

14-0656

PLANNING & LAND USE MANAGEMENT

MOTION

Since its inception on May 6, 2008, the City's Baseline Mansionization Ordinance (BMO), (Ordinance No. 179883), has been the guiding land-use regulation for all single-family zoned properties located within non-hillside designated areas.

Over the past six years, we have seen where the BMO has accomplished the intended goals of maintaining and promoting communities that preserve their integrity and livability. However, the past six years have also shown us where the BMO has fallen far short of its mandate to create regulations that allow for sustainable neighborhoods and that protect the interest of all homeowners. The largest victim of these shortcomings is the city's stock of R1 (single family) zoned lots.

Of all the residential family zoned parcels within the BMO, 234,575 or 77% are zoned R1. And, of those, half are lots in the 5,000-6,000 square foot range. This means the backbone of our city's single-family neighborhoods are modest sized lots, with modest sized homes. These neighborhoods are integral to the city's history, as they have provided a consistent presence for our families and economic growth. And despite its good intentions, the BMO has shown to have vulnerabilities that threaten the cohesion and character of our single-family neighborhoods.

I THEREFORE MOVE that the Council instruct the Planning Department, with the assistance of the Department of Building and Safety, and in consultation with the City Attorney, to prepare and present an ordinance that will address the counterproductive provisions of the Baseline Mansionization Ordinance (No. 179883), to stabilize the conflict of out-of-scale homes that continue to proliferate in entire neighborhoods as follows:

- *Green Bonus Provisions:* The City's Green Building Program (Ordinance No. 181480), was instituted as a mandatory requirement for all new construction, which applies energy and resource conservation use. The City's inclusion of a "Tier 1" bonus of 20% increase in home size has encouraged larger, and more energy and resource consuming homes. Therefore project applicants should not be allowed to enlarge a home, by claiming a 20 percent Floor Area Ratio (FAR) bonus that encourages larger, more energy and resource consuming homes.
- *The BMO's Two Design Bonuses:* Each resulted in a 20 percent increase in the size of a house, and each appear to produce the large, boxy, suburban-style houses that the Baseline Mansionization Ordinance intended to prevent. The houses actually permitted through the Baseline Mansionization's two design bonuses need to be carefully reviewed to determine if these bonuses meet the ordinance's intended goals of stopping mansionization.
- *FAR Bonus and R1 (Single Family) Zones:* R1 lots that exceed 7,500 square feet have a by-right FAR of 45 percent of the lot area, while those below 7,500 square feet have an FAR of 50 percent of the lot area. This small difference has meant that those R1 neighborhoods with the smallest lots and the least amount of setback have the largest home to lot-size ratio of any single-family zone in the city. This provision has encouraged out-of-scale homes that loom over neighborhoods with smaller lots, and the by-right FAR for the smaller lots should be reduced to .45 to ensure that all R-1 lots are covered by the same zoning regulations.
- *Re-evaluate FAR Exemptions:* The six exemptions listed in the BMO need to be re-evaluated to determine their impact citywide on the scale and character of new houses. In particular, exemptions for attached garages, attached porches/patios/breezeways, and double-height entryways appear to result in out of scale and out of character development. They should, therefore, be removed from the Baseline Mansionization Ordinance.

PRESENTED BY:

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