



Planning Commission Report

To: City Council

From: Planning Commission

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Date: December 10, 2013

File Number: LAND-2013-00885, SEPA-2013-01823

Title: Housing related amendments to the Zoning Code and Comprehensive Plan.

Planning Commission Recommendation: Approval

Recommended Action: Adopt amendments to the Redmond Zoning Code and Comprehensive Plan as shown in *Attachment A*.

Summary: The City of Redmond is proposing housing related amendments to the Redmond Zoning Code to improve clarity and consistency, remove duplicative language, and amend specific regulations that will result in greater compatibility of residential structures. In addition, Comprehensive Plan Policy HO-33 which speaks to the Innovative

Housing Demonstration Program is proposed for deletion, as the program ended in August, 2013. Staff will complete a formal evaluation of the Innovative Housing Demonstration program in 2014 for consideration by the Planning Commission and City Council. As a result of the study, staff may recommend elements of the demonstration program be incorporated into the Zoning Code to encourage additional flexibility in standards related to housing development.

As part of the process to identify and prepare this package of proposed amendments, staff reviewed housing-related topics set aside in a “parking lot” following the Zoning Code rewrite as well as housing strategies identified by City Council as high priority as part of the adopted Housing Strategy Plan. In addition, staff reviewed the City’s housing related regulations as a whole to identify other potential areas for improvement. The Technical Committee report describes each of the topics staff evaluated, the considerations and recommendation.

Reasons the Proposal should be Adopted:

The recommended amendments to the Redmond Zoning Code and Comprehensive Plan should be adopted in order to:

- Improve clarity and consistency in the Zoning Code and remove duplicative language;
- Amend specific Zoning Code regulations to achieve greater compatibility of new residential structures in neighborhoods such as by lowering height limits for detached Accessory Dwelling Units (ADUs) and homes built within a small-lot short plat (“backyard homes”);
- Repeal policy HO-33 in the Comprehensive Plan which speaks to the Innovative Housing Demonstration Program. Following the program evaluation in 2014, recommendations to incorporate elements of the program into the Zoning Code may result.

Recommended Findings of Fact

1. Public Hearing and Notice

a. Public Hearing Date

The Planning Commission held a public hearing on December 4, 2013.

b. Notice

The public hearing was published in the Seattle Times. Public notices were posted in City Hall and at the Redmond Library. Notice was also provided by including the hearing in Planning Commission agendas and extended agendas that are distributed to various members of the public and various agencies, and posted on the City's web site. Additionally, notice was sent via e-newsletter.

2. Public Comments

No oral testimony was given at the hearing. One item of written testimony was received from Dick Barthol who expressed support for the reduction of height limits for detached accessory dwelling units and homes built through a small lot short plat process. (*Attachment C*).

Recommended Conclusions

1. Key Issues Discussed by the Planning Commission

The Planning Commission discussed the proposed amendment to lower height limits for detached Accessory Dwelling Units and homes built within a small-lot short plat (e.g. "backyard homes") from 35 feet to 25 feet. Commissioners questioned if the proposal would hinder the development of these structures and further, if that was contrary to the City's goals of encouraging the development of affordable housing. Staff responded that the proposed lower height limits should neither encourage nor discourage development and are consistent with other smaller residential structures such as cottages and size-limited homes. Further, the proposed heights will allow sufficient height for two story but not three-story structures which is more compatible within neighborhoods. The Commission concurred with the staff response to this issue and supported the lower height limits. (See also: Issue Matrix, *Attachment B*)

2. Recommended Conclusions of the Technical Committee

The recommended conclusions in the Technical Committee Report (*Attachment E*) should be adopted as conclusions.

3. Planning Commission Recommendation

The Commission approved a motion to recommend approval of the proposed Zoning Code and Comprehensive Plan Amendment by a vote of 7-0 at its December 4, 2013, meeting.

List of Attachments

Attachment A: Recommended Amendments to Redmond Zoning Code and Comprehensive Plan

Attachment B: Issue Matrix

Attachment C: Written Testimony

Attachment D: Approved Minutes for December 4, 2013

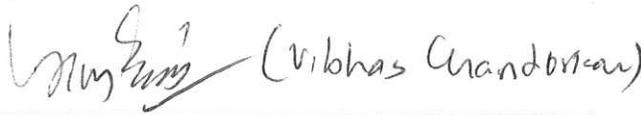
Attachment E: Technical Committee Report with Exhibits

- **Exhibit A:** Recommended amendments to the Zoning code and Comprehensive Plan
- **Exhibit B:** Residential Density Bonus Provisions - chart
- **Exhibit C:** SEPA Threshold Determination
- **Exhibit D:** Public Hearing Notice



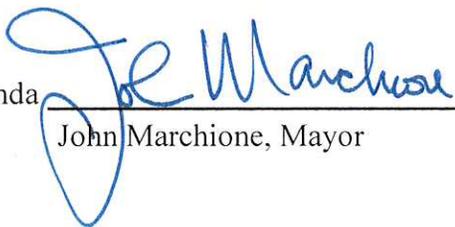
Robert G. Odle, Planning Director

12/16/13
Date



for Franz Wiechers-Gregory, Planning Commission Chairperson

12/10/13
Date

Approved for Council Agenda 

John Marchione, Mayor

12/13/13
Date

EXHIBIT A – TABLE OF CONTENTS			
Item	Description of More Significant Changes	RZC Section	Page
1	Add language to clarify that density bonuses are calculated on the underlying base density	RZC 21.08.170 C.3	1
2	Changes to small-lot short plat requirements: <ul style="list-style-type: none"> • Change height limit from 35 feet to 25 feet to be consistent with height limits for cottages and size-limited dwellings • Also added language that requires structures to conform to other site requirements for detached structures within the zone category 	RZC 21.08.170 E.2.a.ii	3
3	Changes to Accessory Dwelling Units <ul style="list-style-type: none"> • Change height limit for detached ADUs from 35 feet to 25 feet unless contained within an accessory structure, in which case the maximum height is 28 feet • Clarify that ADUs may not be used to meet affordability requirements of RZC 21.20 Affordable Housing 	RZC 21.08.220	4-5
4	Changes to Attached Dwelling Units (duplexes, triplexes) <ul style="list-style-type: none"> • Remove language in Section 4, Design which is duplicative of other existing language in that section as well as in RZC 21.08.180 Residential Development and Architectural, Site and Landscape Design Regulations • Remove requirement for conditional use process for use of Affordable Housing Exception in Section 6 • Add provision that duplexes built under the Affordable Housing Exception are allowed as part of a subdivision (10+ lots) only. • Remove requirement that duplexes built under the Affordable Housing Exception must contain 3 bedrooms • Clarify separation requirements for 3 & 4 unit structures in Education Hill, by “lot” vs “site” • Remove duplicative design and siting requirements for duplexes built under the Affordable Housing Exception; duplicative of Section 4, Design as well as RZC21.08.180 Residential Development and Architectural, Site and Landscape Design Regulations 	RZC 21.08.260	5-10

EXHIBIT A – TABLE OF CONTENTS			
Item	Description of More Significant Changes	RZC Section	Page
5	Innovative Housing Demonstration Projects	RZC 21.08.350	10
	<ul style="list-style-type: none"> • Repeal section, as time period of demonstration program has expired • Repeal references to Innovative Housing Demonstration Projects found elsewhere in RZC 	RZC 21.08.170 B; RZC 21.74.030 H.1 and H.3	1, 17
	<ul style="list-style-type: none"> • Repeal Comprehensive Plan Policy HO-33 	Redmond Comprehensive Plan	Housing Element
6	Changes to Affordable Housing <ul style="list-style-type: none"> • Clarifies that cottages, duplexes and size-limited dwellings may be used to meet the requirements of this section • Clarifies that ADUs may not be used to meet the requirements of this section • Removes duplicative language for neighborhoods in 21.20.060, Supplemental Requirements 	RZC 21.20 and 21.20.060, Supplemental Requirements	12,15

RZC 21.08 RESIDENTIAL REGULATIONS

21.08.010 Introduction and User Guide

No changes.

21.08.020 to .140 (all R zones)

No Changes.

21.08.150-160

No changes.

21.08.170 Site Requirements for Residential Zones

Changes to subsections C and E, no changes to A, D, or F-M

- A. **Purpose.** The purpose of this section is to establish basic site requirements for residential zones in Redmond. These requirements implement Redmond's Comprehensive Plan, the Growth Management Act, the Multicounty Planning Policies, and the County-Wide Planning Policies, while also protecting Redmond's residential areas from public nuisances, incompatible uses, and other hazards.
- B. **Site Requirements in Zone Use Charts.** Each zone use chart in RZC 21.08.020 through 21.08.140 sets forth the basic dimensional standards for residential development in that zoning district. RZC 21.08.150 through 21.08.200 provide additional general requirements applicable to all zoning districts. Some site requirements may be modified as provided in RZC 21.08.150 through 21.08.200, and as provided in RZC 21.08.350, Innovative Housing Demonstration Projects.

Comment [C1]: ITEM 1

C. **Allowed Density.**

1. Purpose. The purpose of the allowed density requirement is to:
 - a. Help maintain a consistent and compatible land use pattern in Redmond's residential neighborhoods;
 - b. Serve Redmond's planned housing needs; and
 - c. Prevent public nuisances that result from a lack of adequate open space and the over utilization of public facilities.
2. Requirements. The allowed density, as shown in each residential zone use chart in RZC 21.08.020 through 21.08.140, represents the maximum number of dwelling units that

Comment [C2]: (This edit pertains to ITEM 5, see below)

may occupy an acre of land, exclusive of bonuses and exclusive of accessory dwelling units.

3. Calculations. When calculating allowed density for any given site in the City, the gross area of the site is multiplied by the allowed density per acre that applies to the zone where the site is located. The result is the maximum number of units (other than ADUs) that may occupy that site. [Please note that any available density bonuses are calculated on the base density.](#)

E. Minimum Average Lot Size.

1. Purpose. The purpose of the average lot size requirement is to:
 - a. Allow for the development of consistent and compatible land use patterns throughout Redmond's residential neighborhoods; and
 - b. Minimize public nuisances that may result from a lack of adequate open space and the over utilization of public facilities.
2. Requirements.
 - a. Explanation. The zone use charts in RZC 21.08.020 through 21.08.140 establish the minimum average lot size for each residential zone in Redmond. The average lot size of all lots created through the subdivision or short subdivision process must meet, at a minimum, this average lot size requirement. However, this requirement may be modified under the following circumstances:
 - i. Green Building and Green Infrastructure Program. The owner may participate in the Green Building and Green Infrastructure Incentive Program (see RZC 21.67), and create a lot or lots which do not meet the minimum average lot size for the underlying zone by meeting all program requirements; or
 - ii. Small Lot Short Plats. The owner of any lot in the Bear Creek, Education Hill, Idylwood, or Overlake Residential Neighborhoods which is at least 200 percent of the required minimum average lot size in the underlying residential zone and which contains an existing detached dwelling unit may short subdivide the lot in order to create a separate fee simple lot which does not meet the minimum average lot size for the underlying zone if the dwelling unit to be constructed on the newly created lot meets all of the following requirements:
 - a. Only one detached dwelling unit shall be allowed on the lot.
 - b. [The dwelling unit on the lot shall not exceed 1,000 square feet in total area, excluding any garage area. The dwelling unit and any garage shall not exceed 1,500 square feet in total area. A covenant shall be recorded against the title of the lot prohibiting expansion of the dwelling unit.](#)

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c. The dwelling unit on the lot must conform to all setback, lot coverage restrictions and any other standards or regulations required of a detached dwelling unit in a residential zone.

