

Planning Commission
Meeting Minutes
November 1, 2016



Approved: kmol

6:30:19 PM Chair Chris Holland called the meeting to order. Other Commissioners in attendance: Greg Tisdel, Loren Sand, Kathryn Beck, Michael Zelinski, Alex Lark, and Megan Dunn.

Commissioners Absent: Chris Adams and Rick Jordison

Staff Present: Allan Giffen, Becky McCrary, David Stalheim, and Kathy Davis

Meeting Minutes

Chair Holland asked if there were any revisions. Commissioner Zelinski asked for an amendment to his statement on page 2, "Commissioner Zelinski stated that he didn't feel that there was ~~no~~a compelling reason to restrict to alley access lots."

Chair Holland asked for an amendment to his statement on page 11, "Chair Holland recommended that a DADU not be ~~wouldn't be~~ allowed for those types of uses on a property.

Motion: Commissioner Dunn made a motion to approve the October 4, 2016 meeting minutes with the changes. Commissioner Beck seconded the motion.

Vote: Commissioner Dunn, yes; Commissioner Lark, yes; Commissioner Zelinski, yes; Commissioner Beck, yes; Commissioner Sand, abstain; Commissioner Tisdel, abstain; and Chair Holland, yes.

Motion Carried.

Commissioner Reports

Commissioner Lark attended an Everett District Alliance work group meeting to discuss green space strategies.

Commissioner Tisdel attended the Monte Cristo Awards, the Streets Initiative meeting at the theater, and the Housing Summit in Bellevue. He also visited the barrier free housing facility in Spokane.

Commissioner Beck commented that there are similar housing facilities in Seattle and she suggested arranging tours for concerned citizens. Mr. Tisdel added that there is another facility in Lynnwood. Ms. McCrary stated that Catholic Community Services will be scheduling tours for some of the neighborhood groups. Commissioner Beck asked if Commission could be notified once the schedule is available. Ms. McCrary responded yes.

Staff Comments

Mr. Giffen stated that the next meeting is scheduled on November 15th.

General Citizen Comments

None

Item #1: Detached Accessory Dwelling Units

Allan Giffen, Planning Director, recapped what was discussed at the previous Planning Commission meeting and at the City Council briefing. He reviewed the discussion draft regulations with Commission and the next steps in the process.

Commission Discussion

Commissioner Zelinski stated that he was concerned about the 28 foot height allowance for an accessory dwelling. He asked how height was measured. Mr. Giffen responded that height was measured to the highest point on the building. Commissioner Zelinski added that a 15 foot height limit probably wouldn't allow a pitched roof. He added that in the case of a unit proposed over a garage, the height could be measured from some point above grade.

Commissioner Beck stated that she has done a tremendous amount of research on detached accessory dwelling units because she felt that the affordable housing crisis warrants the opportunity. She stated that the City of Seattle has been dealing with the issue for the past year and a half. She encouraged staff to reach out to the City of Seattle. She stated that the City of Boulder, City of Portland, and City of Seattle have all removed the parking requirement because they found it had limited use and actually created a barrier for accessory dwelling units.

Commissioner Tisdell referred to page 5 and asked if an alley was considered a street in regards to the standard for a weather covered entry door. Mr. Giffen responded the intent was to apply to a street frontage and not the alley. Chair Holland commented that staff may want to check the definition of street in their codes. Commissioner Tisdell asked what happens when owner occupancy changes on a site. Mr. Giffen responded that the same regulation would apply. Commissioner Tisdell asked about enforcement. Mr. Giffen responded that the City's enforcement program is complaint driven; however, the City regulations would require an annual certification.

Commissioner Sand asked if an owner could rent out the primary residence. Mr. Giffen responded that the owner would have to live in one of the units under the proposed regulations. Commissioner Sand asked if the owner occupancy requirement would be recorded on Title. Mr. Giffen responded yes. Chair Holland asked if that requirement would be an enforcement issue if an owner was away from the property for part of the year and there was a family member or another individual living in the primary residence. Mr. Giffen responded that the City wouldn't enforce on that issue unless there was some other circumstance revealed. Commissioner Sand asked where in the regulations would part-time, owner occupancy be allowed. Mr. Giffen responded that would be an administrative determination; however, Commission could consider adding that exception to the proposed regulations.

Commissioner Sand asked about varying standards depending on the neighborhood where the accessory dwelling unit is located. Mr. Giffen responded that was part of the City Council discussion.

Commissioner Sand encouraged the City to discuss with other cities their experiences in addressing design issues. Commissioner Beck recommended talking to other jurisdictions about their experiences with the owner occupancy issue.

Commissioner Beck stated that she would like to include a review process for deviations from the regulations for special circumstances such as site and location considerations, and architectural consideration which provides an opportunity for someone to make a case for their unit.

Commissioner Sand stated that the provisions would allow for two residential units on a lot. He added that if the City was going to allow that in a single family neighborhood, the city has an obligation to make sure that the fit is good with the neighborhood.

