

# Summary of LDC Main Committee's Actions Related to Fair & Affordable Housing Sub-committee Report & Recommendations

Last LDC Meeting Date: 11/19/13



**Project Name:** Fair & Affordable Housing Sub-committee Final Report  
**Case Manager:** Michael Hill, AICP, Planning Coordinator

## LDC MAIN COMMITTEE REVIEW & ACTION SUMMARY

The recommendations of the Fair & Affordable Housing LDC Sub-committee were discussed at various LDC Main Committee meetings, the last one occurring on 11/19/13. Items #1-5 listed below in this report have all been recommended for approval by the LDC Main Committee. Portions of Item #4 listed below were debated by the LDC Main Committee, but did not result in an official recommendation.

## TASKS ASSIGNED TO THE FAIR & AFFORDABLE HOUSING SUB-COMMITTEE

This sub-committee was charged with reviewing and improving existing affordable housing related sections of the Land Development Code (LDC) as well as proposing new ideas that will increase affordable housing opportunities throughout Louisville Metro.

## FAIR & AFFORDABLE HOUSING SUB-COMMITTEE BACKGROUND INFORMATION

Between June 12, 2012 and May 22, 2013 the Fair & Affordable Housing Sub-committee met 18 times. The meetings averaged 10 participants per meeting. The 44 individuals listed below participated in this sub-committee. The sub-committee also reconvened on July 11 & 31, 2013 to revisit their recommendations.

Chuck Kavanaugh – Homebuilders Association of Louisville	Pat Dominik – Sabak Wilson & Lingo
Gale Lively – Louisville Apartment Association	Rocco Pigneri – Ball Homes
Donnie Blake – Planning Commissioner	Tara Brinkmoeller – Homebuilders Association of Louisville
Cathy Hinko – Metropolitan Housing Coalition	Steve Porter – OPEN Louisville
Curtis Stauffer – Metropolitan Housing Coalition	Barbara Sinai – Crescent Hill Community Council
Gabe Fritz – The Housing Partnership, Inc.	John Marshall
Janet Dakan	Mike Raisor
Paul Mastrolia – Community Services & Revitalization	Jim Mims – Codes and Regulations
Kevin Sullivan – Community Services & Revitalization	Emma Smith
Lester Sanders – Greater Louisville Association of Realtors	Mark Lechner – Louisville Apartment Association
David Mindel – Mindel Scott & Associates	Norman Noltemeyer – Noltemeyer Capital
Jeanne Dunlap – Community Services & Revitalization	Steve Rusie – Dunaway Engineering
Mike Wilcher – Planning & Design Services	Mark Pulliam – Triumph Development
Jen Ewa – Community Services & Revitalization	Tony Steier – AGS Development
Tammie Barrett – Community Services & Revitalization	Katy Reuff – Brown Capital LTD
Jeremy Dyer – Community Services & Revitalization	Kyle Noltemeyer – Noltemeyer Capital
Patricia Edison	Jeff Ratanapool – Century Mortgage
Darnell Farris – Planning & Design Services	Laura Grabowski – Community Services & Revitalization
Bonnie Cole	Rachel Hurst – Louisville Affordable Housing Trust Fund
Martina Kunnecke – Neighborhood Planning & Preservation	Tim Corrigan – The Rotunda Group
Bill Friedlander	Joel Dock – Planning & Design Services
Chris Dischinger – LDG Development	Dana Duncan – Metropolitan Housing Coalition

## SUMMARY OF RECOMMENDATIONS

The 11 recommendations listed in this report are the result of the efforts of this sub-committee. Items #1, 1A, 1B, 1C & 1D are related to proposed revisions to the current Alternative Development Incentives (ADI) regulations. Items #2 & 2A are related to a new proposed development option known as the Mixed Residential Development Incentive (MRDI). Items #3 & 3A are related to a new proposed development option known as the Affordable Housing Density Bonus. Item #4 includes three ideas to increase multi-family residential opportunities throughout Louisville Metro. Item #5 is a proposal that will increase multi-family residential design options in the R-5A zoning district. All of these items involve either changes to current LDC text or insertions of new proposed text into the LDC. Each of the 11 items were acted on separately by the LDC Main Committee.

### **FAIR & AFFORDABLE HOUSING LDC SUB-COMMITTEE** **FINAL RECOMMENDATIONS**

The following LDC text amendments were recommended by the Fair & Affordable Housing LDC sub-committee and have been recommended for approval by the LDC Main Committee:

#### **ITEM #1 – ADI –ALTERNATIVE DEVELOPMENT INCENTIVES REVISIONS** **(Approved on 10/1/13)**

Revision of current Section 4.5 Alternative Development Incentives (ADI). A strikethrough/underline comparison of current vs. proposed ADI regulations is shown below the summary.

Changes proposed:

- Improved references to Section 5.3.1.D which includes dimensional requirements for ADI Developments.
- Eliminated limitations on density bonus by removing proximity to major transit corridor restrictions.
- Amended minimum dimension required in open space from 50' to 30' to be consistent with Conservation Subdivision regulations.
- Restructuring of Diversity Housing Levels (change from four levels to three levels) in an attempt to simplify process. Diversity Housing Levels are now defined using a formula that factors in Jefferson County area median income (AMI) and the allowable monthly housing costs as determined by the Kentucky Housing Corporation.
- Ten percent of all units in an ADI development must be Diversity Housing Units. Ten percent of all Diversity Housing Units must be Diversity Housing Level 1 units. Previously 10% of all units in an ADI development had to be Diversity Housing Level 1 or 2 units.
- Applicant required to submit status reports to Planning & Design Services. Interval changed from 6 months to 12 months.
- Cemeteries have been added as a cultural resource.
- Major Transit Corridors has been redefined as Arterial Transit Corridors and distance changed from  $\frac{3}{4}$  mile to one mile.
- Proximity to bus route point opportunity added.
- Requirements for perimeter parcels in an ADI development have been revised to be less cumbersome yet still provide protections for adjacent developed residential properties.
- Point system has been revised to reflect proposed changes, but also to increase density bonus incentive opportunities.
- Table that illustrates current diversity level price points has been updated.

Commentary: This section provides incentives for developers who provide open space, housing that reinforces income diversity, and other community benefits in keeping with the goals of Cornerstone 2020. In brief, in return for these community benefits, this section will permit developers to reduce lot sizes in subdivisions and more closely approximate the allowable density under the applicable zoning district regulations. The greater the benefits offered, the higher the density allowed, within the limit established by the site's zoning classification.

*The following terms relating to Alternative Development Incentives are included in the Definitions (Chapter 1 Part 2):*

Adjacent, Diversity Housing Unit, Brownfield, Clubhouse, Community Center, Low-moderate Income, ~~Major transit corridor~~, Qualified Buyer, Qualified Buyer Verification Form:

#### 4.5.1 Purpose

The intent of these alternative development incentives is to foster residential development in furtherance of the Cornerstone 2020 Plan. This section sets forth a menu of development incentives that, while maintaining current zoning district densities, allows reduction of lot sizes in return for provision of open space, housing diversity, preservation of cultural resources, and efficient land use (building near major transit corridors and building on brownfields) in larger residential developments. This regulation implements the following portions of Cornerstone 2020:

Community Form Goals and Objectives C1, C2, C2.6, C2.7, C3, C3.1, C3.2  
Community Form Goals and Objectives K1, K1.2, K2, K2.1  
Livability Goals and Objectives F1, F1.2, F2, G1, G1.3  
Guidelines 3, 4 and 5.

#### 4.5.2 Applicability and Maximum Residential Density

Residential subdivisions located in the R-4 or R-5 Single Family Zoning District that create five or more lots in accordance with the procedures for major subdivisions ~~and provide at least ten percent of Level 1 or 2 Diversity Housing as defined herein,~~ are eligible for the incentives set forth in this section **and should meet the specifications set forth in Chapter 5 Part 3 section D of the Land Development Code, when applicable.** ~~, unless the subdivision is located in a Qualified Neighborhood A, in which case, at least ten percent of any level of Diversity Housing shall be provided.~~ The number of dwelling units created in accordance with this regulation may not exceed the number which is theoretically possible according to the rules of the applicable zoning district. The maximum is determined by multiplying the total site acreage by the applicable maximum density (dwelling units per acre) listed in Table 4.5.2. ~~Proposed developments or portions thereof located more than one mile from a major transit corridor or an existing major or minor arterial classification roadway shall not be eligible for maximum gross densities to exceed 4.0 dwelling units per acre in the R-4 zoning district and 5.8 dwelling units per acre in the R-5 zoning district. The distance shall be measured using a straight line from the arterial or transit corridor street centerline.~~

~~If the proposed development falls partially within and partially outside one mile of an arterial or transit corridor, measured as described above, the maximum density of the development shall be calculated as follows:~~

~~R-4 District: the percentage of land in the development that lies within the one mile distance multiplied by 4.84, plus the percentage of land that is outside the one mile distance multiplied by 4.0.~~

~~R-5 District: the percentage of land in the development that lies within the one mile distance multiplied by 7.26, plus the percentage of land that is outside the one mile distance multiplied by 5.8.~~

### Basis for Incentives

- A. **Common Open Space:** In order to qualify for reduced lot areas based on common open space the subdivision shall provide open space that is permanently preserved from development in open space lots, and meets applicable provisions of the Open Space Standards (Part 10.5). If a subdivision is located in a form district that requires provision of open space, the amount of required open space shall not be considered in determining the basis for incentives. Open space areas that do not abut a public or private street shall measure no less than ~~50~~ **30** feet in any dimension, to qualify for this incentive.
- B. **Public Open Space:** In order to qualify for reduced lot area based on public open space the subdivision shall provide open space that is permanently preserved from development in open space lots, accessible to the general public and meets applicable provisions of the Open Space Standards (Part 10.5). If a subdivision is located in a form district that requires provision of open space, the amount of required open space shall not be considered in determining the basis for incentives. Open space areas that do not abut a public or private street shall measure no less than ~~50~~ **30** feet in any dimension, to qualify for this incentive.