~~b.d.~~ The maximum height of any portion of the roof, except chimneys or cupolas shall not exceed 25 feet anywhere on the site.

~~e.e.~~ Two off-street parking places are required. Parking spaces must be paved and may include private attached garages, carports, or other off-street areas reserved for vehicles. No detached garages are allowed.

~~d.f.~~ The dwelling unit must be affordable to an individual or family that has an annual income that is 120 percent or less of the annual median income defined in RZC 21.20, Affordable Housing. (Ord. 2642)

Comment [C3]: ITEM 2

21.08.180 to .210

No changes.

21.08.220 Accessory Dwelling Units

Comment [C4]: ITEM 3

- A. **Purpose.** The purpose of the accessory dwelling unit (ADU) provisions is to:
1. Provide a housing type that responds to changing needs and lifestyles (e.g., small families, retired couples) and that allows persons of all ages and incomes to live in a neighborhood by promoting diversity in the size, type, and price of new single-family development;
 2. Enhance opportunities for ownership housing;
 3. Better utilize existing infrastructure and community resources;
 4. Add to Redmond's stock of affordable dwelling units; and
 5. Protect neighborhood character and stability by ensuring that ADUs are compatible with surrounding land uses according to the conditions of this division and by blending new development with existing residential development.
- B. **Applicability.** The provisions of this section apply to all accessory dwelling units.
- C. **Requirements.**
1. Number of ADUS. One ADU shall be allowed on each residential lot as in conjunction with any new or existing detached single-family dwelling unit in the City of Redmond.
 2. Location.

Attachment A

- a. An ADU may be added to or included within the primary unit, or located in a detached structure on the same lot as the primary dwelling unit.
 - b. Detached ADUs and the primary dwelling unit must each conform to all setback, height, and lot coverage restrictions, and any other standards or regulations required of a detached dwelling unit in a residential zone.
 - b.c. For detached ADUs the maximum height of any portion of the roof, except chimneys or cupolas, shall not exceed 25 feet anywhere on the site. The maximum height for a detached ADU that is contained within an accessory structure is 28 feet.
3. Size/Scale.
 - a. The total square footage of a detached ADU shall not exceed 40 percent of the total square footage of the primary dwelling unit and the accessory dwelling unit combined, excluding any garage area, and in no case shall it exceed 1,000 square feet.
 - b. In no case shall the ADU exceed 1,500 square feet in total area. If an ADU occupies an entire single floor, the Technical Committee may allow for an increase in the allowed size of the ADU in order to efficiently use all of the floor area, so long as all other standards of this section are met.
 4. **Subdivision.** An ADU shall not be subdivided or otherwise segregated in ownership from the primary dwelling unit.
 5. **Occupancy - ADUs.** Either the primary dwelling unit or the ADU must be occupied by an owner of the property. The owner-occupied unit shall not be rented to others. A permit authorizing an ADU shall not be issued until the City receives proof of recordation of an instrument requiring owner occupancy, on-site parking, and compliance with the requirements of this section.
 6. **Parking.** One off-street parking space is required for an ADU in addition to the parking required for the primary dwelling unit. Parking spaces must be paved and may include private driveways, garages, carports, or off-street areas reserved for vehicles.
 7. **Exterior Modification ADUs.** Only one entrance on the front of the primary dwelling unit is permitted. Additional entrances are permitted on the side and rear of the primary structure. The Technical Committee may allow both entrances to the primary and accessory units to be located on the front of the structure where design, site layout, and construction considerations significantly hinder other options. Additions to an existing structure or the development of a newly constructed detached ADU shall be designed consistent with the existing facade, roof pitch, siding, and windows of the primary dwelling unit.
 8. Home business shall be allowed, subject to existing regulations, in both the ADU and the primary unit.

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~~8.9.~~ Affordable Requirement. ADUs shall not be used to meet any requirement to provide affordable dwelling units per RZC 21.20 Affordable Housing.

~~9.10.~~ Applicable Codes - ADUs. The portion of the single-family dwelling in which the accessory dwelling unit is proposed must comply with all standards for health and safety contained in all applicable codes, with the exception of the ceiling height requirements of the International Building Code. The Building Official may waive the ceiling height requirements of this chapter if it is determined that the structure was built in compliance with past building code requirements.

- D. **Cancellation.** Cancellation of the ADU approval may be accomplished by the owner recording a document with the King County Department of Public Records and Elections against the title removing the ADU restriction described in subsection C.5 of this section. The cancellation document will confirm that the property has reverted to use as a single dwelling unit and that the former ADU is not to be used as a separate dwelling unit. The property owner shall provide proof of recordation to the Administrator. Cancellation may also occur as a result of an enforcement action.

21.08.230 to .250

No changes.

21.08.260 Attached Dwelling Units

Comment [C5]: ITEM 4

- A. **Purpose.** The purpose of this section is to:
1. Enhance opportunities for ownership housing;
 2. Reduce development costs related to construction and the provision of utilities which in turn may help to reduce housing prices in support of affordability goals;
 3. More effectively set aside critical areas and natural resources as open space than would otherwise be allowed through the subdivision process; and
 4. Achieve the planned density for a site that may not otherwise be met due to environmental and other physical constraints.
- B. **Applicability.**
1. Generally. Unless otherwise specified in subsections B.2 and B.3 of this section, attached dwelling units are allowed through a conditional use permit process in zones R-4 through R-6. Attached dwelling units are allowed outright in zones R-8 through R-20, and three-unit attached dwelling units and four-unit attached dwelling units are allowed outright in the R-30 zone unless otherwise provided in subsections B.2 and B.3.

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2. Willows/Rose Hill Neighborhood.
 - a. Two-unit attached dwelling units are an allowed use on individual lots in Single-Family Urban zones in the Willows/Rose Hill Neighborhood, provided, that a minimum of 70 percent of the total dwelling units within the single-family portion of each residential subarea of the Willows/Rose Hill Neighborhood shall remain detached single-family dwellings.
 - b. Three-unit attached dwelling units and four-unit attached dwelling units may be allowed ~~on individual lots as part of a preliminary plat application~~ in Single-Family Urban zones only as part of the demonstration project provided for in Policy N-WR-E-4 of the Redmond [Comprehensive Plan](#) to evaluate compatibility with the Willows/Rose Hill Neighborhood.
 3. Bear Creek, Education Hill, Grass Lawn, North Redmond, and Overlake Neighborhoods.
 - a. Two-unit attached dwelling units are an allowed use on individual lots in Single-Family Urban zones ~~in the Education Hill Neighborhood~~.
 - b. Three-unit attached dwelling units and four-unit attached dwelling units are allowed on individual lots in Single-Family Urban zones, with public notification and at least one neighborhood meeting required. The public notification and neighborhood meeting is not required in R-8 zones.
- C. **Requirements.** Attached dwelling units are subject to all of the land use, density, site requirements and development standards of the underlying zone with the following exceptions:
1. **Minimum Lot Size.** The minimum lot size for attached dwelling units in R-4, R-5 and R-6 zones shall be based on a percentage of the average lot size of the underlying zone as presented in the zone use chart for the residential zone. (See RZC [21.08.020](#) through [21.08.140](#).)
 - a. The minimum lot size for a two-unit attached dwelling unit is equal to 150 percent of the average lot size for the underlying zone.
 - b. The minimum lot size for a three-unit attached dwelling unit is equal to 200 percent of the average lot size for the underlying zone.
 - c. The minimum lot size for a four-unit attached dwelling unit is equal to 250 percent of the average lot size for the underlying zone.
 2. **Lot Division.**
 - a. For ground-oriented, side-by-side attached dwelling units, a single lot that meets the minimum lot size requirement of this section may be divided into separate lots and

Attachment A

ownerships as part of the approval process. If separate lots are created, interior side setback standards no longer apply.

- b. Where structures are built over property lines, or property lines are created which divide structures, and ownership is or can be divided, the entire structure shall meet the requirements of the City's RMC Title 15, Buildings and Construction, based on the gross square footage of the structure before division and not based on the square footage of the individual units after division. A perpetual joint ownership and management agreement shall be created to manage contracts for the monitoring, maintenance, and emergency repair service for all fire protection systems for the entire structure.
3. Density.
 - a. Bear Creek, Education Hill, Grass Lawn, North Redmond Neighborhoods.
 - i. The allowed number of dwelling units for two-unit attached dwelling units shall be determined solely by the minimum lot size and lot division provisions of subsections C.1 and C.2 of this section.
 - ii. The allowed number of dwelling units for three-unit attached dwelling units and four-unit attached dwelling units shall not exceed the allowed number of detached single-family dwelling units, exclusive of any other bonuses.
 - b. All Other Areas. The allowed number of dwelling units for two-unit, three-unit, and four-unit attached dwelling units shall not exceed the allowed number of detached dwelling units.
 4. Design.
 - ~~a. Attached dwelling units in Single-Family Urban zones shall be visually separated from existing single-family uses located outside of the proposed subdivision. Visual separation shall be achieved through a combination of site planning, landscaping, fencing and natural screening.~~
 - ~~b. All attached dwelling units in the Single-Family Urban zones shall have the following design features in addition to those required by the City's adopted design standards:
 - ~~i. A pitched roof covered with nonmetallic material.~~
 - ~~ii. An entry which can be seen from the street and is noticeable from the street.~~
 - ~~iii. Frames around each window.~~
 - ~~iv. The height, bulk, and scale shall be consistent with the nearby residential uses.~~~~
 - e.a. All a Attached dwelling units in Single-Family Urban zones shall meet the following design requirements in addition to those required by the City's adopted design

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[standards, RZC 21.08.180 Residential Development and Architectural, Site and Landscape Design Regulations](#) ~~subsections C.4.a and C.4.b above:~~

i. Maintain the traditional character and quality of detached single-family dwelling units by using design elements, such as single points of entry noticeable from the street, pitched roofs, visible trim or framing around windows, porches, and chimneys.

