

**PLANNING COMMISSION AGENDA ITEM  
CITY OF SHORELINE, WASHINGTON**

**AGENDA TITLE:** Continued Deliberations to Cottage Housing Regulations

**DEPARTMENT:** Planning and Development Services Department

**PRESENTED BY:** Paul Cohen, Senior Planner *plc*

**BACKGROUND**

On June 16, 2005 the Planning Commission made a recommendation to the City Council to extend the current moratorium on cottage housing 6 months until February 19, 2006. The intent was to provide more time for the Planning Commission to study the issue. On July 18, 2005 the City Council adopted the Commission's recommendations. Since the June 16<sup>th</sup> meeting commissioners have requested that certain issues be addressed which were outlined by staff in your August 4, 2005 memorandum (Attachment A). On August 22 the City Council discussed a Council initiated alternative for public review of cottage housing. The Council confirmed the process initiated in January 2005, which is mostly complete, but did add a joint Council sponsored community workshop with the Planning Commission to discuss the Planning Commission's recommendation.

**DISCUSSION**

Public Participation Location (Attachment A)

Overall, we received 62 comments and had 61 participants in meetings. Approximately 48% came from the vicinity of Hopper Cottages on 8<sup>th</sup> Ave. NW, 15% came from the vicinity of the Greenwood / Fremont / Madrona cottages cluster, 8% came from the vicinity of the Ashworth / Meridian Park cottage cluster, and 3% came from the vicinity of the Reserve Cottages. The remaining 26% participation came from outside the vicinity of any cottages developments.

Design Review of Cottages

In past meetings the Planning Commission has been concerned with the issue of development quality and the compatibility of cottages in single family neighborhoods. In the June 2, 2005 staff report staff described the authority of the Planning Commission to conduct design reviews and the cottage housing processes of other jurisdictions.

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

However, the Supplemental Index Criteria for cottage housing does contain some specific design requirements. If appealed, an appeal hearing before the Hearing Examiner is required. Our current administrative process is very similar to the processes that Bellevue and Redmond use for their cottage housing. Kirkland has a pilot project where they allowed a few initial projects through the approval of the City Council. These other cities have either similar or somewhat more demanding development standards.

The first option is to amend the cottage housing regulations with improved standards (Attachment C) and supplemental criteria to the existing Conditional Use Permit criteria that address the issues of compatibility and design that the City believes needs to be addressed.

A second option is to transfer the decision on cottage housing proposals from an administrative Type "B" permit to a quasi-judicial Type "C" permit issued by the City Council after Planning Commission review and recommendation. It is likely that new criteria will need to be developed and adopted for a Cottage Housing Type C permit. The existing Type C - Special Use Permit purpose and criteria is primarily for locating regional land uses such as transfer stations and jails.

A third option is to adopt code amendments that require a Design Review Board, process, and criteria. Currently, there is no design review process required by code. The SMC 2.20.060.D (Attachment D) states that the Planning Commission shall perform design review where required unless it is formally delegated to other bodies or city staff.

A fourth option is to authorize the Director to refer a proposed project to the Planning Commission for design review based upon new criteria. The projects could continue to be applied for under a Type B permit. For example, new language might be added "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 45 days."

#### Analysis of Cottage Housing Benefits for Shoreline

Comprehensive Plan - In 1998 Shoreline adopted its comprehensive plan. In the plan there are policies that support cottage housing as well as alternative housing choices.

*Housing Element Goal HI: Provide sufficient development capacity to accommodate the 20 year growth forecast in appropriate mix of housing types by promoting the creative and innovative use of land designated for residential and commercial use.*

*Policy H1: Encourage a variety of residential design alternatives that increase housing opportunities in a manner that is compatible with the character of existing residential and commercial development throughout the city.*

*Goal LU III: To have adequate residential land and encourage a variety of quality residential buildings and infrastructure suitable for the needs of Shoreline's present and future residents.*

*Policy LU27: Allow cottage housing in residential areas if they go through design review and adhere to the following characteristics:*

*Common open space*

*Reduced parking areas*

*Detached homes*

*Common amenities (e.g. garden plots, play areas, storage buildings, orchard)*

Policy LU27 was recently re-adopted with by the Council in the 2005 Comprehensive Plan update. In the adoption the Council removed language that allowed cottage housing specifically in "R6 zones and up".

