



# A G E N D A

## PLANNING COMMISSION

Connie Coleman-Lacadie • Don Daniels • Robert Estrada • James Guerrero • Robert Pourpasand • Paul Wagemann • Christopher Webber

### **Regular Meeting**

**Wednesday, June 17, 2015, at 6:30 pm**

**City Hall, Council Chambers**

6000 Main Street SW, Lakewood, Washington

1. **Call to Order**
2. **Roll Call**
3. **Approval of Minutes from June 3, 2015**
4. **Public Comments**  
(Members of the audience may comment on items that are not included on the agenda. Each person will be allowed 3 minutes to speak, to a total of 15 minutes per topic. Groups with a designated speaker may have a total of 10 minutes to speak.)
5. **Public Hearings**
  - Cottage Housing Regulations –Public Hearing
6. **Unfinished Business**
  - None
7. **New Business**
  - Economic Development Update
8. **Reports from Commission Members & Staff**  
(Planning Commission members and staff may make committee reports and announcements relating to items not on the agenda.)

**Enclosures:** June 3, 2015 Draft Minutes  
Staff Report re: Public Hearing on Cottage Housing

**Members Only:**

Please call Karen Devereaux at 253.983.7767 by Tuesday, June 16, 2015, if you are unable to attend. Thank you.

**The next meeting is tentatively scheduled for July 1, 2015**



**PLANNING COMMISSION  
REGULAR MEETING  
WEDNESDAY, June 3, 2015  
Council Chambers  
6000 Main Street SW  
Lakewood, WA 98499**

**Call to Order**

The meeting was called to order at 6:32 p.m. by Mr. Don Daniels, Chairman.

**Roll Call**

Planning Commission Members Present: Don Daniels, Chair; Connie Coleman-Lacadie, Robert Estrada and James Guerrero

Planning Commission Members Excused: Paul Wagemann and Christopher Webber

Planning Commission Members Absent: Robert Pourpasand, Vice-Chair

Staff Present: David Bugher, Planning Director; Dan Catron, Principal Planner and Karen Devereaux, Recording Secretary

Council Liaison: Councilmember Mike Brandstetter

**Acceptance of Agenda**

No changes.

**Approval of Minutes**

**Minutes of the meeting held on May 20, 2015, were approved as written by a unanimous voice vote, M/S/C Guerrero/Estrada.**

**Public Comments**

Mr. Glen Spieth, Lakewood resident, provided some follow-up on his request at the previous meeting and thanked the commissioners for their follow through on his requests regarding roadway striping in front of his Steilacoom Blvd property. The work was completed last Friday and he has noticed a considerable improvement in the noise level since traffic has been directed away from his driveway and property line.

**Public Hearing**

None.

**Unfinished Business**

None.

**New Business**

2015 Comprehensive Plan Update - Introduction (no recommendations)

In 2014 staff updated and adopted the land use maps (Chapter 2) and element (Chapter 3), economic development chapter (Chapter 5) and the utilities chapter (Chapter 7) of the City's comprehensive plan. Planning Manager Dan Catron introduced the

commissioners to the rough-draft comprehensive plan updates and brief description of changes to four chapters to include:

a) Chapter 1 – Introduction

A section will be added describing the highlights of the recent efforts of the Community Visioning Plan which will be incorporated into this chapter. A series of pictures will be updated showing benchmark improvements from 2000 through 2015.

b) Chapter 4 – Urban Design

Substantive changes to this chapter include extending the civic boulevard designation to the full length of Bridgeport Way SW through Springbrook and north of Steilacoom Blvd. Expect significant realignment of roadways in Tillicum with changes from WSDOT congestion relief projects along JBLM frontage. This chapter is also reaffirming policies to prepare sub-areas plans for the Central Business District, Tillicum and Lakewood Station District.

c) Chapter 9 – Public Facilities

The proposed update clarifies that the City will use a two-part approach to this chapter. The chapter itself contains the general goals and policies regarding public facilities, but the implementation of plans and programs will be contained in the City's 6-Year Capital Improvement Program. That program is very detailed. The 6-Year Transportation Improvement Program has been incorporated into the City's adopted bi-annual budget. An explicit policy is added that directs the City to update the CIP with the budget every two years.

d) Chapter 10 – Implementation

This section will incorporate the action plan elements of the Community Visioning Plan.

In the future staff will be discussing the Transportation and Public Services elements, as well as a privately initiated comprehensive plan and zoning code amendment from Lakewood Racquet Club. The Club property is located on 112<sup>th</sup> St across from Clover Park High School. The Club wants to change the designation of their property from *Open Space and Recreation* to some kind of a residential zoning to accommodate development on the vacant lot of townhomes and condos. This location is also in a newly mapped flood zone (historic creek channel for Clover Creek) that has not yet been formally adopted. Staff is not sure how this will get resolved. There are endangered species act implications from this new flood plain designation.

Mr. Robert Estrada queried if this was just an introduction. Mr. Dan Catron noted questions can be asked at any time while explaining the next steps would be an environmental review, then a public hearing, after which the commissioners would give a recommendation to the City Council. Mr. Dave Bugher explained the PSRC Checklist is a working document and will continue to be updated until staff finalizes the

environmental review and starts the public hearing process, at which time the public and the commission will still have ample time to review it and suggest changes.