~~ii.~~ ii. Be consistent in height, bulk, scale and style with nearby single-family residential uses.

~~iii.~~ iii. No side-by-side mirror image duplex designs shall be permitted.

~~iv.~~ iv. Locate surface parking for attached dwelling units in groups of no more than three stalls to appear more consistent with parking for single-family detached dwellings in the area. If parking areas include more than three stalls, they should be visually separated from the street or common areas through site planning, landscaping, or natural screening.

~~d.b.~~ New applications for three-unit and four-unit attached dwelling units in the Education Hill Neighborhood shall be accepted for ~~sites-lots~~ no less than 500 feet of each other and new applications for duplex structures shall be accepted for ~~sites-lots~~ no less than 250 feet of each other until an evaluation of compatibility with the neighborhood subarea is completed. See Education Hill Neighborhood Plan Policy N-EH-20 and N-EH-21 in the Redmond Comprehensive Plan.

5. Review and Decision Procedures.

a. Bear Creek, Education Hill, Grass Lawn, North Redmond, [Willows/Rose Hill](#) and Overlake Neighborhoods.

i. Review and decision for two-unit attached dwelling units shall occur through the Type I process.

ii. Review and decision for three-unit and four-unit attached dwelling units shall occur through the Type II process; in the Willows/Rose Hill it shall occur through the Type III process.

~~b. Willows/Rose Hill Neighborhood.~~

~~i. Review and decision for two unit attached dwelling units shall occur through the Type I process, subject to the requirements of this section and RZC 21.08.180. Residential Development and Architectural, Site and Landscape Design Regulations.~~

~~ii. Review and decisions for three unit and four unit attached dwelling units shall occur through the Type III process.~~

Attachment A

6. Affordable Housing Exception. In order to meet the City's objective of providing opportunities for the ownership of affordable family-size housing the following exceptions to the requirements of RZC 21.20, Affordable Housing, and some other requirements specifically provided for in this section apply:

~~a. Two-unit attached dwelling units made affordable to households earning 80 percent or less of King County median income are allowed on individual lots in R-4, R-5 and R-6 zones through the conditional use permit process unless otherwise provided by a neighborhood plan or neighborhood specific regulations.~~

a. Two-unit attached dwelling units made affordable to households earning 80 percent or less of King County median income under the requirements specifically provided for in this section are allowed as part of a preliminary plat application for residential subdivisions of 10 units or more.

b. Two-unit attached dwelling units meeting the affordability requirements of this section shall not be subject to the density requirements set forth in the zone summary for the residential zone district, or the minimum lot size requirements of subsection C.1 of this section, but shall be subject to the minimum lot size requirements of the underlying zone as set forth in the zone use chart for the residential zone. (See RZC 21.08.020 through 21.08.140.)

~~c. Each two-unit attached dwelling unit meeting the affordability requirements of this section must include at least three bedrooms.~~

~~d. No more than two two-unit attached dwelling units meeting the affordability requirements of this section may be sited adjacent to each other in the same development. Adjacency is defined as nearest, immediately adjoining, and having a common boundary. Therefore, two-unit attached dwelling units shall be separated by other land uses, dedicated open space, or streets. Where a tract or easement is used as a separator, such tract or easement shall be:~~

~~i. Dedicated or otherwise restricted in use so that it will remain in place for as long as the duplexes are present;~~

~~ii. No less than 35 feet in width, the minimum width for a local access street; and~~

~~iii. Contiguous with other~~

~~e. Two-unit attached dwelling units meeting the affordability requirements of this section shall not be subject to the attached dwelling unit design requirements of subsection C.4 of this section, with the exception of subsection C.4.c of this section, which has standards requiring that attached dwelling units shall be of a similar design and appearance to single-family homes located in the area.~~

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~~f.—A covenant agreement, in a form to be approved by the City, as required by RZC 21.20.040 must be recorded for all two-unit attached dwelling units allowed under this section and meeting the affordability requirements of this section. This covenant agreement shall appear on the deed to the property requiring all affordable housing units created under this section to remain as affordable for a 30-year period. This covenant agreement shall run with the land, binding on the assigns, heirs and successors of the applicant.~~

21.08.350 Innovative Housing Demonstration Projects

Repealed

Comment [C6]: ITEM 5

(No changes to rest of chapter)

ARTICLE II CITYWIDE REGULATIONS

RZC 21.20 AFFORDABLE HOUSING

Comment [C7]: ITEM 6

21.20.010 Purpose

The purpose of this chapter is to:

- A. Implement the responsibility of the City under the state Growth Management Act to provide for housing opportunities for all economic segments of the community.
- B. Help address the shortage of housing in the City for persons of low and moderate incomes, helping to provide opportunities for low- and moderate-income persons who work in the City to live here, rather than in locations distant from employment that contribute to increased length and number of vehicle trips.
- C. Help facilitate an adequate affordable housing supply in the City by offsetting the pressure on housing costs resulting from high job growth and construction of high-end housing.
- D. Preserve and create opportunities for affordable housing as the City continues to grow.
- E. Encourage the construction of housing that is affordable to senior citizens of Redmond.

21.20.020 Applicability

- A. This chapter applies to:

1. All new residential and mixed-use **developments** within the Downtown, Overlake, Bear Creek, Willows/Rose Hill, Grass Lawn, North Redmond and Education Hill Neighborhoods;
2. All new senior housing developments and congregate care **dwelling units**, not including nursing homes.

21.20.030 General Requirements and Incentives

- A. Pursuant to RCW 36.70A.540, the **City** finds that the higher income levels specified in the definition of “affordable housing” set forth in the definitions section of this Zoning Code are necessary to address local housing market conditions in the City. The income levels specified in the definitions section of this Zoning Code shall therefore be used in lieu of the “low-income **household**” income levels set forth in RCW 36.70A.540.
- B. Unless otherwise specified in **RZC 21.20, Affordable Housing**, at least 10 percent of the units in new housing **developments** in those areas specified in **RZC 21.20.020, Applicability**, of 10 units or greater must be **affordable housing units**.
- C. At least one bonus market-rate unit is permitted for each affordable housing unit provided, up to 15 percent above the maximum allowed density. For example, if the maximum allowed density for the **site** is 20 units per acre, the density bonus shall not exceed three units per acre, yielding a total allowed density, with bonus, of 23 units per acre, or 20 units + 15 percent bonus = 23 units. In areas where density limitation is expressed as a Floor Area Ratio (FAR), density bonuses will be calculated as an equivalent FAR bonus.
- D. Each low cost – affordable housing unit provided counts as two affordable housing units for the purpose of satisfying the affordable unit requirement under subsection RZC 21.20.030.B of this section. For purposes of computing bonus market-rate units under subsection RZC 21.20.030.C of this section, two bonus market-rate units are permitted for each affordable housing - low cost unit provided, up to 20 percent above the maximum density permitted on the **site**.
- E. The number of required affordable housing units is determined by **rounding** fractional numbers up to the nearest whole number from 0.5. In single-family zones, the required number of affordable housing units shall be calculated as a minimum of 10 percent of the greater of: (1) proposed **dwelling units** on the site, excluding **cottage** housing density bonus or other bonuses, or (2) **net buildable area** multiplied by the site’s allowed density.
- F. The affordable housing units and the bonus market-rate units shall not be included in the total number of the housing units when determining the number of required affordable housing units.
- G. Depending on the level of affordability provided, the affordable housing units may be eligible for the **impact fee** waivers described in RMC 3.10.070.

H. Urban Centers Requirements

1. Overlake.

- a. In portions of Overlake where density limits are expressed as a Floor Area Ratio, the bonus above the maximum residential FAR expressed in RZC 21.12, Overlake Regulations, is two times the equivalent floor area for each affordable unit provided. The bonus residential floor area may be used to increase building height by up to one story above the base standards shown in RZC 21.12, Overlake Regulations. The bonuses granted under this provision are in addition to any bonuses granted for senior housing under RZC 21.20.070, Affordable Senior Housing.
- b. Affordable Housing requirements are optional for the first 100 housing units approved to be developed in the Overlake Village zones and that otherwise would be required to be affordable units per this section. Each proposed development site may qualify for waiver of no more than 25 units of affordable housing. For purposes of this subsection, development site is measured for the project as a whole, including the total area proposed for development or included as part of a master plan.

- 2. Downtown. Development in Downtown will receive a square footage density credit equal to the square footage of the affordable housing units provided on-site, or the square footage of the affordable housing units provided off-site pursuant to RZC 21.20.050, *Alternative Compliance Methods*. This square footage credit can be converted to TDRs pursuant to RZC 21.48.010.G, *Affordable Housing Bonus*. The bonus is subject to the limitations of RZC 21.10.110.B, *Downtown Height Limit Overlay*.

I. Measurement in square feet of floor area of all affordable units shall be defined by the gross leasable area within the unit.

J. Cottages, duplexes and size-limited dwellings may be used to meet the requirements of this section.

K. Accessory Dwelling Units (ADUs) shall not be used to meet the requirements of this section.

21.20.040 Implementation Provisions

The following requirements shall be met for all affordable housing units created through any of the provisions of RZC 21.20, *Affordable Housing*:

- A. Affordable housing units that are provided under this section shall remain as affordable housing for a minimum of 50 years from the date of initial owner occupancy for ownership affordable housing units and for the life of the project for rental affordable housing units. At the sole discretion of the Administrator, a shorter affordability time period, not to be less than 30 years, may be approved by the City for ownership affordable housing units, in order to meet federal financial underwriting guidelines.

Attachment A

- B. Prior to the issuance of any permit(s), the Administrator shall review and approve the location and unit mix of the affordable housing units consistent with the following standards:
1. The location of the affordable housing units shall be approved by the Administrator, with the intent that they generally be intermingled with all other [dwelling units](#) in the [development](#).
 2. The tenure (ownership or rental) of the affordable housing units shall be the same as the tenure for the rest of the housing units in the development.
 3. The affordable housing units shall consist of a mix of number of bedrooms that is generally proportionate to the bedroom mix of units in the overall development.
 4. The size of the affordable housing units, if smaller than the other units with the same number of bedrooms in the development, must be approved by the Administrator. In general the affordable housing units may be as small as 500 square feet for a studio unit, 600 square feet for a one bedroom unit, 800 square feet for a two bedroom unit, or 1,000 square feet for a three bedroom unit. However, the Administrator has the discretion not to approve proposals for smaller units based on the criteria that rooms within the units provide adequate space for their intended use.
 5. The exterior materials and design of the affordable housing units must be comparable with the other dwelling units in the development, with similarity in [building](#) finishes, rooflines and landscaping. The interior finish and quality of [construction](#) of the affordable housing units shall at a minimum be comparable to entry level rental or ownership housing in the City.
- C. Construction of the affordable housing units shall be concurrent with construction of market-rate dwelling units unless the requirements of this section are met through RZC [21.20.050](#), *Alternative Compliance Methods*. The Affordable Housing Agreement provided for in Section [21.20.080](#) shall include provisions describing the phasing of the construction of the affordable units relative to construction of the overall housing. This can allow for sequencing of construction of the affordable units to be interspersed with construction of the overall housing units.
- D. The City reserves the right to establish in the Affordable Housing Agreement referred to in RZC [21.20.080](#), monitoring fees for the Affordable Housing Units, which can be adjusted over time to account for inflation. The purpose of any monitoring fee is for the review and processing of documents to maintain compliance with income and affordability restrictions of the Affordable Housing Agreement.