Commissioner Beck agreed with Commissioner Sand; however, the City needs to accommodate growth. She stated that in her opinion allowing accessory dwelling units in single family neighborhoods was one of the best tools to preserve the neighborhood character while still providing for urban growth.

Commissioner Lark stated that what he understood from the Council conversation is that they want more information and discussion on the matter.

Citizen Comments

Kent Peveryly, 312 Pecks Drive, recommended Option 2 for building heights, Option 1 for design standards, the on-site parking requirement, and the owner occupancy requirement. He stated that people who live in property they own have a greater stake in taking care of their properties.

Victor Harris, 3017 Lombard, stated that he had deep reservations regarding Detached Accessory Dwelling Units in Everett. The regulations were considered previously and rejected, and he felt that the regulations should be rejected again. He didn't feel that the quality of life in single family neighborhoods could be maintained over time. He was also concerned about parking. He suggested increasing density in the Broadway and Evergreen corridors, and in the Everett Station area. He stated that for every new low income unit allowed, the City must ensure that housing is constructed for those in higher income brackets.

Emily Fraser, 2317 Grand Avenue #3, stated that she supported the Detached Accessory Dwelling Unit regulations. She had previously rented an accessory dwelling unit on two separate occasions because she couldn't afford the going rate for an apartment. The accessory dwelling unit provided her privacy, safety, and her own space. She works for Housing Hope and she talks to a number of people who are homeless or are losing their housing.

John Dimas, 2126 Wetmore, stated that he did watch the City Council meeting and didn't understand the concerns regarding windows and privacy to surrounding neighbors. If that was a requirement, currently, he would be able to build a second story to his home with windows facing the neighbors. He also mentioned that he heard that he could attach his garage to his house by adding a breezeway. If the

regulations aren't approved with good standards, homeowners will have to find ways to create accessory dwelling units that may not fit in with the character of the home and neighborhood.

Kristina Lindahl, 2515 East Grand Avenue, supported Option 2 under height, Option 2 for the design standards, and the requirement for on-site parking. She supported the idea of detached accessory dwelling units but wanted Commission to keep in mind that those units do increase density in single family neighborhoods. Commissioner Beck commented that she felt that the regulations would help maintain the character in single family neighborhoods. Ms. Lindahl added that higher densities could be created by rezoning areas outside of single family neighborhoods. She supported the owner occupancy requirement and standards that create quality development.

Victor Harris, 3017 Lombard, asked if duplex lots would be excluded from consideration. Chair Holland responded yes.

Commissioner Sand asked about the discussion regarding condo units in relation to accessory dwelling units. Mr. Giffen responded that during the 2009/2010 discussion, the ownership couldn't be segregated from the ownership of the lot either through subdivision or condominium.

Chair Holland supported owner occupancy and a set of design tools that are consistently applied throughout the City but also give the City discretion to make sure that the structure is compatible with each neighborhood. The regulations would provide an opportunity to a homeowner to supplement their income or stay in their homes.

Commissioner Lark stated that detached accessory dwelling units are one of the solutions needed to address housing affordability. These types of units provide housing options for a diverse spectrum of people that will benefit from the regulations as the population ages and changes.

Commissioner Dunn asked about the review process and public comment period referred to in page 1 of the draft regulations. Mr. Giffen responded that if a proposal didn't meet the standards of the overlay zone, that request would be processed through a Review Process II which includes a public comment period. Commissioner Dunn asked if Review Process I included a public notice. Mr. Giffen responded no. Commissioner Dunn supported Option 2 of the design standards.

Commissioner Lark stated that at the City Council meeting, Paul Roberts brought up a suggestion that maybe there would be a way to split or create multiple standards for certain areas. He asked Mr. Giffen if there was a way to create multiple standards for different spaces such as creating standards for detached accessory dwelling units in proximity to a transit stop.

Chair Holland supported two parking spaces for the principle dwelling and one for the accessory dwelling unit; however, he would support allowing staff on a case by case basis an opportunity for the applicant to demonstrate that adequate on street parking exists. The review process would allow the

Director to make a determination on whether or not the reduction doesn't impact parking in that neighborhood.

Commissioner Lark responded that not everyone needs parking. He added that if we build into design standards the necessity that we have to have in every single case a parking stall we are creating a City that will only have cars. He added that we won't be creating a situation where we will be a transit community unless we take steps to make sure that happens. Chair Holland responded that the City has been looking at higher densities along the corridors and concentrating densities in areas where there are transit services.

Commissioner Beck stated that the City of Seattle created parking requirements by zones. In areas that were transit oriented areas, they reduced or haven't required parking. Commissioner Beck suggested staff research the parking requirement with other jurisdictions.

Commissioner Sand stated that he supported the two parking spaces for the principle dwelling unit and one for the accessory dwelling unit. Under 7.030.L, he would add to the sentence "Any person who falsely certifies **or fails to report** that he or she resides. . ." He supported Option 2 under building height and Option 1 under the design standards. He recommended that the period of time to legalize illegal ADU's change from two to one year.

