

**MINUTES**  
**HEIGHT IN RESIDENTIAL DISTRICTS STAKEHOLDER GROUP**  
**11-5-09**

**Stakeholders In Attendance:**

Ann King	Elizabeth Barnhardt	Natalie Beard	Caroline Tate
Phil Bosche	George Warren	Susan Lindsay	Miriam Martin
John Fryday	Bill Nichols	Rusty Bryson	Nicole Storey
Janelle Travis	Andy Munn	Katie Zender	Wilna Eury
Sandy Weathersbee	Bob Williams	Peter Tart	

**Staff In Attendance:**

Katrina Young, Planning Department	Laura Harmon, Planning Department	John Howard, Planning Department
Sonda Kennedy, Planning Department	Sandra Montgomery, Planning Department	Shad Spencer, Planning Department
Tammie Keplinger, Planning Department	Barry Mosley, Planning Department	Solomon Fortune, Planning Department

Katrina Young welcomed everyone to the meeting, which began at 6:07 p.m. Ms. Young introduced herself and reviewed the items on the Agenda.

**I. Recap**

Ms. Young recapped the educational session provided at the last meeting, by highlighting the following topics:

- Plans are not law.
- Zoning is a tool used to regulate how land can be used.
- The Zoning Ordinance is a regulatory document, that specifies use districts and development standards.
- The Ordinance outlines the processes for development approval, appeals, amendments, and enforcement.
- There are different types of zoning: By right, and by right with conditions (site plan).
- Building height is determined by the zoning district.
- Most zoning districts use side and/or rear yards to determine the maximum height allowed.

The stakeholder group charge was reviewed at the meeting: Develop updated height regulations for buildings and other structures located in the residential zoning districts.

**II. Recommendations**

Ms. Young summarized the specific issues regarding building height raised by the stakeholders at previous meetings. The issues fell into four categories:

- Different Requirements for Different Uses
- Consider Adjacent Uses and Properties

Consider the Road Classification  
Other Issues

Based on these issues and concerns, Ms. Young presented four recommendations, with illustrations, for consideration by the stakeholders:

Maintain the 40 foot base maximum height.

A height plane ratio of 5 to 1 can be used to increase the height of development over the 40 foot maximum height, based on the distance to single family property.

A height plane ratio of 2 to 1 can be used to increase the height of development over 40 feet, when development is adjacent to a non-residential or multi-family zoning district.

Maximum height of 100' in residential districts.

Property zoned TOD-R and UR would be excluded from the recommendations noted above.

In addition, Ms. Young noted that area plans do consider the classification of streets with regard to development, and that the definition of "adjacent" includes property across a street, but is limited to not more than 100 feet. She stated that the height planes, along with setting a maximum height, and the zoning district will control density.

### **III. *Group Breakout Sessions***

Ms. Young asked the stakeholders to discuss the proposed recommendations and to reconvene later to present their feedback about these recommendations. The feedback is summarized below:

#### **Group 1**

1. Look at increasing the side yards, not using a height plane.
2. More than one height for different zoning categories.
3. Look at heights of buildings abutting developing property.
4. Maintain the front setback to maintain character of neighborhood or street, and pedestrian scale.
5. Lower the base height – maybe to 35 feet.
6. Look at the impact of development across the street (It seems that across the street gets treated the same as being right next to single family)
7. The height plane could create unbuildable lots.

#### **Group 2**

1. Height should be based on an average height of the abutting properties.
2. Forty (40) foot height is okay, but the side yards need to be increased.
3. Be more restrictive on side and rear yards. Increase the side and rear yards instead of stepping back portions of the building that are at a greater height when single family abuts single family.
4. The height plane ratio of 5:1 from single family is good; It helps prevent being surrounded with tall multi-family buildings.
5. Where is the 5:1 height plane measured from when it is across the street from single family? At the setback or zoning boundary in center line of street?

6. The 2:1 height plane abutting non-residential or multi-family: Split on this issue
7. Maximum height of 100' - If a 100 foot building is proposed, it should require a rezoning to allow for discussion (3 stakeholders think 100 feet is too high; 2 think it's too low; 3 think it's okay; and 1 think there should be no maximum.

Ms. Young led a discussion about the first recommendation: Maintaining the 40 foot base height. A majority of the stakeholders voted to leave the base height at 40 feet. Three stakeholders discussed the value of reducing the base height to 35 feet. Consensus was reached that the 40 foot base height should be maintained.

Ms. Young asked for feedback about the recommendation to set a maximum height of 100 feet for development in residential districts. A majority of the group were in favor of this recommendation.

Feedback from the height plane ratio of 5:1 was discussed by the group as a whole. The majority of stakeholders indicated that they were in favor of increasing the side and/or rear yards for development, rather than using a height plane.

#### **IV. Next Steps**

The next meeting is scheduled for November 19<sup>th</sup>\*. Staff will review the feedback contributed at this meeting and consider adjusting the recommendations.

Meeting Materials will be posted on the website 24 hours prior to the meeting.

The meeting was adjourned at 7:50 p.m.

*\*Since the meeting, the November 19<sup>th</sup> meeting date has been cancelled. The next meeting will be held on Wednesday, December 2, 2009 in Room 267 of the Government Center, from 6:00 pm to 8:00 pm.*