

**Planning and Zoning Commission Work Session Minutes
February 8, 2024
Conference Room 1A & 1B - 1st Floor City Hall**

Call to Order

Commissioners Present – Carroll, Geuea Jones, MacMann, Loe, Placier, Stanton, and Wilson
Commissioners Absent –Dunn, Ford
Staff Present –Kunz, Palmer, Teddy, Thompson, Zenner

Introductions

Approval of Agenda

Meeting agenda adopted unanimously

Approval of Minutes

The January 18, 2024 work session minutes were approved unanimously.

New Business

A. UDC Text Amendment – Accessory Dwelling Units (ADUs)

Mr. Zenner introduced the topic explaining that what was before the Commission was the result of Council’s assignment and was based on correspondence received from Adriene Stolwyk. Mr. Zenner explained that the amendment was focused on the three points contained in the correspondence submitted to Council and would result in revisions to the use-specific standards impacting ADUs found within sec. 29-3.3(gg) of the UDC. Additionally, the revision would impact the dimensional standards table within sec. 29-4.1 specific to single and two-family dwelling construction within the R-MF zoning district.

Mr. Zenner explained the content of the text changes by first discussion the reduction in required lot width and area. The amendment proposes to allow an ADU on any legal lot meeting that definition as recently revised (reduced lot width and area), except in the R-1 district where such a use would still need to be located on a lot having a minimum of 5000 sq. ft. of area. However, Mr. Zenner noted that an R-1 lot having between 30-ft to 60-ft of lot frontage would be capable of accommodating an ADU. He stated that the staff’s rationale with this amendment was to ensure that unintended increases in density on smaller R-1 lots was made less likely. He added that the lot area restriction was not carried forward into the R-2 and R-MF districts given these districts already permitted multiple dwelling units on a lot.

Mr. Zenner then explained that the revisions to use-specific standard # 4 was to remain unchanged even though the published discussion draft showed several revisions. He stated this determination was made after conferring with Ms. Thompson and discussing when it would be appropriate to add the proposed language relating to the Commission’s ongoing discussions about small and medium lot integration into the R-1, R-2, and R-MF districts. There was Commission discussion about the proposed revisions and their future timing as well as the inclusion of a standard that would address the issue how much floor area (inclusive of the principal structure and ADU) on a future small or medium-sized lot. Commissioners generally expressed support of the proposed future changes; however, wanted to consider the specific wording once the final version of the small and medium lot text change was completed.

Mr. Zenner then explained that use-specific standard # 6 was completely removed from the regulations. Deletion of this standard would allow for a second “front” door to face the subject property’s principal roadway frontage when the ADU was either “part of” or “attached to” the primary residence.

Finally, Mr. Zenner explained that the dimensional standards of sec. 29-4.1(a), Table 4.1-1 were to be revised specifically with respect to single and two-family construction within the R-MF district. This

amendment would reduce the side yard setback for these styles of development to 6-ft instead of the current 10-ft. Mr. Zenner explained that this amendment was proposed to address the issue of parity between the R-1 and R-2 zoning districts where a 6-ft setback was the standard and doing so would permit greater lot coverage as well as flexibility in placing a detached ADU on an R-MF property.

There was general Commission discussion about the proposed amendments and Ms. Stolwyk was present to participate within the discussion. Several questions were addressed to Ms. Stolwyk with respect to if the proposed changes would address what she identified as issues within the current regulations. Ms. Stolwyk indicated that the changes would help. She noted that several individuals she knew had previously made decisions to create ADUs that were not fully “self-sufficient” to ensure that they did not violate the code. The proposed changes would allow “true” ADU construction thereby permitting better possible outcomes.

There was discussion regarding the possibility of removing the CUP process from the current regulations. Mr. Zenner noted that this could be proposed if desired; however, the issue of potential density increases being permitted in the R-1 district was a concern. He noted that with each previous Commission CUP approval a condition was established that only one of the dwellings on the site could be registered as rental unit. The Commissioner’s acknowledged this fact; however, believed that such a condition may not be helping to alleviate the present housing shortage and that the CUP process was burdensome.

