

R1 (Single Family) SINGLE STORY OVERLAY

FREQUENTLY ASKED QUESTIONS

1. *What is a Single-Story Overlay?*

A Single-Story Overlay is a zoning change to an R1 (Single Family) neighborhood which restricts all new or redeveloped structures in the affected neighborhood to one-story (not to exceed 18 feet in height).

2. *Does this limit the size of my home?*

While a Single-Story Overlay would limit homes to a single-story, all other applicable development regulations, such as, lot coverage, floor area ratio, and setbacks would remain the same.

3. *Why is the City doing this?*

The City received requests from residents to allow them to initiate a process of establishing Single-Story Overlay Districts. The draft ordinance includes a process with clear application requirements and minimum thresholds for considering any new Single-Story Overlay Districts. Under the proposed ordinance, property owners would be required to initiate the process for a specific neighborhood. In addition, as noted in Section 5, a minimum of 66-2/3 percent of property owners in the proposed district would have to sign a petition before an application could be initiated.

4. *Where can a Single-Story Overlay District be proposed?*

The draft regulations propose that a Single-Story Overlay District may be established in any portion of a Single-Family Residential (R-1) Zone where a minimum of 75% of the existing homes are single-story. In addition, the draft regulations propose that the boundaries of the Single-Story Overlay District must be well-defined as an identifiable neighborhood; i.e. correspond with natural or man-made features (including, but not limited to, streets, waterways, tract boundaries and similar features), and be one (1) or more entire city block(s) or one (1) or more entire subdivision tract(s), or street face(s) opposite of one another within a block.

5. *What is the proposed process for an application for establishment of a Single-Story Overlay?*

Step 1: Applicant(s) meet with the City to discuss and define the proposed neighborhood boundaries.

Step 2: The Applicant(s) circulate a petition to all property owners within the proposed Single-Story Overlay District. The petition must include the proposed District map for the single-story overlay and must be signed by a minimum of sixty-six and two-thirds (66-2/3) percent of the property owners.

Step 3: Applicant(s) submit the following to the City for processing:

- i. Application form
- ii. Application fee(s) and Deposit(s)
- iii. Petition circulated, with original signatures by a minimum of sixty-six and two-thirds (66-2/3) percent of property owners within the proposed District
- iv. A written statement setting for the reasons for the application and all facts relied upon by the Applicant(s) in support thereof

- v. Proposed District Map for the single story overlay
- vi. Evidence that a minimum of 75% of homes within the proposed District are single-story

6. *What would happen after the application for establishment of a Single-Story Overlay is submitted?*

Step 1: Verification of the names of the property owners signing the circulated petition.

Step 2: Initiate a confidential mail in ballot for property owners within proposed District.

Step 3: If a minimum of sixty-six and two-thirds (66-2/3) percent of property owners in the proposed district vote in favor of the Single-Story Overlay District, public hearings as noted below will be scheduled. If a minimum of sixty-six and two-thirds (66-2/3) of property owners in the proposed district do not vote in favor, the application would be terminated.

Step 4: Planning Commission public hearing to make a recommendation for the proposed overlay.

Step 5: City Council public hearing to make the final decision.

7. *How many votes does each person or lot get?*

Each lot gets one vote (by the property owner) regardless of the number of people living in the home or whether there is an accessory dwelling unit on the lot.

8. *What happens if I already have an existing two-story home in a Single-Story Overlay District?*

Existing legally constructed two-story homes within the Single-Story Overlay would be considered legal and non-conforming. Simple structural repairs that do not result in a physical change to the exterior of the second story, and in compliance with Section 19.140.070, would be allowed without any Planning permits.

However, for properties within a Single-Story Overlay District, new two-story homes and second-story additions to existing homes would require an application for a Conditional Use Permit, in addition to a Two Story Permit (a permit required for new two story homes or second story additions in R1 zoning districts without a Single-Story Overlay.) In addition, maintenance or repair, of an existing second story, that is not in compliance with Section 19.140.070 of the Municipal Code would require a Conditional Use Permit.

9. *Can I build a two-story home in an established Single-Story Overlay District?*

Currently, in any R1 zoning district without a Single-Story Overlay, two story homes or second story additions require an application for a Two Story permit to be approved before applying for necessary building permits. Per existing regulations in Municipal Code Section 19.24.020(5) and 19.28.040(I), a two-story home may be proposed in a Single-Story Overlay District with an application for a Conditional Use Permit and a Two Story Permit. In addition to development regulations, such applications will be subject to additional findings for a Conditional Use Permit per Section 19.156.040 of the Municipal Code. Should the application be found to meet the development regulations and necessary findings, the Conditional Use Permit may be approved. This process is not proposed to be changed in the new ordinance.

10. *Once established, is it possible to remove a single-story overlay if neighborhood sentiments change?*

Yes. The neighborhood can petition the City to remove the overlay. The process to remove it will be the same as the process to place the overlay; however, the requirement for a minimum of 75% of the existing homes to be single-story at time of application would not apply.