



**Proposed
Stormwater
Changes to
Blue Hill
Form-Based Code
in Response to
Revised State Statute**

Planning Commission | May 7, 2019

Background

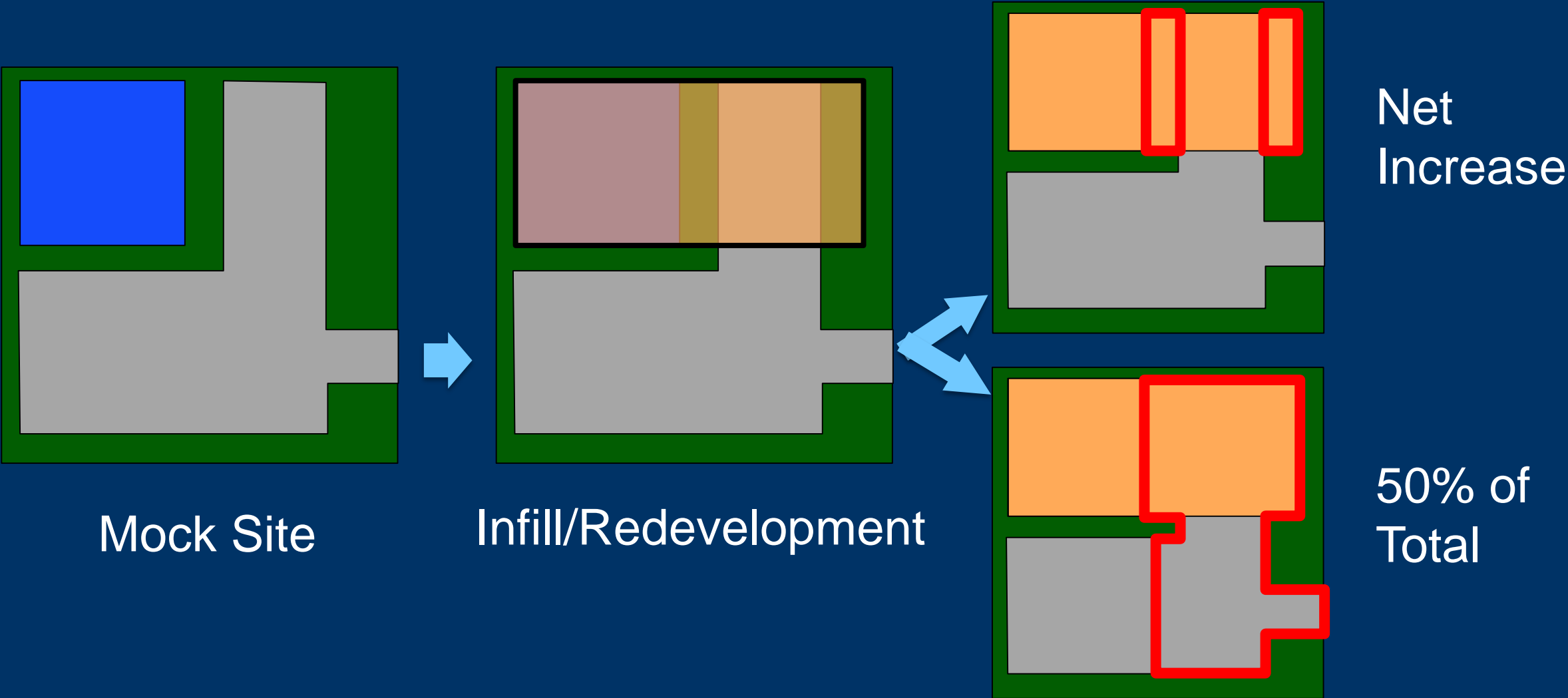
- **May 12, 2014: Blue Hill Code adopted**
 - **Stormwater requirement:** Treat 50% of post-construction total impervious area
- **December 27, 2018: Session Law 2018-145 enacted** (technical corrections bill)
 - Local governments may only require stormwater treatment for the net increase in impervious area
 - Blue Hill stormwater requirement is no longer enforceable

Issue Created by New Legislation

- Stormwater treatment is a key community interest
- Blue Hill Form-Based Code structured with various tradeoffs
 - More density allowed, no Resource Conservation Districts (RCDs) required
 - Stormwater controls added to developed areas that were previously untreated