21.20.050 Alternative Compliance Methods

- A. While the priority of the [City](#) is to achieve affordable housing on-site, the [Administrator](#) may approve a request for satisfying all or part of the affordable housing requirements with

alternative compliance methods proposed by the [applicant](#), if they meet the intent of this section.

- B. The project proponent may propose one or more of the following alternatives, and must demonstrate that any alternative achieves a result equal to or better than providing affordable housing on-site. Housing units provided through the alternative compliance method must be based on providing the same type and tenure of units as the units in the project that give rise to the requirement.
1. [Affordable housing units](#) may be provided off-site if the location chosen does not lead to undue concentration of affordable housing in any particular area of the City. Preference shall be given for the location of the off-site affordable unit in the same neighborhood planning area, and the site must be within close proximity to employment opportunities and transit services. No individual property that receives off-site affordable housing units may have more than 25 percent of its units as affordable housing units, unless the property will be utilizing public funding sources for affordable housing.
 2. Cash payments in lieu of providing actual housing units may be provided and will be used only for the subsequent provision of affordable housing units by the City or other housing provider approved by the Administrator. Payments in lieu shall be based on the difference between the cost of [construction](#) for a prototype affordable housing unit on the subject property, including land costs and [development](#) fees, and the revenue generated by an affordable housing unit. The payment obligation will be established at the time of issuance of [building permits](#) or [preliminary plat](#) approval for the project.
 3. The Administrator may consider other options for satisfying the affordable housing requirements, as proposed by the project proponent.
- C. Timing.
1. Application for and approval by the Administrator for alternative compliance must be made prior to issuing a [building](#) permit for the project, unless otherwise permitted by the Administrator.
 2. Application for off-site alternative compliance must document the timing that off-site affordable housing units will be made available and provide assurances to ensure completion of the off-site affordable housing units. The intent is for affordable housing units to be provided before or at the same time as the on-site market rate housing.

21.20.060 Supplemental Requirements

A. Willows/Rose Hill Neighborhood.

~~1. Development of a size-limited dwelling, a duplex unit, or cottage may be used to meet affordability requirements.~~

~~2.1~~ As provided for in Comprehensive Plan policy N-WR-E-7, the allowed density shall be seven units per acre for a demonstration project in which at least 20 percent of the total dwelling units are affordable. Other bonuses allowed by the RZC may be used in addition to this bonus.

~~3. In addition to meeting the provisions in RZC 21.20.050, Alternative Compliance Methods, a project proponent who proposes off-site location of affordable housing units shall locate the dwellings within the Willows/Rose Hill Neighborhood unless there is no feasible site. If no site in the neighborhood is feasible, the preferred alternative compliance method is construction of affordable housing elsewhere in the City.~~

~~B. North Redmond Neighborhood.~~

~~1. Development of a size-limited dwelling, a duplex unit, or cottage may be used to meet affordability requirements.~~

~~C. Education Hill Neighborhood.~~

~~1. Development of a size-limited dwelling, a duplex unit, or cottage dwelling unit may be used to meet affordability requirements.~~

~~2. In addition to meeting the provisions in RZC 21.20.050, Alternative Compliance Methods, a project proponent who proposes off-site location of affordable housing units shall locate the dwellings within the Education Hill Neighborhood unless there is no feasible site. If no site in the neighborhood is feasible, the preferred alternative compliance method is construction of affordable housing elsewhere in the City.~~

21.20.070 Affordable Senior Housing

- A. Except for Retirement Residences developing under RZC 21.08.370.C.3.b, the affordable senior housing bonus may be used in any zone that allows retirement residences or multifamily housing. The bonus shall be part of any land use application. Where the affordable housing bonus was requested in an earlier land use application, the bonus does not have to be requested in subsequent land use applications provided that the number of bonus units is included in the subsequent land use applications. If the bonus is approved, the land use shall comply with the requirements of this section for the life of the use.
- B. The development shall be restricted to persons 55 years of age or older and handicapped persons as defined by federal law. At least 80 percent of the total housing units shall be occupied by at least one person who is 55 years of age or older. Owners of affordable senior housing units shall be required to verify annually that the occupancy requirements of this section are met as provided for in the Affordable Housing Agreement pursuant to RZC 21.20.070. It is the intent of this section to promote the provision of housing for older persons

Attachment A

in compliance with the Housing for Older Persons Act (HOPA) 42 U.S.C. sec. 3607, as the same now exists or is hereafter amended, by providing a density bonus for affordable housing that meets the requirements of HOPA.

- C. No conversion of occupancy to persons other than those specified by subsection RZC 21.20.070.B shall be allowed without first complying with the underlying zoning and [site](#) requirements. The bonus shall not apply to the property if it is no longer occupied by those persons specified by subsection RZC 21.20.070.B, and the bonus housing units shall be eliminated unless otherwise authorized by the applicable development regulations.
- D. If an affordable senior housing bonus application is approved, developments may exceed the allowed density of a zone by as much as 50 percent, provided that 50 percent of the bonus units are [low-cost affordable housing units](#).
- E. The bonus shall only be used in the multifamily or retirement residence development for which it is approved. The bonus application shall be made as part of the first land use application made for the project. The decision maker for this application shall decide the request for the bonus.
- F. All site requirements and development standards of the Zoning Code shall apply to uses that obtain an affordable senior housing bonus with the following exceptions:
 - 1. The site requirements that shall apply to the development (see applicable zone use charts in RZC [21.08.020](#) through [21.08.140](#) shall follow the zone which most closely matches the approved density of the use including density bonuses and not the density of the underlying zone. This subsection shall not apply to retirement residences.
 - 2. Developments shall be designed to project a residential appearance through architectural design, landscaping, and [building](#) materials.

21.20.080 Affordable Housing Agreement

Prior to issuing any [building permit](#), an agreement in a form approved by the [City](#) that addresses price restrictions, home buyer or tenant qualifications, phasing of [construction](#), monitoring of affordability, duration of affordability, and any other applicable topics of the [affordable housing units](#) shall be recorded with King County Department of Records and Elections. This agreement shall be a covenant running with the land and shall be binding on the assigns, heirs and successors of the [applicant](#). The City may agree, at its sole discretion, to subordinate any affordable housing regulatory agreement for the purpose of enabling the owner to obtain financing for [development](#) of the property, consistent with any applicable provision of the Redmond Zoning Code in effect at the time of the issuance of the [land use permit\(s\)](#).

21.74.030 Decision Criteria and Procedures

Comment [C8]: These edits pertain to ITEM 5

H. Unit Lot Subdivisions.

1. *Applicability.* The provisions of this section apply exclusively to the unit lot subdivision of land for attached dwelling units that have land use approval through RZC 21.76.070.Y, Site Plan Entitlement; RZC 21.67, Green Building and Green Infrastructure Incentive Program (GBP); and RZC 21.76.07.P, Master Planned Development; ~~and RZC 21.08.350, Innovative Housing Demonstration Projects,~~
2. *Approval Process.* A unit lot subdivision shall follow the procedures established in RZC 21.76.050.G, Type II Review, if nine or fewer unit lots are proposed. Preliminary unit lot subdivisions shall follow the procedures established in RZC 21.76.050.H, Type III Review, if ten or more unit lots are proposed. Final unit lot subdivisions of ten or more lots shall follow the procedures established in RZC 21.74.030.G, Final Subdivision Procedures, of this chapter for final plats.
3. *Compliance with Prior Approvals.* Sites developed or proposed to be developed with single-family attached dwelling units may be subdivided into individual unit lots as provided herein. The development as a whole shall conform to the regulations of the zone that the site is located in and to the plans that were granted approval through provisions of this code, either: RZC 21.76.070.Y, Site Plan Entitlement; RZC 21.67, Green Building and Green Infrastructure Incentive Program (GBP); ~~or~~ RZC 21.76.070.P, Master Planned Development; ~~or RZC 21.08.350, Innovative Housing Demonstration Projects.~~

Comment [C9]: This item also pertains to ITEM 5

COMPREHENSIVE PLAN POLICY: HO-33 REPEALED

HO-33

~~Support the Innovative Housing Program that helps promote City goals for affordability, high quality design and housing to meet a diversity of household sizes, types and age ranges. Allow for flexibility in density and design standards to promote the pilot program.~~