**Cottage Housing Rational** - These goals and policies were the basis of the 1999 Shoreline Planning Academy's recommendation for the City's 2000 Development Code. The Academy favored less density and modest sized single family homes that fit in the neighborhoods. The dilemma was how to have less density and achieve the GMA mandates for housing growth. The proposed solution was to increase the minimum lot size from 5,000 to 7,200 square feet while allowing cottages with higher density. The condition was that density could be increased for cottages as long as the overall size, setbacks, lot coverage, design, and open space are compatible and comparable to the surrounding neighborhood. The final regulations included a provision to require a conditional use permit in all R4 and R6 zones which require neighborhood noticing and adherence to the Supplemental Index Criteria.

**Comparison to Single Family** - Cottage housing is not the same as but is physically comparable to the impacts of single family development. Cottage housing must meet many of the same development standards as single family development including lot coverage. The cottage housing setbacks are similar with a 10 foot average interior lot setback (minimum of 5 feet); single family the side setbacks can be 5 and 10 feet and the rear of 15 feet - averaging about 10 feet overall. Front yards have 15 foot setbacks for cottages versus 20 feet for single family. The building height potential is 10 feet less than single family and the building bulk is comparable with 2 cottages together having 2000 square feet versus a single family typically built over 2000 square feet with no upper limit. A single family home can have up to 6 cars per home whereas 2 cottages are limited to 4 cars. Based on the input of public opposition, these comparisons have not been significant enough to outweigh the concern that cottages do not look like normal homes and that they are built at higher density than R6 development.

**State GMA Targets** - Under the Growth Management Act, and the King County Countywide Planning Policies, the City of Shoreline is obligated to plan for population growth. The King County Countywide Planning Policies have established a target for 2618 new dwelling units for the period 2001-2022. The Buildable Land Analysis estimated of that total about 350 units of Cottage Housing could be constructed under the current Shoreline Municipal Code (SMC). If cottage housing is eliminated, our estimated capacity would be reduced by about half of these 350 units, because redevelopment could be expected, but without a density bonus. Additional capacity may be available as we conduct an update of the Buildable Land Analysis in 2006-2007.

**ATTACHMENTS**

- Attachment A: Public Participation Map
- Attachment B: Conditional Use Permit Criteria and Supplemental Index Criteria
- Attachment C: Proposed Cottage Housing Amendments
- Attachment D: SMC 2.20.060.D



# Cottage Housing Participation Map

## Location Of Existing Cottage Housing

- ASHWORTH COTTAGES
- FREMONT COTTAGES
- GREENWOOD COTTAGES
- 4 HOPPER COTTAGES
- 5 MADRONA COTTAGES
- MERIDIAN PARK COTTAGE HOMES
- RESERVE COTTAGES