Net Increase vs 50% of Total Post-Construction



Proposed Text Amendment



Proposed Text Amendment

Restructure Blue Hill Code to offer applicants a choice of 2 paths for project review

1. Conventional (standards similar to Community Commercial)
Allows treatment of net increase in impervious area only, to satisfy State statute
2. Enhanced Stormwater (maintains current Blue Hill standards)
Increased development potential when more impervious area is treated

Objectives for Text Amendment

- Restore the ability to improve stormwater treatment through Blue Hill development
- Keep changes simple where possible, to allow a quicker path to adoption

1. Conventional

STORMWATER REQUIREMENTS:

Treatment of net increase only

USE AND DIMENSIONAL STANDARDS:

Modeled closely after the CC (Community Commercial) district

Permitted Uses:

Most Commercial and Residential uses (no change from current Blue Hill)

Max Density:

15.0 units/acre

Max Floor Area

Ratio (FAR): 0.429

Max Height:

34 ft at setback line, up to 60 ft interior to site

RCDs:

Required

1. Conventional

OTHER DEVELOPMENT STANDARDS:

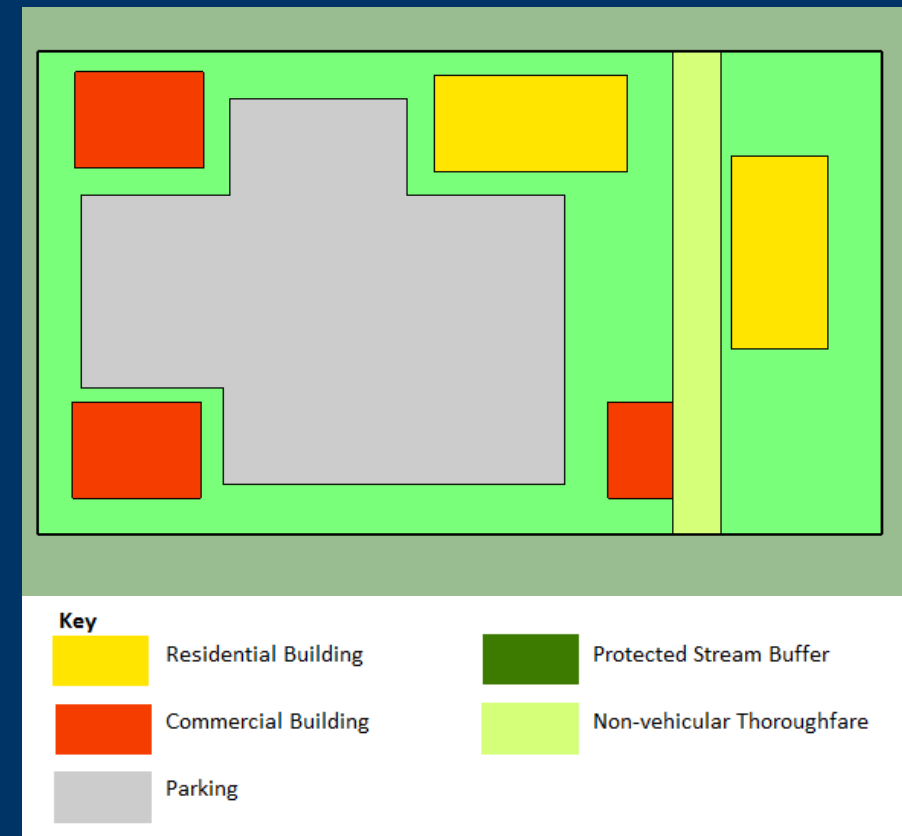
As currently required in the Blue Hill District, where feasible

- Block Length limits, Outdoor Amenity Space, Building Form standards, etc

REVIEW PROCESS:

Council review of Special Use Permit (for any project over 20,000 sq ft of building / 40,000 sq ft of land disturbance)

Sample Development Footprint



2. Enhanced Stormwater

Voluntary, Incentivized Path

STORMWATER REQUIREMENTS:

Treatment of 50% total post-construction impervious

USE AND DIMENSIONAL STANDARDS:

Current Blue Hill District standards (WX- and WR- Subdistricts)