Mr. Dan Catron explained sub-area plans in response to Mr. Robert Estrada's query. Mr. Dave Bugher noted the plans include more detailed specific types of uses; which may include mixed-use residential/retail in the Towne Center. These sub-area plans could address new road systems, perhaps expanding the level of open space in the Towne Center and taking into account the new markets coming about as a result of the internet. Changes in the sub-area plans may include creating more of a sense of place and a higher level of walkability in the Towne Center itself.

Mr. Dave Bugher noted the sub-area plans are not just talking about the Towne Center but include everything in the designated CBD (Central Business District), such as the Colonial Center. It will likely address additional road improvements on Gravelly Lk Dr, how the City uses signals to manage traffic control to move people faster on Gravelly Lk Dr, 100<sup>th</sup> Street, and Bridgeport Way. Mr. Dave Bugher stated that the biggest change will be additional criteria for building construction to include what the buildings will look like and how they will be used. This will be a very large undertaking and a significant investment on the part of the City.. The City will hire a consultant to do the work and will take approximately 18-24 months with an expected cost of around half a million dollars.

The sub-area plan will also require the Lakewood Water District, Tacoma Power and Pierce County Sewer Department to take a look at existing capital infrastructure and determine if it's sufficient to meet the demands for the kinds of development we are talking about. Mr. Dave Bugher commented that this may start a conversation about parking garages along Pacific Hwy.

Mr. Robert Estrada asked about future plans for high-density multi-family housing in and around the Lakewood Station, and wondered if it required zoning changes. Dan Catron stated that zoning allowing 54 units per acre was established in the existing Comprehensive Plan, with plans for development becoming more realistic since the Lakewood Station was built in the Lakeview neighborhood.

#### 2015 CPA Site Tour

The five commissioners present, along with Mr. Dave Bugher and Mr. Dan Catron, toured two prospective areas of Lakewood that are subject to comprehensive plan amendments and land use zoning changes. The tour began at 6:55 p.m. and ended at 7:35 p.m. with all participants returning to the Council Chambers to conclude the regular meeting.

#### **Reports from Commission Members and Staff**

Staff shared the following project updates:

Mr. Bugher reminded commissioners the Economic and Community Development Department is hosting a Developer's Forum on Thursday, June 11, 2015.

The City Council will be viewing a report on the Multi-Family Tax Exemption Program at the June 8<sup>th</sup> City Council meeting.

Mr. Dave Bugher informed the group he is working on a 2-page document addressing fire-extinguisher and sprinkler requirements regarding upgrades to existing apartments as part of the Rental Housing Inspection Program expected to be implemented in 2016.

On June 8<sup>th</sup> new business licensing provisions will be implemented staff is currently working with the Star Lite Swap Meet to help with a smooth transition.

The focus of department staff is completing the comprehensive plan amendments, complete the environmental review, finalize specific chapters, and then move forward for public comment. Mr. Dave Bugher does expect to receive quite a bit of commentary from the property owners when reviewing land use amendments in the Interlaaken area.

The issue on the Racquet Club will also be problematic because of the underlying environmental aspects of the project. It is being considered to review the application but not take any action in 2015 but to wait until the adoption of the new flood plain and critical area regulations are contemplated. Then allow them to resubmit the application in 2016. That is one thought. It is not that staff is opposed to the proposal but the new wrinkle with the ESA implications for floodplains has caused significant concern as to how to move forward.

Mr. Robert Estrada queried comments made at a Council meeting about the 2-year terms of commissioners and required levels of expertise. Mr. Dave Bugher thought the reference was to amending the ordinance for the planning commission to have certain people with a certain level of expertise to be on the commission. Mr. Dave Bugher noted it may be difficult within a pool of applicants to find a specific mix of expertise.

Mr. Don Daniels asked for clarification on which group would handle the public hearing for the 6-Year TIP which was scheduled to be heard by the planning commission. Mr. Catron explained the City Council has the original authority to hold the public hearing and in years past they have delegated it to the Transportation Advisory Board. This year the Council has decided to hold it themselves.

Mr. James Guerrero asked to be explained what drives public comment in a public hearing regarding the anticipated zoning changes. Mr. Dave Bugher explained that his experience is property owners are anxious over what it is the City is attempting to do because they don't understand it. We are keeping the density fairly low at 15,000 sq. ft. so to many of the houses it means no change whatsoever.

Mr. James Guerrero queried if there was any basis for the property values going up or down with such a zoning change. Mr. Bugher commented that generally increasing the density from R1 to R2 could potentially increase value and you have the opportunity to do more with your property. He reminded the group he is not an expert on the subject

and must be careful noting it is up to the assessor working the property to make those decisions.

Mr. Don Daniels added that in his experience the number one comment property owners make or ask about a zone change is how it will affect their property value, but that this is up to the citizen to research. Mr. Bugher commented that it is really not a finding that the commission makes when they look at this “will it increase property value?” Deliberations should be more in the general category of the public health, safety, and welfare, or much broader than that.

Mr. Robert Estrada commented they should be prepared to answer that question. Mr. Dave Bugher suggested they prepare the staff report, go through the findings, wait for the question and answer it at that point in time. Noting that this would be a very specific zone change to a very specific issue, and it would be difficult to discern if this change would impact the value of a specific property one way or the other at this time. The increase in the assessment would take place if property was ever sub-divided.