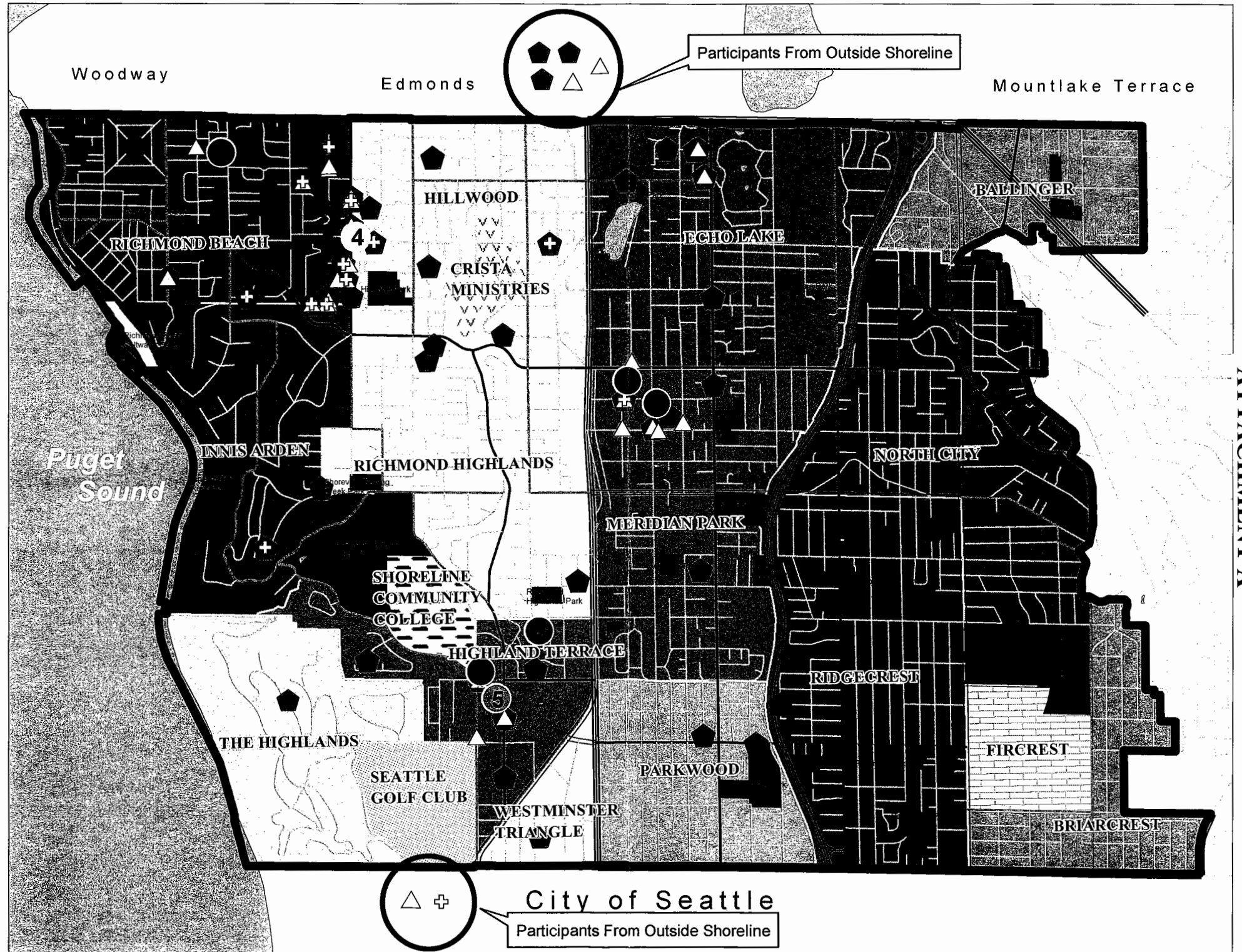
## Location Of Participant Residence

- ⊕ Signed In to Speak at June 2nd Hearing
- Signed In at May 11th Meeting
- △ Submitted Written Comment

Based on information provided on meeting sign in sheets where participant provided address. Some participants/commentors may have provided more than one comment. Some comments represent more than one participant.



0 750 1,500 3,000 4,500 6,000 Feet



- 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.

**20.40.260 Boarding houses.**

- A. Rooming and boarding houses and similar facilities, such as fraternity houses, sorority houses, off-campus dormitories, and residential clubs, shall provide temporary or longer-term accommodations which, for the period of occupancy, may serve as a principal residence.
- B. These establishments may provide complementary services, such as housekeeping, meals, and laundry services.
- C. In an R-4 or R-6 zone a maximum of two rooms may be rented to a maximum of two persons other than those occupying a single-family dwelling.
- D. Must be in compliance with health and building code requirements.
- E. The owner of the rooms to be rented shall provide off-street parking for such rooms at the rate of one parking stall for each room.
- F. Boarding houses require a boarding house permit. (Ord. 352 § 1, 2004; Ord. 238 Ch. IV § 3(B), 2000).