HOUSING-RELATED AMENDMENTS TO THE ZONING CODE AND COMPREHENSIVE PLAN

November 20, 2013

Issue / Commissioner	Issues Matrix - Discussion Notes	Issue status																
<p>1. A. How does the proposal to lower height limits on ADUs and homes built through a small-lot short plat encourage the development of these structures? <i>(Miller)</i></p> <p>B. What are other jurisdictions' height limits on ADUs? <i>(Sanders)</i></p>	<p><u>Staff Comment/Recommendation:</u></p> <p>A. The proposal to lower height limits on detached ADUs and homes built through a small lot subdivision from 35 feet to 25 feet is not likely to encourage nor discourage development of these residential structures but will allow them to be more consistent with other smaller residential structures allowed in the City. Currently, Cottages and Size-Limited Homes are limited to 25 feet in height and all of these structures are similar in size:</p> <table border="1" data-bbox="541 678 1591 1299"> <thead> <tr> <th>Structure type</th> <th>Size Limit (square feet)</th> <th>Height Limit (feet)</th> <th>Notes</th> </tr> </thead> <tbody> <tr> <td>Cottages</td> <td>1,500</td> <td>18 feet, above 18 feet, roof must have 6:12 pitch up to maximum of 25 feet</td> <td>Size limit includes attached garage (if any).</td> </tr> <tr> <td>Size Limited Home</td> <td>1,900</td> <td>25 feet</td> <td>Size limit includes any attached or detached garage</td> </tr> <tr> <td>Small-Lot Short Plat</td> <td>1,500</td> <td>Determined by underlying zone: (typically 35 feet)</td> <td>Size limit includes any attached or detached garage</td> </tr> </tbody> </table>	Structure type	Size Limit (square feet)	Height Limit (feet)	Notes	Cottages	1,500	18 feet, above 18 feet, roof must have 6:12 pitch up to maximum of 25 feet	Size limit includes attached garage (if any).	Size Limited Home	1,900	25 feet	Size limit includes any attached or detached garage	Small-Lot Short Plat	1,500	Determined by underlying zone: (typically 35 feet)	Size limit includes any attached or detached garage	<p><u>Opened</u> 11/20/13</p> <p><u>Closed</u> 12/4/13</p>
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Issue / Commissioner	Issues Matrix - Discussion Notes				Issue status					
	<table border="1"> <tr> <td data-bbox="548 289 804 462">Detached Accessory Dwelling Unit (ADU)</td> <td data-bbox="804 289 1073 462">1,000</td> <td data-bbox="1073 289 1367 462">Determined by underlying zone: (typically 35 feet)</td> <td data-bbox="1367 289 1598 462">Size limit excludes any area for garage</td> </tr> </table>	Detached Accessory Dwelling Unit (ADU)	1,000	Determined by underlying zone: (typically 35 feet)	Size limit excludes any area for garage					
Detached Accessory Dwelling Unit (ADU)	1,000	Determined by underlying zone: (typically 35 feet)	Size limit excludes any area for garage							
<p>Accessory structures, e.g., detached garages or other storage buildings are limited to 22 feet in height; however, existing code allows ADUs contained within accessory structures such as over a detached garage to be 28 feet maximum height. This requirement is not proposed for change. ADUs contained within existing homes would be subject to the height limits for residential structures, typically 35 feet; also not recommended for change.</p>										
<p>A survey of City building permits for ADUs (13 permits surveyed) determined that only one of the total surveyed was a detached ADU, 772 s.f. in size with a height of 19 feet. Other ADUs typically were contained in existing homes, or in some cases were additions onto the primary home or above an attached garage. Arthur Sullivan, Program Manager for A Regional Coalition for Housing (ARCH) confirmed that in all ARCH member cities, the number of detached ADUs is few compared to ADUs within structures.</p>										
<p>B. In Seattle, Detached Accessory Dwelling Units (DADUs) are allowed to be 800 feet in size with a height limit of 22 feet. Several ARCH member cities do not allow detached ADUs, including Bellevue, Bothell, Medina, Beaux Arts Village and Kenmore (if the lot is 10,000 s.f. or less). For those cities that allow them, there are size limits but height limits are not indicated. However, cottage regulations were reviewed due to their similarity in overall size and structure to detached ADUs. In each of the cities surveyed (4 cities surveyed), the height limits for cottages are 18 feet with a maximum of 23-25 feet (varies per jurisdiction) at the peak of a pitched roof.</p>										
<p>The height limits for detached ADUs and homes built under a small lot short-plat are recommended to be lowered from 35' to 25' feet, such that two-story but not three-story structures would result. A detached ADU is accessory to an existing home on a lot; a home built under the small-lot short plat regulations is a "backyard home", allowed when a lot is 200% of the lot size for the zone. Each results in residential infill with potential impacts on neighboring homes. With the lower height limit of</p>										

Issue / Commissioner	Issues Matrix - Discussion Notes	Issue status
	<p>25 feet, the overall height of the detached ADU or the “backyard home” will be of less impact. . The City supports the development of a variety of homes and wants to encourage all affordable options while also recognizing the need for compatibility in neighborhoods.</p> <p><u>Public Comment:</u></p> <p>One letter was received in favor of the lowered height limits.</p> <p><u>PC Comments:</u></p> <p>The Commission were satisfied with the information provided by staff.</p>	

From: Richard Barthol [<mailto:rebarthol@msn.com>]

Sent: Saturday, November 30, 2013 2:25 PM

To: Sarah Stiteler

Subject: Re: Planning Commission plan to amend the Redmond Zoning Code and Comprehensive Plan

To: sstiteler@redmond.gov

Sent: Saturday, November 30, 2013 2:13 PM

Subject: Planning Commission plan to amend the Redmond Zoning Code and Comprehensive Plan

Hello Sarah and Members of the Planning Commission:

I enthusiastically support the proposed amendment to the Redmond Zoning Code and Comprehensive Plan that would reduce the height limits from 35 feet to 25 feet for detached accessory dwelling units and homes built through a small lot short subdivision process.

I have long felt that the allowable height of 35 feet on all homes in residential neighborhoods has created three story mega homes. These homes are not affordable for most families and furthermore they do not preserve views. When the Development Guide in 2010 was updated, I sent an email to Steve Fisher regarding my concerns.

For your information, in the 1980's, the maximum height of homes was just 30 feet. That height limit allowed the building of just two story homes. During this time period the Development Guide was changed to allow the allowable height of residential homes to change from 30 to 35 feet. This small increase of height has allowed the three story mega homes to be built. I feel that I was partially responsible for this change. As a member of the Technical Committee at that time, this wide ranging issue slipped through me and other members of the committee at that time.

I encourage and applaud the efforts of city staff to reduce the height of detached accessory dwelling units and homes built through a small lot short subdivision process. It remains my hope, that your effort will continue to further examine the reduction of the 35 maximum height of all residential homes. This is the only way that affordable homes will be built in the City of Redmond that can serve a wide diversity of families.

Respectfully yours,

Dick Barthol,

Retired, Transportation Engineering Manager of Development Services

**REDMOND PLANNING COMMISSION
MINUTES**

December 4, 2013

COMMISSIONERS PRESENT: Chairman Franz Wiechers-Gregory, Commissioners Murray, Chandorkar, Sanders, Miller, O'Hara and Biethan

COMMISSIONERS EXCUSED: None

STAFF PRESENT: Sarah Stiteler, City of Redmond Planning Department; Jeff Churchill, City of Redmond Planning Department; Kim Dietz, City of Redmond Planning Department; Pete Sullivan, City of Redmond Planning Department

RECORDING SECRETARY: Lady of Letters, Inc.

CALL TO ORDER

The meeting was called to order at 7:00 p.m. by Chairman Gregory in the Council Chambers at City Hall.

APPROVAL OF THE AGENDA:

There were no changes to the agenda.

ITEMS FROM THE AUDIENCE:

There were no items from the audience.

MEETING SUMMARY APPROVAL:

Chairman Gregory asked for any comments, questions, or changes to the 11/20/2013 meeting summary approval. Without objection, the meeting summary was approved.

Public Hearing and Study Session, Housing-related Amendments to the Comprehensive Plan and Zoning Code, presented by Sarah Stiteler, City of Redmond Planning Department.

Chairman Gregory opened the public hearing and study session. He noted there was no one in the audience for oral testimony, but acknowledged that the Planning Commission did receive an email from Mr. Richard Barthol supporting the reduction of the height limits on detached ADU's, or accessory dwelling units, from 35 feet to 25 feet. Chairman Gregory asked that this email become part of the public record. No other public testimony has been received. With no further testimony, Chairman Gregory declared the public hearing, both written and oral, closed.

Ms. Stiteler reviewed the presentation she did the last time for the Commission on this issue, identifying that the package of amendments had originated from several places. There was a Code rewrite from a couple of years ago and a number of items were placed

ATTACHMENT D

(Minutes are draft; anticipated approval on 1/15/14)

on hold for larger policy considerations. These items were things that were outside the scope of the rewrite at that time. Also, in May of 2012, the City Council passed the Housing Strategy Plan, and at that time, there were a number of high priority items that the Council asked staff to look into further. Staff has been reviewing the ADU regulations with this amendment package to determine if there were things that could be done to further encourage the development of ADU's. One recommendation is to discuss further, with other member cities of ARCH, A Regional Coalition for Housing, how other cities are dealing with ADU's successfully. In addition, staff has been reviewing existing housing regulations to find ways to improve clarity and internal consistency while removing duplicative language.

There are six categories of changes. The first is to add language to clarify that density bonuses are calculated on the underlying base density, which is the practice in Redmond. However, the specific language about this was not in the Code. The second category is to have changes to small lot/short plat requirements. This would change the height limit on houses built through that mechanism from 35 feet to 25 feet. That same height limit proposal covers ADU's, specifically detached ADU's. If an ADU is in an existing garage, such as over a garage, then the height limit would be 28 feet, as regulations currently allow.

The parameters of an ADU include the following:

1. An ADU must be owner occupied.
2. The primary home must be resided in by the owner of the home or, conversely, the owner of the home could live in the ADU and rent out the primary home.
3. There has to be at least one off street parking space per ADU.
4. For a detached ADU, the maximum size is 1,000 square feet.
5. There will be certification of the ADU recorded on the title of the home.

Ms. Stiteler showed some images to describe a detached ADU, including some examples of 3-story structures from Seattle that Redmond would like to avoid. The fourth group of changes has to do with Attached Dwelling units. The most substantive change is to remove the requirement regarding the affordability requirements; again, to be consistent with other similar residential structures. This is because if it is classified as an affordable attached dwelling unit, the site requirements are very minimal. So, it was felt that because of that extreme flexibility, such a situation would work best in a subdivision, which has also been the practice in North Redmond.

The fifth item is a proposal to remove any reference to the Innovative Housing Demonstration Program in the Zoning Code and Comprehensive Plan. The City's Comprehensive Plan Policy HO-33 speaks directly to that and is proposed to be deleted. The Program ended in August 2013 and staff is proposing to evaluate the program more formally in 2014. The sixth item is about changes related to affordable housing. There are no substantive changes in this regard, merely clarification.

Commissioner Chandorkar asked about a photo in the presentation and what represented an ADU. Ms. Stiteler noted that the photo was an *attached dwelling unit*, or triplex, not

ATTACHMENT D

(Minutes are draft; anticipated approval on 1/15/14)

an *accessory dwelling unit*, commonly known as an ADU. Ms. Stiteler clarified that an accessory dwelling unit could be, within a shed in the back yard, a unit above the garage, or in the first floor of a daylight Rambler.

Chairman Gregory noted that the main issue before the Commission was how the proposal to lower height limits on ADU's and homes built on a small lot/short plat encouraged the development of these structures, which was an issue raised by Commissioner Miller. Commissioner Miller said he wanted to understand where the value of 25 feet came from. He said he appreciated the email from Mr. Barthol about the overall impact of 35 feet, but Commissioner Miller wondered if the ADU had to be shorter than the building to which it was an accessory when the City was trying to encourage this type of construction density. He said this height limit seemed to veer away from the other changes the Commission has been putting in place regarding trying to encourage housing variety.

