

Date: June 30, 2022
To: Dan Strauss, Chair, Land Use Committee
From: Nathan Torgelson, SDCI Director
Rico Quirindongo, OPCD Acting Director

Subject: Response to City Council SLI on Design Review

This memo provides an update on our work to convene a stakeholder group to review the Seattle Design Review process in response to Council's Statement of Legislative Intent (SLI).

Background

In 2021, Council adopted SLI SDCI-004-A-001 that requests that SDCI report on Design Review program outcomes, process improvements and equity. As part of the SLI, the Council asked SDCI to convene a stakeholder group to provide a report on Design Review Program outcomes. The stakeholder group is requested to represent a range of interests and include BIPOC professionals and residents to conduct a Racial Equity Toolkit (RET) analysis of the Design Review Program. In addition to the RET, the report to Council should include the following:

- Analysis of whether the Design Review Program creates barriers to BIPOC participation and whether it reinforces racial exclusion;
- Design Review times since the program was modified in 2017, by design review type and project complexity;
- Design review departures (number and percentage of projects seeking departures, by design review type, project type, specific departures, and whether they were granted);
- Analysis of whether the program increases housing costs;
- Review of best practices in other cities' design review programs with significant public participation; and
- Recommendations to modify the Design Review Program in light of stakeholder input.

SDCI is partnering with OPCD on this work. The Council requested that SDCI report to the Land Use Committee by June 30, 2022. Due to reasons explained in this memo, SDCI and OPCD propose to provide the report March 15, 2023.

Current and completed work

SDCI and OPCD are currently making progress and have accomplished the following:

- Convened a stakeholder group (See **Attachment 1: Design Review SLI Stakeholder Group**, with information about represented interests and BIPOC professionals/residents)
- Took the Racial Equity Toolkit training from the Seattle Office of Civil Rights (SOCR), and in turn, trained and delivered this information to the stakeholders at our first two meetings.
- Hired consultants who specialize in racial equity and facilitation (Paradigm Shift Seattle); at the request of SDCI and OPCD they did targeted outreach and identified additional stakeholders to represent BIPOC community professionals and residents.
- Hired economic consultants (Community Attributes) to examine the question of housing costs related to design review.
- Met with ECONW to understand their 2020 report on permit timelines and the question of related housing costs (prepared by ECONW for the Downtown Seattle Association).
- Identified paying a stipend to stakeholders as a way to improve racially equitable outcomes.
- Held two stakeholder group meetings in May 2022 that included Racial Equity Toolkit training and initial discussions related to the SLI.
- Held a third Stakeholder meeting June 22, 2022 that included a first Stakeholder discussion of the Design Review Program and racially equitable outcomes, as well as an initial presentation by Community Attributes Inc. related to an economic analysis of Design Review. Stakeholders also provided feedback related to the economic analysis. SDCI also asked stakeholders to reach out with any suggestions of comparable cities that should be examined for design review best practices.
- Completed analysis of design review departures (see **Attachment 2: Design Review Departures and Adjustments Summary Report**).

Why do we need to adjust the timeline?

The SLI asked SDCI to convene the Stakeholder group, conduct the Racial Equity Toolkit, gather the data, and report back to Council by June 30, 2022.

After identifying an initial group of stakeholders and taking the Racial Equity Toolkit training from SOCR, SDCI and OPCD realized that the group was lacking representation from BIPOC communities most impacted by structural racism. With the help of our Change Team and SOCR guidance, SDCI and OPCD staff also realized we were focusing the Racial Equity Toolkit (RET) process on white supremacy cultural values such as

favoring deadlines over equitable outcomes. To keep the work accountable to the RET, we made the following adjustments:

- We worked with SOCR to identify where the draft RET was lacking, including step 2, involving stakeholders who are the most impacted by structural racism, which has a cascading effect on the steps that follow.



- We worked with leadership and the consultant Paradigm Shift Seattle to identify and invite additional stakeholders to the group.
- We used the SOCR training materials as a basis for coordinating the Racial Equity Toolkit training for the stakeholder group.

The adjustments to the make-up of the stakeholder committee, improvement of the RET, and other preparations meant that the first Stakeholder Group meeting was held May 18, 2022.

Next Steps

The Stakeholder group meetings and interviews will conclude by December 2022. Report preparation is expected to take approximately two months. We anticipate being able to present this report to Council by March 15, 2023.

We will facilitate stakeholder discussions over the next four meetings. Paradigm Shift Seattle will conduct individual interviews of Stakeholders during July-August.

Paradigm Shift Seattle will also interview a few City staff who have experience conducting design review and working with racial equity.

The Stakeholder meetings and interviews will focus on the Racial Equity Toolkit, responding to the request in the SLI, "Analysis of whether the Design Review Program creates barriers to BIPOC participation and whether it reinforces racial exclusion."

The Stakeholder meetings and interviews will include the following:

- Identify opportunities for racially equitable improvements and modifications to the Design Review Program
- Identify how the Design Review Program can reduce structural racism in the development process and the extent to which the Design Review Program contributes to structural racism
- Identify which improvements and modifications would have the biggest positive impact on structural racism
- Identify where the group agrees on these, or where there are varied opinions
- Provide suggestions to staff regarding comparable cities to consider when researching best practices in design review
- Provide input to staff and Community Attributes regarding the planned direction for the economic consultants' studies

Community Attributes (CA) will gather information and conduct interviews related to the question of whether the Design Review Program increases housing costs. CA will ask for Stakeholder and staff input as they prepare this information and will present the information to the Stakeholders to help inform their discussion.

SDCI and OPCD staff will receive feedback from Stakeholders indicating which comparable cities to consider for design review best practices, research the information, and provide this information in the report to Council.

SDCI staff is also working to identify data related to the SLI question of "Design Review times since the program was modified in 2017, by design review type and project complexity." SDCI will provide this information in the report to Council.

Challenges and Opportunities

In our work to date we have identified challenges and opportunities to bring to your attention.

Challenge: It takes continual work to keep equity as the focus in this effort, both with Stakeholders and all aspects of City leadership.

We need to:

- Recognize the stakeholder group has a limited number of participants and it has been difficult to identify and include those most affected by structural racism into the group, continue to identify whose voices are missing from this process and recommend potential changes to increase racial equity.
- Be transparent about how power dynamics impact the meetings, leadership discussions and outcomes.
- Continue to focus on racially equitable outcomes in the Stakeholder meetings.
- Ensure that outcomes are shaped by the Racial Equity Toolkit process, with the understanding of who is impacted by structural racism and benefits/burdens. Paradigm Shift Seattle noted that setting an outcome of faster review times at the beginning of this process creates conflict with the goal of improving involvement in the Design Review Program process.
- Conduct RET work to make sure recommendations do not place additional burdens on communities of color or have other unintended consequences.

Opportunities:

- This process is an opportunity to engage with communities who have not commonly interacted with the Design Review Program in the past and find out how design review can become more accessible to all.
- We can build trust with BIPOC communities by being transparent about how City regulations, power dynamics, and white supremacy work culture have enforced structural racism, and by identifying how we will change to reduce structural racism.
- We can lead with racial equity, understanding that making changes to improve racial equity will benefit everyone who interacts with the Design Review Program.