-C-

**20.40.270 Cemeteries and columbariums.**

Cemeteries and columbariums:

- A. Columbariums only as accessory to a church; provided, that required landscaping and parking are not reduced.
- B. Structures shall maintain a minimum distance of 100 feet from property lines adjoining residential zones. (Ord. 238 Ch. IV § 3(B), 2000).

**20.40.280 Community residential facilities I and II.**

*Repealed by Ord. 352. (Ord. 299 § 1, 2002; Ord. 238 Ch. IV § 3(B), 2000).*

**20.40.290 Conference center.**

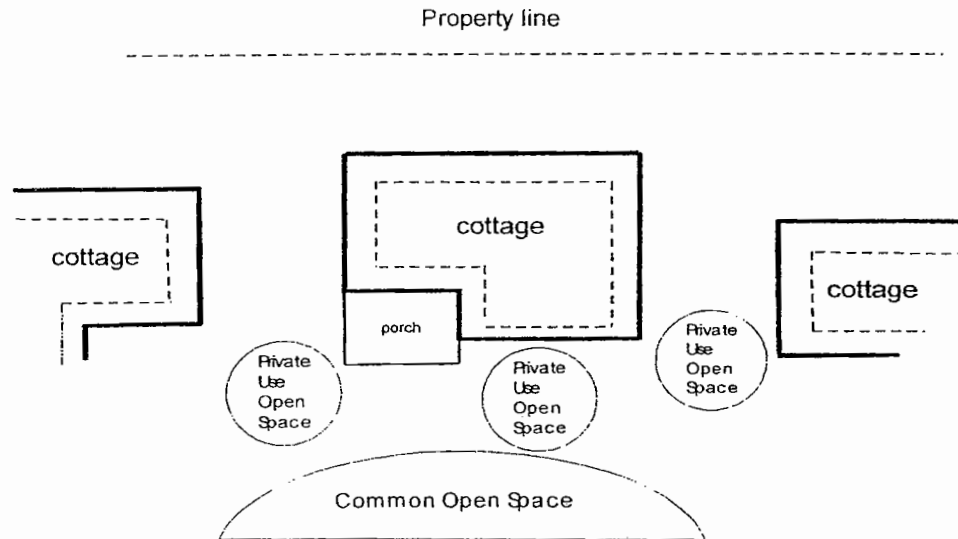
Permitted in a residential zone as accessory to a park or in a building listed on the National Register as an historic site or designated as a King County landmark or as a conditional use. (Ord. 238 Ch. IV § 3(B), 2000).

**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.
- B. 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 maximum main floor area for an individual cottage housing unit shall be 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.
- C. The following number of cottage housing units 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
- D. Cottage housing units shall be developed in clusters of a minimum of four units to a maximum of 12 units.
- E. The height limit for all 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.
- F. Cottage housing units shall be oriented around and have the covered porches or main entry from the common open space. The common open space must be at least 250 square feet per cottage housing unit. Open space with a dimension of less than 20 feet shall not be included in the calculated common open space.
- G. Each cottage housing unit shall be provided with a private use open space of 250 square feet 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.