~~C. **Diversity Housing Levels 1 and 2:** In order to utilize Alternative Development Incentives, proposed subdivisions shall provide a minimum of ten percent of Diversity Housing units at Level 1 or Level 2, unless the development is located in a Qualified Neighborhood A. Level 1 units shall be sold for a total price no greater than 2.5 times the current low-moderate income limit for a given household size; Level 2 units shall be sold for a total price no greater than 2.75 times the current low-moderate income limit. Subdivision lots intended for Level 1 or 2 units shall be identified at the time of submittal of the subdivision preliminary plan. Lots shall be identified in a manner adequate to determine their location and calculate the incentive. The location of lots sold for Level 1 or 2 units may vary from those identified on the preliminary plan, however, the developer/owner shall be responsible for submitting an update report at 6-month intervals from the date of the recording of the record plat until the number of lots designated as Level 1 or 2 units have been sold. The update report shall identify the name of the recorded subdivision, the plat book and page number of the record plat, the actual lot numbers sold for Level 1 or 2 units, the name of the buyers, the type of units (detached unit/patio home/townhouse), the number of bedrooms, and the sale price of units. With the update report, the developer/owner shall submit deeds or other appropriate documentation and Qualified Buyer Verification Forms for all lots utilized to fulfill this incentive.~~

~~Level 1 and 2 units must initially be sold to a Qualified Buyer. Dwellings constructed on such lots shall be sold to the initial occupants at a price no greater than the diversity housing price limit in effect at that time [see Part 1.2, Definitions.]. Subsequent sale of the diversity units does not require any qualification of the buyers.~~

~~The Housing Authority and non-profit home ownership counseling programs that have registered with the Commission shall be notified by DPDS staff about the Level 1 and 2 diversity units at the time of submittal of the preliminary subdivision plan.~~

~~D. **Diversity Housing Levels 3 and 4:** In order to encourage subdivision developments to offer a mixture of housing prices, developments that include Level 3 and 4 housing units may qualify for reduced lot area under these regulations. Level 3 units shall be sold for a total price no greater than 3.0 times the current low-moderate income limit for a given household size; Level 4 units shall be sold for a total price no greater than 3.25 times the current low-moderate income limit. Lots intended for diversity housing units shall be identified on the subdivision preliminary plan, and an update report submitted at 6-month intervals, as described in Item C. above.~~

C. **Diversity Housing: Housing Diversity Level price points shall be determined using the following formula, which is based on 80%, 90%, and 100% of the current Jefferson County area median income (AMI) limits for a given household size established by the US Department of Housing and Urban Development (HUD) website. The formula is:**

$$\underline{XX\% \text{ AMI} / 12 = Y \times .29^* = Z \times 140^{**}}$$

XX% AMI is the annual HUD income limit based on family size at 80%, 90% or 100% (based on diversity level desired to achieve)

Y is the monthly income based on the annual HUD limit for family size

Z is the allowable housing cost

Subdivision lots intended for all Diversity Housing level units shall be identified at the time of submittal of the subdivision preliminary plan. Lots shall be identified in a manner adequate to determine their location and calculate the incentive. The location of lots sold for Level 1 units may vary, however, the developer/owner shall be responsible for submitting an update report to Planning & Design Services at 12-month intervals from the date of the recording of the record plat until the number of lots designated as Level 1, 2, or 3 units have been sold. The update report shall identify the name of the recorded subdivision, the plat book and page number of the record plat, the actual lot numbers sold for Level 1, 2, or 3 units, and the sale price of units.

Diversity Housing units shall be constructed with exterior materials and an exterior architectural design that is consistent with the market rate units in the project.

All Diversity Level units must initially be sold to a Qualified Buyer. Dwellings constructed on such lots shall be sold to the initial occupants at a price no greater than the diversity housing price limit in effect at that time [see Par 1.2, Definitions.]. Subsequent sale of the diversity units does not require any qualification of the buyers.

The Housing Authority and non-profit home ownership counseling programs that have registered with the Commission shall be notified by DPDS staff about the Diversity Level units at the time of submittal of the preliminary subdivision plan.

To develop the maximum sales price for all diversity levels the number of people in a household size shall be determined as 1.5 people<sup>1</sup> per bedroom in a dwelling unit.

In order to utilize Alternative Development Incentives, proposed subdivisions shall provide a minimum of ten percent of the overall dwelling units as Diversity Housing Units. A minimum of ten percent of the Diversity Housing Units within an ADI development must be Level 1 Diversity Housing Units.

Diversity Housing Level 1: Level 1 unit sale prices shall be calculated using 80% of the current Jefferson County area median income (AMI) limit for a given household size.

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\* .29 of monthly income is the Kentucky Housing Corporation and industry standard for allowable housing costs per month.

\*\* 140 represent the sales price divided by the allowable monthly payment. The original sales price that was used to create the constant factor was derived by the 80% HUD AMI figure for 3-person through 5-person households. That gross income figure was divided by 12 so that the monthly income was established. The monthly income figure was multiplied by .29, which represents the 29% of monthly income to be used for housing which is a universal standard among the lending industry. This monthly figure was then backed into a sales price based on payment that took into account the current market interest rate, price of insurance (based on an average) and local property tax escrow (based on an average). The resulting sale price was conditional upon market interest rates; however, by dividing that price by the monthly allowable payment (which is not based on market rate and isn't a conditional figure upon any other factor) we are able to get the constant multiplier.

<sup>1</sup> The Kentucky Housing Corporation assumes 1.5 people per bedroom for determining household size based on dwelling units. In order to calculate a half person, take the average of the household limit for the number of people represented by the whole number based on your circumstances and the income limit for the next highest household size.

**Diversity Housing Level 2: Level 2 unit sale prices shall be calculated using 90% of the current Jefferson County area median income (AMI) limit for a given household size.**

**Diversity Housing Level 3: Level 3 unit sale prices shall be calculated using 100% of the current Jefferson County area median income (AMI) limit for a given household size.**

**NOTE: "Add-Ons" that increase the sales price of Diversity Housing units beyond the stated price limits are not permissible.**

**NOTE: Reduced filing fees are recommended for subdivisions with 20% or more diversity units.**

**NOTE: Urban League and the Housing Partnership are current examples of home ownership counseling programs.**

**E. D. Qualified Neighborhoods:** Qualified Neighborhood A includes those census tracts defined by the most recent census as having more than 20% of households below poverty level. New developments or re-developments in Qualified Neighborhood A that build houses priced at the Level 3 or higher shall be eligible for incentives under these regulations, ~~without having to provide any Level 1 or 2 units.~~

Qualified Neighborhood B includes those census tracts defined by the most recent census as having the median household income at 150% or greater of the median household income for Jefferson County. New developments or re-developments in Qualified Neighborhood B that build diversity units shall be eligible for incentives under these regulations.

The applicant shall submit appropriate census data information with applications that request incentives for this item.

**F. E. Preservation of Cultural Resources:** In order to qualify for reduced lot area based on preservation of cultural resources, the subdivision shall permanently protect and maintain a qualifying resource. Qualifying resource includes **cemeteries**, historic properties and archeological sites listed in the National Register of Historic Places; sites determined to be eligible for the National Register; and property surrounding National Register/eligible sites the preservation of which is determined by the Louisville Metro Historic Landmarks Commission to contribute to the site's historic value. The Historic Landmarks Commission shall review the proposal prior to approval of the preliminary plan. At the time of recording the plat, the developer shall grant a conservation easement or other means to ensure permanent protection and maintenance, in a form and to a recipient acceptable to the Historic Landmarks Commission, the Planning Commission legal counsel, and the recipient.

**NOTE:** *Reduced filing and processing fees for developments in brownfields under these regulations are recommended.*

**G. F. Efficient Land Use:** In order to utilize existing infrastructure, stabilize existing neighborhoods, and shorten the distance between homes and jobs, developments near major transit corridors and in brownfields may qualify for reduced lot area under these regulations.

1. **Major Arterial Transit Corridors:** Developments or portions thereof that are within ~~3/4~~ **one (1)** mile of a ~~major transit corridor~~ **an arterial road** may qualify for reduced lot area points. The distance shall be measured by the shortest walking distance from the transit corridor to each lot created under these incentives.

2. **Access to Bus Route:** **Developments or portions thereof that are within 1/2 mile of access to a bus route may qualify for reduced lot area points. The distance shall be measured by the shortest walking distance from the bus route access point to each lot created under these incentives.**

2. **3. Brownfields:** Development on brownfields may qualify for reduced lot area points. In order to qualify for reduced lot area, the applicant shall demonstrate that environmental degradation of the proposed development site has been remediated to a level appropriate for residential use, as indicated by issuance by the Commonwealth of Kentucky of a covenant not to sue.

**H. G. Future Roadway Accommodation:** Land dedicated for right-of-way for future roadways shown in the Comprehensive Plan, the six-year plan, or an approved road alignment study, and with approval from Louisville Metro Director of Works, shall be eligible for incentive points. For

purposes of calculating incentive points ~~developable acreage~~, the area dedicated as right-of-way may be combined with common or public open space lands. Right-of-way dedication for widening of existing roads in accordance with Table 6.2.1 shall not qualify for incentive points.

#### 4.5.4 Review Procedure

Any proposal for a major subdivision meeting the criteria established in this section shall be granted a reduction in minimum lot size and setback requirements as established in the applicable form district; maximum gross density shall not exceed the limits established in Table 4.5.2. The review procedure shall be in accordance with Chapter 7 (Subdivision Regulations).