Mr. Zenner agreed that the CUP process was burdensome; however, expressed concern that without some control/limitation in place, an R-1 property with two dwellings in rental status would potentially undermine intent of the district as a “single-family” zone. He suggested that a new use-specific standard, not unlike what was recent done with STRs, could be employed here as well. The standard would in essence state that when a property has an ADU and principal residence only one could be registered as a rental.

Commissioners felt that this was a possible solution. There was discussion on if the amendment to remove the CUP process should be merged within the current text changes being discussed. After lengthy discussion, the Commissioners concluded the two amendments should be separated. This would ensure that if removing the CUP process became more controversial it could be set aside while the less controversial changes could move forward.

Having worked through the possible options for approaching the amendments requested by Council and the additional amendment to remove the CUP criteria, Mr. Zenner noted that he would be capable of having the Council amendments advertised for the Commission’s March 7 meeting. Commissioners were comfortable with that meeting date and directed staff to proceed as discussed.

Old Business

A. UDC Text Amendment – Small Lots

Mr. Zenner introduced the topic and explained that his attention on this matter was diverted to allow for the preparation of the text change addressing ADUs; therefore, he was still working on making the changes to the text presented at the January 18 work session. He noted that for the February 22 work session he would have the revisions relating to the maximum ground floor area for lots between 3000 to 5000 sq. ft. calculated and a definition for “building envelope” created for the Commissioner’s consideration. He then noted that Mr. Kunz was prepared to explain the graphic that was distributed at the end of last work session meeting. Mr. Kunz provided an explanation of the two rows of lot examples. There were several questions asked about the data used to generate the graphic and what the “colors” on the graphic were intended to represent.

Mr. Kunz noted that the data he used for the lower line of examples was from the coverage layer of the City’s GIS and represented the mode, median, and mean of lots within the R-2 and R-MF districts. The “colors” on this line of examples were intended to illustrate how much of a lot, represented by the mode, median, and mean, would be covered with a structure (the blue shading) if an average lot coverage percentage was applied to each lot. The green shaded area within this line of the examples was intended to illustrate how much of the described lots could have been covered if a building filled the building envelope and was built to its maximum height using current UDC setback requirements.

Mr. Kunz then explained what the upper row of examples was intended to illustrate. This row was showing what would be possible on optimally-sized lots that were using the proposed reduced setback for the lot sizes proposed within the data tables prepared by he and Mr. Zenner. He explained how the ground floor building area on lots sized 3000 to 5000 sq. ft. was calculated by taking approximate 32% of the overall lot size and that on lots 5000 to 7000 sq. ft. this same ground floor area was variable, but increased as the lot size increased. He noted the area shaded in red for the small and medium lots was what was within the building envelope, but could not be developed given the proposed FAR maximum for that specific lot size/type.

There was general Commission discussion with respect to what Mr. Kunz was attempting to illustrate in the graphics. A question was raised if the efforts with the current amendment were about trying to replicate existing conditions or create new opportunities for different types of lot styles and possible coverages within the community. It was stated that the information presented was informed by the present built environment. Staff noted that an underlying purpose of the exercise was to illustrate that the ground floor coverage maximums and overall building area standards based on FAR would work together to produce a built environment that was not out of scale with the existing development patterns.

Mr. Kunz was asked if he'd share the graphic with the Commission electronically. Mr. Kunz noted he would do so; however, first wanted to review the data used and try to address some aspects of the illustrations to reduce their confusion. Commission acknowledged that such a course of action was appropriate and thanked him for his presentation.

ADJOURNMENT

Meeting adjourned at 6:58 pm.

ACTION(S) TAKEN:

Motion made to approve the agenda as submitted by Commission MacMann and seconded by Commissioner Wilson. Motion made to approve the January 18, 2024 work session minutes as presented by Commissioner MacMann and seconded by Commissioner Carroll.