

PLANNING COMMISSION AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

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| AGENDA TITLE: Continued Deliberations to Cottage Housing Regulations |
| DEPARTMENT: Planning and Development Services Department |
| PRESENTED BY: Paul Cohen, Senior Planner |

BACKGROUND

On September 1, 2005 the Planning Commission made a recommendation to staff to draft a process for the Planning Commission to conduct design reviews through the authority of Municipal Code 2.20.060.D and the existing Type B process for cottage housing applications. This draft includes proposed cottage code amendments (*italics*), process, additional information, additional criteria, and staff time/expenses. The Commission asked staff to address the city's strategy for housing and recommendations for distributing cottages in the city more equitably.

DISCUSSION

City Housing Strategy

The City's housing strategy is comprised of its housing policies of the Comprehensive Plan and to work with developers to facilitate the construction of housing per the Development Code. The Development Code has specific provisions to allow housing bonuses through accessory dwelling units, cottage housing, unlimited density in RB, NCBD, and Industrial zones, and affordable housing. Rob Beem of the City's Human Services Department will be meeting with the Council in early October of this year to decide whether or not to pursue a housing strategy.

Cottage Distribution

The Planning Commission discussed the issue of equitable distribution of cottage housing in the City. Staff attempted to address this issue because of the unpredictability of where cottage projects might locate and the possibility of an over-concentration of projects in any one neighborhood. The intent was to assure that the separation of projects was adequate, simple to administer, and to force a more even distribution of cottages. As drafted, the code amendment reads:

"No more than 8 cottage housing units shall be located within 1,000 feet from any single point in the City. A proposed cottage development application shall meet this requirement from the property of a previously vested application, issued permit, or built cottage development under the SMC."

Using this amendment staff applied as many 1,000 foot radii circles over the City on R6 and R 8 zones (map will be displayed at meeting). The Highlands and Innis Arden were subtracted because of their covenants would prohibit cottages. The existing 55 cottage units were also subtracted. The potential total is approximately 78 8-unit projects or 569 more cottages. This potential assumes that there are lots available at these select points, all build 8-units projects, and align themselves efficiently throughout the City. Because this is unlikely and theoretical the City's target of 350 cottage units for the State GMA is more realistic.

Design Review

Currently, the City relies on the Type B - Conditional Use Permit (CUP) process and the Index Supplemental Use regulations to review cottage housing (Attachment B). The CUP does not have any specific design criteria and is administered entirely by the City staff. However, the Supplemental Index regulations for cottage housing does contain some specific design requirements.

The Planning Commission can authorize the Director to refer a proposed project to the Planning Commission, which may create a subcommittee acting as a design review board (DRB). The projects could continue to be applied for under a Type B permit. *For example, new language might be added to Section 20.40.300 such as* "To authorize the Director to refer a Cottage Housing Development Proposal to the Planning Commission for design review, if the Director determines that the community would benefit from such review. The Planning Commission's design review recommendations shall then be considered by the Director in issuing administrative or ministerial permits. The target timeline for projects subject to design review shall be extended by 60 days."

Process- The process would begin with the standard Type B pre-application meeting, neighbor meeting, notice of application, public comment period. Staff and Commission should be noticed and can attend the neighborhood meeting. After the public comment period and based on comments made, the Director will decide whether the proposal should be reviewed by the Commission. The proposal will be scheduled for a hearing with the Commission and a hearing notice will go out to all those who commented and the applicant.

This step will add 1 to 3 months to schedule assuming there is only one hearing. If it takes two hearings, especially if the Commission wants to see revisions to the proposal, then this could greatly add to the review time. The Commission should consider visiting the site prior to the hearing. The impact of this approach would add staff time to attend and cause other Commission issues and work to increase and shift further out on the calendar. The hearing should minimally include applicant presentation, public comment, review board deliberations and decision.

Alternatively, the Commission, as a Design Review Board, could hold separate and additional meetings only to hear and review cottage proposals. On average there have been about 2 cottage proposals a year. The formation of a Design Review Board can be comprised of some or all Planning Commissioners.

Once the Commission decides to deny, approve or approve with conditions the proposal staff will write the decision for Commission signature similar to the written decision staff currently issues. The decision will have to be publicly noticed. If appealed, an appeal hearing before the Hearing Examiner is required. The following required construction permits can be reviewed entirely by staff implementing the Commission decision and conditions.

Additional Information – Additional information above the current submittal requirements is recommended with the application to assist the Commission decision such as:

- Illustrative site plan and elevations from all sides of the proposal and of the adjacent properties from within the site. These plans should include paint schemes, landscaping, site area, floor area, lot coverage, building heights, etc.
- Public comments from neighborhood meeting and application comment period.
- Survey of adjacent properties (including across streets) for square footage of buildings, building height, roof forms, setbacks from property lines, parking space and location, access, screening, and lot coverage.