Commissioner Sanders said the 25-foot level was not arbitrary, in that it was an attempt to get away from three-story structures. Twenty-two feet has been used in other cities, but she said 25 feet makes sense as well. Commissioner Chandorkar clarified that this had to do with detached ADU's, which seemed to make sense. Commissioner O'Hara said if another building on a lot was allowed to go up to 35 feet it would become a tower given the square footage restrictions. He said he supported the 25-foot limit. Commissioner Chandorkar clarified that ADU was defined by the City as an accessory dwelling unit which provides basic requirements for living. The ADU is accessory to the primary building on a lot and may be attached or detached from the primary single family dwelling unit. He was concerned that this definition could cover any addition to a house. Basically, a person could add on to a house, call it an ADU, and circumvent what the Commission is trying to accomplish.

Commissioner O'Hara said the definition was not confusing, based on an attached or detached structure. Commissioner Biethan said the basic question before the Commission was that an ADU could be built, but should not be too big. Ms. Stiteler clarified that if an addition to a house is a separate living unit that follows all the regulations, including extra parking, it could serve as an ADU. Commissioner Biethan said the height restriction was mainly to avoid tall, skinny buildings. Chairman Gregory asked, when an ADU is built as an attachment to the existing structure, if a height limit would still apply. Ms. Stiteler said the height limit for the residence, at 35 feet, would be the limit. Chairman Gregory said, in the case of a low bungalow that is 14 or 15 feet high, an ADU could be attached and potentially could reach a taller height. Commissioner Miller said he mainly wanted to know how the 25 foot rule was put in place and how an ADU would be considered a lesser building of some sort. He accepted the rationale of staff, but noted that there was some limitation on flexibility with the 25-foot rule. Commissioner Miller said he was okay to close this issue, and the Commission agreed.

Chairman Gregory asked about part B of the first issue. Commissioner O'Hara said the staff response on the issue matrix was great, and Commissioner Sanders agreed.

(Minutes are draft; anticipated approval on 1/15/14)

Chairman Gregory closed part A and B of this issue. Seeing no other issues raised Chairman Gregory asked for a motion.

MOTION by Commissioner Murray to recommend approval of the housing-related amendments to the Comprehensive Plan and Zoning Code. MOTION seconded by Commissioner O'Hara. With no further discussion, the MOTION was approved unanimously (7-0).

Chairman Gregory asked if the report regarding this motion would be ready by December 11th for report approval. Ms. Stiteler said she would have a report to the Commission ready in two days, in which case there could be a report approval on the 11th and thus no need for a meeting on December 18th. Commissioner Sanders asked if the meeting on the 11th could be combined with the joint meeting with the City Council on the 10th. Ms. Stiteler said the agenda item had not been advertised, but that it might be possible and would get back to the Commission to confirm. Chairman Gregory clarified that there would be a quorum of the Commission on the 10th and that there would be no meeting on the 18th, and possibly no meeting on the 11th. Chairman Gregory called for a brief recess.

Study Session, Southeast Redmond Neighborhood Plan Update, presented by Jeff Churchill and Kim Dietz, City of Redmond Planning Department. Chairman Gregory noted that this item would be discussed at the December 10th joint meeting between the Planning Commission and City Council. He noted that at this meeting, the Commission would identify some key questions and topics for consideration. The actual review of the Plan would not happen until February 2014.

Mr. Churchill noted that staff has done some outreach on this issue, and said a citizen advisory committee has been working on the plan update and has provided some recommendations. The process of updating the Neighborhood Plan started back in the third quarter of 2012 with some initial outreach. There have been a number of public open houses and a Citizen Advisory Committee (CAC) has met monthly for about eleven months. This update would be brought to the Commission early in 2014 for a full review.

Mr. Churchill talked about the outreach on the Plan Update. The staff used mailings and a web presence, which is always part of an update like this. Home Owner Association (HOA) networks and business networks are contacted, and typically, open houses are held. However, the staff did some outreach with this update that has not been done before in Redmond, including advertising a City presence in the park and talking to passers-by. A Fourth of July party yielded a great number of connections to local residents, as well. Invitations were sent out for commuter fairs, which did not create as many connections. Posters were put up, but it was not clear if the posters resulted in more people showing up at open houses. Staff also pioneered an incentive system to encourage people to do online questionnaires. Whole Foods donated free coffee to people who completed a survey.

Commissioner Murray asked which technique of outreach was most successful. Mr. Churchill said the free coffee offer yielded more responses compared to other questionnaires. With regard to making contacts, going to gatherings like a local Fourth of

ATTACHMENT D

(Minutes are draft; anticipated approval on 1/15/14)

July party got a lot of comments in a short amount of time. The (CAC) was very important in the development of the recommendation the Commission is considering. The committee is a nine-member group. Four are residents in the neighborhood planning area; three are in Woodbridge, and one is in another area. Five of them either work in the area or own property, including people from several different local businesses.

The committee met from January to November 2013 with a few breaks. In previous neighborhood plan updates, staff has worked through issues topic by topic, meaning staff would speak about housing, then land use, and then parks, for example. Staff did not think that process would work in Southeast Redmond, and attempted to use a more integrated technique. The Committee started with a vision and worked through some alternative concepts. That was then worked into, finally, a preferred alternative.

Five of the main topic areas for the plan update are: character, land use, transportation, parks, and housing. In terms of character, the CAC as well as people responding to questionnaires thought there was not a great sense of community identity of Southeast Redmond. The CAC wanted to build that identity starting with this plan update. Entryway elements were recommended at places like Redmond Way and 180th. New developments, also, could be more intentional about creating a sense of place as areas develop. Mr. Churchill said before the Neighborhood Plan Update, people operating businesses in Southeast Redmond were already talking to one another, because there is some friction about noise and odor and business operations. Communication, they discovered, was a key to getting along better. Working on the Plan Update helped with that process and built more connections.

The neighborhood is not in love with the name Southeast Redmond, but no one has come up with anything better yet. Mr. Churchill said the public could be polled again about creating a new name. There are historic assets, adjacent to the neighborhood, which are already protected. But the residents of the area wanted those to be recognized. The Red Brick Road is one of them, on 196th, just outside City limits. Regarding land use, the CAC is recommending significant changes in the Northeast sub-area and the Marymoor sub-area. The Northeast sub-area is north of Woodbridge, and the CAC is recommending a gradual transition here from residential to heavier industry that already exists to the north. Performance zoning could be used as a technique to allow for flexibility of use.

Commissioner Sanders asked what the term performance zoning meant. Mr. Churchill responded that zoning is most commonly arranged around use, meaning a use is permitted or not permitted. Historically, this was used to separate industrial and residential uses. Performance zoning is not as concerned about what a certain use is called, but rather, how it operates and how it impacts a neighborhood. The widget produced on the inside of the business is less important than how the business fits into a neighborhood. Details on this issue have not been worked out, but this technique could help achieve the transition the CAC is looking for. Commissioner Chandorkar asked if transition overlay areas represented a kind of performance zoning. Mr. Churchill said no, in that they do not do anything on the use side, but rather create some special setbacks.

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There may be elements of the transition overlay areas that could work their way into performance zoning.

Mr. Churchill said the CAC is seeing a lot of opportunities in the Marymoor sub-area. There will be a light rail station in this area in the long term. The CAC is recommending that this area be a mix of housing and employment, with employment closer to the station and the housing closer to the 600-acre Marymoor Park. Mr. Churchill said it would be important to plan properly in the area near the park and also to work with the King County Parks Department. The CAC would like to make better connections to the park. There are not many connections now.

Regarding transportation, the CAC is talking about connectivity and safety. A lot of uses and users are in this area with different needs. East-west connectivity is a big issue, and connecting to the light rail station, once it is built, is very important too. There are no developed parks in Southeast Redmond, though it is adjacent to Marymoor. The Southeast Redmond Park is a grass lot, and the CAC wanted that to be further developed. The connections that are part of the trail plan, in the park plan, should be completed to enhance connectivity and give people access to these amenities. Parks could also add green to the neighborhood, in that there is a lot of asphalt in this area.

Commissioner Miller asked if the Plan Update addressed Marymoor as part of the Southeast Redmond neighborhood, in that Marymoor is in unincorporated King County. Mr. Churchill said the edge of the park is the main concern, not the entire park. The hope is to create better access to the park and create more permeability between the neighborhood and the park. Commissioner Biethan said it was clear the CAC wanted to see some improvements abutting the park that would be complementary to Marymoor. Commissioner Miller said King County has always considered the northern part of the park as a very active area. He asked if there was a way to bring people from the Town Center area across Highway 520 and how to handle that. Mr. Churchill said that connection was in the planning stage, but was more in the Downtown planning process.

Mr. Churchill said, with regard to housing, there is a City-wide policy that says existing housing capacity must be maintained as a baseline. Housing capacity is retained in the preferred alternative from the CAC, though it has been shifted around in the neighborhood. The CAC is supportive of allowing for different housing choices. In this area, there is not a lot of undeveloped land. The plan is that 10% of new homes in developments of ten units or more, as is the case in other parts of the city, should be affordable with a commensurate bonus.

The CAC has discussed about how it would be possible to transition between different uses, especially between residential uses and more intensive industrial uses out near Woodbridge. There is a question over how the City could provide zoning flexibility north of Woodbridge to achieve the goal of transition. The hope is that while the neighborhood evolves, the businesses in the area can evolve with it. The CAC has spent a lot of time on the manufacturing park overlay, which the Planning Commission has looked at before. The CAC is looking at whether it would be appropriate to expand that overlay to the

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southeast along Redmond Way to 185th. There is a private request for that overlay in a new area across the street from the City's maintenance and operations center on 76th Street east of 180th.

The CAC decided not to recommend expanding or creating a new manufacturing park overlay. The CAC also discussed the need to instead look more broadly at manufacturing park zoning and if it allowed the uses it should allow, such that properties could be leased and help it succeed as a manufacturing area. Mr. Churchill said this idea would be discussed at the Commission's joint meeting with the City Council.

Mr. Churchill said this week and next, the Commission and Council would be briefed on this issue as well as the newly-renamed Arts and Culture Commission, the Parks and Trails Commission and the Pedestrian and Bicycle Advisory Committee. Those groups will be updated on this Plan Update and will be called on to provide some feedback. The staff would like to discuss in February 2014 how the Commission will approach the review of this plan update. Mr. Churchill asked the Commission for its feedback at this point.

Commissioner Biethan said this neighborhood is going through a lot of change. Much of that change has not been planned, unlike the Overlake area, for example. He noted that this neighborhood has a lot of industry and business right now, and asked Mr. Churchill for the big picture speech about this area. Mr. Churchill said the two sub-areas of this neighborhood defined earlier actually work together a lot. The northeast sub-area north of Woodbridge has an area zoned for more homes, which has been the case since the mid-1990s. However, no homes have been built here. Members of the residential community see that edge as an issue, in that there are homes right next to an industrial operation. That creates some friction points, and the neighborhood does not want that replicated in the future.