**Next Meeting:** June 17, 2015, at 6:30 p.m. in Council Chambers

Agenda items include:

- Cottage Housing Regulations – Public Hearing
- Economic Development Update

**Meeting Adjourned** at 7:50 p.m.

---

Don Daniels, Chair  
Planning Commission 6/17/2015

---

Karen Devereaux, Recording Secretary  
Planning Commission 6/17/2015



## COMMUNITY DEVELOPMENT DEPARTMENT STAFF REPORT

TO: PLANNING COMMISSION

FROM: DAN CATRON, PLANNING MANAGER

MEETING DATE: JUNE 17, 2015

AGENDA ITEM:

**SUBJECT: COTTAGE HOUSING REGULATIONS- PUBLIC HEARING**

---

### RECOMMENDATION:

- Review staff report and proposed ordinance amendments;
- Hold public hearing and take testimony from the public;
- Consider public comments and adopt resolution recommending that the Council approve the proposed amendments.

### ANALYSIS

#### Background:

On March 4, April 15, and May 20, 2015, the Planning Commission reviewed recommended amendments to the zoning code regarding the subject of cottage housing. The Commission has reviewed several versions of a draft ordinance that would provide for cottage housing, and discussed policy variables that would be reflected in a cottage housing ordinance.

#### DESCRIPTION OF PROPOSED AMENDMENTS:

Generally speaking, cottage housing is defined as a multi-unit housing development consisting of small detached units (650-1,200 sq. ft.) arranged around a commonly owned open space area with congregate parking, and including an integrated development plan for the entire site. Cottage housing offers a degree of privacy and some of the benefits of single family housing combined with the lower maintenance costs of an integrated multi-family housing development. The clustered arrangement of the dwelling units can contribute to a sense of community. The shared common area and coordinated design allow densities to be increased while minimizing impacts on adjacent residential neighborhoods. As a result, cottage housing

can offer its owners a quality living environment that is less expensive than traditional single family housing.

The proposed ordinance would apply in the City's single-family residential zones (R1 through R4). The proposed cottage housing ordinance would allow cottage housing developments to exceed the base density otherwise allowed in the underlying zoning district as an incentive to provide a cottage housing product. Allowable density in RI and R2 zones would be tripled. Allowable density in R3 and R4 zones would be doubled.

Allowing an increased number of dwelling units and density would be mitigated through the requirement of smaller dwelling units and a higher level of design control. In developing a cottage housing ordinance, the Planning Commission will need to balance development incentives that promote cottage housing against design requirements that protect existing neighborhood character.

#### Discussion:

Staff has been making adjustments to the draft ordinance in response to discussions with the Planning Commission. Specific changes that have been made to the draft resolution include:

- Provided broad design review authority (and flexibility) at the discretion of the hearing examiner, while at the same time providing a prescriptive option for certain design elements;
- Deleted requirements for a minimum amount of private open space;
- Increased maximum cottage unit size to 1,200 sq. ft.
- Clarified that cottage units shall not include basements;
- Increased maximum size of shared garages to 1,200 sq. ft.

The Planning Commission is free to discuss any aspect of the proposed cottage housing program and/or the draft ordinance. Issues discussed at the May 20<sup>th</sup> Planning Commission hearing, but not yet reflected in the draft ordinance, include parking on the street, reducing the minimum number of parking stalls required, and re-examining minimum roof slope requirements. The Planning Commission will eventually need to make affirmative findings that the program is consistent with the City's comprehensive plan and the Washington State Growth Management Act.

#### **PUBLIC NOTICE:**

Public notice of the June 17<sup>th</sup> public hearing was posted at City Hall and published in the Tacoma News Tribune on May 28, 2015. On May 15, 2015, notice of the proposed amendments was provided to the Washington Department of Commerce pursuant to RCW 36.70A.106.

**SEPA REVIEW STATUS:**

A Determination of Non-Significance for the proposed changes was adopted on June 4, 2015. A Notice of Issuance was published in The News Tribune on the same day. The public comment deadline on the SEPA determination closes June 18, 2015. The final SEPA determination for legislative actions, such as the proposed amendments, is considered conclusive and is not subject to appeal. Documentation of the SEPA process including the environmental checklist and Determination of Non-Significance was included with the May 20<sup>th</sup> study session staff report.

**CONCLUSION:**

Based on the foregoing discussion, the Community Development Department recommends that the Planning Commission support the proposed cottage housing provisions and approve the attached draft resolution recommending that the City Council adopt the proposed amendments.