Our goal is to further improve this important program so that it is more equitable, accessible, predictable, and less complex for everyone. We thank you for your attention to this important City program and are available to answer any questions or provide additional information.

Attachment 1: Design Review SLI Stakeholder Group

Related Organization	Stakeholder Name	How this fits in with categories listed in the SLI: affordable housing advocates and developers, design professionals, SDCI staff, "density advocates" (per SLI wording), and individual representatives or members from neighborhood organizations that participate in Design Review Board meetings	Criterion 1: identifies as BIPOC professional or resident (goal: over 50% representation)	Criterion 2: Familiar with Design Review as an applicant (developer, design professional, etc.), Board member, public participant	Criterion 3. Past stakeholders from 2016 effort, to provide continuity (goal: 1 or 2 from past effort)	Criterion 4. Neighborhood/Board area (goal of all the city Board areas represented)
Housing Development Consortium (HDC)	Chad Vaculin	affordable housing advocates and developers. Selected by Patience Malaba since she didn't have capacity (we contacted Patience following recommendation by Seattle for Everyone). Chad is HDC's Advocacy and Mobilization Director		affordable housing developer		citywide interests
	Chris Colley	participant in Design Review (as current Board member, term ending when new Board members are appointed). Chris is with Graham Construction.	x	DRB member		SE DRB area
	Donna Moodie	affordable housing advocates and developers (Community Roots Housing); neighborhood organizations that participate in Design Review Board meetings; owns a business in Central Area; Capitol Hill EcoDistrict and Central Area LURC	x	community member		East and Central Area DRB areas
	Frank Miranda	(suggested by OH) Affordable Housing advocates and developers: Duwamish Valley Affordable Housing Coalition. Added following focused outreach by consultants to respond to equitable outcome goals and RET	x	unclear		citywide interests
American Institute of Architects— Seattle chapter, Urban Design focus (AIA)	Gladys Ly-Au Young	design professional; will represent (AIA Seattle AIA Washington Legislative Liaison) interests. Will do periodic updates to AIA design review committee and convey that feedback at the stakeholder meetings.	x	applicant		citywide interests
	Grace Kim	design professional	x	applicant		citywide interests
	Hamdi Abdulle	(suggested by OH) Affordable housing advocates and developers: African Community Housing and Development. Added following focused outreach by consultants to respond to equitable outcome goals and RET	x	yes, has experience with DR		citywide interests
	Jamie Lee	(suggested by OH) Affordable housing advocates and developers: SCIDpda - works with homelessness and transitional housing. Added following focused outreach by consultants to respond to equitable outcome goals and RET	x	limited experience with DR, more with ISRD (Shelley meeting with them 5/24 to provide DR overview)		focused expertise in Chinatown/ID
	John Feit	neighborhood organizations that participate in Design Review Board meetings (PPUNC)		community member: frequently commenting for PPUNC		East DRB, Pike Pine Conservation District located in Capitol Hill
	Justin Allegro	SDCI/OPCD did not make this selection or apply the selection criteria to this stakeholder. Was on the QA Community council. Director, State Government Relations at The Nature Conservancy		unclear		West DRB area
Seattle for Everyone	Maria Barrientos	SDCI/OPCD did not make this selection or apply the selection criteria to this stakeholder. Specific density advocate. Seattle for Everyone identified this stakeholder to represent them. Maria is also a developer	x	applicant		citywide interests
	Pat Foley	developer/density advocate (Lake Union Partners); participant in Design Review Board meetings as an applicant and past Board member (NW DRB)		applicant	yes	NW DRB area
Downtown Seattle Association (DSA)	Patrick Gordon	SDCI/OPCD did not make this selection or apply the selection criteria to this stakeholder. Design professional. DSA identified this stakeholder to represent them		applicant		citywide interests
MBA	Roque Deherrera	developer/density advocates		applicant		citywide interests
	Sharon Khosla	neighborhood organizations that participate in Design Review Board meetings; also a recent Design Review Board member who helped write the Central Area Design Guidelines	x	past DRB member, helped write the Central Area Design Guidelines, Central Area community groups		Central Area DRB area

Attachment 1: Design Review SLI Stakeholder Group

	Stephen Porter	developer/density advocate (Onni Group); participant in design review (as applicant and past DT Board member)		past DRB member and applicant		Downtown DRB area
NAIOP	Tejal Pastakia	NAIOP multifamily developer. Specific density advocate recommended by Seattle for Everyone letter dated 1/28/22.	x	applicant		citywide interests
ASLA	Todd Bronk	design professionals; past Design Review Board member		past DRB member		SW DRB area
NW Chapter of Urban Land Institute (ULI)	Todd Lee	SDCI/OPCD did not make this selection or apply the selection criteria to this stakeholder. ULI identified this stakeholder to represent them. Developer/density advocate		unclear		citywide interests

This group may still be missing voices of those most impacted by structural racism related to the Design Review Program, specifically people who have lacked access and representation in the design review process. SDCI and OPCD worked with Paradigm Shift Seattle to do specific outreach to meet this Racial Equity Toolkit requirement, and added 3 people at the suggestion of OH (identified in list above). We will continue to examine how to include voices of those most impacted by structural racism related to Design Review.

Attachment A: Design Review SLI Stakeholder Group

Stakeholder group summary						
Related Organization	Stakeholder Name	How this fits in with categories listed in the SLI (affordable housing advocates and developers, design professionals, SDCI staff, density advocates, and individual representatives or members from neighborhood organizations that participate in Design Review Board meetings)	Criterion 1: BIPOC professional or resident (goal: over 50% representation)	Criterion 2: Familiar with Design Review (past DR board member, applicant for x number of projects x number of districts, etc., what type of DR? Housing type?)	Criterion 3. Past stakeholders from 2016 effort, to provide continuity (potential goal: 1 or 2 from past effort)	Criterion 4. Neighborhood they live or work in (potential goal of all the city represented)
		19 members with the following representation (several stakeholders have multiple experiences and provide various perspectives):	53%	Yes, with possible exception of those not selected using criteria and those added to meet Racial Equity Toolkit	1	All DRB areas specifically represented except NE. Several city-wide interests on the list.
		5 affordable housing developers				
		4 design professionals				
		6 "density advocates" per SLI (including developers and specific density advocates)				
		6 market rate developers				
		5 DRB members (past or present)				
		3 neighborhood organizations				
		1 HDC rep				
		1 AIA rep				
		1 Seattle for Everyone rep (plus another recommended by them)				
		1 DSA rep				
		1 MBA rep				
		1 NAIOP rep				
		1 ASLA rep				
		1 ULI rep				



Attachment 2: Design Review Departures and Adjustments Summary Report

June 2022

Executive Summary

Design review departures and adjustments provide flexibility in the application of development standards. Design Review acknowledges the unique site conditions present for each development proposal and allows applicants to modify certain code requirements, providing flexibility for innovative design solutions that are unique to the site and the context.

Administrative Design Review and Full Design Review allow departures from a broad range of Land Use Code requirements. Streamlined Design Review allows “adjustments,” which are smaller modifications of a limited number of code requirements. Departures and adjustments may be granted by SDCI if the design with the departure/adjustment better meets the intent of the adopted Design Guidelines (SMC 23.41.012 and 23.41.018.F).

