

## Zoning Text Amendment—Single Family Dwellings in Multi-Family Zoning Districts

Planning Commission Subcommittee Brainstorm #2

January 31, 2011

### ❖ Define the Problems

- 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/triples to single family homes. This has resulted in a loss of housing stock, which is contrary to goals of the Housing Element.

### ❖ Identify Possible Solutions

1. ***Limit single family homes in two/multi-family districts to the maximum development standards of single family homes in single family districts.***

#### Pros

- + 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

#### Cons

- 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

### Potential Variations on this solution:

#### A. The single family standards would only apply to conforming lots

#### Pros

- + Very small lots would not be limited to very small homes

#### Cons

- 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

**B. 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.**

**Pros**

+ Baseline is established; could be “more fair”

**Cons**

- Baseline could be hard to determine

- 2. *Only those properties in R2/R3 districts which provide two units or more may request Heightened Design Review. 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. Parcels which are less than 3,000 square feet could be categorically exempt from the two or more unit requirement 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.***

**Pros**

+ 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

**Cons**

- This solution 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 solution

- 3. *Re-evaluate heightened design review findings. Incorporate standards that a project must provide if heightened design review is requested.***

**Pros**

+ Provides more leverage for the P/C to evaluate projects

**Cons**

- Does not address conversion/loss of housing stock issue

**4. Prohibit new single family residences in two/multi-family zoning districts**

**Pros (?)**

- + Ensures no new single-family homes in multi-family districts
- + Ensures no conversions will be able to occur

**Cons**

- 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

**5. Establish a prohibition on conversion of duplexes/apartments to single family homes**

**Pros (?)**

- + Ensures no conversions will be able to occur

**Cons**

- Does not address large single family home issue, but could be combined with another solution

**❖ 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