**EXHIBITS:**

1. Planning Commission Staff Report
2. Determination of Non-Significance dated June 4, 2015
3. Draft Resolution
4. Planning Commission minutes from March 4, April 15, and May 20, 2015.
5. Notice of Public Hearing

## **CITY OF LAKEWOOD DETERMINATION OF NON-SIGNIFICANCE**

**PROJECT NAME:** 2015 Cottage Housing Regulations

**PROJECT DESCRIPTION:** Amendments to the City's Land Use and Development Code to provide for Cottage Housing Developments

**PROJECT PROPONENT:** City of Lakewood  
6000 Main Street SW  
Lakewood, WA 98499

### **SUMMARY:**

This proposal involves zoning code amendments establishing special provisions for a specific form of residential development known as "Cottage Housing". Cottage housing involves developments of 4 to 12 detached dwelling units of limited size that are oriented around a central garden or community open space area. Density bonuses above the maximum residential density of the underlying zoning district are permitted in exchange for compliance with specific design guidelines and parameters. Specific environmental protection regulations, including the City's Environmental Rules and Procedures ("Local SEPA Regulations"), Critical Areas and Resource Lands Ordinance, and the City's Shoreline Management Regulations remain applicable to cottage housing, and are not affected by these proposed amendments.

### **FINDINGS OF FACT:**

1. On July 10, 2000, the Lakewood City Council adopted a new Comprehensive Plan as required by the Washington State Growth Management Act of 1995. An Environmental Impact Statement was prepared pursuant to the State Environmental Policy Act (SEPA) which addresses the environmental impacts caused by changes in land use proposed by the new Plan.
2. On August 20, 2001 the City adopted a Land Use and Development Code (Chapter 18A of the Lakewood Municipal Code). The broad intent of the Code is to implement the Comprehensive Plan. The adopted Code is intended to foster harmony among land uses, preserve the qualities of desirable residential neighborhoods, improve neighborhoods whose character undermines good-quality living conditions, diminish reliance on automobile use, and promote the well-being of the city through integration of aesthetic, environmental, and economic values.
3. The Community Development Department is now proposing to provide for a special type of residential development known as "cottage housing". Cottage housing involves the construction of multiple single-family detached residential structures of limited size oriented

around a commonly-held open space area. Cottage housing would allow for density to be increased in terms of dwelling units per acre, but would also be subject to special design and permitting requirements. Overall impervious lot coverage limitations would remain in effect.

4. The proposed changes to the Land Use and Development Code are minor in nature and will help the City accommodate additional in-fill housing units in existing urban areas served by existing infrastructure and utilities consistent with the Washington State Growth Management Act.

**CONCLUSIONS OF RESPONSIBLE OFFICIAL:**

The Responsible Official concludes that the proposed amendment to the Land Use and Development Code to allow for Cottage Housing development will help implement the provisions of the Comprehensive Plan. The proposed amendments to the Land Use and Development Code will not have any adverse effects on the environment beyond, or separate from, those of the Comprehensive Plan itself. Pursuant to WAC 197-11-350 (3), a DNS may be issued. This conclusion is based on staff review of the proposed code amendments and the environmental checklist. The environmental effects of specific projects allowed by the proposed ordinance will be analyzed on a case-by-case basis, as required by the State Environmental Policy Act.

Agency: City of Lakewood  
Community Development Department  
6000 Main Street SW  
Lakewood, WA 98499

Date of Issue: June 4, 2015

Comment Deadline: June 18, 2015

Date of Final Determination: \_\_\_\_\_

  
David Bugher, Responsible Official

NOTE: Pursuant to Lakewood Municipal Code Section 14.02.200, decisions of the Responsible Official regarding Process V Legislative Actions are final and are not subject to administrative appeal.

**CITY OF LAKEWOOD  
PLANNING COMMISSION  
RESOLUTION NO. 2015-DRAFT (3)**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LAKEWOOD  
RECOMMENDING APPROVAL OF AN AMENDMENTS TO THE LAND USE AND  
DEVELOPMENT CODE- CHAPTER 18A OF THE LAKEWOOD MUNICIPAL CODE  
REGARDING COTTAGE HOUSING

WHEREAS, the City of Lakewood incorporated on February 28, 1996; and

WHEREAS, pursuant to the Washington State Growth Management Act of 1995, the City of Lakewood adopted a Comprehensive Plan in July, 2000, and a Land Use and Development Code (Chapter 18A of the Lakewood Municipal Code) on August 20, 2001; and,

WHEREAS, since the time of adoption of the Land Use and Development Code the City has received input on the Code from citizens and project proponents, and has identified areas where adjustments to the Code would be appropriate; and,

WHEREAS, the Community Development Director has received suggestions to provide for increased density and housing options within the City's single family residential zoning districts; and

WHEREAS, the Planning Commission held a duly-noticed public hearing(s) on \_\_\_\_, 2015, to receive and consider public testimony on said proposed code changes; and,

WHEREAS, the Planning Commission has found that the proposed changes to the Land Use and Development Code are consistent with the adopted Lakewood Comprehensive Plan and will not adversely affect the public health, safety and general welfare of the citizens of the city; and,

WHEREAS, the Planning Commission has found affirmatively that the proposed amendments satisfy the applicable findings of LMC 18A.02.415;

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission for the City of Lakewood does hereby recommend to the Lakewood City Council that the following amendments to Chapter 18A of the Lakewood Municipal Code be adopted:

(Language to be added is underlined, and language to be deleted is ~~struck through~~).

1. The Commission recommends that Section 18A.02.502 be amended so that the Section reads as follows:

**18A.02.502 - Process Types – Permits**

**TABLE 3: APPLICATION PROCESSING PROCEDURES**

Permit Process Types. Permit applications for review pursuant to this section shall be classified as a Process I, Process II, Process III, or Process IV action. Process V actions are legislative in nature. Permit applications and decisions are categorized by process type as set forth in Table 3. The differences between the processes are generally associated with the different nature of the decisions and the decision-making body as described below.