Code Amendments – *Attachment A has cottage housing code amendments that have been proposed by staff to the community and Planning Commission.*

Additional Criteria - In addition to the existing Conditional Use Permit criteria (Attachment B), the Commission may need more criteria to address the concerns of cottage compatibility and quality. *Additional language could be added to the proposed 20.40.300 amendments.*

- The impacts of the proposed development will be no greater than the traditional development that could be constructed on the property with respect to total floor area of structures and structure size (Kirkland).
- The proposal is not larger in scale and is compatible with surrounding development with respect to size of units, building heights, roof forms, building setbacks from each other and property lines, number of parking spaces, parking location and screening, access, and lot coverage. (Kirkland)
- The proposals provides elements that contribute to a sense of community within the development by including elements such as front entry porches, common open space, common buildings. (Kirkland)
- Modifications may be proposed to requirements of the SMC, other than those specifically identified in Section 20.40.300, that are important to the success of the proposal as cottage housing. (Kirkland)

Meeting these criteria may mean further increasing amenities and restricting development potential of the proposal beyond the development code amendments.

Staff Time - Staff time would increase for planner(s) and the Commission Clerk especially if a newly formed Design Review Board met separately. The cost is

approximately \$1,100 for FX Video, minute writer, public noticing, and overtime for the Commission Clerk per hearing and \$1,100 for each additional meeting of the Planning Commission.

ATTACHMENTS

- Attachment A: Conditional Use Permit Criteria
- Attachment B: Proposed Cottage Housing Amendments
- Attachment C: Comment Letters from September 1 meeting

- b. The variance is necessary because of special circumstances relating to the size, shape, topography, location or surrounding of the subject property in order to provide it with use rights and privileges permitted to other properties in the vicinity and in the zone in which the subject property is located;
- c. The granting of such variance is necessary for the preservation and enjoyment of a substantial property right of the applicant possessed by the owners of other properties in the same zone or vicinity. (Ord. 238 Ch. III § 7(a), 2000).

20.30.300 Conditional use permit-CUP (Type B action).

- A. Purpose.** The purpose of a conditional use permit is to locate a permitted use on a particular property, subject to conditions placed on the permitted use to ensure compatibility with nearby land uses.
- B. Decision Criteria.** A conditional use permit shall be granted by the City, only if the applicant demonstrates that:
 1. The conditional use is compatible with the Comprehensive Plan and designed in a manner which is compatible with the character and appearance with the existing or proposed development in the vicinity of the subject property;
 2. The location, size and height of buildings, structures, walls and fences, and screening vegetation for the conditional use shall not hinder neighborhood circulation or discourage the permitted development or use of neighboring properties;
 3. The conditional use is designed in a manner that is compatible with the physical characteristics of the subject property;
 4. Requested modifications to standards are limited to those which will mitigate impacts in a manner equal to or greater than the standards of this title;
 5. The conditional use is not in conflict with the health and safety of the community;
 6. The proposed location shall not result in either the detrimental over-concentration of a particular use within the City or within the immediate area of the proposed use, unless the proposed use is deemed a public necessity;
 7. The conditional use is such that pedestrian and vehicular traffic associated with the use will not be hazardous or conflict with existing and anticipated traffic in the neighborhood; and
 8. The conditional use will be supported by adequate public facilities or services and will not adversely affect public services to the surrounding area or conditions can be established to mitigate adverse impacts on such facilities. (Ord. 238 Ch. III § 7(b), 2000).

20.30.310 Zoning variance (Type B action).

- A. Purpose.** A zoning variance is a mechanism by which the City may grant relief from the zoning provisions and standards of the Code, where practical difficulty renders compliance with the Code an unnecessary hardship.

ATTACHMENT B

EXISTING COTTAGE HOUSING CODE WITH AMENDMENTS ADDED

20.40.300 Cottage housing.

- A. For the definition of cottage housing see SMC 20.20.014. The intent of cottage housing is to:

Support the growth management goal of more efficient use of urban residential land;

Support development of diverse housing in accordance with Framework Goal 3 of the Shoreline Comprehensive Plan;

Increase the variety of housing types available for smaller households;

Provide opportunities for small, detached dwelling units within an existing neighborhood;

Provide opportunities for creative, diverse, and high quality infill development;

Provide development compatible with existing neighborhoods with less overall bulk and scale than standard sized single-family detached dwellings; and

Encourage the creation of usable open space for residents through flexibility in density and design.