#### 4.5.5 Maximum Gross Density

Proposed subdivisions shall receive points based on the criteria set forth in Table 4.5.1. Points shall be totaled to calculate the maximum gross density as set forth in Table 4.5.2. Sites that qualify for less than 3 points are not entitled to any alternative development incentive. **(In order to qualify for alternative development incentives you must provide at least 10% of dwellings within an ADI development as Diversity Housing units.)** Gross density shall be interpolated for sites that qualify for ~~3-5~~ **3.0** through ~~44-5~~ **10.0** points. **In the case of total points resulting in a non-whole number, you must round down to the whole integer. (For example, 4.5 total points allocation would follow the Maximum Gross Density allocations under the 4 point column.)**

#### 4.5.6 Compatibility with Adjacent Residential Development

Reduced size lots authorized by this section shall be designed and located so that impacts on adjacent previously approved residential development are minimized. To achieve this purpose, proposed subdivisions with reduced size lots shall meet each of the following design standards applicable to a given site **in addition to applicable Chapter 5 dimensional requirements.**

- A. Proposed subdivisions with reduced size lots that are directly across a public right-of-way or private access easement from a recorded subdivision or single family residential structures having an average front or street side yard with a variation in depth of not more than 10 feet shall meet the following standard: Building limit lines shall be recorded for those parcels across the street/access easement from existing development that equal the average dimensions of established front and street side yards of the existing development.
- B. Perimeter parcels of the proposed development that are adjacent to property zoned for residential use shall comply with one of the following: **subdivided into lots of one acre or less for residential use shall be developed as detached single family homes with lots having at least 75% of the minimum area in the zoning/form district of the adjacent property.**
  1. ~~The perimeter parcels shall be developed with detached single family homes meeting the minimum lot size and dimensional requirements of the underlying zoning/form district; or~~
  2. ~~The applicant submits a written consent on an approved form supplied by Planning and Design Services signed by each adjacent property owner agreeing to an alternative standard, said form shall be signed after the neighborhood meeting required by Section 7.2.10 is held; or~~
  3. ~~The adjacent property is developed with an intensity greater than or equal to the perimeter parcels; or~~
  4. ~~A buffer area shall be provided on the perimeter parcel consisting of one of the following:
    - a. ~~A 75 foot wide open space lot; or~~
    - b. ~~A 40 foot wide open space lot planted with 2 staggered rows of trees, a mixture of 2/3 canopy trees and 1/3 evergreen trees, with trees in each row placed no more than 20 feet apart, or other planting plan using the same quantity and type of trees and approved by DPDS staff; or~~
    - c. ~~A 50 foot wide area containing an existing woodland or tree stand, designated as a Woodland Protection Area.~~~~

~~In conjunction with b. and c. above, a minimum 20 foot building limit setback shall be provided on the adjacent buildable residential lots.~~

- C. **Developments that propose reduced size lots that are adjacent to property subdivided into lots over one (1) acre for residential use or residentially used parcels larger than one**

**acre shall provide a minimum 20 foot wide buffer planted with a row of evergreen trees placed no more than 30 feet apart.**

**4.5.7 Wastewater Treatment Requirement**

Any lots approved pursuant to this section that are less than five acres shall be developed only if served by a wastewater treatment facility approved by the Health Department or other agency having approval authority.

**4.5.8 Housing Types/Minimum Lot Size and Dimensional Requirements**

Housing types and minimum yards for dwellings constructed are defined in the applicable form district regulation (see Section 5.2.2 D (Traditional Neighborhood) or Section 5.3.1 D (Neighborhood)).

**4.5.9 Required ~~Outdoor Recreation~~ Open Space**

Developments containing detached and semi-detached units on lots less than 6000 sq. ft. in the R-4 District or lots less than 4000 sq. ft. in the R-5 District shall provide ~~Outdoor Recreation~~ Open Space within the development. The amount of ~~Outdoor Recreation~~ Open Space required by this section shall be calculated as follows:

- R-4: 1500 sq. ft. for each lot less than 6000 sq. ft.
- R-5: 1000 sq. ft. for each lot less than 4000 sq. ft.



**TABLE 4.5.1—COMMUNITY BENEFITS**

	<b>POINTS</b>
<b>Open Space: Neighborhood Form*</b>	
Minimum of 20% of land set aside for common or public open space, or	<del>1.5</del> <u>0.5</u>
Minimum of 30% of land set aside for common or public open space, or	<del>2.5</del> <u>1.5</u>
Minimum of 40% of land set aside for common or public open space, or	<del>3</del> <u>2</u>
Minimum of 50% of land set aside for common or public open space, or	<del>3.5</del> <u>2.5</u>
<b>Open Space— Traditional Neighborhood Form*</b>	
Minimum of 5% of land set aside for common or public open space, or	<del>4</del>
Minimum of 10% of land set aside for common or public open space, or	<del>1.5</del> <u>0.5</u>
Minimum of 20% of land set aside for common or public open space	<del>2.5</del> <u>1.5</u>
<b>Diversity Housing Level 1 and 2</b>	
At least 10% but less than 15% of units are Level 1 or 2, or	<del>3</del>
At least 15% but less than 20% of units are Level 1 or 2, or	<del>4.5</del> <u>4</u>
20% to 50% of units are Level 1 or 2, or	<del>5.5</del> <u>4.5</u>
Over 50% of units are Level 1 or 2	<del>3.5</del>
Additional credit if at least 50% of these diversity units restricted to the Level 1 diversity housing price range <sup>2</sup>	<del>**</del>
Additional credit if 30% to 50% of Level 1 or 2 units are developed as detached single family units, or	<del>2</del>
Additional credit if over 50% of Level 1 or 2 units are developed as detached single family units	<del>3</del>
<b>Diversity Housing Level 3 and 4 2 and 3</b>	
At least 10% but less than 20% of units are Level 3 or 4 units, or	<del>2</del>
20% to 50% of units are Level 3 or 4 units, or	<del>2.5</del>
Over 50% of units are Level 3 or 4 units	<del>2</del>
Additional credit if at least 50% of these diversity units are restricted to the Level 3 diversity housing price range	<del>1</del>
<b>Qualified Neighborhoods</b>	
Development is in a Qualified Neighborhood A and at Level 3 housing price or higher	<del>3.5</del> <u>5</u>
Development is in Qualified Neighborhood B and qualifies for points for providing Level 1 or 2 housing, or	<del>2</del> <u>5</u>
Development is in Qualified Neighborhood B and qualifies for points for providing Level 3 or 4 housing	<del>4</del>
<b>Protection of Cultural Resources</b>	
Preservation of Historic Resource	<del>2</del> <u>1</u>
Preservation of significant additional property surrounding a Cultural Resource that enhances its cultural value, as determined by the Historic Landmarks and Preservation District Commission	<del>2</del> <u>1</u>
<b>Efficient Land Use</b>	
Near major transit corridor <u>Within 1 mile of an arterial street</u>	<del>2.5</del> <u>2</u>
<u>Within ½ mile to Bus Route</u>	<del>0.5</del>
Brownfield site	<del>6</del>

\* Land dedicated for future roadway accommodation, in combination with open space land or solely for right-of-way, qualifies for incentive points as listed here for open space.

\*\* 50% of above listed, Diversity Housing Points as additional credit.

For purposes of illustration, the Jefferson County income limits and housing price limits for 2004 **2013** are as follows. **These prices were determined using the formula set out in this document and are for example purposes only:**

**Formula:  $XX\% \text{ AMI} / 12 = Y \times .29^* = Z \times 140^{**}$**

**XX% AMI is the annual HUD income limit based on family size at 80%, 90% or 100% (based on diversity level desired to achieve)**

**Y is the monthly income based on the annual HUD limit for family size**

**Z is the allowable housing cost**

	<b>1 Bedroom</b>	<b>2 Bedrooms</b>	<b>3 Bedrooms</b>	<b>4 Bedrooms</b>
<i>Low-moderate Income (80% of Median)</i>	\$37,250	\$41,990	\$46,550	\$50,300
<i>Level 1 House Price</i>	\$93,130	\$104,750	\$116,380	\$125,750
<i>Level 2 House Price</i>	\$102,440	\$115,230	\$128,010	\$138,330
<i>Level 3 House Price</i>	\$111,750	\$125,700	\$139,650	\$150,900
<i>Level 4 House Price</i>	\$121,060	\$136,180	\$151,290	\$163,480

<b><u>Number of Bedrooms</u></b>	<b><u>Diversity Level 1</u></b>	<b><u>Diversity Level 2</u></b>	<b><u>Diversity Level 3</u></b>
<b>2 bedroom</b>	<b>\$147,852</b>	<b>\$166,561</b>	<b>\$185,068</b>
<b>3 bedroom</b>	<b>\$170,858</b>	<b>\$192,291</b>	<b>\$213,657</b>
<b>4 bedroom</b>	<b>\$190,651</b>	<b>\$214,672</b>	<b>\$238,525</b>

**NOTE: Low-moderate income levels for the Louisville MSA are updated annually. This information is available from the US Department of Housing and Urban Development website. Refer to Section 8 income limits as posted at [www.huduser.org/Datasets](http://www.huduser.org/Datasets). The Kentucky Housing Corporation assumes 1.5 people per bedroom for determining household size based on dwelling units. In order to calculate a half person, take the average of the household limit for the number of people represented by the whole number based on your circumstances and the income limit for the next highest household size.**

\* .29 of monthly income is the Kentucky Housing Corporation and industry standard for allowable housing costs per month.