The purpose of this report is to respond to the City Council Statement of Legislative Intent dated November 16, 2021 and the specific request to provide “An analysis of departures sought through the program that quantifies the number and percentage of projects, by design review and project type, seeking departures, identification of departures sought, and whether those departures were granted.”

This report quantifies:

- 1) Requested departures/adjustments vs. granted departures/adjustments
- 2) Types of departures/adjustments requested
- 3) Potential of departures/adjustments to increase building floor area, which allows applicants to recover some of the costs of going through Design Review and other permitting processes

SDCI identified a sample and analyzed a total of 68 permits, including 19 Streamlined Design Review (SDR) Building permits, 21 Administrative Design Review (ADR) Master Use Permits (MUPs), and 28 Full Design Review (FDR) MUPs. Sixty-nine percent of the sample permits included departure or adjustment requests.

The most common type of departures and adjustments across all permit types were related to setback and separation requirements. Setbacks and separation between buildings are used to mitigate the height, bulk, and scale of the new building; provide access to light and air; accommodate green space and usable outdoor space; and better help new development fit into the existing neighborhood context.

Design review granted a significant majority (91%) of the departures and adjustments of these development standards, using the Design Guidelines to evaluate unique site conditions.

Departures and adjustments can be used to provide both flexibility and increase profits or offset permit review costs of new development through reduced setbacks and separations, reduced modulation, and increased façade length. These departures and adjustments may allow larger buildings and simplified building envelopes with lower construction costs than would be possible with a Land Use Code-compliant design, within the permitted Floor Area Ratio limits. Eighty-five percent of the sampled permits included requests for these types of departures and adjustments (figure 10).

In summary, the Design Review process provides a mechanism for design flexibility through departures and adjustments, while meeting the intent of the Land Use Code and adopted Design Guidelines.

Background

What are departures and adjustments?

Departures and adjustments provide flexibility in the application of development standards for Master Use Permits to modify certain code requirements (specified under SMC 23.41.012 and SMC Section 23.41.018.D.3), thereby providing greater flexibility and potential for innovative design solutions to each unique site. For example, a project may include increased or reduced front setbacks to match existing building patterns on the surrounding block, resulting in a more sympathetic design to the existing neighborhood character.

How are departures and adjustments granted?

Applicants may request departures or adjustments through the Design Review process, including Streamlined Design Review (adjustments), Administrative Design Review (departures), and Full Design Review (departures).

- **Streamlined Design Review:** Type I Decision (not appealable to the Seattle Hearing Examiner) reviewed by SDCI staff. Adjustments are smaller modifications and are only available for a designated set of Land Use Code development standards. (Requirements found in SMC Section 23.41.018.D.3)
- **Administrative Design Review:** Type II Decision (appealable to the Seattle Hearing Examiner) reviewed by SDCI staff. Departures are possible for modifications to a large list of Land Use Code development standards. (Requirements found in SMC 23.41.012)
- **Full Design Review:** Type II Decision (appealable to the Seattle Hearing Examiner). Departures are reviewed by Design Review Boards. Departures are possible for modifications to a large list of Land Use Code development standards. - (Requirements found in SMC 23.41.012)

SMC 23.41.012 and 23.41.018 state that departures and adjustments may be granted if the design with departure better meets the intent of the adopted Design Guidelines. Some examples of how a design with departure can meet this criterion are:

- The departure helps reinforce an architectural concept
- The departure allows for more usable open space
- The departure allows a better response to adjacent development

SDCI can grant departures to modify Land Use Code requirements including:

- Setbacks
- Building modulation
- Transparency or blank facades at the street level facade
- Amenity area

- Landscaping
- Overhead weather protection

Projects with requested departures are required to include graphics in their Design Review proposals, illustrating the proposed design compared to the code compliant design. This allows the public, Design Review Boards, and SDCI staff to evaluate how the proposal better responds to unique site conditions and better meets the intent of the adopted Design Guidelines.



Departure example: A departure to allow larger than permitted front setbacks provided flexibility to address the unique site conditions and allowed the design to emphasize the existing landmark on site, as seen in image above (MUP 3031140-LU).

Methodology

A permit sample was identified from Administrative and Full Design Review Master Use Permits (MUPs) and Streamlined Design Review permits between July 1, 2018 and April 28, 2020. July 1, 2018 was the effective date of design review legislation (Ord 125429), which implemented significant changes to design review processes. April 28, 2020 was the effective date of COVID-19 related emergency legislation, which allowed some projects to convert from Full to Administrative Design Review and made some projects exempt from design review (Ord 126072). SDCI chose to exempt samples before or after these dates, since those would not be representative of the normal current design review requirements. The sample included issued MUPs (the decision point for granting any departures) and Building Permits (the decision point for granting any adjustments).

SDCI used the Design Review calendar of published notices of design review proposals and identified 334 design review records/permits that met these criteria. SDCI took a sample of these records, including representation in each of the following categories:

- Design Review type (Administrative, Full, and Streamlined Design Review types)
- Design Review Board area
- Use:
 - Affordable housing
 - Market rate residential or mixed-use
 - Townhouses
 - Congregate housing or assisted living
 - Office or hotel
 - Other uses

The full list of uses, types of design review, and summary of samples are available in Appendix A.

This process resulted in a sample size of 68 permits, comprised of 19 SDR, 21 ADR, and 28 FDR permits (Figure 1).

Design Review Types	Number of Projects
Streamlined Design Review	19
Administrative Design Review	21
Full Design Review	28
Total	68

Figure 1

Findings

The next sections provide findings outlined as follows:

- Section 1: Requested departures/adjustments vs. granted departures/adjustments
- Section 2: Type of departures/adjustments requested
- Section 3: Potential of departures/adjustments to increase building floor area

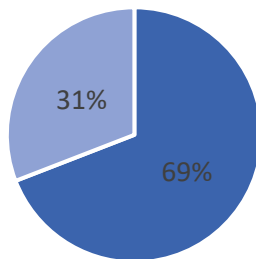
Each of the three sections is then further broken down into overall results and results by Design Review Type (SDR, ADR, FDR).

Section 1:

Requested Departures and Adjustments Overall

Overall, 69% of the permit sample requested departures or adjustments (figure 2). Ninety-one percent of the requested departures or adjustments were granted by SDCI, following a recommendation for approval by staff or by the Design Review Board (figure 3).

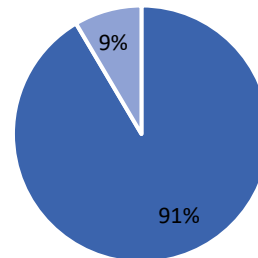
Projects with Requested Departures or Adjustments



■ Departures Requested ■ No Departures Requested

Figure 2

Granted Departures or Adjustments



■ Departures Granted ■ Not Granted

Figure 3

Requested Departures and Adjustments by Permit Type

Projects pursuing Administrative Design Review and Full Design Review had higher percentages for requested departures with 81% and 75%, respectively (figure 4). Only 47% of Streamlined Design Review projects requested adjustments (figure 4).

SDCI granted one hundred percent of the requested departures within this sample of Administrative and Full Design Review permits, and 56% of the requested adjustments for Streamlined Design permits (figure 5).

