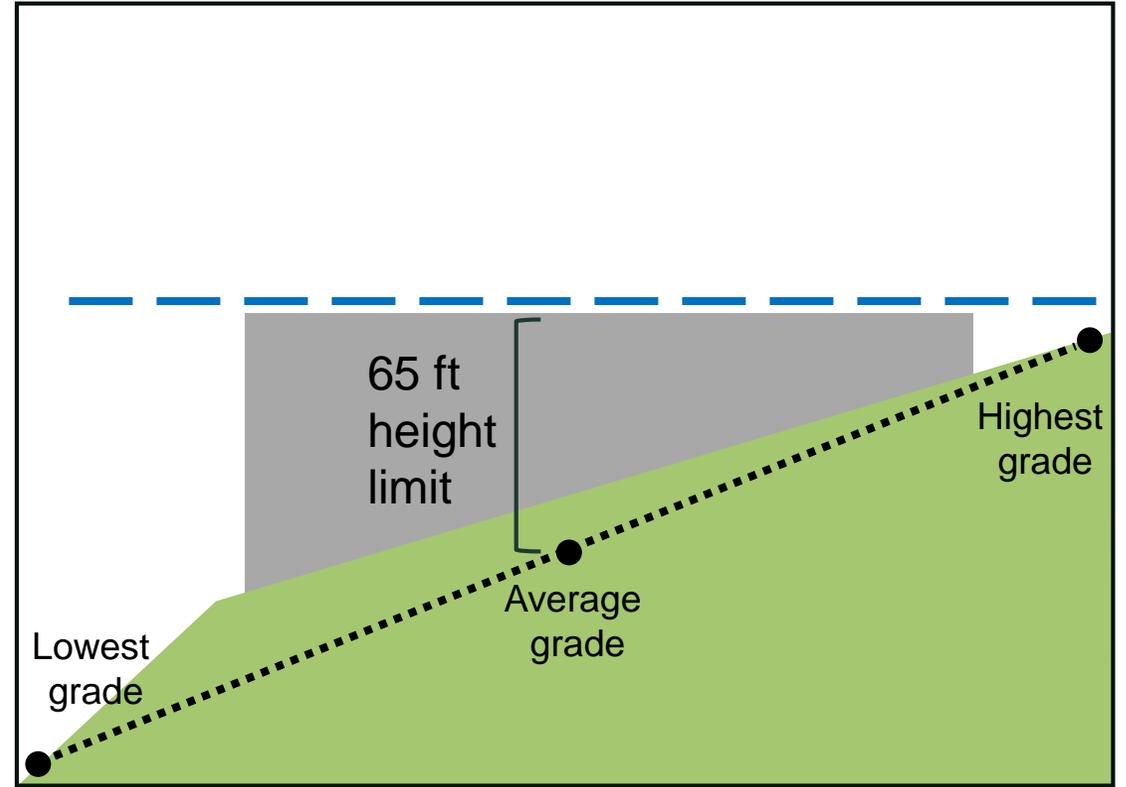
- Staff suggesting using “average grade” measurement
 - Allows measurement to be taken from the average grade, rather than the point opposite the tallest point of the building
- Regularly-shaped lots with little topography mostly unaffected
- With changes in state regulations, lots previously not economically feasible to develop can now be developed
 - Including those of irregular shape and/or those with significant slopes



18.10.060 E.2 Rules of Measurement



Current rule for measuring height



Proposed change

Proposal (cont.)

EXISTING LANGUAGE

- E. Measuring Height.
1. General. Height shall be considered the vertical distance from the highest point of any structure to the ground level directly below, except as otherwise provided in this section.
 2. Measuring Building Height on Sloped Lots. Height shall be measured from any point on top of the building to a line directly below which connects to opposite perimeter walls, or other perimeter support systems, at the lower of natural or finished grade. All parts of a building, except for allowed projections specifically listed in this Land Use Code, shall comply with maximum height limits.



Proposal (cont.)