\*\* 140 represent the sales price divided by the allowable monthly payment. The original sales price that was used to create the constant factor was derived by the 80% HUD AMI figure for 3-person through 5-person households. That gross income figure was divided by 12 so that the monthly income was established. The monthly income figure was multiplied by .29, which represents the 29% of monthly income to be used for housing which is a universal standard among the lending industry. This monthly figure was then backed into a sales price based on payment that took into account the current market interest rate, price of insurance (based on an average) and local property tax escrow (based on an average). The resulting sale price was conditional upon market interest rates; however, by dividing that price by the monthly allowable payment (which is not based on market rate and isn't a conditional figure upon any other factor) we are able to get the constant multiplier.

\*\*\* To determine the 90% AMI, take 100% of median income and multiply by .9 (90%) to establish the 90% limits

**Table 4.5.2 Maximum Permitted Gross Density\***

Zoning District	3 pts	4 pts	5 pts	6 pts	7 pts	8 pts	9 pts	10 pts	11 pts	12 pts	13 pts	14 pts	15 pts
R-4	<del>3.3</del> <b>3.5</b>	<del>3.4</del> <b>3.6</b>	<del>3.5</del> <b>3.9</b>	<del>3.6</del> <b>4.1</b>	<del>3.7</del> <b>4.3</b>	<del>3.8</del> <b>4.5</b>	<del>3.9</del> <b>4.7</b>	<del>4.0</del> <b>4.84</b>	4.1	4.2	4.4*	4.6	4.84
R-5	<del>4.4</del> <b>5.4</b>	<del>4.6</del> <b>5.6</b>	<del>4.8</del> <b>5.8</b>	<del>5.0</del> <b>6.2</b>	<del>5.2</del> <b>6.5</b>	<del>5.4</del> <b>6.8</b>	<del>5.6</del> <b>7.0</b>	<del>5.8</del> <b>7.26</b>	6.0	6.2	6.5*	6.8	7.26

~~\* Portions of proposed developments located more than one mile from a major transit corridor or an existing major or minor arterial classification roadway shall not be eligible for maximum gross densities to exceed 4.0 dwelling units per acre in the R-4 zoning district and 5.8 dwelling units per acre in the R-5 zoning district utilizing the Alternative Development Incentives. The maximum permitted density in developments located partially within and partially outside the one mile distance is set forth in Section 4.5.2.~~

**ITEM #1 – VOTE**

Motion to approve Item #1 made by Tom FitzGerald and seconded by Kevin Dunlap at 10/1/13 meeting.

**YES:** John Torsky (alternate for James Peden), Chuck Kavanaugh (2 votes; also alternate for Donnie Blake), Kathy Linares (2 votes; also alternate for Matt Meunier), Deborah Bilitski, Barbara Sinai, Steve Porter, Tom FitzGerald, Teena Halbig, Kevin Dunlap and Gabe Fritz

**NO:** None

**ABSTAIN:** None

**ABSENT:** Jim King, David Proffitt and Pat Dominik

***Item #1 recommended for approval by a vote of: 12 in favor, 0 opposed, 0 abstentions and 3 absent.***

**ITEM #1A – ADI – QUALIFIED BUYER DEFINITIONS (Approved on 10/1/13)**

In order to be eligible to become a homeowner of one of the Diversity Housing Units in an ADI development an individual must meet the definition of a “Qualified Buyer.” In an attempt to increase the pool of potential homeowners the definition of Qualified Buyer is being amended to include persons whose household income for the last two years was 110% or less of the median household income for Jefferson County as reported annually by HUD. Previously the above percentage was listed as 100%.

**THE FOLLOWING ADI RELATED DEFINITIONS IN LDC SECTION 1.2 WILL BE AMENDED TO REFLECT THE NEW 110% INCOME LEVELS MENTIONED ABOVE.**

**Section 1.2 Definitions**

**Qualified Buyer** -The Metropolitan Housing Authority (City or County) or a person whose household income for the last two years was ~~100%~~ **110%** or less of the median household income for Jefferson County as reported annually by HUD, or a corporation that has received low income housing tax credit to be applied toward the subject site.

**Qualified Buyer Verification Form** -A form, provided by the public agency handling Community Development and Home Funds and successor programs, that verifies that a person's household income for the past two years was ~~100%~~ **110%** or less of the median household income for Jefferson County as reported annually by HUD.

**ITEM #1A – VOTE**

Motion to approve Item #1A made by Gabe Fritz and seconded by Tom FitzGerald at 10/1/13 meeting.

**YES:** John Torsky (alternate for James Peden), Chuck Kavanaugh (2 votes; also alternate for Donnie Blake), Kathy Linares (2 votes; also alternate for Matt Meunier), Deborah Bilitski, Barbara Sinai, Steve Porter, Tom FitzGerald, Teena Halbig, Kevin Dunlap and Gabe Fritz

**NO:** None

**ABSTAIN:** None

**ABSENT:** Jim King, David Proffitt and Pat Dominik

**Item #1A recommended for approval by a vote of: 12 in favor, 0 opposed, 0 abstentions and 3 absent.**

## **ITEM #1B – ADI – DIVERSITY HOUSING UNIT DEFINITION (Approved on 10/1/13)**

This item is simply a change in the LDC Chapter 1 definition of Diversity Units, which included the old four level system, to the new definitions for the proposed three tiered diversity housing level system.

### **THE FOLLOWING ADI RELATED DEFINITION IN LDC SECTION 1.2 WILL BE AMENDED TO REFLECT THE NEW DEFINITION OF DIVERSITY HOUSING UNITS.**

#### **Section 1.2 Definitions**

**Diversity Units** – Four price levels of housing unit qualify as housing diversity units. Level 1 units shall mean residential dwellings that shall be sold for a total price no greater than 2.5 times the current low-moderate income limit for a given household size; Level 2 units shall mean residential dwelling units that shall be sold for a total price no greater than 2.75 times the current low-moderate income limit; level 3 units shall mean a residential dwelling that shall be sold for a total price no greater than 3.0 times the current low-moderate income limit for a given household size; Level 4 units shall mean a residential dwelling units that shall be sold for a total price no greater than 3.25 times the current low-moderate income limit for a given household size. (See definition for a given household size.) Sales price restrictions are applicable to sale to initial occupant only. Household sizes shall be translated into house sizes as follows: one and two person households: 1 bedroom; three persons: 2 bedrooms; four persons: 3 bedrooms; five or more persons: 4 bedrooms.

**Diversity Housing Level 1: Level 1 unit sale prices shall be calculated using 80% of the current Jefferson County area median income (AMI) limit for a given household size.**

**Diversity Housing Level 2: Level 2 unit sale prices shall be calculated using 90% of the current Jefferson County area median income (AMI) limit for a given household size.**

**Diversity Housing Level 3: Level 3 unit sale prices shall be calculated using 100% of the current Jefferson County area median income (AMI) limit for a given household size.**

## **ITEM #1B – VOTE**

Motion to approve Item #1B made by Gabe Fritz and seconded by Steve Porter at 10/1/13 meeting.

**YES:** John Torsky (alternate for James Peden), Chuck Kavanaugh (2 votes; also alternate for Donnie Blake), Kathy Linares (2 votes; also alternate for Matt Meunier), Deborah Bilitski, Barbara Sinai, Steve Porter, Tom FitzGerald, Teena Halbig, Kevin Dunlap and Gabe Fritz

**NO:** None

**ABSTAIN:** None

**ABSENT:** Jim King, David Proffitt and Pat Dominik

**Item #1B recommended for approval by a vote of: 12 in favor, 0 opposed, 0 abstentions and 3 absent.**

## **ITEM #1C – ADI – LOT SIZE RESTRICTION (Approved on 10/1/13)**

Dimensional requirements such as required lot area, lot width and building setbacks for ADI developments are found in LDC Section 5.3.1.D.2 (see below). The sections below that limit the number of smaller lots allowed are being removed in

an effort to increase realistic design opportunities for alternative housing styles such as attached units, zero lot line units, townhouse units and patio home units.

### Section 5.3.1

#### D. Alternative Housing Styles

Alternative housing styles, including zero lot line, duplexes, and townhouses are encouraged in the Cornerstone 2020 Plan to provide housing choices for people of varying ages and incomes.

2. Where permitted by the Alternative Development Incentives regulation (Chapter 4 Part 5), the alternative housing styles shall meet the requirements set forth in Table 5.3.1, unless otherwise specified below:

a. Detached units(including Zero Lot Line):

i. Minimum Lot Area – 4500 sq. ft. in R-4 District; 3000 sq. ft. in R-5 District, ~~subject to the following conditions:~~

~~(a) No more than 25% of detached units may have a lot area less than 6000 sq. ft. in R-4, or less than 4000 sq. ft. in R-5; and~~

~~(b) At least 20% of the lots in the development are 9000 sq. ft. in area or greater in R-4, and at 6000 sq. ft. in area or greater in R-5.~~

ii. Minimum Lot Width – 40 ft. in R-4 District; 35 feet in R-5 District

iii. Minimum Front Yard and Street Side Yard Setback –20 ft., 15 ft. if adjacent to alley

iv. Minimum Side Yard Setback – 0 ft. between the unit and the property line; 6 feet between adjacent units on separate lots.

v. Minimum Rear Yard Setback – 25 ft., 5 ft. if adjacent to alley

b. Semi-detached units (single family units with one common wall)

i. Minimum Lot Area – 3000 sq. ft., ~~subject to the following conditions:~~

~~(a) No more than 25% of detached units may have a lot area less than 6000 sq. ft. in R-4 or less than 4000 sq. ft. in R-5; and~~

~~(b) At least 20% of the lots in the development are 9000 sq. ft. in area or greater in R-4, and at 6000 sq. ft. in area or greater in R-5.~~

ii. Minimum Lot Width – 30 ft.