	<b>Process I Administrative Action</b>	<b>Process II Administrative Action</b>	<b>Process III Hearing Action</b>	<b>Process IV Hearing Action</b>	<b>Process V Legislative Action</b>
<b>Permits</b>	Zoning certification; Building permit; Design Review; Sign permit; Temporary Sign permit; Accessory Living Quarters; Limited Home Occupation; Temporary Use; Manufactured or Mobile Home permit; Boundary Line Adjustments; Minor modification of Process II and III permits; Final Site Certification; Certificate of Occupancy; ***Sexually Oriented Business extensions	Administrative Uses; Short Plat; SEPA; Home Occupation; Administrative Variance; Binding Site Plans, Minor Plat Amendment, Major modification of Process II permits	Conditional Use; Major Variance; Preliminary Plat; Major Plat Amendment; Major modification of Process III permits: Shoreline Conditional Use; Shoreline Variance; Shoreline Substantial Development Permit; Public Facilities Master Plan; <u>Cottage Housing Development (may be considered together with residential binding site plan)</u>	Zoning Map Amendments; Site-specific Comprehensive Plan map amendments; Specific Comprehensive Plan text amendments; Shoreline Redesignation, <b>**Final Plat**</b> ; <b>**Development Agreement**</b> <b>**No hearing required or recommendation made by Planning Advisory Board**</b>	Generalized or comprehensive ordinance text amendments; Area-wide map amendments; Annexation; Adoption of new planning-related ordinances

<b>Impacts</b>	Minimal or no effect on others, so issuance of permit is not dependent on others	Application of the standards may require some knowledge of impacts and effect upon others	Potential significant effect on some persons or broad impact on a number of persons	Potential significant effect on some persons or broad impact on a number of persons	Potential significant effect on some persons or broad impact on a number of persons
<b>Notice &amp; Comment</b>	Participation of applicant only	Nearby property owners invited to comment on an application	In addition to applicant, others affected invited to present initial information	In addition to applicant, others affected invited to present initial information	Anyone invited to present information
<b>Recommendation</b>	NA	NA	Community Development Department Staff	Planning Advisory Board, except for Final Plat and Development Agreement as noted ** above	Planning Advisory Board
<b>Decision-Making Body</b>	Community Development Director	Community Development Director	Hearing Examiner	City Council	City Council
<b>Appeal</b>	Hearing Examiner Community Development Director's decision on permits noted *** above is appealable to Superior Court.	Hearing Examiner	Superior Court	Superior Court	Superior Court

2. The Board recommends that a new Section 18A.70.700 through 790 be added to read as follows:

## **18A.70.700 - Cottage Housing**

### **18A.70.710 – Purpose and Intent – Cottage Housing**

The purpose of this chapter is to provide for a specific residential development type (“cottage housing”) featuring modestly sized single family (or two-family) detached residences with commonly held community amenities, and oriented around commonly held open-space areas. Specific design standards must be met. An increase in allowable density over the maximum density allowed in the underlying zoning district is provided as an incentive to encourage development of this type of housing, and in recognition of the reduced impacts expected from this type of housing versus typical single-family residential development. This housing type is intended to:

- A. Promote a variety of housing choices to meet the needs of a population diverse in age, income, household composition, and individual needs.
- B. Provide opportunities for more affordable housing choices within single-family neighborhoods.
- C. Encourage creation of functional usable open space in residential communities.
- D. Promote neighborhood interaction and safety through design.
- E. Ensure compatibility with neighboring land uses.
- F. Provide opportunities for infill development that support the growth management goal of more efficient use of urban residential land.

**Intent:** It is the intent of this section to provide specific standards for an increased density residential development type that is compatible with moderate density single family residential environments. This housing type will be strictly regulated to provide design amenities that make the development more attractive and compatible as infill in existing single family neighborhoods. Specific design features include limited-size detached building forms with a high level of design quality, increased minimum levels of landscaping and open space, and professionally maintained landscaping, common areas and building exteriors.

Approval of a cottage housing development project exceeding the maximum density allowed in the underlying zoning district shall only be granted if the project complies with the specific development and design standards contained in this section. Nothing in this section is intended

prohibit or limit the development of housing projects that otherwise meet the provisions of the underlying zoning district.

### **18A.70.720 – Applicability – Cottage Housing**

Cottage housing is permitted in the R1, R2, R3 and R4 zoning districts. The provisions of individual zoning districts shall be applicable to cottage housing developments; provided, that where a conflict exists, the provisions of this section shall control.

### **18A.70.730 - General Provisions – Cottage Housing**

- A. Cottage housing projects are permitted with the approval of a Cottage Housing Development Plan. Discrete ownerships may only be created through the residential binding site plan and/or condominium declaration process pursuant to RCW 64.34 as applicable. Cottage housing development plans shall be subject to review and approval as a conditional use permit subject to Process III permit procedures. Adherence to all applicable development standards shall be determined by the City’s Hearing Examiner as a component of the review process.
- B. Individual cottage units shall contain at least eight hundred (800) and no more than one thousand two hundred (1,200) square feet of gross floor area, Cottage units shall not include basements.
- C. A community building of up to 2,500 square feet in size may be provided for the residents of the cottage housing development. Roof pitch, architecture, materials and colors shall be similar to that of the dwelling units within the cottage housing development.
- D. Accessory dwelling units shall not be permitted in cottage housing developments.