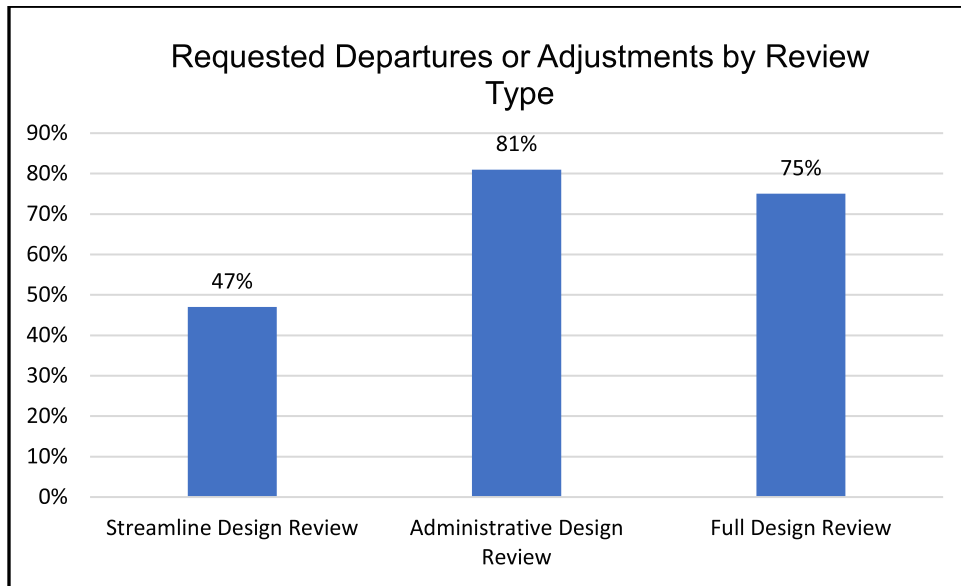


Figure 4

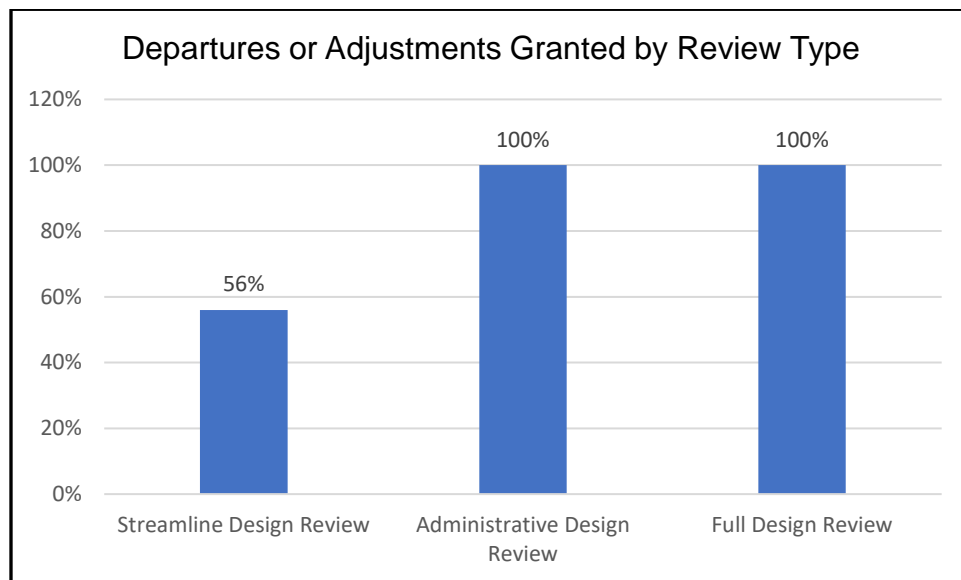


Figure 5

Section 2:

Types of Requested Departures and Adjustments

SDCI staff analyzed departures and adjustments by 1) type of departures requested overall and 2) for each design review type. Setbacks and separation departures requests were significantly more common than all other requested departures or adjustments in this sample with 32% of permits requesting departure and adjustment related to these standards (figure 6). The second highest percentage of departures and adjustments related to façade length and modulation with 13% of permits requesting departure and adjustment related to these standards (figure 6). The third highest percentage of departures and adjustments related to driveways, parking, and loading requirements with 12% of permits requesting departure and adjustment related to this standard (figure 6).

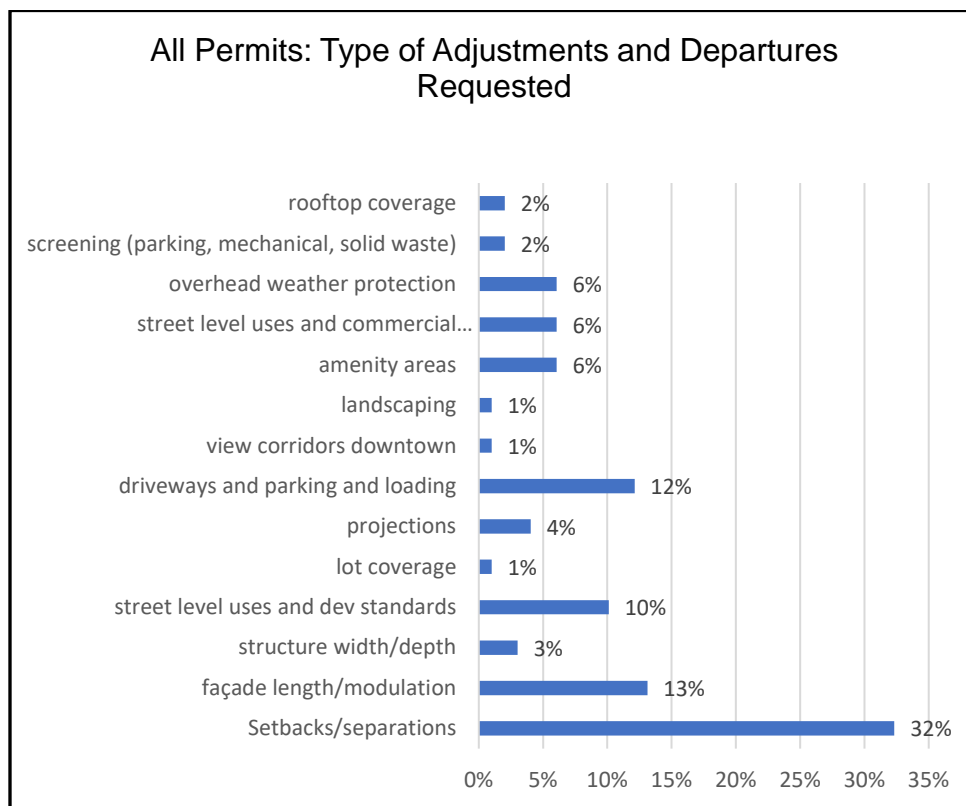


Figure 6

Streamlined Design Review Adjustments by Type

Thirty-two percent of SDR permits in this sample requested adjustment related to setbacks, separations, façade length and modulation, making up the largest adjustment requests for this permit type (figure 7).