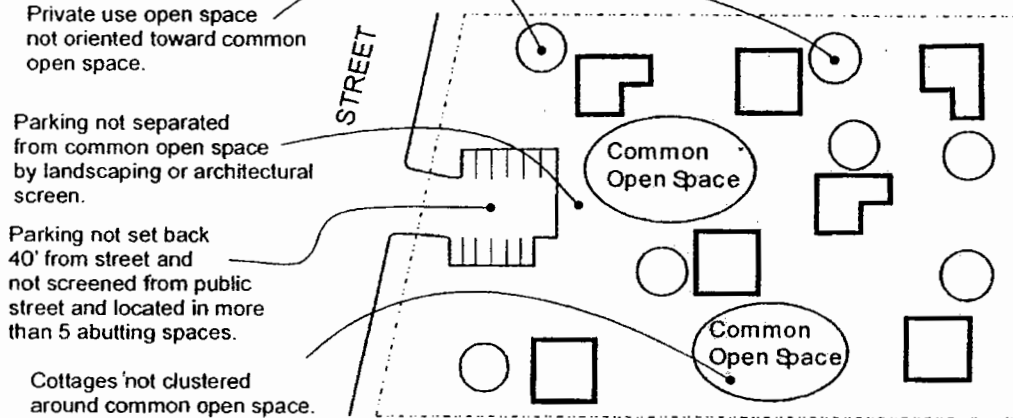


**Figure 20.40.300(G): Private use open space should be contiguous to each cottage, for the exclusive use of the cottage resident, and oriented towards the common open space.**

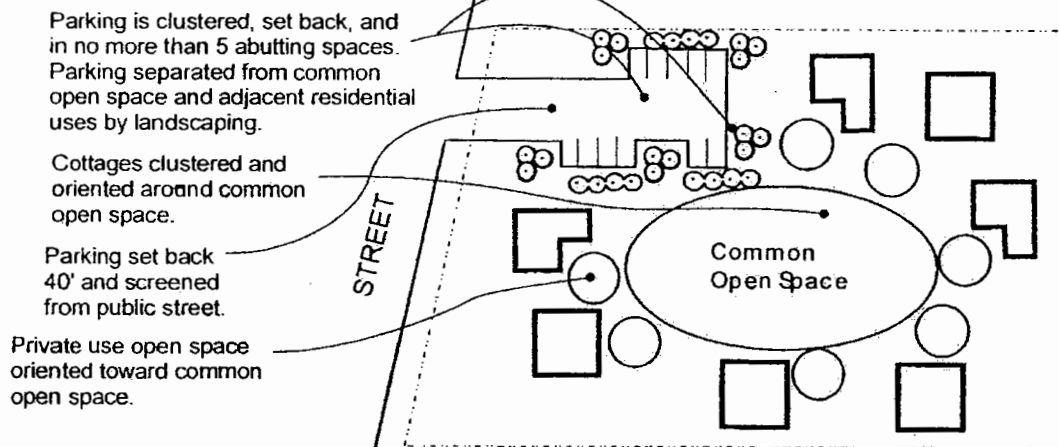
- H. Cottage housing units shall have a covered porch or entry at least 60 square feet in size with a minimum dimension of six feet on any side.
- I. All structures shall maintain no less than 10 feet of separation within the cluster. Projections may extend into the required separation as follows:
- 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
- K. Parking shall be:
- Clustered and separated from the common area by landscaping and/or architectural 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.

- L. 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.
- M. All fences on the interior of a lot shall be no more than 36 inches in height. Fences 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 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).

**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~~<sup>maximum</sup> 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:~~