### **18A.70.740 - Development Standards – Cottage Housing**

Cottage housing development shall be subject to the following development standards.

#### **A. Density.**

1. In the R1 and R2 zoning districts, cottage housing development shall be allowed a density not to exceed **three (3) times** the base density allowed in the underlying zone.

2. In R3 and R4 zoning districts, cottage housing developments shall be allowed a density not to exceed **two (2) times** the base density allowed in the underlying zone.

3. On a site to be used for a cottage housing development, existing detached single-family residential structures, which may be nonconforming with respect to the standards of this section, may be permitted to remain at the discretion of the hearing examiner, but the extent of the nonconformity may not be increased. The number of any such nonconforming dwelling unit(s) shall be multiplied by the factors noted in sections 1 or 2 above, and included in calculating the density of the cottage housing development.

B. Locational criteria.

1. The minimum area for a cottage housing project is 0.75 acre, which may include more than one contiguous lot.

2. Cottage housing development shall be separated from another cottage housing development by a minimum of 400 feet measured between the closest points of the subject properties.

C. Site design.

1. Cottage housing development shall be clustered and shall consist of a minimum of four (4) dwelling units and a maximum of twelve (12) dwelling units.

2. At least seventy-five (75) percent of dwelling units shall abut the common open space.

3. Common open spaces shall have dwelling units abutting at least two (2) sides.

4. Creation of individual lots shall only be permitted through the residential binding site plan process provided in LMC 17.34 and Chapter 64.34. RCW.

5. Siting of dwelling units or common open space in areas with slopes exceeding fifteen (15) percent is discouraged. Dwelling units shall not be placed in such areas if extensive use of retaining walls is necessary to create building pads or open space areas.

D. Setbacks and building separation.

1. Dwelling units shall have at least a fifteen (15) foot front and five (5) foot side and rear yard setback.

2. Dwelling units shall be separated from one another by a minimum of ten (10) feet, not including projections.

3. Dwelling units and accessory buildings shall be separated by at least six (6) feet.

4. Dwelling units not abutting or oriented toward a right of way shall have a front yard oriented towards the common open space. The approval authority may use appropriate discretion, consistent with the intent of this chapter, in determining orientation of yards.

E. Lot coverage.

Lot coverage shall not exceed the maximums specified for each individual zoning district. Lot coverage shall be calculated for the overall cottage housing development, not for individual lots. Paved components of common open space areas and walkways shall not be counted in lot coverage calculations.

**18A.70.750 - Open Space – Cottage Housing**

1. A minimum of five hundred (500) square feet of common open space shall be provided per dwelling unit.
2. Common open space shall be a minimum of three thousand (3,000) square feet in size, regardless of number of dwelling units.
3. No dimension of a common open space area used to satisfy the minimum square footage requirement shall be less than ten (10) feet, unless part of a pathway or trail.
4. In subdivisions and short subdivisions, common open space shall be located in a separate tract or tracts.
5. Required common open space shall be divided into no more than two (2) separate areas per cluster of dwelling units.
6. Common open space shall be improved for passive or active recreational use. Examples may include but are not limited to courtyards, orchards, landscaped picnic areas or gardens. Common open space shall include amenities such as but not limited to seating, landscaping, trails, gazebos, barbecue facilities, covered shelters or water features.
7. Surface water management facilities may be commonly held, but shall not counted toward meeting the common open space requirement.

**18A.70.760 – Building Design Standards – Cottage Housing**

A cottage housing development is expected to reflect a coherent and high quality design concept and include architectural elements that ensure compatibility with existing neighborhood development and character. The following design elements are intended to provide compatibility with existing residential environments. Alternative designs may be submitted to the hearing examiner for review and approval, but the Examiner must find that any such concepts meet or exceed the design quality of the prescriptive standards, and fulfill the stated purpose and intent of this chapter.

A. Roofs.

1. Dwelling units shall have a minimum 6:12 roof pitch. Up to thirty-five (35) percent of roof area may have a slope not less than 4:12. Portions of a roof with a pitch of less than 6:12 shall be limited to architectural features such as dormers, porch roofs and shed roofs.

2. Garages and carports shall have a minimum 6:12 roof pitch.

B. Entries and porches.

1. Each dwelling unit abutting a public right of way (excluding alleys) shall have a primary entry and covered porch a minimum of eighty (80) square feet in size, oriented toward the public right of way. If abutting more than one public right of way, the developer and City shall collaborate to determine which right of way the entrance and covered porch shall be oriented toward.

2. Each dwelling unit shall have an entry and covered porch oriented toward the common open space. If the dwelling unit abuts a public right of way, this may be a secondary entrance, and the minimum porch size shall be fifty (50) square feet. If not abutting a public right of way, this shall be the primary entrance, and the minimum porch size shall be eighty (80) square feet.

3. Covered porches shall be a minimum of six (6) feet deep.

C. Dwelling units shall not include attached garages unless the garage abuts an alley or shared parking lot. The first 200 square feet of attached garage space shall not be counted towards maximum dwelling unit size allowance. Garage area in excess of 200 sq. ft. shall be counted in the floor area of the unit.