Commissioner Zelinski stated that regardless of what design standards option is selected, a guidance document or best practices guide will need to be created. Chair Holland concurred with Commissioner Zelinski. Chair Holland stated that he preferred Option 1 along with providing a guidance document under the design standards.

Commissioner Zelinski stated that most single family homes have a 1 or 2 car garage which provides a homeowner with credit for the parking spaces; however, as a practical matter most garages aren't used for parking cars but for storage. He would like to be conservative because of that probability.

Chair Holland asked if the regulations should include a minimum side yard setback. Mr. Giffen responded that the side setback provisions of the zone would apply. Chair Holland asked about the current lot coverage. Mr. Giffen responded that the RS and R-1 zones have 35% lot coverage and the requirement is 40% in the R-2 zone. The proposed regulations would add another 5% if necessary to accommodate a DADU.

Commissioner Dunn asked for a third option for building height that would match the current zone, which would allow more flexibility and if zone heights change overtime, the City doesn't have to change the regulations. Mr. Giffen responded that staff could add that option.

Commissioner Tisdell stated a lot of the new single family developments don't have adequate lots sizes to have an accessory dwelling unit. Mr. Giffen responded that a homeowner could propose an interior accessory dwelling unit; however, that unit would require one on-site parking stall.

Chair Holland asked Mr. Giffen if he had enough information to prepare the environmental review. Mr. Giffen responded that in regards to off-street parking, Commission would prefer a requirement for one parking space for the detached accessory dwelling unit.

Commissioner Lark stated that he would like to see what other cities have done in terms of waivers for the parking requirement next to major transit corridors. Mr. Giffen responded that he will add an option for requiring a space and an option to not require if a certain distance from a transit corridor. He stated that staff will research to see what other communities have done.

Chair Holland asked if staff had enough direction about some of the other options. Mr. Giffen stated that for building height an option could be added for the same as underlying zone; however, 15 feet might not be the right height addressed in the other option. Chair Holland suggested 28 feet in height and if it is over one story, it is required to meet the setbacks for the principle building in the zone. Chair Holland supported Option 1 under the design standards. Commissioner Dunn preferred Option 2. Commissioner Beck stated that all the options could be listed in the SEPA Review.

Chair Holland asked for more information on parking. Commissioner Beck would like more information regarding the height restriction issue. She felt that the 15 foot height restriction precludes prefab construction. Mr. Giffen stated that staff would come back to Commission when the SEPA review has been completed and more information is gathered from other jurisdictions.

Item #2: Housing Element

Becky McCrary, Housing and Community Development Manager, provided some information on a proposed comprehensive plan amendment which will make the city's Consolidated Plan and Comprehensive Plan consistent. She provided an overview of the Housing Element, a summary of housing needs and definitions, and the connection to the Consolidated Plan. The Comprehensive Plan amendment requested would be consistent with the City Council amendment passed this year to the Consolidated Plan by lifting the restriction of placing new subsidized rental housing in areas of the city already containing 20% of subsidized rental housing.

Commissioner Sand referred to the slide on affordable units which indicates that out of the 30,000 units needed, 25% have to be affordable and asked if that was typical for other jurisdictions in Snohomish County or the Puget Sound Region. Mr. Giffen responded that this goal applies to the different income groups based on the projected housing needs for income groups within the entire county. The household income levels have been broken down by jurisdiction based upon their projected housing that correlates to the population targets. The City has a 60,000 population growth target that equates to about 30,000 housing units.

Commissioner Sand asked if we knew what current need was. David Stalheim, City Long Range Planning Manager, responded that there are a lot of studies based on US census data. The number of people earning 30% of Area Median Income or below that are paying more than 50% of their income is at least

that number or double that for that population existing in our community right now. Mr. Stalheim stated that he provided some benchmarks earlier but the 30% of Area Median Income for one person is basically minimum wage, and what they can afford is somewhere in the range of \$600-\$700 a month in housing costs..

Commissioner Sand asked for the information electronically. Chair Holland stated that all the information is available on the Affordable Housing Alliance website. Ms. McCrary stated that she would send Commissioners the web link to that site.

Commissioner Dunn stated that in the memo it stated that you could propose other strategies that would insure economic opportunities and she asked if that would potentially include supporting an increase in the minimum wage. Ms. McCrary responded no; however, one strategy could be to look at poverty levels instead of subsidized housing.

Item #3: Other Business

Mr. Giffen asked if Commissioners would be able to attend a meeting January 3, 2017. Chair Holland asked if a meeting was scheduled in December. Mr. Giffen responded that there is a meeting scheduled on December 6, 2016 with no meeting on December 20th. Most Commissioners felt that they would be available for the January 3rd date.

8:41:57 PM ADJOURNED



Allan
Planning Commission Secretary

11-15-16
Date



Kathy Davis, Administrative Assistant

11-15-16
Date