iii. Minimum Front Yard and Street Side Yard Setback –20 ft. 15 ft. if adjacent to alley

iv. Minimum Side Yard Setback – 0 ft. on common wall side; 6 ft. on other side

v. Minimum Rear Yard Setback – 25 ft. 15 ft. if adjacent to alley

vi. Maximum contiguous units - 2

c. Attached Units-Townhouse (single family units with common side walls)

i. Minimum Lot:Area: - end units: 3,000 sq ft; interior units: 2,000sq. ft., ~~subject to the following conditions:~~

~~(a) No more than 25% of detached units may have a lot area less than 6000 sq. ft. in R-4 or less than 4000 sq. ft. in R-5; and~~

~~(b) At least 20% of the lots in the development are 9000 sq. ft. in area or greater in R-4, and at 6000 sq. ft. in area or greater in R-5.~~

ii. Minimum Front Yard and Street Side Yard Setback – 20 ft. 15 ft. if adjacent to alley

iii. Minimum Lot Width – 18 ft.

iv. Minimum Side Yard Setback – 0 ft. between attached units. Between end units, the requirements in Table 5.3.1 shall apply.

v. Minimum Rear Yard Setback – 25 ft; if alley: 5 ft.

vi. Maximum contiguous units in single family zoning districts – 4

d. Attached Unit -Patio Home (single family units with common side and rear walls)

i. Minimum Lot Area – 3000 sq. ft., ~~subject to the following conditions:~~

~~(a) No more than 25% of detached units may have a lot area less than 6000 sq. ft. in R-4 or less than 4000 sq. ft. in R-5; and~~

~~(b) At least 20% of the lots in the development are 9000 sq. ft. in area or greater in R-4, and at 6000 sq. ft. in area or greater in R-5.~~

ii. Minimum Lot Width –35 ft.

iii. Minimum Front Yard and Street Side Yard Setback – 20 ft. 15 ft. if adjacent to alley

iv. Minimum Side and Rear Setback– 0 ft. between attached units; minimum distance between adjacent structures, 10 ft.

v. Minimum Rear Yard Setback – 25 ft; if alley: 5 ft.

vi. Maximum Contiguous Units – 4.

## **ITEM #1C – VOTE**

Motion to approve Item #1C made by Tom FitzGerald and seconded by Barbara Sinai at 10/1/13 meeting.

**YES:** John Torsky (alternate for James Peden), Chuck Kavanaugh (2 votes; also alternate for Donnie Blake), Kathy Linares (2 votes; also alternate for Matt Meunier), Deborah Bilitski, Barbara Sinai, Steve Porter, Tom FitzGerald (2 votes; also alternate for Pat Dominik), Teena Halbig and Kevin Dunlap

**NO:** None

**ABSTAIN:** None

**ABSENT:** Jim King, David Proffitt and Gabe Fritz

***Item #1C recommended for approval by a vote of: 12 in favor, 0 opposed, 0 abstentions and 3 absent.***

## **ITEM #1D – ADI – PLANNED RESIDENTIAL DISTRICT ADJUSTMENT (Approved on 10/1/13)**

The Planned Residential Development (PRD) zoning district found in LDC Section 2.7.3 includes a diversity housing option and refers to the old definition of diversity units. The text below should be amended as shown to reference the revised definition of diversity housing units.

### **Section 2.7.3**

#### **B. Required Features.**

Planned residential developments shall meet at least two of the following criteria. Applicants shall include a justification statement as part of the application. The justification statement shall explain how the proposed development fulfills the five criteria listed below. Cornerstone 2020 strongly supports provision of affordable and appropriate housing throughout the community. If applicants for developments creating 50 or more dwelling units do not reserve 10% of proposed dwellings for this purpose (~~at least 5% of dwellings are Diversity Level Units 1 or 2, remainder of the 10% are Diversity Level Units 3 or 4, as defined in Chapter 4 Part 5~~ **at least 10% of all proposed dwellings must be Diversity Housing Units; 10% of the Diversity Housing Units must be Level 1 Diversity Housing Units; additionally, Diversity Housing Units from the Level 2 and 3 categories may be added**), the justification statement shall address how the proposal complies with the housing elements in relationship to other guidelines and policies of the Comprehensive Plan.

1. The site has certain topographic and landform limitations or environmental constraints and the proposed plan preserves these features from development and disturbance; or
2. The site meets infill objectives consistent with recommendations of an officially adopted neighborhood plan, corridor plan or urban renewal plan; or
3. The proposal creates a variety of housing styles serving the needs of people of differing ages or incomes; or
4. The proposal expands the diversity of housing types available within a neighborhood; or
5. The proposal creates permanently protected open space that meets outdoor recreation needs, preserves wildlife habitat, or extends a community-wide greenway system.

## **ITEM #1D – VOTE**

Motion to approve Item #1D made by Kevin Dunlap and seconded by Barbara Sinai at 10/1/13 meeting.

**YES:** John Torsky (alternate for James Peden), Chuck Kavanaugh (2 votes; also alternate for Donnie Blake), Kathy Linares (2 votes; also alternate for Matt Meunier), Deborah Bilitski, Barbara Sinai, Steve Porter, Tom FitzGerald, Teena Halbig, Kevin Dunlap and Gabe Fritz

**NO:** None

**ABSTAIN:** None

**ABSENT:** Jim King, David Proffitt and Pat Dominik

***Item #1D recommended for approval by a vote of: 12 in favor, 0 opposed, 0 abstentions and 3 absent.***

## **ITEM #2 – MIXED RESIDENTIAL DEVELOPMENT INCENTIVE (Approved on 10/1/13)**

**THIS CONCEPT IS INTENDED TO PROMOTE AND ENCOURAGE RESIDENTIAL DEVELOPMENTS THAT INCLUDE A MIXTURE OF HOUSING TYPES (SINGLE & MULTI-FAMILY) AND A MIXTURE OF PRICE POINTS. THE FOLLOWING IDEA WOULD ALLOW MULTI-FAMILY RESIDENTIAL DEVELOPMENT TO OCCUR IN CERTAIN SINGLE-FAMILY RESIDENTIAL ZONING DISTRICTS WITHOUT REQUIRING A ZONING CHANGE. A DENSITY BONUS IS ALSO OFFERED IN EXCHANGE FOR A COMMITMENT TO PROVIDE MULTI-FAMILY UNITS AND AFFORDABLE UNITS.**

### **New LDC Section 4.3.XX – Mixed Residential Development Incentive (MRDI)**

1. Multi-Family & Two-Family Dwellings may be considered a Permitted Use with Special Standards in the R-4 & R-5 zoning districts in conformance with the standards listed below.
2. The following point system will determine the allowable residential density bonus. All development proposals must obtain at least one point each from Category A: Multi-Family and Category B: Affordable Units.
  - a. Percentage of dwelling units in proposal that are multi-family residential units.
    - i. Less than 10%      0 points
    - ii. 10-19.99%      1 point
    - iii. 20-29.99%      2 points
    - iv. 30-39.99%      3 points
    - v. 40-49.99%      2 points
    - vi. 50-100%      0 points
  - b. Percentage of dwelling units in proposal that are affordable units as defined below.
    - Affordable Owner Occupied Units – Affordable owner occupied units are defined as either Diversity Level 1, 2 or 3 as described in Section 4.5 Alternative Development Incentives.
    - Affordable Rental Units – The most current published HUD Fair Market Rent value and the Low-Income Housing Tax-Credit rent limits for Jefferson County will be used to calculate the Affordable Rent. Affordable Rent must not exceed the higher of the two rent calculations in order to be classified as an affordable rental unit. More information on how to determine affordable rental unit status is included at the end of this section.\*
      - i. Less than 5%      0 points
      - ii. 5-9.99%      1 point
      - iii. 10-19.99%      2 points
      - iv. 20-29.99%      3 points
      - v. 30-39.99%      2 points
      - vi. 40-49.99%      1 points
      - vii. 50-100%      0 points
  - c. Percentage of site designated as common open space.
    - i. 10-14.99%      0 points
    - ii. 15-19.99%      1 point
    - iii. 20-29.99%      2 point
    - iv. 30% or more      3 points
  - d. Conversion of existing structures, no new building construction proposed: 2 points.
  - e. Reuse of existing historic buildings (as defined by local/state Historic Preservation authority): 2 points.
  - f. Proposed site located within one mile of employment center. To qualify a property must be located within, or within one mile of, one of the following form districts: Downtown, Traditional Marketplace Corridor, Traditional Workplace, Suburban Marketplace, Regional Center, Suburban Workplace and Campus: 2 points.
  - g. Utilization of Green Development Design Incentives (See LDC Sections 5.5.6, 9.1.3.F.9 and Appendix 5A): 2 points.