PROPOSED LANGUAGE

E. Measuring Height.

1. General. Height shall be considered the vertical distance from the highest point of any structure to the ground level directly below, except as otherwise provided in this section. **On sloped lots, the height shall be measured from the average grade to the tallest point of the structure.**
2. ~~Measuring Building Height on Sloped Lots. Height shall be measured from any point on top of the building to a line directly below which connects to opposite perimeter walls, or other perimeter support systems, at the lower of natural or finished grade. All parts of a building, except for allowed projections specifically listed in this Land Use Code, shall comply with maximum height limits.~~



Analysis

- LUC written prior to mixed-use zoning
 - Larger developments less of an occurrence
- Increase in higher-density and affordable housing projects currently
- This code section has proved challenging
 - Onerous and inflexible
- Increased flexibility at state level
- FGPU / HNC – added development pressure



Findings

- 2 required findings
 - General Plan Conformance
 - Increases likelihood of development of in-fill lots with topographical challenges
 - Increase City's housing stock / potentially reduce living/ownership costs
 - CEQA
 - Exempt from CEQA (not a project)
 - No increase in density or additional permissions granted
 - No direct physical change or reasonably foreseeable indirect physical change in the environment



Summary

- Staff recommending that Planning Commission support the amendment
- Change minor in scope
 - Allows maximum development potential
 - Potential reduction of construction costs
 - Lower costs for end-user
- Amendment would make City consistent with surrounding jurisdictions
- Planning Commission recommended adoption of the amendment to City Council
- Subsequent public hearing and ordinance adoption by City Council