AMENDMENTS #

1. No more than 8 cottage housing units shall be located within 1,000 feet from any single point in the City. A proposed cottage development application shall meet this requirement from the property of a previously vested application, issued permit, or built cottage development under the SMC.
2. The total floor area of each cottage unit shall not exceed 1,000 square feet. Total floor area is the area included within the surrounding exterior walls, but excluding any space where the floor to ceiling height is less than six feet. The minimum main floor area for an individual cottage housing unit shall be 700 square feet as follows:
 - For at least 50 percent of the units in a cluster, total floor area shall not exceed 650 square feet;
 - For no more than 50 percent of the units in a cluster, the floor area may be up to 800 square feet.
3. Up to 1.75 The following number of cottage housing units may shall be allowed in place of each single-family home allowed by the base density of the zone:

If all units do not exceed 650 square feet on main floor:

2.00

If any unit is between 651 and 800 square feet on main floor:

1.75

4. Cottage housing developments shall have units shall be developed in clusters of a minimum of four units and to a maximum of 12 8 units not including community buildings.
5. The height limit for all cottages structures shall not exceed 18 feet. Cottages or amenity buildings having pitched roofs with a minimum slope of six and 12 may extend up to 25 feet at the ridge of the roof. All parts of the roof above 18 feet shall be pitched. Parking structures and community buildings shall not exceed 18 feet.
6. Each cottage housing units shall be oriented around and have the covered porches or main entry from the common open space. Units fronting on streets shall have an additional entry facing those streets. The common open space shall must be at least 250 square feet per cottage housing unit and landscaped primarily with ground cover. Open space with a dimension of less than 220 feet shall not be included in the calculated common open space. Cottage units and community building shall be separated at least 40 feet when separated by required open space.
7. Each cottage housing unit shall be provided with a minimum private use open space of 250 square feet. Private open space with a dimension of less than 10 feet shall not be included in the area calculation, with no dimension of less than 10 feet on one side. It should be contiguous to each cottage, for the exclusive use of the cottage resident, and oriented toward the common open space. Fencing or hedges bordering private open space shall not exceed 2 feet in height.

Property line

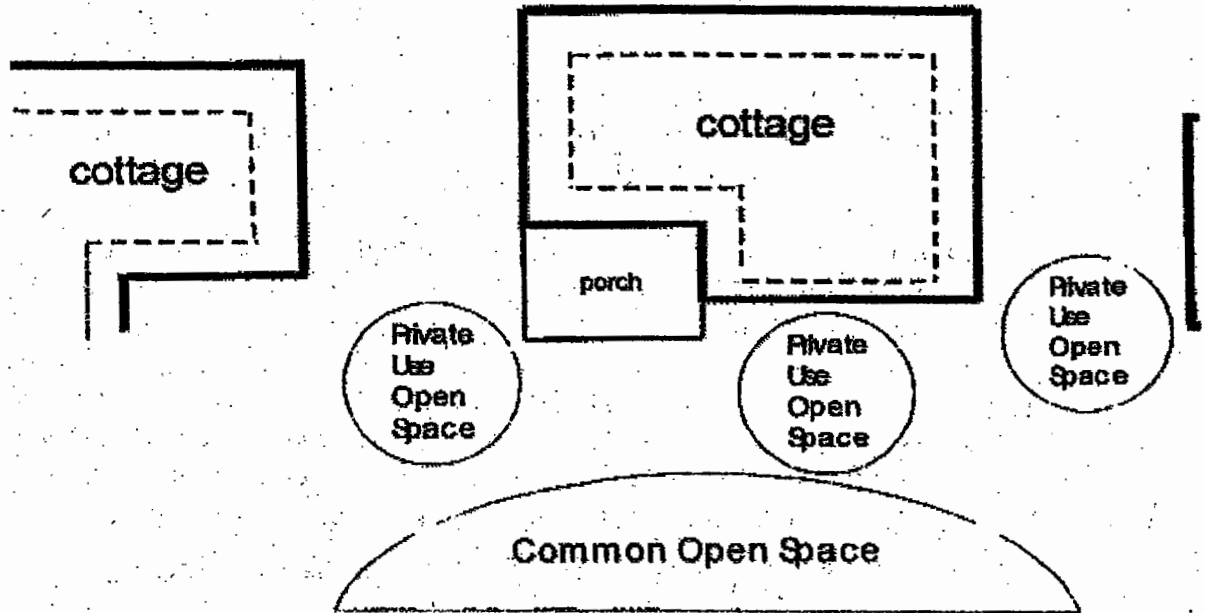


Figure 20.40.300(G): Private use open space should be contiguous to each cottage, for the exclusive use of the cottage resident, and oriented towards the common open space.