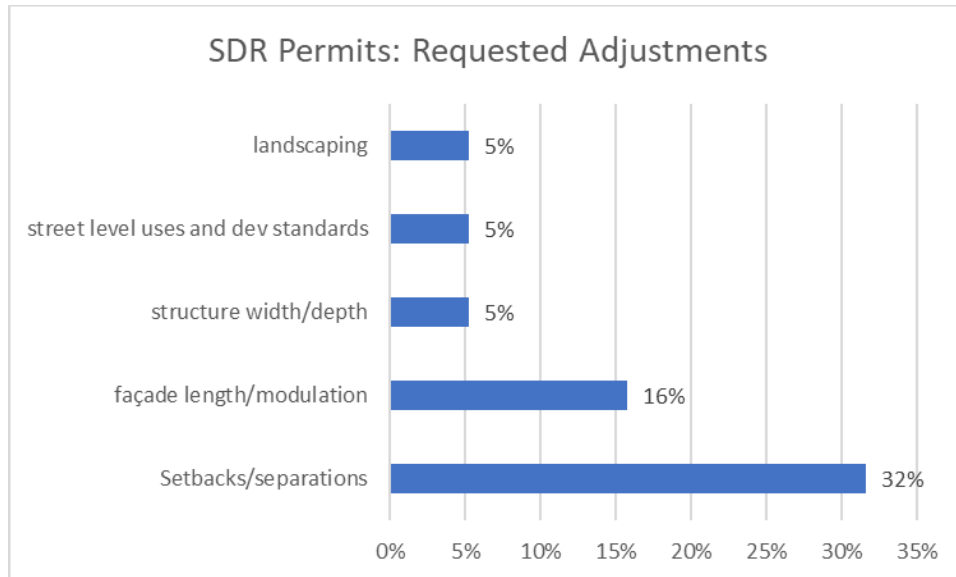


Figure 7

Administrative Design Review Departures by Type

Setbacks and separation departures requests were significantly higher than all other requested departures or adjustments with 57% percent of ADR permits in this sample requesting related departures, followed by street-level uses and amenity areas (29%), and façade length and modulation (24%) (figure 8).

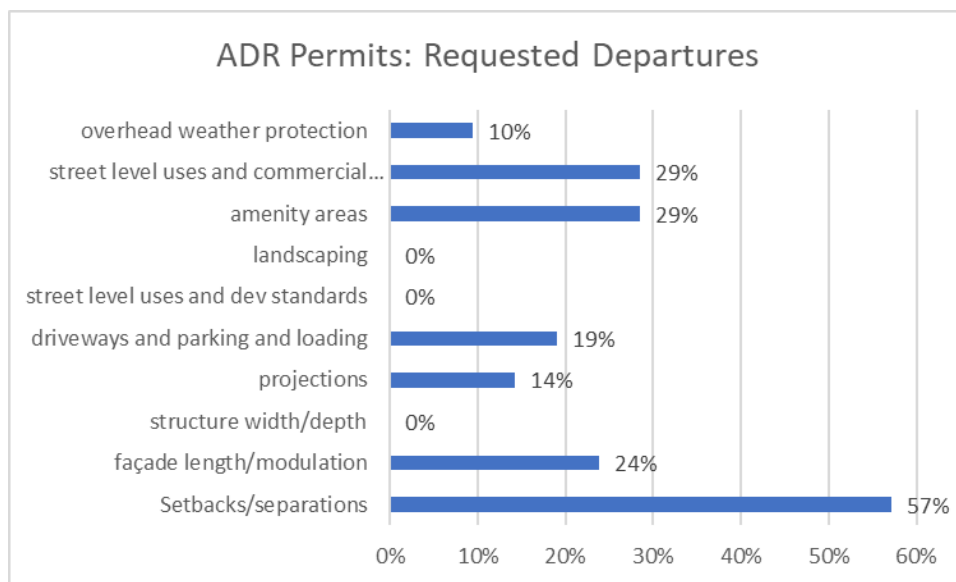


Figure 8

Full Design Review Departures by Type

Setbacks and separation departures requests were the highest percentage of requested departures for Full Design Review projects with 50% of FDR permits in this sample requesting departures related to these standards. This was followed by departures related to street-level uses and development standards (32% of permits), and driveways, parking, and loading (29% of permits) (figure 9).

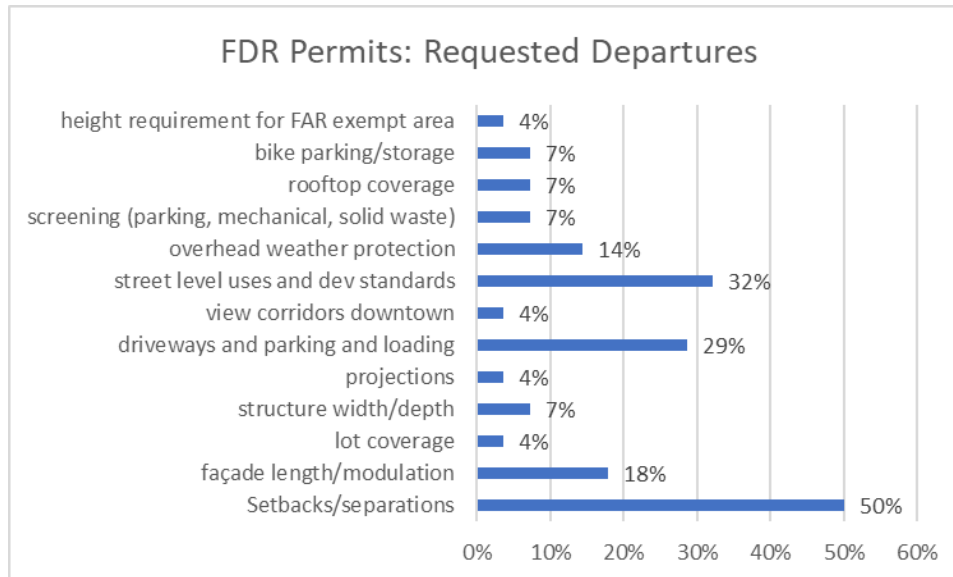


Figure 9

Section 3:

Potential to Increase Building Floor Area

Some departure and adjustment types have the potential to increase floor area or simplify the construction of the building envelope, both of which can allow increased profitability and reduce or offset the overall cost of design review and other permitting processes. These departures and adjustments allow reduced setbacks and separations, reduced modulation, and increased façade length. There is a limit to how much a building floor area may be increased through departures or adjustments, since Floor Area Ratio limits are not eligible for departures or adjustments. Departure and Adjustment types that would not or would be unlikely to add to floor area include changes to street-level uses and street-level development standards; modified landscaping and amenity requirements; reduced overhead weather protection; and screening.

Overall, 85% of permits with requested departures and adjustments in this sample have the potential to increase floor area of buildings (figure 10). Fifteen percent of departures and adjustments would not or are not likely to increase floor area (figure 10).