Mr. Churchill asked what would happen if the industries in this neighborhood pulled back in the future. The CAC has explored some options, and the recommendation is for more housing to make this area a more complete community, with neighborhood services and a transition with lighter business uses to get to the industrial area. This, Mr. Churchill said, appears to be a better solution than what is in the neighborhood now. However, with a capacity for 700 homes in this sub-area and a policy to not lose any net housing, new locations for housing had to be found. The Marymoor sub-area could offer some options for housing. Right now, this sub-area has many uses, including businesses and housing. Mr. Churchill said the investment in transit in the Marymoor area could provide an opportunity for people to walk to where they live and work. Employment uses and light manufacturing could be involved. Further from the light rail station and Highway 520, a distance that is still walkable, there is an area next to the park that is not as loud as the station or the highway more suitable for residential uses.

Commissioner Sanders asked how parks could be added to put more green in the Woodbridge sub-area. She also asked about providing schools along with the increased density proposed. Mr. Churchill said parks follow people. There is a thought now that the

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current park may need to get bigger if more residential units are built. There may not be more park opportunities, but stormwater infrastructure could be added to provide more green areas, as well as improved streetscapes. Regarding schools, the population projection would be roughly the same as it is now, but it would be shifted to a new part of the neighborhood.

Commissioner O'Hara asked about the northeast sub-area and the ground around Union Hill Road, which rises and then falls toward Redmond-Fall City Road. He asked where the crest of that hill was and if that provided a natural boundary between the residential and the business area. Mr. Churchill said that crest could be a natural barrier, but said the land on both sides of the hill had been worked a lot in the past. A big silt pond, about 70 feet deep, is in that area. There may be parts of it that will be re-graded. Chairman Gregory asked about stakeholders in this process and noted that the City has raised some concerns in the past about having enough land zoned for manufacturing and businesses. He asked if One Redmond had put any input into this plan. He asked about the possibility of a post-secondary vocational educational school could fit in this neighborhood. His largest concern was how all these different ideas might impact the CAC's recommendation.

Mr. Churchill said that in September, Commissioners Murray and Biethan attended a breakfast along with people from One Redmond and the new director of the Lake Washington Institute of Technology, Redmond campus. There was a lot of discussion about economic development and opportunity, as well a discussion about art and culture. Staff made specific efforts to get at the parts of the community Chairman Gregory is referring to.

Commissioner Chandorkar asked about the future of light rail in this neighborhood and what the CAC looked at in terms of connecting to the station and how light rail might impact the manufacturing park or freight deliveries. Mr. Churchill said that was indeed a topic of discussion with regard to access for commuters and access for freight already going in and out of the neighborhood. There is a challenge here in that the light rail station is up against a highway and a park. One may only go out to the east, not the west. Nonetheless, Mr. Churchill said connectivity would have to improve to get people to the light rail.

Seeing no further questions, Chairman Gregory thanked Commissioner Biethan for his work on this issue especially and reminded the Commission that this issue would be discussed at the joint Planning Commission/City Council meeting. Commissioner Biethan said Commissioner Murray did a lot of work on this issue too. Chairman Gregory called for a short recess.

Briefing, Planning Commission Draft 2014 Work Plan, presented by Pete Sullivan. Chairman Gregory reminded the Commission that this item would also be on the agenda for the joint meeting with the City Council. Mr. Sullivan said this was a year-end status check of the Comprehensive Plan docket that the Commission has reviewed and that the Council has approved. Staff is not opening this up for new items per se, but is interested

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in the Commission's feedback. He asked the Commission for any questions about planning items, legislative items, permanent ordinances for marijuana, the update to Redmond's urban design standards, the Southeast Redmond Neighborhood Plan Update, and the Sammamish Valley Neighborhood Plan Update. Mr. Sullivan said there was a carryover item from the full Comprehensive Plan Update of 2010-2011, which was updating the stormwater policies. The Commission reviewed those policies, but the Council did not adopt those out of a desire to work with the Technical Advisory Group and some community stakeholders on currently deficient stormwater facilities.

There is also a package of amendments to follow up on the HUD Growing Transit Communities Program, and a new functional plan for police and fire department facilities, known overall as public safety. That will have impact to the capital budget and the Comprehensive Plan, especially in light of the growth expected in Redmond through 2030. A stormwater functional plan for stormwater conveyance, groundwater, and surface water will be reviewed as well. Implementation items in 2014 will include the implementation of the Housing Strategy Plan, including senior and affordable housing and putting the Overlake Village vision into action.

Overlake Village District's energy policy will be reviewed using a pre-feasibility study on neighborhood energy or eco-districts. This will look into whether Overlake Village could have ground-sourced geothermal heating in tandem with public and private investments in this area. In the current growth scenario, the projected buildings in this area could have their energy costs cut by 50% and see their carbon emissions cut by 40% through such a heating plan. It is unclear who would lead this feasibility study yet, but staff is working on it. The Commission will also see an update to Redmond's capital investment strategy, the long-term capital facilities plan through 2030, city-wide. The City will look into improving its approach to community engagement as well, which began back in the fall of 2013. Phase 1 will begin for a Historic Core Master Plan for Old Town Redmond, and annexation will continue in the northeast Rose Hill area.

Commissioner Murray appreciated the work on community engagement undertaken by staff. He asked if the Commission could look at this 2014 Work Plan and try to see if any of the topics in front of the Commission would be highly sensitive or would be worth an extra public outreach. He noted that many of the topics Mr. Sullivan listed appear to be dry, but Commissioner Murray wanted to encourage staff on these topics to see how the public should be engaged. Chairman Gregory said the marijuana ordinance would be a top priority. Right now, the City has a temporary ordinance that prohibits marijuana stores, but with a change in state law, that deserves some attention. There has been some highly emotional testimony in front of the King County Council recently about marijuana production in the Redmond Ridge area. Chairman Gregory would like to make sure the public is well aware of the Commission's work on this issue. Commissioner Murray asked if staff could work with the City's communications department to develop an outreach strategy on this topic.

Commissioner Chandorkar said the new Overlake Village implementation would be interesting as well. The origin of this project has not been exactly smooth sailing,

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Commissioner Chandorkar said, but he said it would be interesting to see how it is going to be developed. Commissioner Biethan said he would like to see how the Commission deals with topics other than marijuana, in that there will be a lot of interest in that issue already. He wanted to get better public engagement on other topics, too, especially those that deal with some of the new work the Commission has been doing over 2013.

Commissioner O'Hara said the police and fire functional plan might be a topic that would fit Commissioner Biethan's concern, in that many people take that plan for granted, but it is very important. Commissioner Murray said the Commission would have to be careful on its choices, and not choose too many topics to emphasize, as that might be less effective. He said the Old Town Historic Core Master Plan would be another key issue about Redmond's identity. Commissioner Biethan said Old Town has some new topics, while Overlake Village is more of a process of implementation.

Commissioner Chandorkar asked Mr. Sullivan if he was looking for the Commission to do its outreach more extensively, or if the City as a whole should be doing that.

Commissioner Chandorkar said the City's plan for better outreach would already cover many of these topics. Commissioner Murray noted that, in a meeting back in October, the Commission reviewed City communication policy. Growing community engagement cannot happen with every topic in every department, in that the communication has to be targeted. This is a City-led effort that involves the Planning Commission staff working with the City communications department to review who the audience is, what the message is, and what the target strategies are for getting community engagement. This would be a higher level of communication different than the normal manner.

Commissioner Murray would like to use those efforts in a limited way to see how effective they are in gathering engagement on topics the Commission perceives would be very important in 2014. He liked the idea of doing outreach on an issue that is not as hot to test how the communication process works on hot topics and not as hot topics.

Chairman Gregory said that communication on bigger issues will help demonstrate the transparency of the Commission. In King County, regarding marijuana, many people have testified that it appeared marijuana facilities had been dumped on their neighborhoods. Chairman Gregory said the Old Town issue would be excellent to consider, in that it speaks to a fundamental identity of Redmond. Dealing with that topic could help identify new target audiences and new ways to reach them, thus showing the transparency of the Commission and an exemplary communication process.

Commissioner Sanders talked about an outreach method used for the 166th re-channelization project, which involves splitting four lanes into three. Temporary signs were placed at the top and bottom of the hill beforehand that were very noticeable. She suggested large temporary signs in locations impacted by certain Planning Commission actions could be an effective outreach effort.

Commissioner Miller said there were many linked items on the list, particularly around Overlake Village, transportation, and stormwater, for example. He asked if, through the outreach, some interest could be generated on topics that currently do not draw much public interest. He said there was an opportunity here to basically create a community and find people who have not been reached in the past. Commissioner Murray asked if

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Commissioner Miller had a tactical plan. Commissioner Miller said rather than focusing on one project, and worrying if it is a high profile issue like marijuana, many projects could be combined and packaged as a way of overall community building in certain geographic areas.

Commissioner Murray asked Commissioner Miller had ever tried to get a twelve year-old interested in painting when that twelve year-old wanted to play dodgeball. Commissioner Miller said he understood the analogy. Commissioner Murray said community building is important, but he was not sure how to create a communication technique out of that concept. He noted that communication occurs for the Commission on more targeted topics and he was unsure how to create a web of interest around a general idea of community building. Commissioner Miller said some of the items on the 2014 work plan would easily attract public comment, but items like neighborhood plans, as was evident at the public hearing on the Southeast Redmond Neighborhood Plan, do not. Commissioner Murray said that the process of outreach on the Southeast Redmond Neighborhood Plan did employ new communication techniques that were effective.

Commissioner Miller said he was hoping to apply the communication outreach work more globally, and noted that many new people were moving to the area. Commissioner Murray said he would like to hone the City's communication techniques on some specific topics, understand what techniques work, and then think about creating broader community awareness. Commissioner Miller noted that Bellevue has already started communication work on changes in the Bellevue-Redmond corridor, and there may be some opportunities there for public engagement. He saw some overlap on different issues on the 2014 Work Plan that could engage many different people.

Chairman Gregory noted that the upcoming joint meeting between the Council and the Commission would be only an hour long, but he would like some Council input on the communication issue. Commissioner Murray said that was a good idea. He would like to help the Council see that the Commission is trying to apply some improved communication approaches to its actions. He would like to identify a few issues with regard to improved communication, present those to the Council, and then ask the Council if its members were interested in some other topics for improved communication. Chairman Gregory said doing a good job communicating on larger topics like marijuana could carry over to improved communication on smaller topics. He noted that he would not be at the joint meeting with the Council, but he urged the Commission to get some reaction from the Council on this issue.