- H. Cottage housing units shall have a covered porch or entry at least 60 square feet in size with a minimum dimension of six feet on any side.
- I. All structures shall maintain no less than 10 feet of separation within the cluster. Projections may extend into the required separation as follows:
- Eaves may extend up to 12 inches;
 - Gutters may extend up to four inches;
 - Fixtures not exceeding three square feet in area (e.g., overflow pipes for sprinkler and hot water tanks, gas and electric meters, alarm systems, and air duct termination; i.e., dryer, bathroom, and kitchens); or
 - On-site drainage systems.

J. ~~Parking for each cottage housing unit shall be provided as follows:~~

- ~~Units that do not exceed 650 square feet on main floor:~~

1.5

~~Units that exceed 650 square feet on main floor:
2.0.~~

8. Parking shall be:

- Two parking stalls for each cottage housing unit and 1 guest stall for every 2 units shall be provided. Tandem parking is allowed.

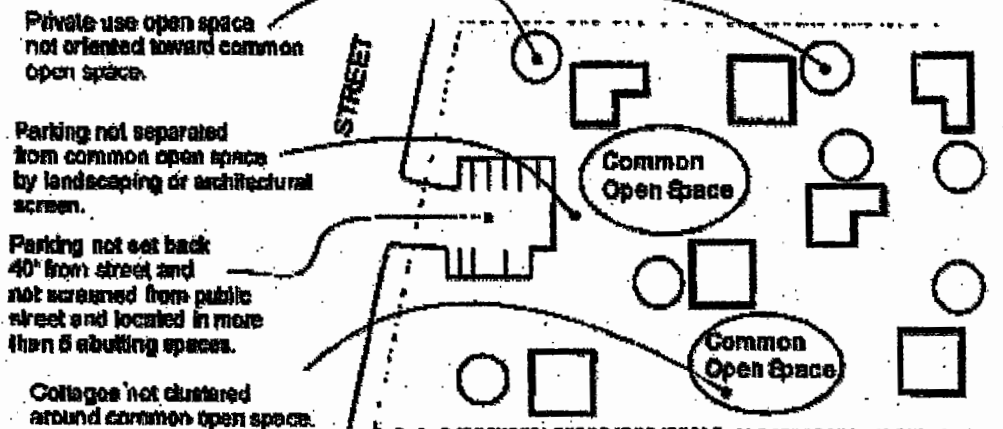
~~Clustered and separated from the private and common area and cottage units by landscaping and/or architectural wall under 4 feet in height with trellis above 6 feet in height screen. No solid board fencing allowed as architectural screen.~~

- Screened from public streets and adjacent residential uses by landscaping and/or architectural screen. No solid board fencing allowed as architectural screen.
- Set back a minimum of 40 feet from a public street, except for an area which is a maximum of (1) 50 feet wide; or (2) 50 percent of the lot width along the public street frontage, whichever is less, where parking shall have a minimum setback of 15 feet from a public street.
- Located in clusters of not more than five abutting spaces.
- A minimum of 50% of the parking space shall be covered.

9. Setbacks for all structures from the property lines shall be an average of 10 feet, but not less than five feet, except 15 feet from a public street, Right-of-Way or public sidewalk, whichever is greater.

10. All fences on the interior of a lot shall be no more than 36 inches in height. Architectural Fences screens along the property line may be up to six feet in height subject to the sight clearance provisions of SMC 20.70.170, 20.70.180 and 20.70.190(C). No chain link or solid board fences allowed.

