Zoning Text Amendment—Single Family Dwellings in Multi-Family Zoning Districts
Planning Commission Subcommittee Brainstorm Session #4
May 3, 2011

- **Define the Issues**
  - Single family homes in two/multifamily zoning districts are allowed the same maximum development standards as duplexes/triplexes. This "loophole" has resulted in large single family homes that are out of character with the neighborhood.
  - There is no disincentive to convert existing duplexes/triplexes to single family homes. This has resulted in a loss of housing stock, which is contrary to goals of the Housing Element.
- **Identify Possible Options (Attachment A)**
- **Review List of Converted Units (Attachment B)**
- **Review List of Approved Large Single Family Home Permits (Attachment C)**
- **Steps to Move Forward**
  - Further P/C Subcommittee Meetings
  - P/C Subcommittee Meetings with local architects
  - Establish a City Council liaison to vet issue
  - Type of Notice
    - Newspaper Ad (Minimum Legal Requirement)
    - Posted at City Hall (Minimum Legal Requirement)
    - Notice to all property owners affected
    - Notice on City's Website
    - Write-up in the Marinscope?
  - Forum for Discussion
    - P/C Workshop
    - P/C Meeting

Attachment A

❖ Identify Possible Options

Option		Pros	Cons	Impacts to Existing Residences
1	Limit single family homes in two/multi-family districts to the maximum development standards of single family homes in single family districts. That is, **single family homes** would be limited to **0.45 FAR and 35% Building Coverage** in the R 2-2.5 and R3 Districts. Homes that provide **2 units or more** would be limited to the existing standards of the applicable District: ❖ R 2-2.5: **0.65 FAR, 50% Building Coverage** ❖ R 3: **0.80 FAR, 50% Building Coverage**	+ New single family homes will be in scale with other single family homes + Some conversions will not be able to occur due to home size exceeding maximum single-family size	- Creates many legally non-conforming single-family homes (~400 residences) - Some property owners will be unable to make minor additions to their homes - Severely limits size of single family homes on non-conforming lots (e.g., 3,000 square foot lots would only be allowed to have a 1,350 square foot home) - Many lots are unable to provide additional parking, therefore if property owners desired to convert a single-family home to a duplex they would have to apply for a variance from parking standards	Creates legal non-conforming single family homes (due to now non-conforming floor area or building coverage). Legal non-conforming structures are subject to Chapter 10.62 of the Zoning Ordinance. Additions (even very small ones) to existing home may not be possible, even on relatively small homes, due to small parcel size. Some conversions may be able to occur, if parcel size is large enough to not create non-conforming home (e.g., existing 3,000 square foot duplex on 8,000 square foot parcel in R3 District would be allowed to be converted to single-family residence as the FAR would be 0.38, which is less than 0.45)
1A	Possible Variation on #1:. Limit single family homes <u>on conforming parcels</u> in two/multi-family districts to the maximum development standards of single family homes in single family districts.	+ Very small lots would not be limited to very small homes	- Creates border-line winner/loser situations: e.g. one lot has a parcel size of 4,999 square feet and can have a 3,999 residence; another parcel has 5,001 square feet and is limited to a 2,250 square foot residence	Creates legal non-conforming single family homes (due to now non-conforming floor area or building coverage). Legal non-conforming structures are subject to Chapter 10.62 of the Zoning Ordinance.

Option		Pros	Cons	Impacts to Existing Residences
1B	Possible Variation on #1: Limit single family homes in two/multi-family districts to the maximum development standards of single family homes in single family districts. **A minimum allowed residence size is established for non-conforming lots (e.g., policy direction is given that a certain size residence is established as a minimum size, regardless of parcel size). This could be done via a sliding scale based on the size of the lot.**	+ Baseline is established; could be "more fair"	- Baseline could be hard to determine	Creates legal non-conforming single family homes (due to now non-conforming floor area or building coverage). Legal non-conforming structures are subject to Chapter 10.62 of the Zoning Ordinance.

Option		Pros	Cons	Impacts to Existing Residences
2	Only those properties in R2/R3 districts which provide two units or more may request Heightened Design Review (i.e., if there are 2 units or more, an applicant could request 80-100% of maximum FAR and Building Coverage Ratio limits in R2/R3 Zoning Districts). A single-family residence would be restricted to up to 80% of the permitted maximum FAR and Building Coverage Ratio in the R2/R3 Zoning Districts. *Possible Exceptions:* *If the applicant can demonstrate that two or more units is not feasible (i.e., parking, geologic, topographic, etc. constraints), then they may apply for a Conditional Use Permit to allow for a single-family dwelling. *If the parcel is substandard (i.e., less than 3,000 square feet in area), an applicant with a single-family residence could request heightened design review (80-100% of maximum FAR and Building Coverage Ratio limits in R2/R3 Zoning Districts) as the maximum density is one unit/1,500 square feet and therefore it would not be possible to provide two units unless a variance is approved.	+ Gives teeth to Heightened Design Review process. Limits single-family homes to 80% of the maximum FAR + Prohibits conversion of those duplexes to single family residences which would result in the single family residence exceeding 80% of the maximum FAR	- This Option limits floor area for single family homes to 80% of the maximum FAR. If the Commission was interested in more significantly limiting floor area we would have to explore a different Option	Existing single-family residences which exceed 80% of the permitted FAR/Building Coverage in the R-2/R-3 District would become legal non-conforming. Existing single-family residences which exceed 80% of the permitted FAR/Building Coverage in the R-2/R-3 District would not be allowed to create even a small addition.

Option		Pros	Cons	Impacts to Existing Residences
3	Re-evaluate heightened design review findings. Incorporate standards that a project must provide if heightened design review is requested.	+ Provides more leverage for the P/C to evaluate projects	- Does not address conversion/loss of housing stock issue	No impact to existing residences
4	Prohibit new single family residences in two/multi-family zoning districts	+ Ensures no new single-family homes in multi-family districts + Ensures no conversions will be able to occur	- Non-conforming lots are very small. Parking will be difficult to provide for 2+ units - General Plan envisions mix of single family/duplex/multi-family. This will limit the mix of housing types in two/multi-family zone - General Plan amendment may be needed	All existing single-family residences would become legal non-conforming and would be subject to Chapter 10.62. Existing 2+ unit structures would not be allowed to be converted.
5	Establish a prohibition on conversion of duplexes/apartments to single family homes	+ Ensures no conversions will be able to occur	- Does not address large single family home issue, but could be combined with another Option	Existing 2+ unit structures would not be allowed to be converted.

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