Permitted Uses: Most Commercial and Residential uses	
Max Density: indirectly limited by Height, Setbacks, Open Space	Max Floor Area Ratio (FAR): indirectly limited by Height, Setbacks, Open Space
Max Height: Up to 90 ft / 7 stories	RCDs: Not required

2. Enhanced Stormwater

OTHER DEVELOPMENT STANDARDS:

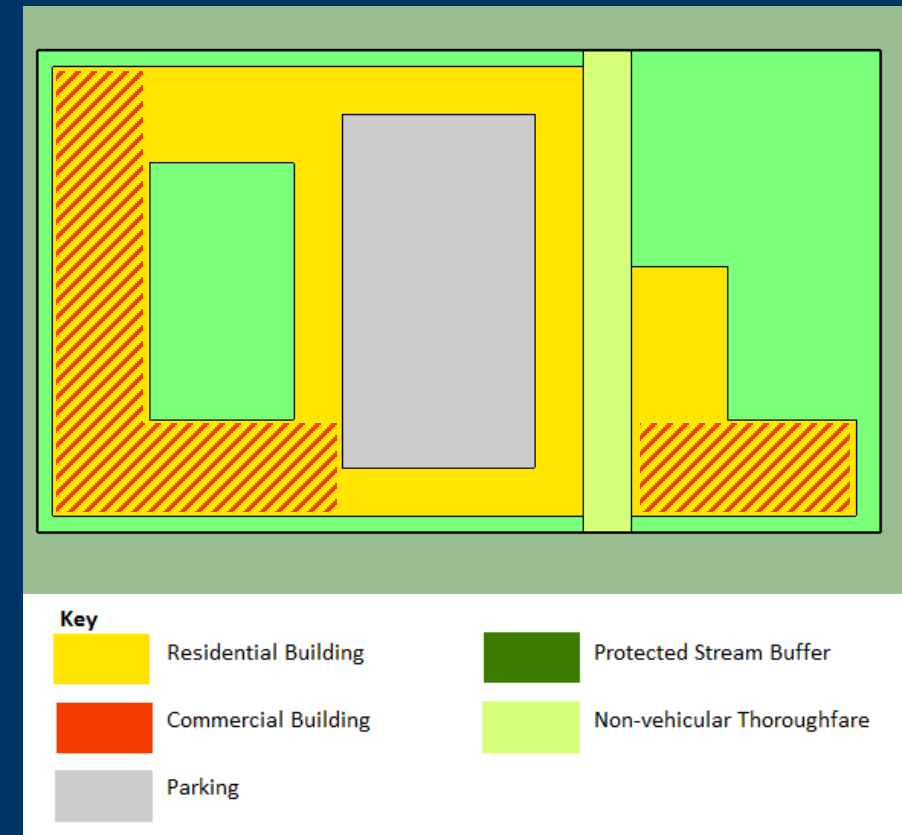
As currently required in the Blue Hill District

REVIEW PROCESS:

Staff review of Form District Permit

CDC review for Certificate of Appropriateness

Sample Development Footprint



Other Development Standards

STANDARD	Conventional	Enhanced Stormwater
Minimum Height 2 stories	?	✓
Minimum Story Heights	✓	✓
Minimum Setback 0 ft or 5 ft	?	✓
Maximum Setbacks by Frontage	?	✓
Streetscape – Wide Sidewalks and Street Trees	✓	✓
Outdoor Amenity Space – 6%	✓	✓
Maximum Block Length and Block Perimeter	✓	✓
Pass- Throughs for Longer Buildings	✓	✓
Building Mass Variation (Stepbacks, Modules, etc)	✓	✓
Minimum Transparency	✓	✓
Maximum Entrance Spacing	✓	✓
Building Materials List	✓	✓
Vehicular Parking – Blue Hill ratios	?	✓
Bicycle Parking – Blue Hill ratios	?	✓

Financial Modeling

- What kinds of projects could be developed under the rules for each proposed path?
- How would costs and values compare, and what does that tell us about the likelihood of applicants using each path?



