

**City staff position statement for legislative appeal of
Case #LDC2014-00363: Duplex and Tandem Code Amendments
January 5, 2017**

Overview of the Request: The City is proposing to amend the land development code to change the regulations for building duplexes and tandem single family homes. The majority of such development is in the R-2A and R-2B zoning districts, but other multifamily and mixed use zoning districts allow these uses as well. New duplexes are often much bigger, have a different architectural style, and have more pavement and parking than the prevailing development pattern of pre-1990 single family and duplex homes. In order to maintain the character of existing neighborhoods, the code needs to be changed to provide standards that maintain the positive elements of the neighborhood such as tree cover, cohesive architectural styles, and minimal curb cuts. Further, the proposed changes will help to mitigate the potential negative impacts of large building mass and multiple parked cars. The proposed changes will not reduce the number of lots where duplex or tandem development is allowed.

Case Schedule:

- Application submitted on November 19, 2014
- First MPB meeting held on March 17, 2015, and the board voted to table the item and requested a workshop to further evaluate the changes (9 speakers)
- Second MPB meeting held on April 21, 2015, which included the requested workshop. Additional changes were requested by the board. (9 speakers)
- An online survey was available in Spring 2016, and approximately 380 responses were received
- A community workshop was held to discuss the revised proposal on September 21, 2016 (approximately 50 people attended)
- A third MPB meeting was held on December 20, 2016, and the board recommended approval of the changes (11 speakers)

Public Comment: Staff received approximately 40 emails and letters during 2016. The responses were evenly mixed between those who support the changes, and those who are opposed. There is also a small group who does not support the changes because they would prefer to ban or further restrict duplex locations.

Summary of concerns by the appellant:

- **Smart Growth.** The new ordinance is not consistent with City policies requiring the Land Development Code to be guided by "smart growth".
Staff Response: Objective 1.5 in the Future Land Use Element of the City's Growth Management Plan (GMP) states that "The City shall provide policy and program mechanisms which further the principles of sustainability and Smart Growth, including:...encouraging walkable neighborhoods with a mix of uses; fostering a strong sense of place; directing development toward existing communities and infill opportunities..." Policy 1.1.2 states, "The existing land use pattern of employment, housing and commerce in the Traditional City shall be preserved and enhanced. The City's Land Development Regulations shall encourage rehabilitation, revitalization and private investment in the Traditional City by preserving and improving the quality of the urban environment." The proposed changes are consistent with the Growth Management Plan and will

help to ensure that the existing land use pattern is preserved and enhanced, while supporting appropriate infill development.

- **Marketability/complexity.** The new ordinance will interact with existing ordinances on a typical traditional City lot. In other words can an actual marketable duplex be built on a typical lot given the complexity of ALL building requirements.

Staff Response: *GMP Urban Design Element Objective 5.2 calls for the City to “adopt urban design standards to promote positive design elements of the Traditional City in R-2A/T and R-2B/T zoning districts.” Associated Policy 5.2.1 identifies issues such as building mass, garage frontage, and discouraging monotony, that should be addressed by the design standards. The proposed changes meet the intent of the GMP while providing flexibility for design of duplexes. It is true that in some cases the design or layout may be different from what developers are used to, and they may need to make adjustments. As the new code is implemented, staff will work with applicants to address any design challenges they encounter prior to permitting. In addition, applicants may pursue a design variance if a unique challenge cannot be addressed by the standard code requirements.*

- **Housing quality/affordability.** The new ordinance will negatively impact the quality of housing in the traditional City and reduce the amount of moderate priced housing available.

Staff Response: *The proposed changes are specifically intended to improve the character and quality of duplex and tandem housing. Approximately 22 duplex units were built in the City in 2015. While that number may increase over time, it is a small fraction of citywide development, which was 2,182 units in 2015. Housing affordability is unlikely to change substantially based on a small portion of the market. The proposed changes are needed because they have a disproportionate impact on existing neighborhoods, not because they are expected to become a primary component of the City’s housing market.*

Staff Recommendation: Staff recommends denial of the legislative appeal. Staff recommends approval of LDC2014-00363, consistent with the December 20, 2016 MPB recommendation.