- h. Subject property located in a census tract that has less than 15% of its population living below poverty level: 2 points.
  - i. Proposed site located within ¼ mile of TARC route: 1 point.
  - j. Proposed site located within ¼ mile of roadway classified as arterial: 1 point.
  - k. Proposed site located within ½ mile of public park: 1 point.
  - l. Proposed site located within ½ mile of public school: 1 point.
  - m. Development exceeds Chapter 10 Required Tree Canopy Coverage Area by 50%: 1 point; by 100%: 2 points.
3. Use point system to determine allowable residential density of a proposal. More points = higher density. (R-4 allows 4.84 du/ac and R-5 allows 7.26 du/ac.)
- a. For example: 8 points = 5% density bonus = 5.08 du/ac in R-4; 7.62 du/ac in R-5  
 10 points = 10% density bonus = 5.32 du/ac in R-4; 7.98 du/ac in R-5  
 12 points = 15% density bonus = 5.56 du/ac in R-4; 8.34 du/ac in R-5  
 14 points = 20% density bonus = 5.80 du/ac in R-4; 8.71 du/ac in R-5  
 16+ points = 25% density bonus = 6.05 du/ac in R-4; 9.07 du/ac in R-5
4. The applicable review process required by the Land Development Code will apply to any proposed development utilizing this section.
5. Required Standards
- a. Average Lot Size
    - i. R-4 Zoned Developments: The average of all lot sizes (single-family and multi-family) within the proposed development shall be a minimum of 9,000 square feet. No lot shall be smaller than 4,500 square feet.
    - ii. R-5 Zoned Developments: The average of all lot sizes (single-family and multi-family) within the proposed development shall be a minimum of 6,000 square feet. No lot shall be smaller than 3,000 square feet.
  - b. Open Space
    - i. All developments are required to designate a minimum of 10% of the subject property as common open space. The open space areas shall be owned in common and maintained by the lot owners in the development. All open space must meet applicable provisions of Section 10.5 Open Space Standards. If another section of the Land Development Code requires a particular development to provide a greater amount of open space than this section requires, then the greater open space requirement shall be adhered to.
  - c. Compatibility with Adjacent Residential Development
    - i. Reduced size lots authorized by this section shall be designed and located so that impacts on adjacent previously approved residential development are minimized. To achieve this purpose, proposed subdivisions with reduced size lots shall meet each of the following design standards applicable to a given site in addition to applicable Chapter 5 dimensional requirements.
      - 1. Proposed subdivisions with reduced size lots that are directly across a public right-of-way or private access easement from a recorded subdivision or single family residential structures having an average front or street side yard with a variation in depth of not more than 10 feet shall meet the following standard: Building limit lines shall be recorded for those parcels across the street/access easement from existing development that equal the average dimensions of established front and street side yards of the existing development.
      - 2. Perimeter parcels of the proposed development that are adjacent to property subdivided into lots of one acre or less for residential use shall be developed as detached single family homes with lots having at least 75% of the minimum area in the zoning/form district of the adjacent property.
      - 3. Developments that propose reduced size lots that are adjacent to property subdivided into lots over one (1) acre for residential use or residentially used parcels larger than one acre shall provide a minimum 20 foot wide buffer planted with a row of evergreen trees placed no more than 30 feet apart.
  - d. Dimensional Requirements









- i. All other applicable form district requirements from Chapter 5 shall apply to the proposed development unless otherwise stated. Building setback and lot width requirements can be found in Section 5.2.2.D or 5.3.1.D.2 Alternative Housing Styles.
- e. Timing of Construction of Housing Types
  - i. Within a proposed Mixed Residential Development Incentive development no more than 50% of one type of housing (single-family/multi-family) may be developed until at least 50% of the other type of housing has been developed. Also, 50% of the designated affordable units must be constructed by the time 50% of the total units in the development have been constructed. These calculations shall be based on the number of building permits issued. *Example: 100 total units (80 SF units/20 MF units/10 affordable units). Building permits for 40 single-family units could be issued, then building permits for 10 multi-family units would have to be issued before more single-family permits could be issued. In this example, of the first 50 units issued building permits, 5 units must be affordable units.*
- f. Affordable Rental Rate Commitment
  - i. The rental rate of the affordable rental units in a MRDI development may not exceed the higher of the two rent calculations (most current published HUD Fair Market Rent value and the Low-Income Housing Tax-Credit rent limits for Jefferson County) for a period of 15 years from the date the unit's building permit was issued.
- g. Annual Reporting
  - i. The developer/owner shall be responsible for submitting an annual report to Planning & Design Services staff at 12-month intervals from the date of the recording of the record plat, until all affordable owner occupied units have been issued building permits and for a period of 15 years after the last affordable rental unit building permit has been issued. In the event a development does not require a record plat the date of Planning Commission approval will be used to determine the 12 month reporting intervals. The annual report shall identify the name of the subdivision/development, the plat book and page number of the record plat if applicable, the lot/unit numbers, the lot/unit addresses, and the sale price and/or rental rates of the designated affordable units. The annual report shall indicate separately the number of building permits issued for single-family and multi-family dwellings.

\*The web links below can be used to calculate the rent limits for affordable rental units for any given year. As a reference highlighted below are the 2013 HUD Fair Market Rent Values and the Low-Income Housing Tax-Credit rent limits for Jefferson County.

<http://www.novoco.com/products/rentincome.php>

<http://www.huduser.org/portal/datasets/fmr/fmrs/docsys.html&data=fmr13>

LIHTC Rent Limits for 2013 (Based on 2013 MTSP/VLI Income Limits)				
Bedrooms (People)	Charts	60.00%		FMR
Efficiency (1.0)		637		503
1 Bedroom (1.5)		683		588
2 Bedrooms (3.0)		820		731
3 Bedrooms (4.5)		947		1,012
4 Bedrooms (6.0)		1,057		1,144
5 Bedrooms (7.5)		1,166		

## **ITEM #2 – VOTE**

Motion to approve Item #2 made by Barbara Sinai and seconded by Tom FitzGerald at 10/1/13 meeting.

**YES:** Chuck Kavanaugh (2 votes; also alternate for Donnie Blake), Kathy Linares (2 votes; also alternate for Matt Meunier), Deborah Bilitski, Barbara Sinai, Steve Porter, Tom FitzGerald, Teena Halbig, Kevin Dunlap and Gabe Fritz

**NO:** None

**ABSTAIN:** John Torsky (alternate for James Peden)

**ABSENT:** Jim King, David Proffitt and Pat Dominik

**Item #2 recommended for approval by a vote of: 11 in favor, 0 opposed, 1 abstention and 3 absent.**

## **ITEM #2A – MRDI – ASSOCIATED CH. 2 & 5 CHANGES (Approved on 10/1/13)**

### **CHAPTERS 2 & 5 WILL NEED REFERENCES TO THE DENSITY BONUS AND REDUCED LOT SIZES ALLOWED BY THE MRDI DEVELOPMENTS.**

The following sections must be amended to include a reference to the alternative densities and lot sizes allowed with the MRDI option:

1. Section 2.2.6.E.2 – R-4 Maximum Density: 4.84 dwellings per acre
  - a. Add the following: Additional density up to 6.05 dwellings per acre may be achieved using the Mixed Residential Development Incentive (MRDI) Option. See Section 4.3.XX.
2. Section 2.2.7.E.2 – R-5 Maximum Density: 7.26 dwellings per acre
  - a. Add the following: Additional density up to 9.07 dwellings per acre may be achieved using the Mixed Residential Development Incentive (MRDI) Option. See Section 4.3.XX.
3. Section 5.2.2 Traditional Neighborhood Form District
  - a. Add the following text after Table 5.2.2: Note: Minimum lot area requirements for Mixed Residential Development Incentive (MRDI) developments shall be calculated as provided in Section 4.3.XX.
4. Section 5.3.1 Neighborhood Form District
  - a. Add the following text after Table 5.3.1: Note: Minimum lot area requirements for Mixed Residential Development Incentive (MRDI) developments shall be calculated as provided in Section 4.3.XX.

## **ITEM #2A – VOTE**

Motion to approve Item #2A made by Tom FitzGerald and seconded by Chuck Kavanaugh at 10/1/13 meeting.

**YES:** Chuck Kavanaugh (2 votes; also alternate for Donnie Blake), Kathy Linares (2 votes; also alternate for Matt Meunier), Deborah Bilitski, Barbara Sinai, Steve Porter, Tom FitzGerald, Teena Halbig, Kevin Dunlap and Gabe Fritz

**NO:** None

**ABSTAIN:** John Torsky (alternate for James Peden)

**ABSENT:** Jim King, David Proffitt and Pat Dominik

**Item #2A recommended for approval by a vote of: 11 in favor, 0 opposed, 1 abstention and 3 absent.**

## **ITEM #3 – AFFORDABLE HOUSING DENSITY BONUS (Approved on 10/15/13)**

**THIS IDEA OFFERS A DENSITY BONUS FOR DEVELOPMENTS THAT PROVIDE A CERTAIN PERCENTAGE OF AFFORDABLE UNITS. THIS OPTION CAN BE APPLIED TO DEVELOPMENTS IN ANY ZONING DISTRICT THAT ALLOWS RESIDENTIAL DEVELOPMENT, SINGLE-FAMILY OR MULTI-FAMILY, AS A PERMITTED USE. HOW THIS OPTION DIFFERS FROM THE MRDI OPTION: THIS OPTION IS SOLELY TIED TO THE COMMITMENT TO PROVIDE AFFORDABLE UNITS WITHIN A DEVELOPMENT PROPOSAL, THIS DENSITY BONUS COULD BE USED IN ANY MANY ZONING DISTRICTS AS OPPOSED TO ONLY R-4 & R-5, AND THIS OPTION WOULD NOT ALLOW MULTI-FAMILY DEVELOPMENT TO OCCUR IN SINGLE-FAMILY ZONES AS THE MRDI OPTION WOULD.**

- Compared to the ADI option, the AHDB option requires a more significant commitment to affordable housing on the part of the developer in exchange for a more significant density bonus.
- All affordable owner occupied units in the AHDB option MUST be Diversity Housing Level 1 units.

- To improve the mixture of sales price/rental rates within a given area, the sales price/rental rates for market rate units in a development utilizing the AHDB option must be at least 25% higher than the affordable units within the development.