~~4.75~~

- ~~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

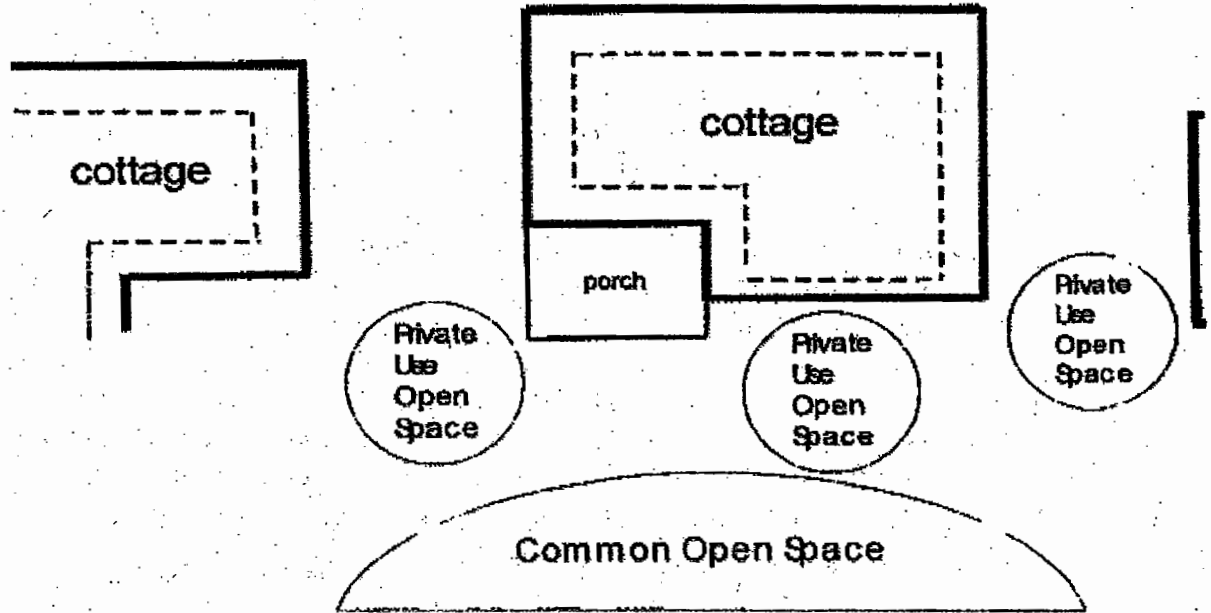


Figure 20.40.300(G): Private use open space should be contiguous to each cottage, for the exclusive use of the cottage resident, and oriented towards the common open space.

- 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.

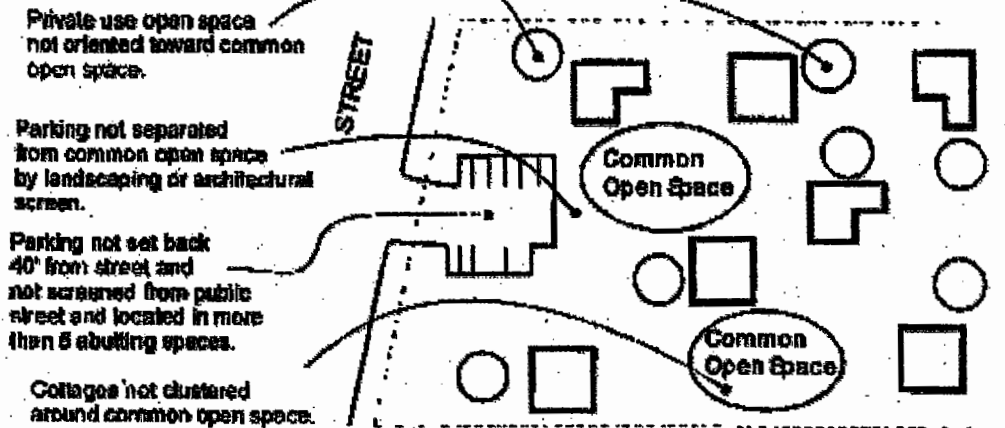
~~Clustered and separated from the private and common area and cottage units by landscaping and/or architectural wall under 4 feet in height with trellis above 6 feet in height screen. No solid board fencing allowed as architectural screen.~~