D. Detached garages and carports associated with individual dwelling units shall not exceed five hundred (500) square feet in size. No shared garage or carport may exceed one thousand –two hundred (1,200) square feet in size.

E. Hearing Examiner Review. The Hearing Examiner shall consider all aspects of the project, and shall ensure that the project is well designed and compatible with existing and planned development in the vicinity. Possible topics for review by the Examiner include (but are not necessarily limited to): building materials and finishes, articulation and modulation, massing, trim details, colors, exterior lighting, special building heights, paving materials, mechanical equipment screening, fencing, tree retention and landscaping.

**18A.70.770 – Parking – Cottage Housing**

A. A minimum of 1.8 parking spaces per cottage shall be provided for the entire development. Fifteen (15) percent of total required spaces shall be designated for guests.

B. All or a portion of new on-street parking provided as a component of the development may be counted towards minimum parking requirements if the approval authority finds that such

parking configuration will result in adequate parking, and is compatible with the character and context of the surrounding area.

C. No more than fifty (50) percent of covered parking spaces may be carports.

D. Garage doors shall not be oriented toward a public right of way with the exception of an alley.

E. Garages and carports shall not be located between the common open space and the dwelling units.

F. Parking lots shall be broken into sub-lots of no more than eight (8) parking spaces. Sub-lots shall be separated by landscaped bulb-outs a minimum of 12 (twelve) feet in width.

G. Parking in the form of garages, carports or lots may occupy no more than forty (40) percent of site frontage on a public right of way, except in the case of an alley, in which case no restriction applies. On-street parking is permitted along the entire frontage. Parking in garages shall not be counted towards meeting minimum parking requirements unless an enforceable covenant is established that would require that the garage be used for automobile parking only and not general storage.

H. Parking lots shall be set back at least fifteen (15) feet from front property lines and ten (10) feet from external side and rear property lines.

I. Parking lots of more than two (2) spaces, visible from a public right of way (excluding alleys) or adjacent single-family uses or zones shall be screened by landscaping consistent with LMC 18A.50.430.

#### **18A.70.780 - Common Area Maintenance – Cottage Housing**

Cottage housing development shall be required to implement a mechanism, acceptable to the approval authority, to ensure the continued care and maintenance of all common areas including common open space, parking, surface water management facilities (if applicable) and any other common area. Such a mechanism might include creation of a homeowners' or condominium association with authority and funding necessary to maintain the common areas.

#### **18A.70.790 – Modifications – Cottage Housing**

Applicants may request modifications to the open space, site design, design standards, setbacks and parking provisions of this chapter. The approval authority may modify the above referenced provisions of this chapter if both of the following apply:

A. The site is constrained due to unusual shape, topography, easements or critical areas; and

B. The modification will not result in a project that is less compatible with neighboring land uses than would have occurred under strict adherence to the provisions of this chapter.

C. The approval authority may permit modifications to the building design standards if it finds the alternative design concept provides a high level of design quality and compatibility with the character of the surrounding neighborhood.

3. The Commission recommends that Section 18A.90.200 be amended to add the following definitions:

### **18A.90.200 - Definitions**

COTTAGE. A Single Family Detached Dwelling containing at least eight hundred (800) and no more than one thousand (1,000) square feet of gross floor area, constructed as part of a cottage housing development project and subject to the general requirements of LMC section 18A.10.800

COTTAGE HOUSING DEVELOPMENT. An alternative type of development comprised of small, Single Family Detached Dwellings (“cottages”) clustered around common open space, usually with detached garages and parking area.

### **18A.90.200A - Definitions**

SINGLE FAMILY DETACHED DWELLING. A residential dwelling unit that is not attached to another residential dwelling unit by any means and provides living accommodations for a single individual or family. Dwelling units shall be separately located, with a maximum of one (1) dwelling unit per individual lot, except as may be allowed in conjunction with approved Cottage Housing Development.

PASSED AND ADOPTED at a regular meeting of the Planning Commission on \_\_\_\_, 2015, by the following vote:

AYES: BOARDMEMBERS:

NOES: BOARDMEMBERS:

ABSENT: BOARDMEMBERS:

---

DON DANIELS, CHAIR  
PLANNING COMMISSION

ATTEST:

PRELIMINARY DRAFT

## Excerpts from Planning Commission Meeting Minutes Regarding Cottage Housing

From March 4, 2015

### Introduction to Cottage Housing

Mr. Dan Catron informed the group that staff has been asked by Council to work on a cottage housing program to provide alternatives within single-family districts throughout the City. During his introduction he provided two workups of development sites explaining that cottage housing is defined as a multi-unit housing development consisting of small detached units (650-1,100 sq. ft.) arranged around a commonly owned open space or garden with a congregate parking area.

In this introduction, Mr. Catron noted he borrowed heavily from surrounding jurisdictions and how they have introduced cottage housing concepts into their neighborhoods.

Mr. Dave Bugher ran through a work plan draft and overview of the steps the commissioners will go through in developing a draft ordinance. The process will include the development of a draft ordinance, environmental review under SEPA, notifications to the State, and likely public hearings in June. It is expected that comprehensive plan amendments will get very intense from August to October before this project is completed.