Development Scenarios

Key



Residential Building



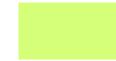
Commercial Building



Parking

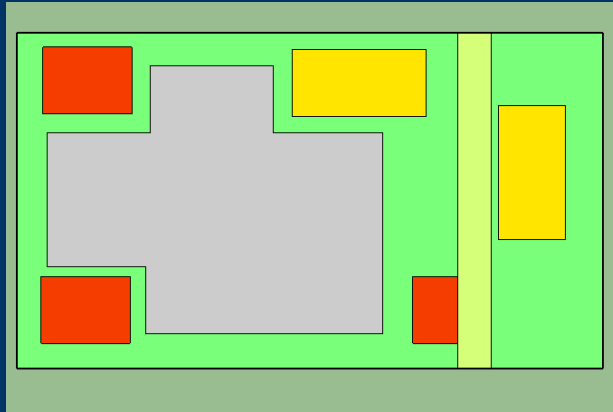


Protected Stream Buffer

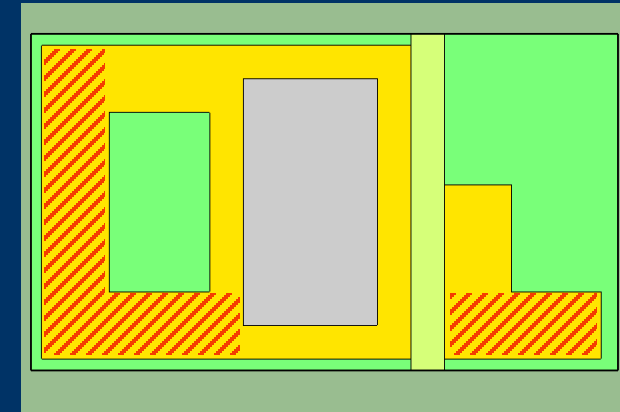


Non-vehicular Thoroughfare

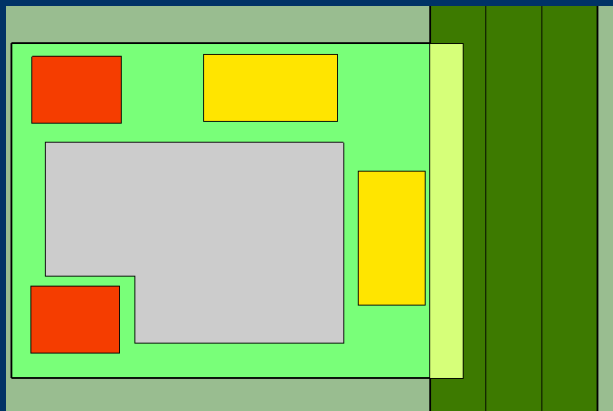
1A. Conventional Path, no stream



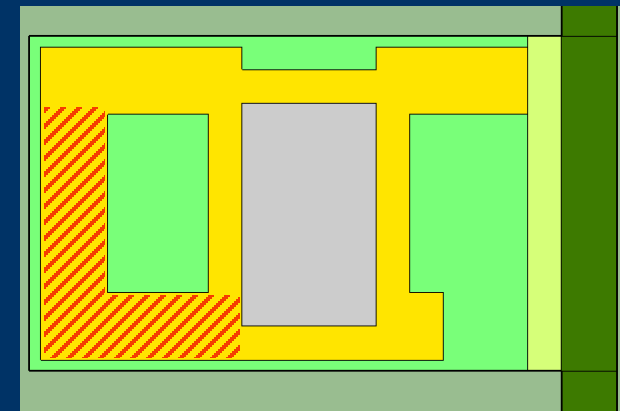