- 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

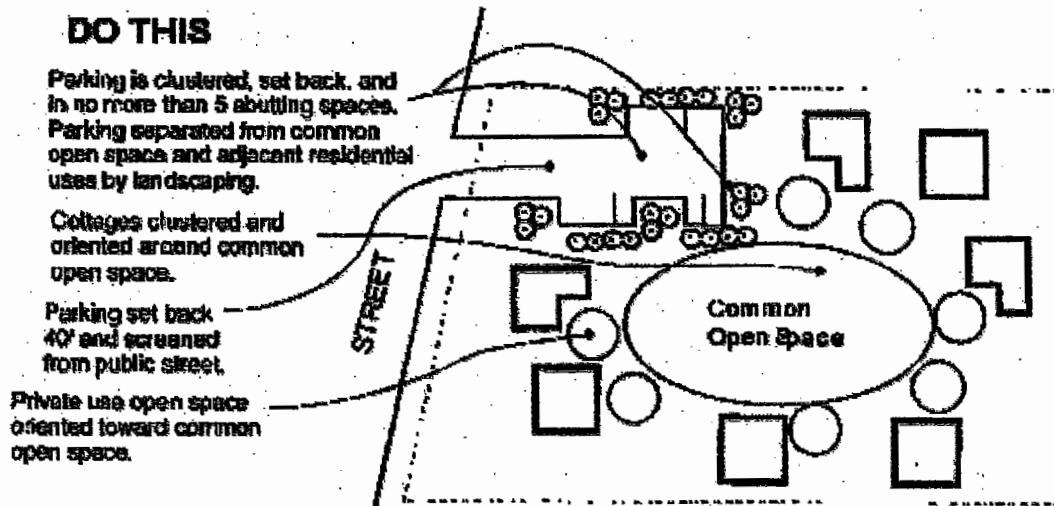


Figure 20.40.300: Avoid large clusters of parking, set back parking from the street, create functional common and private use open space, provide for screening of parking from cottages and common open space. The site should be designed with a coherent concept in mind.

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

C. The commission shall adopt such rules and regulations as are necessary for the conduct of its business and shall keep a taped record of its proceedings and such written notes as the commission may from time to time direct. The taped record and any written notes shall be a public record. [Ord. 36 § 3, 1995]

#### **2.20.040 Staff support.**

Administrative staff support to the planning commission shall be provided by the city manager or designee. [Ord. 36 § 4, 1995]

#### **2.20.050 Rezone hearings.**

The planning commission shall conduct public hearings and make a recommendation to the council on rezones in the city of Shoreline. [Ord. 36 § 5, 1995]

#### **2.20.060 Duties – Responsibilities.**

A. The planning commission shall direct the preparation of a comprehensive plan and development regulations in compliance with Chapter 36.70A RCW. This includes establishing procedures providing for early and continuous public participation in the development and amendment of the comprehensive land use plan for the city and the development regulations implementing the plan and make recommendations concerning these matters to the city council.

B. The planning commission shall review land use management, shoreline management and environmental protection ordinances and regulations of the city and make recommendations regarding them to the city council.

C. The planning commission shall review potential annexations to the city as requested by the city council, and make recommendations concerning them.

D. Where design review is required by land use ordinances of the city, the planning commission shall perform such design review unless that review is delegated to some other appointed body or city staff.

E. The planning commission shall recommend, establish priorities for, and review studies of geographic subareas in the city.

F. The planning commission shall submit written periodic reports annually to the city

council setting forth its progress in completing its work program for the current fiscal year.

G. The planning commission shall be encouraged to maintain liaison with the planning staff of the city.

H. The planning commission may hold public hearings in the exercise of its duties and responsibilities as it deems necessary.

I. The planning commission shall make recommendations to the city council regarding the subdivision of land pursuant to RCW 58.17.100 and in conformity with other ordinances of the city.

J. The planning commission shall have such other duties and powers as may be conferred upon the commission from time to time by ordinance, resolution or motion of the city council.

K. Unless otherwise assigned by ordinance to another body, all public hearings required to be held in the course of adoption or amendment to the comprehensive plan, the zoning code, adoption or amendment of the zoning map, or adoption or amendment of regulations for the subdivision of land, shorelines management and environmental protection regulations shall be heard by the planning commission. [Ord. 36 § 6, 1995]