DON'T DO THIS



DO THIS

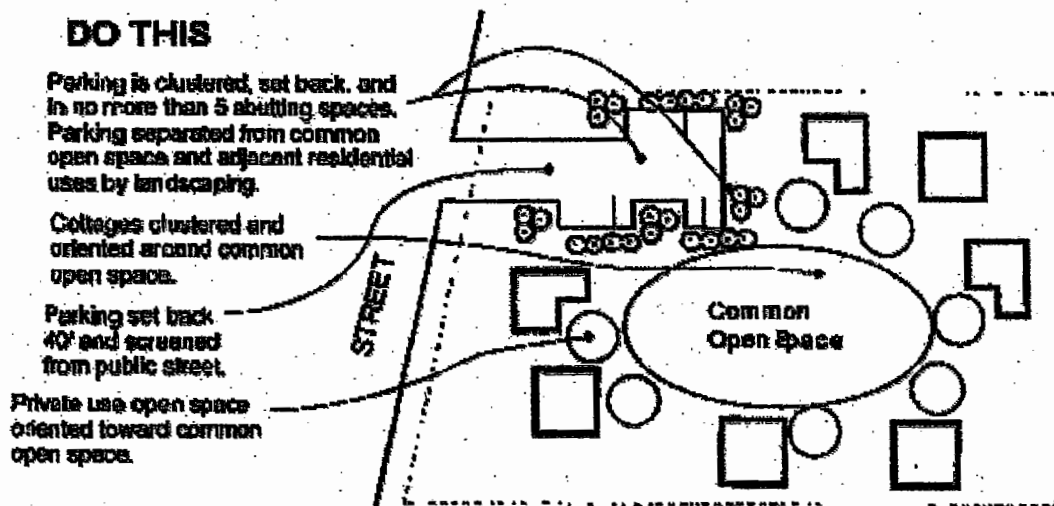


Figure 20.40.300: Avoid large clusters of parking, set back parking from the street, create functional common and private use open space, provide for screening of parking from cottages and common open space. The site should be designed with a coherent concept in mind.

(Ord. 321 § 1, 2003; Ord. 299 § 1, 2002; Ord. 238 Ch. IV § 3(B), 2000).



Shoreline Planning Commission

September 1, 2005

Written Comment

As I've said in letters to City of Shoreline officials,
I object to cottage housing:

- It reduces the value of adjacent or nearby properties
- It almost inevitably brings
 - ✓ increased population density
 - ✓ traffic congestion
 - ✓ runoff problems
 - ✓ further destruction of the dwindling number of trees that remain

(Apropos of trees: I think it's time we valued them as a community asset and revised the law accordingly so that a property owner does not have an unqualified right to destroy them.)

Cottage housing is at war with the Shoreline Development Code, Title 20, attached. I suggest that whoever favors setting aside the Code so as to produce more tax revenue can go to 191st and 8th N.W. view the destruction — the site denuded of trees...scraped bare... the ambience destroyed. Let's live within

Please leave this form with the clerk at the end of the meeting

This is a public record
our means and preserve what makes Shoreline a favorite place. ~~Shoreline~~

Shoreline Planning Commission
Written Comment Form

Elsbeth Alexander
19009 Ninth Place N.W.
Shoreline, WA 98148
COTTAGE HOUSING PC 64
(206) 542-3052

SHORELINE DEVELOPMENT CODE, TITLE 20
Land Use Regulations, Development Within the City

The Shoreline Development Code implements Shoreline's Comprehensive Plan, 1998, as required by the State Growth Management Act (GMA).

The Code includes the following:

- * Prevent overcrowding of land
- * Avoid excessive concentration of population
- * Promote efforts which will prevent damage to the environment
- * Provide regulations and standards that lessen congestion on the streets
- * Encourage attractive, quality construction to enhance City beautification



Shoreline Planning Commission

September 1, 2005

Written Comment

①

Don't "Back-doo" your way into a "city-wide strategy" by trying to tweak the existing cottage housing ordinance.

Design review with a bad ordinance in place is

Kill this concept & begin again.

* Develop the strategy first & then develop the specifics.

really
no
design
review
at
all.

(Don't become over-fixated on the "goal" of 350 cottage homes. Even Tim Stewart states that without them, the GMA target can be met.)

* Once you have a strategy, then you can consider such ideas as a Design Review Process.

SUBMITTED BY: LESLIE ADDIS

19802 - 8th Ave NW, Shoreline

Please leave this form with the clerk at the end of the meeting

This is a public record

2. How will you reach out to the general public so you get a good-cross section of citizens to attend the joint workshop on Cottage Housing?

3. The existing requirement that neighbors within 500' of a proposed cottage housing development is inadequate. A minimum of a 1,000' notification should be required. These developments have a very wide impact to the neighborhood at large.

J. Cobb



Shoreline Planning Commission

September 1, 2005

Written Comment

So For THE LAST TWO HOURS, ALL of YOU
HAVE EXPRESSED DIFFERENT REASONS WHY YOU
THINK COTTAGE HOUSES, AS THEY ARE NOW, ARE
NOT GOOD. AND ALL of THEM ARE VALID.
SO IF THESE UNITS MAKE NO DIFFERENCE
(AS STEWART STATED) TO THE GMA, THEN
WHY CONTINUE WITH IT?

ROBIN IS RIGHT. TOO MUCH TIME AND EFFORT
FOR SUCH A SMALL THING. MOVE TO FIND
A MORE ACCEPTED HOUSING OPTION IN SINGLE
FAMILY ZONED NEIGHBORHOODS.

Andy Nicks
19802 8TH AVE NW
206 546 6353

Please leave this form with the clerk at the end of the meeting.

This is a public record