From April 15, 2015

### Cottage Housing Regulations

Mr. Dan Catron led a discussion noting some of the policy issues the Commission may want to consider in the formulation of a cottage housing program.

The specific issues identified for early discussion included:

- Maximum allowable lot coverage
- Maximum number of units allowed in a cottage housing development
- Use and ownership of cottage units
- Inclusion of garages
- Should garages be allowed to count toward parking requirements, and
- Design standards

In order to facilitate the Commission's consideration of a cottage housing program, a draft resolution was provided for review and discussed.

From May 20, 2015

### Cottage Housing Draft Ordinance

Mr. Dan Catron noted this is the third review of the draft by the commissioners. In response to previous discussions, staff made further adjustments to the draft ordinance to show the program is consistent with the City's Comprehensive Plan and the Washington State Growth Management Act.

Mr. Dan Catron explained the following substantive changes were made to the draft resolution: Provided broad design review authority (and flexibility) at the discretion of the hearing examiner, while at the same time providing a prescriptive option for certain design elements; Deleted requirements for a minimum amount of private open space; Increased maximum cottage unit size to 1,200 sq. ft.; Clarified that cottage units shall not include basements; and Increased maximum size of shared garages to 1,200 sq. ft.

Staff further recommends the Commission schedule a public hearing on the proposed amendments for the June 17<sup>th</sup> meeting. Environmental official still has time to review any public comments made before the SEPA comment period ends and findings become final on June 18<sup>th</sup>. There is no appeal on SEPA determinations for legislative acts. The Planning Commission would make recommendation to City Council at some time after the close of the public hearing. Usually the board will take action at the next meeting if all concerns are resolved.

Mr. Dan Catron provided commissioners with a copy of both the SEPA Checklist and the draft SEPA Determination of Non-Significance.

Mr. Robert Estrada requested clarification on the inclusion of basements. Mr. Dan Catron noted he was looking at comparable codes of similar jurisdictions and stated he added that in consideration of the definition for floor area exempting basements.

Mr. Robert Estrada asked about dates of the SEPA documents. Mr. Dan Catron explained the environmental checklist documents have already been completed. Staff is looking for the environmental official to sign the Determination of Non-Significance on June 4<sup>th</sup> with a 14-day comment period culminating in a hearing on June 17<sup>th</sup>. Mr. Dan Catron explained that the commissioner's recommendation to Council is not a final action. 60-day notice to CTED was initiated a few days ago; Council is not allowed to take action during this 60-day period.

Mr. James Guerrero thanked staff for work on revisions. Concerns were voiced over limiting design with requirements of 6/12 or steeper pitch roofs with a small percentage allowed at a lower pitch. Noting that a potential site for cottage housing is near the transit station, Mr. Guerrero also queried the requirement for 1.8 parking spaces per unit and wondered if as a community we want to discourage cars in general and have people move toward mass transit. Mr. Paul Wagemann commented that less parking near a transit station makes sense; however, not enough parking causes other consequences worth discussing.

Mr. Don Daniels commented that builder/developer deals with staff then goes to the Hearing Examiner (HEX). Mr. Dan Catron explained that every cottage housing

development will be required to get approval from hearing examiner. Staff works with developers to resolve as many issues as possible before going in front of HEX. Mr. Bugher added that the code is written that the HEX is to give great weight to the recommendation provided by the Community Development Department in the approval process.

Mr. Dave Bugher explained to commissioners this same discussion can happen after the public hearing to get a better understanding of citizen concerns and relevant issues could then be determined. Mr. Bugher queried if commissioners were comfortable with the proposed dates for the public hearing on the matter so staff could move forward. All agreed to hold public hearing on June 17<sup>th</sup>.

**CITY OF LAKEWOOD  
NOTICE OF PUBLIC HEARING**

**Project Name: 2015 Cottage Housing Regulations**

**Description of Proposal:** This proposal involves zoning code amendments establishing special provisions for a specific form of residential development known as “Cottage Housing”. Cottage housing involves developments of 4 to 12 detached dwelling units of limited size that are oriented around a central garden or community open space area. Density bonuses above the maximum residential density of the underlying zoning district are permitted in exchange for compliance with specific design guidelines and parameters. The proposed amendments will apply to all lands zoned R1, R2, R3, and R4 within the Lakewood city limits. The Planning Commission may choose to modify the amendments recommended by staff. The recommendation of the Planning Commission will be forwarded to the Lakewood City Council for final action.

**Proponent:** Community Development Department  
City of Lakewood, Washington

**A public hearing before the Lakewood Planning Commission to take public testimony and consider the proposed amendments is scheduled for Wednesday, June 17, 2015, beginning at 6:30 P.M.** The hearing will be held in the City Council Chambers, 6000 Main Street SW, Lakewood, WA. The decision of the Planning Commission will be forwarded to the Lakewood City Council as a recommendation for action.

A copy of the proposed amendments and the staff report to the Planning Advisory Board may be obtained at the Lakewood Community Development Department.

**Contact:** Lakewood Community Development Department  
Dan Catron, Principal Planner  
6000 Main Street SW  
Lakewood, WA 98499-5027

**Telephone:** (253) 512-2261

**To be published once in The News Tribune on May 28, 2015**