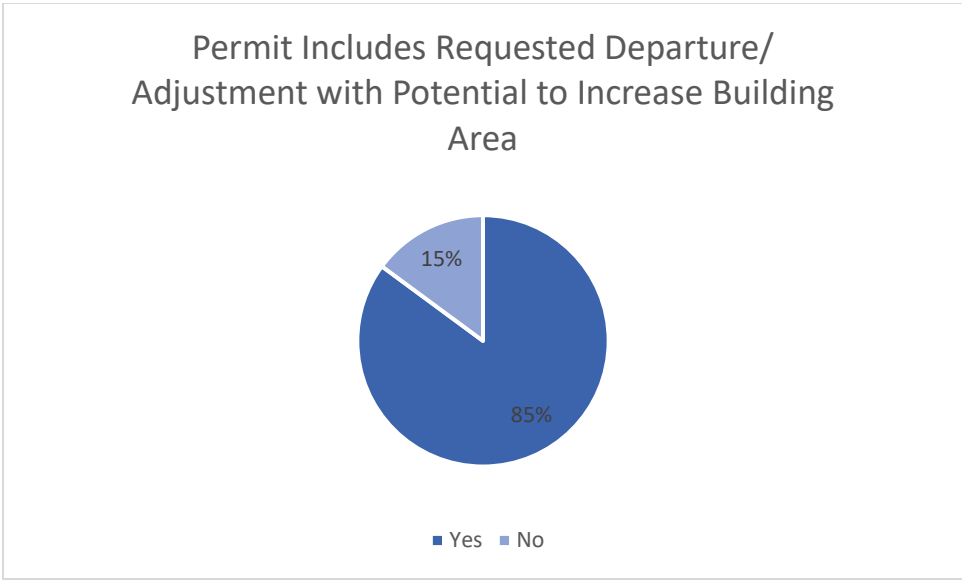


Figure 10

Potential to Increase Building Floor Area: Streamlined Design Review

Seventy-eight percent of the permits with requested Streamlined Design Review adjustments in this sample have the potential to increase floor area of proposed buildings with the requested adjustments (figure 11). Twenty-two percent of adjustments in this sample would not increase or are unlikely to increase floor area (figure 11).

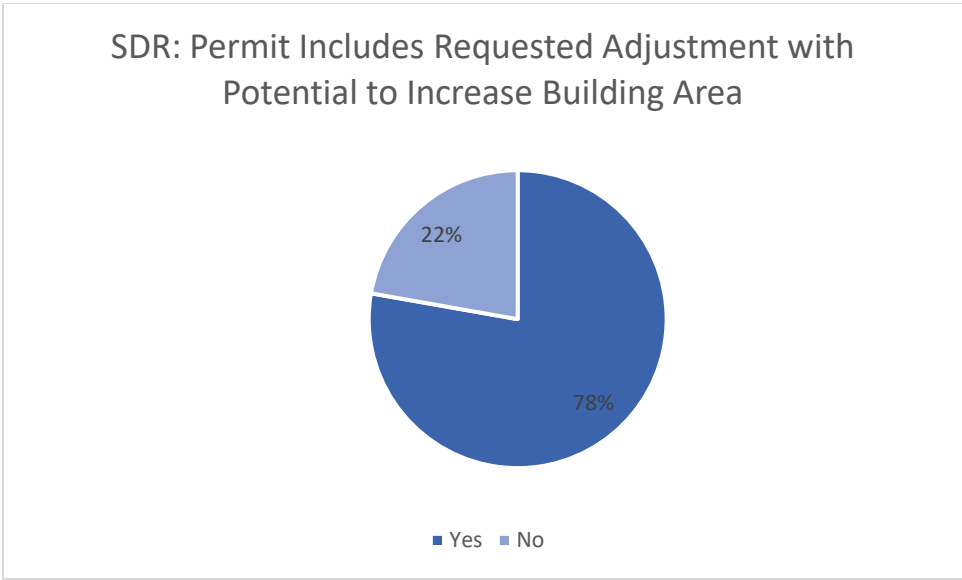


Figure 11

Potential to Increase Building Floor Area: Administrative Design Review

Eighty-two percent of permits with requested departures in the ADR sample have departures with the potential to increase floor area (figure 12). Eighteen percent of these permits include departures that are unlikely increase floor area (figure 12).

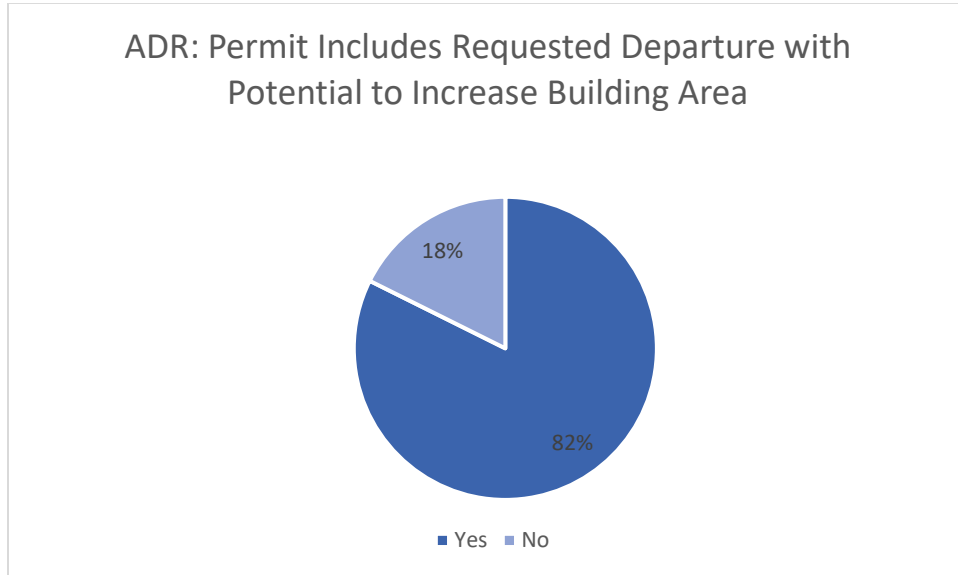


Figure 12

Potential to Increase Building Floor Area: Full Design Review

Ninety percent of permits with requested departures in the Full Design Review sample have departures with the potential to increase floor area (figure 13). Ten percent of these permits include departures that are unlikely to increase floor area (figure 13).

