



Questions and Answers Report



QUESTIONS FROM COUNCIL AND COMMISSION

COMMISSIONER HEMPEL

1) A housing unit built above a detached garage does not seem to fit under the proposed "ADU" requirements, so it seems it would need to be under the Two-Unit scenario. It is not clear with the current proposed Ordinance wording about height for 2-Unit scenario whether Unit-Over-Detached-Garage would be allowed. Can/will the wording be clarified to clearly allow a one level housing unit above a detached garage?

Pending

COUNCIL MEMBER KELLY

1) Can you share any specific examples of other cities or regions that have implemented similar zoning changes, and what outcomes have they experienced?

Pending

2) Would the neighborhood be able to file and sign a petition protesting any additional units?

Pending

3) Who is responsible for enforcing the deed restrictions, HOA agreements, and restrictive covenants?

Pending

4) Does the city have data on which neighborhoods have deed restrictions, HOA agreements, and restrictive covenants?

Pending

5) Would the proposed code amendments being discussed during the joint public hearing on October 26th change the minimum lot size?

Pending

CHAIR SHAW

Questions related to Up to 3-Units per Lot

Questions related to Resolution Language Referencing Up to 3-Units Per Lot

WHEREAS, smaller lot sizes encourage compact development and can optimize the use of existing infrastructure such as roads, water supply, and sewage systems, minimize resource consumption and associated environmental impacts through smaller structures, and allow clustered developments that preserve more tree canopy and environmental features; and

1) Several years ago, there was flooding to homes that were near storm drains due to the inability of the storm drains to drain the water. In many older single-family neighborhoods, homeowners are concerned with the City's ability to provide for the improvements needed for infrastructure to support accommodate the increased density. Can you explain how our utility departments (electric,

water, watershed) conduct the planning necessary to determine the improvements and the associated cost and resources required to prepare for the increased density?

Pending

- 2) *What resources will our utility departments need to be able to plan for the increased density along with the anticipated extreme weather impacts from climate change.*

Pending

To assist with achieving the goals in this Resolution, City Council initiates amendments to Title 25 (Land Development) to adjust and streamline site development regulations for single-family zoning districts that will allow up to three dwelling units on smaller lots that are created by subdividing a single-family lot; and will allow two or more dwelling units to be constructed on a single-family lot.

- 1) *Do these changes allow for more streamlined site development regulations for up to 3 units? If so, please explain.*

Pending

At a minimum, the City Manager is directed to propose amendments that will:

1. adjust:
 - a. setbacks, height, impervious cover, and floor-to-area ratio (FAR);
 - b. regulations that impact the re-development of existing
2. substandard lots; and
3. limit the applicability of Chapter 25-2, Subchapter F: Residential Design and Compatibility Standards (also known as the "McMansion Ordinance") so that it applies only when one dwelling unit is proposed to be constructed on a lot; and
4. eliminate minimum site area and building coverage requirements; and
5. if legally feasible, allow for innovative:
 - a. methods to mitigate potential runoff from additional impervious cover;
 - b. utility layouts and connections to support multiple units on smaller lots; and
6. preserve trees or other natural features, and mitigate floodplain areas by allowing for alternative equivalent compliance and administrative modifications for single-family developments that will be developed:
 - a. with two or more dwelling units per lot; and
 - b. on a lot created by subdividing an existing standard-size single family lot.

- 1) *The draft ordinance does include some of the changes identified in this direction to CM. Can you explain the justification for the different requirement for two and three family residential?*

a. *Two-Unit Residential removed building coverage, includes min. lot area, required separate structures, and limits one unit to 1100 SF where Three-Unit Residential does not. Similarly, Two-Unit can be constructed on substandard lots where this is not allowed on Three unit.*

Pending

- 2) *Can you confirm that draft proposes to eliminate FAR requirements for Two and Three Unit residential but not for a single unit on a lot?*

Pending

3) *If a home owner has maxed out on FAR, please confirm that this change would allow them to construct one or two additional units without limits on FAR but within the constraints shown for impervious cover, building area etc.*

Pending

4) *I have heard concerns from my constituents that there will be future changes to impervious cover, set-backs, and the tree ordinance to accommodate the future Phase 2 lot size reduction. Are there future changes to these design standards needed to meet the intent of this resolution to construct more townhomes, cottage courts, etc.?*

Pending

5) *Can you explain the term alternative equivalent compliance? Are there currently or does staff plan to introduce measures for alternative equivalent compliance and administrative modifications related to preserve trees or other natural features, and mitigate floodplain areas when 2 or more units are developed on a SF lot?*

Pending

Other

1) *With removal of requirement for duplexes to share common floor and ceiling or wall, what is the difference between a duplex and two-unit residential? Note that duplex does still require common roof, but does not allow open breezeway, carport or opening, but two-unit residential does allow for a covered walk-way. Do we need to retain both? Won't there be an opening in a duplex that does not share a common wall but only a common roof?*

Pending

2) *Why is there a min. lot width and max. building cover area specified for duplex and not two-unit residential?*

Pending

COMMISSIONER HAYNES

Please have staff run a list of cities with a population over 500K that have done a rewrite of their LDC in the last 10 years. Also, please let me know what has happened to their housing markets and the values of their housing stocks.

Pending

MAYOR WATSON

1. Question

a. *Three Units by Right*

ii. *What was the amount of units-by-right for SF-1 and SF-2 zones in code next?*

iii. *Will proposed RV changes be presented before the October 26th joint meeting?*

iv. *According to Pool's resolution, it includes three-family residential use for SF-4A/4B zoned districts. Why weren't they included in the proposed zoning changes?*

- v. *Currently, we're allowed two units by right on SF-3 zoned lots and not on SF-1/SF-2 zoned lots. Why is that the case?*
 - vi. *What is the current definition of "multi-family use"?*
 - vii. *Will any three-units by right be able to be attached or detached?*
 - viii. *Will three-by-right be restricted in any way? Will the by-right have limitations from lot size, FAR, etc. 3 units*
- b. *Three-Unit Use Regulations*
- i. *Since we are reducing the minimum lot sizes on duplexes from 7,000 sq ft to 5,750 sq ft, will we still be applying the same standard (i.e. height standards, lot width, building cover, etc.) still apply?*
- c. *McMansion*
- i. *When does the mansion ordinance really apply?*
 - i. *Without applying the McMansion ordinance, how will FAR, front yard/back yard setbacks and setback planes be applied? Specifically for the new three-unit residential use?*
 - v. *The original resolution from Pool directs staff to "limit the applicability of the McMansion ordinance so that it applies only when one dwelling unit is proposed to be constructed on a lot" Will the mansion ordinance still apply to one unit?*
- d. *General*
- vii. *For accessory apartments, will they still be attached to a principal structure?*
 - viii. *The original resolution directed staff to allow for "innovative utility layouts and connections to support multiple units on smaller lots" is staff still anticipating having those recommendations?*
- e. *Two-Family Proposed Changes*
- i. *The current proposed changes on two-family residential includes the STR regulations being removed. What was the reason for this change? Was this legal or administrative?*
- d. *Duplex*
- i. *The height restrictions for this section is 5 feet less than the base zoning. What is the justification for this and will it be changed?*
- f. *Alternative Housing*
- ii. *The resolution directs staff to "create a new use for three-family residential that allows for flexible housing configurations in SF-1, SF-2, SF-3, and SF-4A/4B zoning districts." What does this look like for town houses, cottage homes, etc*
- g. *Legal*
- 1. *Is adding three by right for single family zoning considered a change in zoning? Would this be considered a rezoning?*