2A. Enhanced Stormwater, no stream



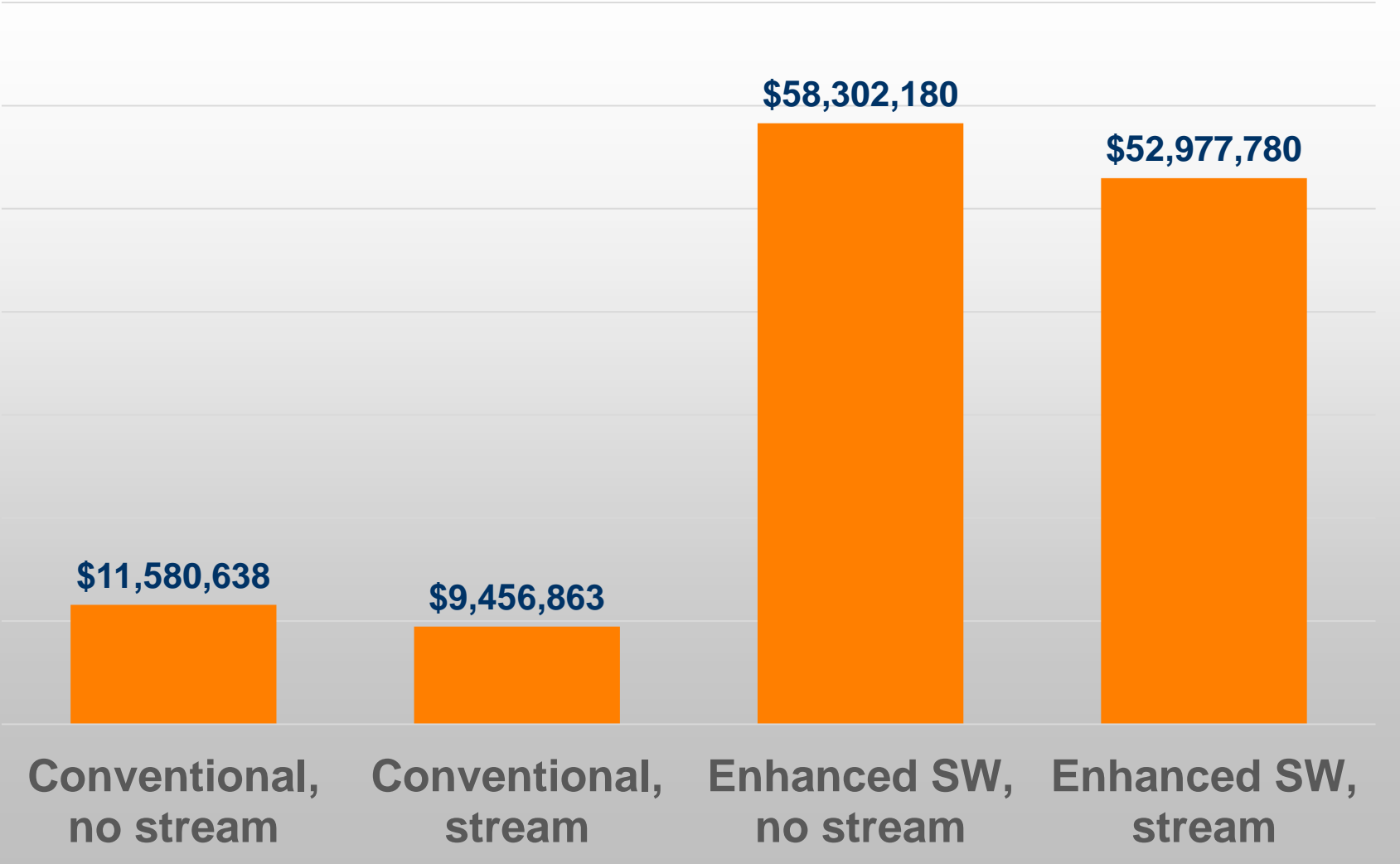
1B. Conventional Path, with stream



2B. Enhanced Stormwater, with stream



Total Value



Financial Modeling - Findings

DEVELOPMENT POTENTIAL:

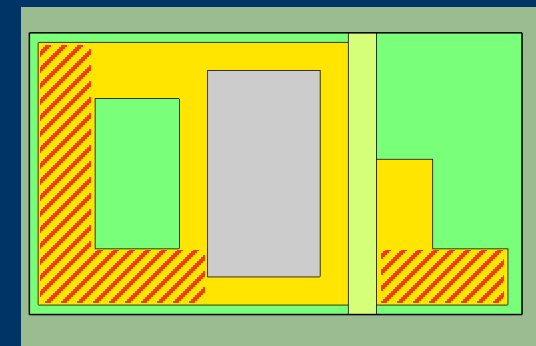
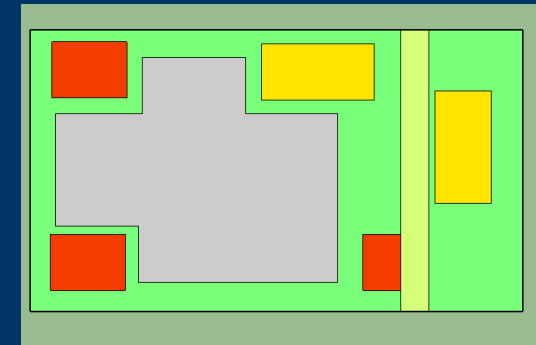
Building square footage reduced by ~80% under Conventional Path, due to FAR limits