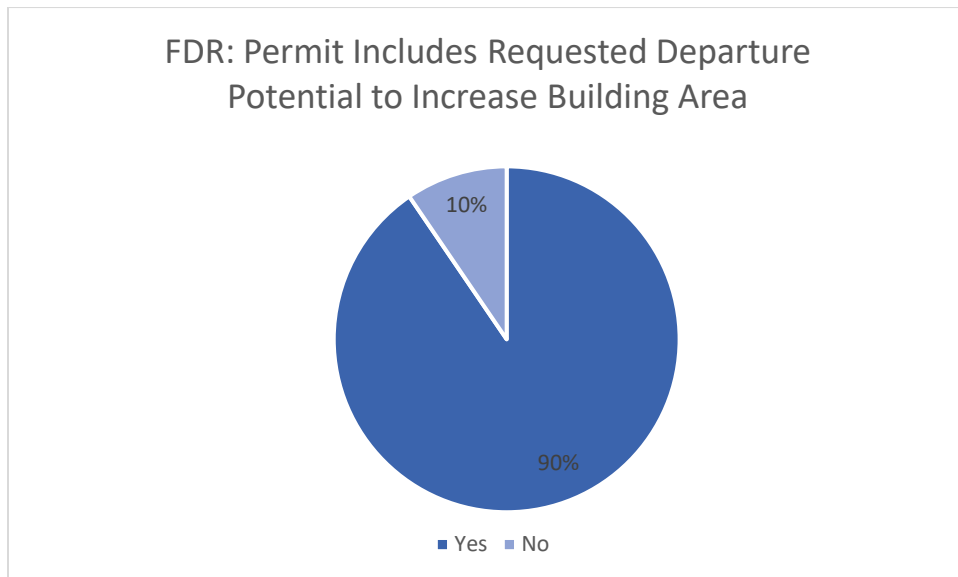


Figure 13

Appendix A:
Design Review Departures and Adjustments
Sample and Summaries

Overall Summary of all Adjustments and Departures

Use	Design Review Type	Sample Size*	Note about Sample Size	Number of records with departures/adjustments requested	Percent of records with departures/ adjustments requested	Number of records with departures/ adjustments granted	Percent of records with departures/ adjustments granted (if requested)
Townhouses	Streamlined Design Review	7		5	71%	1	14%
Townhouses*	Streamlined Design Review *due to 2019 rezoning from SF	7	only 7 examples within criteria	1	14%	0	0%
Other uses (not Townhouses)	Streamlined Design Review	5	only 5 examples within criteria	3	60%	3	100%
Total	Streamlined Design Review	19		9	47%	5	56%
Affordable Housing	Administrative Design Review**	8		7	88%	7	100%
Market rate residential or mixed use	Administrative Design Review**	7		5	71%	5	100%
Townhouses	Administrative Design Review**	6	none in Central and Downtown areas	5	83%	5	100%
Total	Administrative Design Review	21		17	81%	17	100%
3-8 story residential and mixed use	Full Design Review	8		5	63%	5	100%
9+ story residential and mixed use	Full Design Review	6	No examples in some areas	6	100%	6	100%
Congregate Housing or Assisted Living	Full Design Review	3	only 3 examples within criteria	2	67%	2	100%
Office orHotel	Full Design Review	6	No examples in some areas	4	67%	4	100%
Townhouses	Full Design Review	5	No examples in some areas	4	80%	4	100%
Total	Full Design Review	28		21	75%	21	100%
Total for all uses and all Design Review Types		68		47	69%	43	91%

* Sample Size was taken from projects between 7/1/2018 (effective date of Design review legislation Ord 125429) and 4/28/2020 (effective date of emergency legislation affecting Design Review process Ord 126072), for issued MUPs or Building Permits (decision point for granting any departures/adjustments)

**Projects subject to ADR only due to emergency legislation Ord 126072 were removed from the sample, since they were reviewed under both ADR and Full DR and experienced additional delay due to COVID-19 halting public meetings, before the emergency legislation was enacted: therefore they are not a good representation of average process for either type of design review.

SLI requires, "An analysis of departures sought through the program that quantifies the number and percentage of projects, by design review and project type, seeking departures, identification of departures sought, and whether those departures were granted;"

Summary of Adjustments Departures by **Type of Design Review**

All Projects, All Design Review Types: Adjustments and Departures	Total Projects seeking adjustment/ departure		Total Projects granted adjustment/ departure if requested		Adjustment/ Departure may increase building area
	Number	Percent	Number	Percent	
setbacks/separations	32	47%	30	94%	Yes
façade length/modulation	13	19%	12	92%	Yes
structure width/depth	3	4%	3	100%	Yes
street level uses and dev standards	10	15%	10	100%	Not likely
lot coverage	1	1%	1	100%	Yes
projections	4	6%	3	75%	Yes
driveways and parking and loading	12	18%	12	100%	Possibly
view corridors downtown	1	1%	1	100%	Yes
landscaping	1	1%	0	0%	Not likely
amenity areas	6	9%	6	100%	Not likely
street level uses and commercial depth/height	6	9%	5	83%	Possibly
overhead weather protection	6	9%	6	100%	No
screening (parking, mechanical, solid waste)	2	3%	2	100%	No
rooftop coverage	2	3%	2	100%	Not likely
bike parking/storage	2	3%	2	100%	No
height requirement for FAR exempt area	1	1%	1	100%	Possibly

SDR Adjustment	Total SDR Projects seeking adjustments		Total SDR Projects with adjustments granted		SDR Adjustment may increase building area
	Number	%	Number	%	
SDR samples with any adjustment	9	47%	5	56%	Possibly
setbacks/separations	6	32%	4	67%	Yes
façade length/modulation	3	16%	2	67%	Yes
structure width/depth	1	5%	1	100%	Yes
street level uses and dev standards	1	5%	1	100%	Not likely
landscaping	1	5%	0	0%	Not likely

Summary of Adjustments Departures by **Type of Design Review**

ADR Departure	Total ADR Projects seeking departure		Total ADR Projects with departures granted (if requested)		ADR Departure may increase building area
	Number	%	Number	%	
ADR samples with any adjustment	17	81%	17	100%	Possibly
setbacks/separations	12	57%	12	100%	Yes
façade length/modulation	5	24%	5	100%	Yes
structure width/depth	0	0%	0	n/a	Yes
projections	3	14%	2	67%	Possibly
driveways and parking and loading	4	19%	4	100%	Possibly
street level uses and dev standards	0	0%	0	n/a	Not likely
landscaping	0	0%	0	n/a	Not likely
amenity areas	6	29%	6	100%	Not likely
street level uses and commercial depth/height	6	29%	5	83%	Not likely
overhead weather protection	2	10%	2	100%	Not likely

Full DR Departure	Total Full Design Review Projects seeking departure		Total Full Design Review Projects with departures granted		Full DR Departure may increase building area
	Number	%	Number	%	
FDR samples with any adjustment	21	75%	21	100%	Possibly
setbacks/separations	14	50%	14	100%	Yes
façade length/modulation	5	18%	5	100%	Yes
lot coverage	1	4%	1	100%	Yes
structure width/depth	2	7%	2	100%	Yes
projections	1	4%	1	100%	Possibly
driveways and parking and loading	8	29%	8	100%	Possibly
view corridors downtown	1	4%	1	100%	Possibly
street level uses and dev standards	9	32%	9	100%	Not likely
overhead weather protection	4	14%	4	100%	Not likely
screening (parking, mechanical, solid waste)	2	7%	2	100%	Not likely
rooftop coverage	2	7%	2	100%	Not likely
bike parking/storage	2	7%	2	100%	Not likely
height requirement for FAR exempt area	1	4%	1	100%	Possibly

Detailed Summary of Streamlined Design Review (SDR) Adjustments

Adjustment Type	Total SDR Projects seeking adjustments		Total SDR Projects with adjustments granted		SDR Adjustment may increase building area	Towhouses seeking this adjustment		Townhouses granted this adjustment		Towhouses (rezoned from SF)* seeking this adjustment		Towhouses (rezoned from SF)* granted this adjustment		Other uses seeking this adjustment		Other uses granted this adjustment		Code sections	Related zone
	Number	%	Number	%		Number	%	Number	%	Number	%	Number	%	Number	%	Number	%		
SDR samples with any adjustment	9	47%	5	56%	Possibly	5	71%	2	40%	1	14%	0	0%	3	60%	3	100%		LR
setbacks/separations	6	32%	4	67%	Yes	3	43%	2	67%	1	14%	0	0%	2	40%	2	100%	23.45.518	LR
façade length	3	16%	2	67%	Yes	2	29%	1	50%	0	0%	n/a	n/a	1	20%	1	100%	23.45.527	LR
structure width/depth	1	5%	1	100%	Yes	0	0%	n/a	n/a	0	0%	n/a	n/a	1	20%	1	100%	23.45.527	LR
street level uses	1	5%	1	100%	Not likely	0	0%	n/a	n/a	0	0%	n/a	n/a	1	20%	1	100%	23.47A.005	NC
landscaping	1	5%	0	0%	Not likely	1	14%	0	0%	0	0%	n/a	n/a	0	0%	n/a	n/a	23.45.522	LR