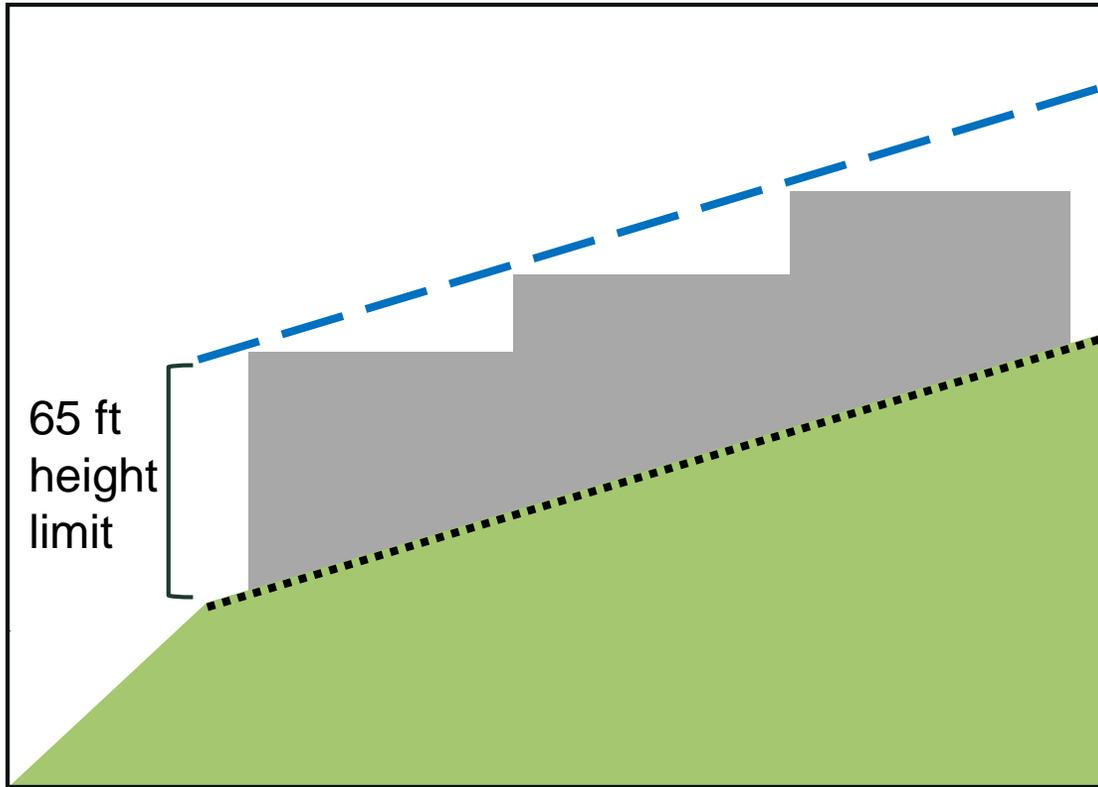


Options

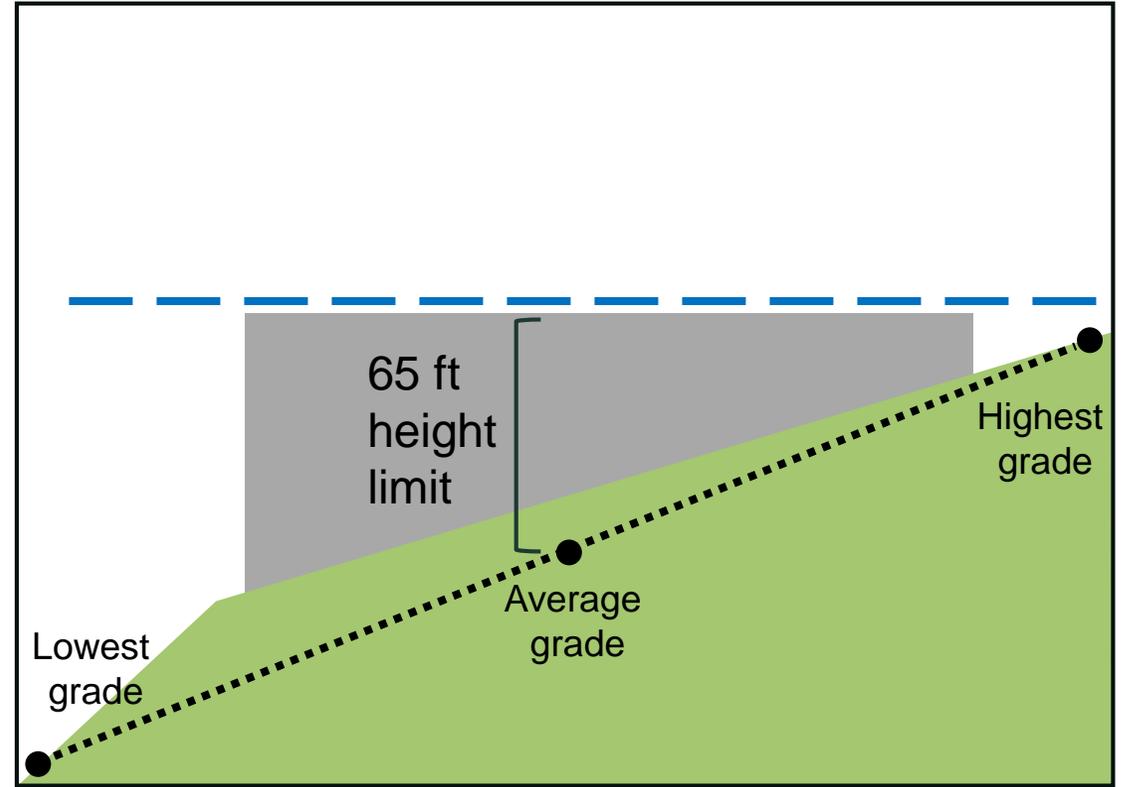
- Introduce amendment to Section 18.10.060, based on the attached findings or findings to be determined by the City Council ; or
- File the report (not amend Section 18.10.060 of the Land Use Code based on findings to be determined by the City Council); or,
- Continue the item to a specific date and provide direction
- Planning Commission recommended approval
- Staff recommending approval



18.10.060 E.2 Rules of Measurement



Current rule for measuring height



Proposed change