STORMWATER COSTS:

Higher for Enhanced Stormwater projects, but only a small portion of total development costs

LAND SHARE OF DEVELOPMENT COSTS:

Very high under Conventional Path (23-25%)
Developers typically look for 10% or less



Other Opportunities Considered

- **IMPERVIOUS SURFACE LIMITS**
Less effective for sites already developed
- **LOW IMPACT DEVELOPMENT STRATEGIES**
May be out of context in District
- **INCREASED OPEN SPACE/
GREEN SPACE**
Requires determination of standards
- **RAINWATER CAPTURE AND REUSE**
Effectiveness depends on irrigation needs



Stakeholder Engagement

Town Council - Initial Update

Environmental Stewardship Advisory Board

Stormwater Mgmt Utility Advisory Board

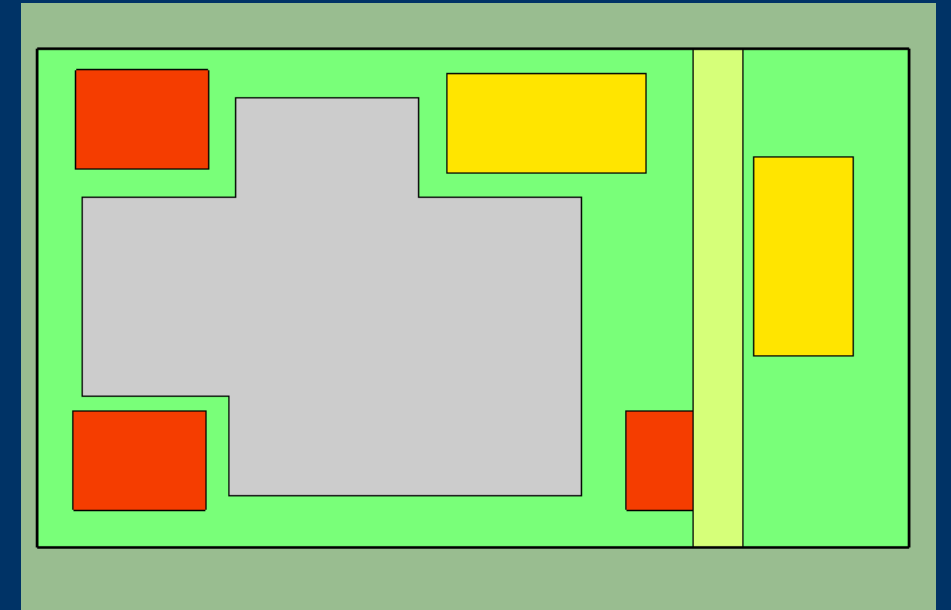
Blue Hill property owners & managers

Stakeholder Input

- Support for this approach – given the limitations on what we can regulate
- Water quality is important to community
- Could be beneficial if Jordan Lake rules are restored in the future
- Make sure Enhanced Stormwater is understood as voluntary and reflected as such in permits
- Enhanced Stormwater an attractive option for sites constrained by RCD's

Specific Topics for Commission Feedback

- **Permitted Uses:**
Same for both paths?
- **Setbacks:** Should Conventional Path have a maximum? How to best apply?
- **Minimum Height:** 2 stories for Conventional?
- **Parking:** Different ratios for Conventional?
(potentially more auto-oriented)



Next Steps

May 13, 2019 Public Information Meeting

May 21, 2019 Planning Commission
– seeking recommendation

May 22, 2019 Council Public Hearing

June 2019 Consider Action
on Text Amendment

Staff Recommendation

- Receive the presentation
- Questions, public comment, and discussion
- Continue discussion to May 21

Recommendations to Council

1. Consistency with Comprehensive Plan
2. Enact Text Amendment

Discuss Proposed Text Amendment

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