**New LDC Section 4.11 – Affordable Housing Density Bonus**

1. A residential density bonus can be applied to any proposed development that complies with all the requirements listed in Section 4.11. The density bonus is dependent upon the number of affordable housing units committed within the development proposal. The affordable housing density bonus is only applicable in zoning districts that allow single-family, two-family or multi-family residential development as a permitted land use.
2. Percentage of dwelling units in proposal that are affordable units as defined below.
  - Affordable Owner Occupied Units – Affordable owner occupied units are defined as Diversity Level 1 as described in Section 4.5 Alternative Development Incentives. All market rate owner occupied units within the development shall have an original sale price at least 25% higher than the comparable Diversity Level 1 unit, as defined in Section 4.5 Alternative Development Incentives.
  - Affordable Rental Units – The most current published HUD Fair Market Rent value and the Low-Income Housing Tax-Credit rent limits for Jefferson County will be used to calculate the Affordable Rent. Affordable Rent must not exceed the higher of the two rent calculations in order to be classified as an affordable rental unit. More information on how to determine affordable rental unit status is included at the end of this section.\* All market rate rental units within the development shall have a rental rate at least 25% higher than the Affordable Rent established by this section for a comparable unit.
 

i. Less than 5%	=	No density bonus
ii. 5-9.99%	=	5% density bonus
iii. 10-19.99%	=	10% density bonus
iv. 20-29.99%	=	20% density bonus
v. 30-39.99%	=	30% density bonus
vi. 40-49.99%	=	15% density bonus
vii. 50-100%	=	No density bonus
3. Open Space Requirement is based on density bonus. The open space areas shall be owned in common and maintained by the lot owners in the development. All open space must meet applicable provisions of Section 10.5 Open Space Standards.
 

a. 5% density bonus	=	10% open space required
b. 10/15% density bonus	=	15% open space required
c. 20% density bonus	=	20% open space required
d. 30% density bonus	=	25% open space required
4. Single-Family Residential Reduced Lot Size Allowance
  - a. For density bonuses applied to single-family residential developments the minimum lot size requirement for the applicable zoning district may be reduced by the same percentage as the density bonus obtained. *Example: If a 20% density bonus has been achieved, then the minimum lot size required for the applicable zoning district may be reduced by up to 20%.*
5. Dimensional Requirements
  - a. All other applicable form district requirements from Chapter 5 shall apply to the proposed development unless otherwise stated. Building setback and lot width requirements can be found in Section 5.2.2.D or 5.3.1.D.2 Alternative Housing Styles.
6. The applicable review process required by the Land Development Code will apply to any proposed development utilizing this section.
7. Timing of Construction of Affordable Dwelling Units
  - a. Within a development utilizing the Affordable Housing Density Bonus 50% of the designated affordable units must be constructed by the time 50% of the total units in the development have been constructed. This calculation shall be based on the number of building permits issued. *Example: 100*

total units (70 market rate units/30 affordable units). In this example, of the first 50 units issued building permits, 15 units must be affordable units.

8. Affordable Rental Rate Commitment

- a. The rental rate of the affordable rental units in a MRDI development may not exceed the higher of the two rent calculations (most current published HUD Fair Market Rent value and the Low-Income Housing Tax-Credit rent limits for Jefferson County) for a period of 15 years from the date the unit's building permit was issued.

9. Annual Reporting

- a. The developer/owner shall be responsible for submitting an annual report to Planning & Design Services staff at 12-month intervals from the date of the recording of the record plat, until all affordable owner occupied units have been issued building permits and for a period of 15 years after the last affordable rental unit building permit has been issued. In the event a development does not require a record plat the date of Planning Commission approval will be used to determine the 12 month reporting intervals. The annual report shall identify the name of the subdivision/development, the plat book and page number of the record plat if applicable, the lot/unit numbers, the lot/unit addresses, and the sale price and/or rental rates of the designated affordable units.

\*The web links below can be used to calculate the rent limits for affordable rental units for any given year. As a reference highlighted below are the 2013 HUD Fair Market Rent Values and the Low-Income Housing Tax-Credit rent limits for Jefferson County. Planning & Design Services staff will also update these calculations annually.

<http://www.novoco.com/products/rentincome.php>

<http://www.huduser.org/portal/datasets/fmr/fmrs/docsys.html&data=fmr13>

LIHTC Rent Limits for 2013 (Based on 2013 MTSP/VI Income Limits)				
Bedrooms (People)	Charts	60.00%		FMR
Efficiency (1.0)		637		503
1 Bedroom (1.5)		683		588
2 Bedrooms (3.0)		820		731
3 Bedrooms (4.5)		947		1,012
4 Bedrooms (6.0)		1,057		1,144
5 Bedrooms (7.5)		1,166		

**ITEM #3 – VOTE 1**

Motion to deny Item #3 made by Teena Halbig and seconded by John Torsky at 10/1/13 meeting.

**YES:** Teena Halbig and James Peden

**NO:** Chuck Kavanaugh (2 votes; also alternate for Donnie Blake), Kathy Linares (2 votes; also alternate for Matt Meunier), Deborah Bilitski, Barbara Sinai, Steve Porter, Tom FitzGerald, Kevin Dunlap and Gabe Fritz

**ABSTAIN:** None

**ABSENT:** Jim King, David Proffitt, and Pat Dominik

**This motion failed by a vote of: 2 in favor, 10 opposed, 0 abstentions and 3 absent. The item was subsequently tabled by a unanimous vote to be discussed further at a future meeting.**

**ITEM #3 – VOTE 2**

Motion to approve Item #3 made by Steve Porter and seconded by Barbara Sinai at 10/15/13 meeting.

**YES:** David Proffitt, Tara Brinkmoeller (alternate for Chuck Kavanaugh), Pat Dominik (2 votes; also alternate for Kathy Linares), Barbara Sinai, Steve Porter (2 votes; also alternate for Tom FitzGerald), Cathy Hinko (alternate for Kevin Dunlap), Gabe Fritz and Matt Meunier

**NO:** John Torsky (alternate for James Peden)

**ABSTAIN:** Donnie Blake

**ABSENT:** Jim King, Deborah Bilitski and Teena Halbig

**Item #3 recommended for approval by a vote of: 10 in favor, 1 opposed, 1 abstention and 3 absent.**

## **ITEM #3A – AFFORDABLE HOUSING DENSITY BONUS – ASSOCIATED CH. 2 & 5 CHANGES (Approved on 10/15/13)**

### **CHAPTERS 2 & 5 WILL NEED REFERENCES TO THE DENSITY BONUS AND REDUCED LOT SIZES ALLOWED BY THE AFFORDABLE HOUSING DENSITY BONUS.**

The following sections must be amended to include a reference to the alternative densities and lot sizes allowed with the affordable housing density bonus option:

1. Section 2.2.1.E.2 – R-R Rural Residential District (Maximum Density: 0.2 dwellings per acre)
  - a. Add the following: Additional density may be achieved using the Affordable Housing Density Bonus Option. See Section 4.11.
2. Section 2.2.2.E.2 – R-E Rural Estate District (Maximum Density: 1.08 dwellings per acre)
  - a. Add the following: Additional density may be achieved using the Affordable Housing Density Bonus Option. See Section 4.11.
3. Section 2.2.3.E.2 – R-1 Residential Single-Family District (Maximum Density: 1.08 (or 1.45) dwellings per acre)
  - a. Add the following: Additional density may be achieved using the Affordable Housing Density Bonus Option. See Section 4.11.
4. Section 2.2.4.E.2 – R-2 Residential Single-Family District (Maximum Density: 2.17 dwellings per acre)
  - a. Add the following: Additional density may be achieved using the Affordable Housing Density Bonus Option. See Section 4.11.
5. Section 2.2.5.E.2 – R-3 Residential Single-Family District (Maximum Density: 3.63 dwellings per acre)
  - a. Add the following: Additional density may be achieved using the Affordable Housing Density Bonus Option. See Section 4.11.
6. Section 2.2.5.E.2 – R-3 Residential Single-Family District (Maximum Density: 3.63 dwellings per acre)
  - a. Add the following: Additional density may be achieved using the Affordable Housing Density Bonus Option. See Section 4.11.
7. Section 2.2.6.E.2 – R-4 Residential Single-Family District (Maximum Density: 4.84 dwellings per acre)
  - a. Add the following: Additional density may be achieved using the Affordable Housing Density Bonus Option. See Section 4.11.
8. Section 2.2.7.E.2 – R-5 Residential Single-Family District (Maximum Density: 7.26 dwellings per acre)
  - a. Add the following: Additional density may be achieved using the Affordable Housing Density Bonus Option. See Section 4.11.
9. Section 2.2.8.E.2 – U-N Urban Neighborhood District (Maximum Density: 58.08 dwellings per acre)
  - a. Add the following: Additional density may be achieved using the Affordable Housing Density Bonus Option. See Section 4.11. (Only applicable to Planned Development Option.)
10. Section 2.2.9.E.2 – R-5A Residential Multi-Family District (Maximum Density: 12.01 dwellings per acre)
  - a. Add the following: Additional density may be achieved using the Affordable Housing Density Bonus Option. See Section 4.11.
11. Section 2.2.10 – The affordable housing density bonus is not available in the R-5B Residential Multi-Family District. Maximum Density Allowed: Two dwellings per lot.
12. Section 2.2.11.E.2 – R-6 Residential Multi-Family District (Maximum Density: 17.42 dwellings per acre)
  - a. Add the following: Additional density may be achieved using the Affordable Housing Density Bonus Option. See Section 4.11.
13. Section 2.2.12.E.2 – R-7 Residential Multi-Family District (Maximum Density: 34.8 dwellings per acre)