*Design review required due to rezoning from SF to LR in 2019

Detailed Summary of Administrative Design Review (ADR) Departures

ADR Departure	Total ADR Projects seeking departure		Total ADR Projects with departures granted (if requested)		ADR Departure may increase building area	Affordable Housing seeking departure		Affordable Housing granted departures		Market rate development seeking departure		Market rate development granted departures		Townhouses seeking departure		Townhouses granted departure		Code sections	Related zone
	Number	%	Number	%		Number	%	Number	%	Number	%	Number	%	Number	%	Number	%		
ADR samples with any adjustment	17	81%	17	100%	Possibly	7	88%	7	100%	5	71%	5	100%	5	83%	5	100%		
setbacks/separations	12	57%	12	100%	Yes	4	50%	4	100%	3	43%	3	100%	5	83%	5	100%	23.45.518	LR, MR
façade length	5	24%	5	100%	Yes	1	13%	1	100%	1	14%	1	100%	3	50%	3	100%	23.45.518, 23.45.527	LR, MR
structure width/depth	0	0%	0	n/a	Yes	0	0%	n/a	n/a	0	0%	n/a	n/a	0	0%	n/a	n/a		
projections	3	14%	2	67%	Possibly	0	0%	n/a	n/a	0	0%	n/a	n/a	3	50%	2	67%		
driveways and parking	4	19%	4	100%	Possibly	2	25%	2	100%	0	0%	n/a	n/a	2	33%	2	100%	23.45.536.B.2, 23.53.025.D, 23.54.030.B.2, 23.54.030.D.3	LR, MR
street level uses	0	0%	0	n/a	Not likely	0	0%	n/a	n/a	0	0%	n/a	n/a	0	0%	n/a	n/a		
landscaping	0	0%	0	n/a	Not likely	0	0%	n/a	n/a	0	0%	n/a	n/a	0	0%	n/a	n/a		
amenity areas	6	29%	6	100%	Not likely	3	38%	3	100%	2	29%	2	100%	1	17%	1	100%	23.47A.024, 23.45.522.A,	NC, C, LR, MR
street level uses and commercial depth/height	6	29%	5	83%	Not likely	5	63%	5	100%	1	14%	0	0%	0	0%	n/a	n/a	23.47A.005.C.1, 23.47A.005.D.1, 23.47A.008.A.3, 23.47A.008.B, 23.48.040.C, 23.48.740.A	NC, C, SM
overhead weather protection	2	10%	2	100%	Not likely	1	13%	1	100%	0	0%	n/a	n/a	1	17%	1	100%	23.45.518.H.1	LR, MR

Detailed Summary of Full Design Review Departures

Full DR Departure	Total Full Design Review Projects seeking departure		Total Full Design Review Projects with departures granted		Full DR Departure may increase building area	3-8 story Residential and Mixed-Use seeking departure		3-8 story Residential and Mixed-Use granted departure		9+ story Residential and Mixed-Use seeking departure		9+ story Residential and Mixed-Use granted departure		Congregate/ Assisted Living seeking departure		Congregate/ Assisted Living granted departure		Office/Hotel seeking departure		Office/Hotel granted departure		Townhouses seeking departure		Townhouses granted departure		Code sections	Related zone
	Number	%	Number	%		Number	%	Number	%	Number	%	Number	%	Number	%	Number	%	Number	%	Number	%	Number	%	Number	%		
FDR samples with any adjustment	21	75%	21	100%	Possibly	5	63%	5	100%	6	100%	6	100%	2	67%	2	100%	4	67%	4	100%	4	80%	4	100%		
setbacks/separations	14	50%	14	100%	Yes	5	63%	5	100%	2	33%	2	100%	1	33%	1	100%	3	50%	3	100%	3	60%	3	100%	23.45.518, 23.47A.014, 23.48.435, 23.75.140, 23.49.056.B, 23.49.058	LR, MR, HR, NC, C, SM, Downtown
façade length/modulation	5	18%	5	100%	Yes	1	13%	1	100%	1	17%	1	100%	0	0%	n/a	n/a	3	50%	3	100%	0	0%	n/a	n/a	23.45.518, 23.48.646, 23.49.058	LR, MR, HR, SM, Downtown
lot coverage	1	4%	1	100%	Yes	0	0%	n/a	n/a	1	17%	1	100%	0	0%	n/a	n/a	0	0%	n/a	n/a	0	0%	n/a	n/a	23.49.158	Downtown
structure width/depth	2	7%	2	100%	Yes	0	0%	n/a	n/a	1	17%	1	100%	0	0%	n/a	n/a	1	17%	1	100%	0	0%	n/a	n/a	23.49.164, 23.49.058	Downtown
projections	1	4%	1	100%	Possibly	1	13%	1	100%	0	0%	n/a	n/a	0	0%	n/a	n/a	0	0%	n/a	n/a	0	0%	n/a	n/a	23.45.518	LR, MR, HR
driveways and parking and loading	8	29%	8	100%	Possibly	0	0%	n/a	n/a	2	33%	2	100%	1	33%	1	100%	2	33%	2	100%	3	60%	3	100%	23.54.030.B.2, 23.54.030.D, 23.54.030.G, 23.54.035, 23.47A.032	Parking and Access - multiple zones
view corridors downtown	1	4%	1	100%	Possibly	0	0%	n/a	n/a	0	0%	n/a	n/a	0	0%	n/a	n/a	1	17%	1	100%	0	0%	n/a	n/a	23.49.024	Downtown
street level uses and dev standards	9	32%	9	100%	Not likely	2	25%	2	100%	2	33%	2	100%	1	33%	1	100%	2	33%	2	100%	2	40%	2	100%	23.48.040, 23.48.470,	C, NC, SM, Downtown
overhead weather protection	4	14%	4	100%	Not likely	0	0%	n/a	n/a	3	50%	3	100%	0	0%	n/a	n/a	1	17%	1	100%	0	0%	n/a	n/a	23.48.640.A.5, 23.49.018, 23.75.140	SM, Downtown, MPC-YT
screening (parking, mechanical, solid waste)	2	7%	2	100%	Not likely	0	0%	n/a	n/a	0	0%	n/a	n/a	1	33%	1	100%	0	0%	n/a	n/a	1	20%	1	100%	23.47A.012, 23.47A.016	C, NC
rooftop coverage	2	7%	2	100%	Not likely	0	0%	n/a	n/a	1	17%	1	100%	0	0%	n/a	n/a	1	17%	1	100%	0	0%	n/a	n/a	23.49.008	Downtown
bike parking/storage	2	7%	2	100%	Not likely	0	0%	n/a	n/a	0	0%	n/a	n/a	0	0%	n/a	n/a	0	0%	n/a	n/a	2	40%	2	100%	23.54.015	Parking and Access - multiple zones
height requirement for FAR exempt area	1	4%	1	100%	Possibly	0	0%	n/a	n/a	0	0%	n/a	n/a	0	0%	n/a	n/a	1	17%	1	100%	0	0%	n/a	n/a	23.49.11.B	Downtown