- a. Add the following: Additional density may be achieved using the Affordable Housing Density Bonus Option. See Section 4.11.
- 14. Section 2.2.13.E.2 – R-8A Residential Multi-Family District (Maximum Density: 58.08 dwellings per acre)
  - a. Add the following: Additional density may be achieved using the Affordable Housing Density Bonus Option. See Section 4.11.
- 15. Section 2.3.1.E.2 – OR Office/Residential District (Maximum Density: 12.0 dwellings per acre)
  - a. Add the following: Additional density may be achieved using the Affordable Housing Density Bonus Option. See Section 4.11.
- 16. Section 2.3.2.E.2 – OR-1 Office/Residential District (Maximum Density: 34.84 dwellings per acre)
  - a. Add the following: Additional density may be achieved using the Affordable Housing Density Bonus Option. See Section 4.11.
- 17. Section 2.3.3.E.2 – OR-2 Office/Residential District (Maximum Density: 58.08 dwellings per acre)
  - a. Add the following: Additional density may be achieved using the Affordable Housing Density Bonus Option. See Section 4.11.
- 18. Section 2.3.4.E.2 – OR-3 Office/Residential District (Maximum Density: 217 dwellings per acre)
  - a. Add the following: Additional density may be achieved using the Affordable Housing Density Bonus Option. See Section 4.11.
- 19. Section 2.3.5.E.2 – OTF Office/Tourist Facility District (Maximum Density: 217 dwellings per acre)
  - a. Add the following: Additional density may be achieved using the Affordable Housing Density Bonus Option. See Section 4.11.
- 20. Section 2.4.1.E.2 – C-N Neighborhood Commercial District (Maximum Density: 17.42 dwellings per acre)
  - a. Add the following: Additional density may be achieved using the Affordable Housing Density Bonus Option. See Section 4.11.
- 21. Section 2.4.2.F – C-R Commercial Residential District (Maximum Density: 34.8 dwellings per acre)
  - a. Add the following: Additional density may be achieved using the Affordable Housing Density Bonus Option. See Section 4.11.
- 22. Section 2.4.3.E.2 – C-1 Commercial District (Maximum Density: 34.8 dwellings per acre)
  - a. Add the following: Additional density may be achieved using the Affordable Housing Density Bonus Option. See Section 4.11.
- 23. Section 2.4.4.E.2 – C-2 Commercial District (Maximum Density: 217 dwellings per acre)
  - a. Add the following: Additional density may be achieved using the Affordable Housing Density Bonus Option. See Section 4.11.
- 24. Section 2.4.5.E.2 C-3 Commercial District (Maximum Density: 435 dwellings per acre)
  - a. Add the following: Additional density may be achieved using the Affordable Housing Density Bonus Option. See Section 4.11.
- 25. Section 2.6.4.D.2 – W-1 Waterfront District (maximum Density: 217 dwellings per acre)
  - a. Add the following: Additional density may be achieved using the Affordable Housing Density Bonus Option. See Section 4.11.
- 26. Section 2.6.5.D.2 – W-2 Waterfront District (maximum Density: 217 dwellings per acre)
  - a. Add the following: Additional density may be achieved using the Affordable Housing Density Bonus Option. See Section 4.11.
- 27. Section 5.2.2 Traditional Neighborhood Form District
  - a. Add the following text after Table 5.2.2: Note: Minimum lot area requirements for developments utilizing the affordable housing density bonus (Section 4.11) can be found in Section 5.2.2.D Alternative Housing Styles.
  - b. Also add a reference to affordable housing density bonus in the second paragraph of Section 5.2.2.D.
- 28. Section 5.3.1 Neighborhood Form District
  - a. Add the following text after Table 5.3.1: Note: Minimum lot area requirements for developments utilizing the affordable housing density bonus (Section 4.11) can be found in Section 5.3.1.D.2 Alternative Housing Styles.
  - b. Also add a reference to affordable housing density bonus in the first paragraph of Section 5.3.1.D.2.

### **ITEM #3A – VOTE**

Motion to approve Item #3A made by Gabe Fritz and seconded by Tara Brinkmoeller at 10/15/13 meeting.

**YES:** John Torsky (alternate for James Peden), Donnie Blake, David Proffitt, Tara Brinkmoeller (alternate for Chuck Kavanaugh), Pat Dominik (2 votes; also alternate for Kathy Linares), Barbara Sinai, Steve Porter (2 votes; also alternate for Tom FitzGerald), Cathy Hinko (alternate for Kevin Dunlap), Gabe Fritz and Matt Meunier

**NO:** None

**ABSTAIN:** None

**ABSENT:** Jim King, Deborah Bilitski and Teena Halbig

**Item #3A recommended for approval by a vote of: 12 in favor, 0 opposed, 0 abstentions and 3 absent.**

### **ITEM #4, PART 3 – ALLOW MULTI-FAMILY RESIDENTIAL IN ADDITIONAL ZONES**

3. **(APPROVED AT 10/15/13 MEETING)** Multi-family residential development is only allowed in the OR Office Residential zone after a Conditional Use Permit is granted. The sub-committee proposes the elimination of CUP Section 4.2.37 and to allow multi-family residential as a permitted use in the OR zoning district. The OR zone already allows single-family residential at a density of 12 dwellings per acre. The same density should apply to multi-family residential in the OR zone.

### **ITEM #4, PART 3 – VOTE**

Motion to approve Item #4, Part 3 made by Cathy Hinko and seconded by Barbara Sinai at 10/15/13 meeting.

**YES:** John Torsky (alternate for James Peden), Donnie Blake, David Proffitt, Tara Brinkmoeller (alternate for Chuck Kavanaugh), Pat Dominik (2 votes; also alternate for Kathy Linares), Barbara Sinai, Steve Porter (2 votes; also alternate for Tom FitzGerald), Cathy Hinko (alternate for Kevin Dunlap), Gabe Fritz and Matt Meunier

**NO:** None

**ABSTAIN:** None

**ABSENT:** Jim King, Deborah Bilitski and Teena Halbig

**Item #4, Part 3 recommended for approval by a vote of: 12 in favor, 0 opposed, 0 abstentions and 3 absent.**

### **ITEM #5 – ATTACHED HOUSING IN R-5A ZONING DISTRICT (Approved on 10/15/13)**

Allow attached housing (zero lot-line) as a permitted use in the R-5A zone, similar to how this kind of housing style is currently allowed in the PRD zoning district. This would expand the housing options available to the R-5A zone without requiring an additional zoning change.

Changes involved:

1. Section 2.2.9.A – Add “Dwellings, single-family attached and detached” to permitted use list.
2. Within Section 2.2.9, add a reference to portions of Section 2.7.3 PRD that apply.
3. Within Section 2.2.9, add reference to applicable Section 5.2.2.D & 5.3.1.D Alternative Housing Styles for dimensional requirements.
4. Amend Section 5.2.2.D & 5.3.1.D to refer to R-5A single family attached and detached developments.

### **ITEM #5 – VOTE**

Motion to approve Item #5 made by Barbara Sinai and seconded by Cathy Hinko at 10/15/13 meeting.

**YES:** John Torsky (alternate for James Peden), Donnie Blake, David Proffitt, Tara Brinkmoeller (alternate for Chuck Kavanaugh), Pat Dominik (2 votes; also alternate for Kathy Linares), Barbara Sinai, Steve Porter (2 votes; also alternate for Tom FitzGerald), Cathy Hinko (alternate for Kevin Dunlap), Gabe Fritz and Matt Meunier

**NO:** None

**ABSTAIN:** None

**ABSENT:** Jim King, Deborah Bilitski and Teena Halbig

**Item #5 recommended for approval by a vote of: 12 in favor, 0 opposed, 0 abstentions and 3 absent.**

**Items below were discussed, but proposed changes were rejected and did not achieve official recommendation status.**

**ITEM #4, PARTS 1 & 2 – ALLOW MULTI-FAMILY RESIDENTIAL IN ADDITIONAL ZONES**

1. **(THE COMMITTEE DECIDED VIA A MOTION TO LEAVE THIS ITEM ALONE AT THE 11/5/13 MEETING)** Allow multi-family residential as a permitted use in the EZ-1 zoning district in any form district. Multi-family residential is currently allowed only in the Traditional Form Districts in the EZ-1 zone as a permitted use with special standards (Section 4.3.5). Section 4.3.4 also currently allows multi-family residential on EZ-1 zoned properties in the Suburban Workplace form district only if an existing structure is being reused. The sub-committee proposes eliminating Sections 4.3.4 & 4.3.5 from the Land Development Code. Section 2.6.1 should be amended to allow multi-family residential as a permitted use at a maximum density of 217 dwellings per acre, which is the density previously used in Section 4.3.4 (density equivalent to OR-3, OTF, C-2, W-1 & W-2 zones.)
2. **(THE COMMITTEE DECIDED WITHOUT A MOTION TO LEAVE THIS ITEM ALONE AT THE 11/5/13 MEETING)** Allow multi-family residential as a permitted use in the PRO Professional Research Office zoning district. Proposed residential density in PRO should be the same as another similar zone, PEC. PEC's residential density is the same as C-1, 34.84 dwellings per acre.

**ITEM #4, PART 1 – VOTE**

Motion to reject Item #4, Part 1 made by Deborah Bilitski and seconded by David Proffitt at 11/5/13 meeting.

**YES:** John Torsky (alternate for James Peden), David Proffitt (2 votes; also alternate for Donnie Blake), Chuck Kavanaugh, Pat Dominik, Kathy Linares (2 votes; also alternate for Matt Meunier), Deborah Bilitski (2 votes; also alternate for Gabe Fritz), Steve Porter, Tom FitzGerald, Teena Halbig and Kevin Dunlap

**NO:** None

**ABSTAIN:** Cathy Hinko (alternate for Barbara Sinai)

**ABSENT:** Jim King

**Item #4, Part 1 rejected by a vote of: 13 in favor, 0 opposed, 1 abstention and 1 absent.**