Mr. Sullivan summarized the discussion that the work ahead with the 2014 Work Plan would give the Commission an advanced opportunity to look ahead and see if there are community engagement opportunities or challenges in the future. The idea is to think proactively using various approaches, such as a focus on work item by work item, a focus on geographic areas, or a focus on multiple issues under a similar theme. This discussion is scheduled for a half hour with the City Council, but the Commission could come back to this issue. Commissioner Murray said it was not the Commission's job to solicit a technique from the Council, but rather to show the Council that the Commission is trying

to show good transparency in communication techniques, which the staff will ultimately implement with Commission assistance.

Mr. Sullivan asked if there were other themes around the 2014 Work Plan to discuss with the Council other than community engagement. Chairman Gregory said the Council has issues of policy and economic development which impact the Commission's work which should come out at the meeting. He noted that human services policy has an impact on the Comprehensive Plan, and said the Commission could be helpful in shedding light on that or getting feedback from the Council. Hearing no other comments, Chairman Gregory moved to the next agenda item.

REPORTS/SCHEDULING/TOPICS FOR NEXT MEETING(S):

The joint meeting between the Commission and the City Council will happen on December 10th at 7 p.m. There is still a question as to whether the Commission will meet on December 11th for report approval on the housing amendments, as that approval could potentially happen on the 10th if proper publication is undertaken. There will be no meeting on December 18th.

Mr. Sullivan noted that the night before this meeting, the City Council approved the Watershed Management Plan, which is not a Comprehensive Plan amendment functional plan, but a plan that will support the upcoming stormwater functional plan that is on the Commission's 2014 Work Plan. The Watershed Plan deals with the City's streams in terms of what they do and how they might be impaired. This should help target the City's facility improvements in the future. Using a watershed-style approach, versus looking stream by stream in isolation, is called for in Comprehensive Plan policy. More on that will come before the Commission in the future. The City has hired a new Human Resources Director, Melody Mathis, who has been in various administrative roles in Tukwila and Oak Harbor.

The Overlake Village design concepts were presented to the public for the Overlake Village Park at a recent meeting. On December 5th, City of Redmond staff will have a community meeting regarding the Downtown regional stormwater facilities plan. This is not a policy plan, but a facilities plan that supports Comprehensive Plan policy for Downtown Redmond. The City has constructed four of the six planned regional stormwater facilities, and is now poised to build a water treatment facility on the Redmond Way outfall. Also on December 5th, there is an Eastside human services forum. Other cities are going through Comprehensive Plan updates, much like Redmond, and wishing to integrate a human services component. Mr. Sullivan invited the Commission members to take part in this event. Commissioner Sanders reminded the group that Redmond Lights was coming up on December 7th. Just before that, the Central Connector Park would be dedicated. There will be some traffic impacts in this area.

ADJOURNMENT:

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MOTION by Commissioner Miller to adjourn. MOTION seconded by Commissioner O'Hara to adjourn. MOTION approved unanimously (7-0). Chairman Gregory adjourned the meeting at approximately 8:30 p.m.

Minutes Approved On:

Planning Commission Chair



**TECHNICAL COMMITTEE REPORT
TO THE PLANNING COMMISSION**

To: Planning Commission

From: Technical Committee

Staff Contacts: Robert G. Odle, Planning Director
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Date: November 8, 2013

Project File Number: LAND-2013-00885

Project Name: Housing Related Zoning Code and Comprehensive Plan Amendments.

Related File Numbers: LAND-2013-01815
SEPA-2013-01823

Applicant: City of Redmond

Applicant's Representative: Sarah Stiteler, AICP, Senior Planner

Reason for Proposal Adoption: The recommended amendments to the Redmond Zoning Code and Comprehensive Plan should be adopted in order to:

- Improve clarity and consistency in the Zoning Code; and
- Remove duplicative language in the Zoning Code repeal policy HO-33 in the Comprehensive Plan; and
- Encourage housing development through Code clarification.

I. APPLICANT PROPOSAL

BACKGROUND AND REASON FOR PROPOSAL:

The City of Redmond is proposing housing related amendments to the Redmond Zoning Code to improve clarity and consistency in the Zoning Code, as well as to remove duplicative language. In addition, Policy HO-33 in the Comprehensive Plan is proposed for deletion as the Innovative Housing Demonstration Program spoken to in the policy ended in August, 2013. These proposed amendments have been compiled in several ways. In April 2011, the City completed a rewrite of its development regulations. During the review process to update the Zoning Code, the Code Rewrite Commission and the City Council identified issues needing further consideration or that might have additional policy implications. These issues were set aside in a “parking lot” to be evaluated at a later date. Items that are related to housing regulations or policy considerations emanating from the zoning code update are integrated and considered as part of this package of amendments. For this review, staff has evaluated the variety of density bonuses available for residential development to identify opportunities for continued use or revision. In addition, staff reviewed affordable housing requirements to determine if more affordable homes could be developed if greater Zoning Code flexibility was permitted.

City Council adopted the Housing Strategy Plan in May, 2012 which incorporates a number of implementation strategies to carry out Comprehensive Plan policies. Within the Housing Strategy Plan, several housing strategies were identified as high priority by the City Council, including ways to encourage additional accessory dwelling units (ADUs). Staff has reviewed accessory dwelling unit (ADU) regulations in comparison to those of other East King County jurisdictions, as well as a review of fees and other programmatic aspects of ADUs that could promote greater use of this type of housing within the City.

Other housing related regulations were reviewed to determine areas of ambiguity or duplication for correction or improvement in order to achieve greater clarity and consistency in the Redmond Zoning Code.

II. RECOMMENDATION

The package of housing amendments includes six general areas of amendments that correspond to the Redmond Zoning Code (RZC) chapter or section that contains the proposed change. The six general amendment “topics” include:

- 1) Adding new language to RZC 21.08.170 Site Requirements for Residential Zones to clarify that all density bonuses are calculated on the underlying density;
- 2) Changes to small-lot short plat requirements;
- 3) Changes to Accessory Dwelling Units;
- 4) Changes to Attached Dwelling Units (duplexes, etc.);
- 5)

Repeal of RZC Chapter 21.08.350 and other RZC references as well as Comprehensive Plan policy HO-33 that speak to the Innovative Housing Demonstration Program; and, 6) Changes to RZC 21.20 Affordable Housing to specify that cottages, duplexes and size-limited homes may be used to meet affordable housing requirements and that accessory dwellings may not be used. Section III below describes the proposed amendments and alternatives considered. In summary, examples of the recommended amendments include removing the requirement for a conditional use permit for duplexes used to meet affordable housing requirements when they are developed as part of a subdivision of 10 or more units. Conditional use permits require additional time for review as well as higher permit costs. This results in a disincentive for using attached dwelling units to meet affordability requirements. A proposed new requirement for attached dwelling units built under the Affordable Housing Exception is that they be developed as part of a subdivision of 10 dwelling units or more. Other recommendations include lowering the maximum height of smaller dwelling unit structures such as detached Accessory Dwelling Units (ADUs) and “backyard homes” e.g., homes developed through a small-lot short plat process. The proposed lower maximum heights are consistent with existing height limits for other smaller dwelling unit structures such as cottages and size-limited dwellings. These types of homes are secondary structures on a site with a primary dwelling and the lower height limit will help maintain an appropriate scale for infill situations.

The recommendation is to adopt the proposed amendments to the Redmond Zoning Code and Redmond Comprehensive Plan as shown in Exhibit A.

III. PRIMARY ISSUES CONSIDERED

A. ISSUES CONSIDERED AND ALTERNATIVES

In addition to considering potential changes to increase opportunities for housing, staff also considered issues of compatibility, accuracy, clarity, and consistency. Staff does not believe that the majority of proposed amendments raises or resolves any substantive policy issues. See below for descriptions of these issues that are specific to individual proposed amendments.

Alternatives:

Potential alternative ways for addressing each amendment are described below.

1. Add new language to RZC 21.08.170 Site Requirements for Residential Zones to clarify that all density bonuses are calculated on the underlying density.

Proposal: Staff proposes to add this language so that users of the RZC understand that density bonuses are not compounded. Individual density bonuses are each calculated upon the underlying density and then added together.

Alternatives: None.

2. Revise height limits for homes built under the small-lot short plat (“backyard homes”) provisions, RZC 21.08.170 E.2.a.ii.

Proposal: Height limits of homes which are required to be smaller in size and likely to be in close proximity to existing homes should be lower in height than standard single family development. The proposed height limit maximum of 25 feet is 10 feet lower than the 35 foot maximum currently allowed. 25 feet is consistent with other smaller dwelling unit types in Redmond including cottages and size-limited homes.

Alternatives: Maximum heights for “backyard homes” could remain at 35 feet; however, there is concern that smaller structures utilizing maximum heights could result in a structure that may be taller than nearby homes, especially older homes.

3. In RZC 21.08.220, revise height limits to detached Accessory Dwelling Units (ADUs) and clarify that ADUs may not be used to meet affordability requirements.

Proposal: Maximum height limits of detached Accessory Dwelling Units (ADUs) are proposed to be reduced from 35 feet to 25 feet. For detached ADUs that are contained within an accessory structure such as a garage, the height limit is 28 feet, in order to accommodate a garage with ADU above. The 28 foot maximum for this purpose is also indicated in RZC 21.08.230 Accessory Structures. The rationale for the reduced height limit is the same as in item #2 above.

Alternatives: Keep regulations as is; do not reduce maximum heights for detached ADUs. The rationale for lowering maximum heights for detached ADUS is similar to #2 above.

4. In RZC 21.08.260 Attached Dwelling Units, edit for clarity, removal of duplicative language and improvement.

Proposal: Staff edited language in Section 4, Design to remove duplication, and in item 4.iii, to provide an additional requirement

such that no “side-by-side mirror image duplex designs shall be permitted”.

In Section 5.b. duplicative requirements for the Willows/Rose Hill Neighborhood are proposed to be deleted.

Section 6 identifies requirements for duplexes under the Affordable Housing Exception, including permitting their use in preliminary plat applications of 10 or more lots and removing the requirement that they obtain a conditional use permit and contain three bedrooms. The conditional use permit requires additional process, which results in greater time involved for applicants, and implies that the affordable duplexes should require greater scrutiny.

Duplexes are typically built with three and often four bedrooms, such that a 3-bedroom requirement seems unnecessary. Additional language in Section 6 that identifies design and siting criteria for duplexes built under the section is proposed for deletion, as duplicative of Section 4, Design. Further, design criteria for duplexes built under the Affordable Housing Exception should be the same as, and not additional to design criteria for other attached homes.

Alternatives: Duplicative design criteria should be removed for greater clarity. Other recommended changes in Section 6, Affordable Housing Exception may not be supported; however, they are suggested as a means to encourage further affordable housing options.

5. Repeal RZC Section 21.08.350 Innovative Housing Demonstration Projects and other references to this section. Also, remove Comprehensive Plan Policy HO-33 which speaks to the Innovative Housing Demonstration Program. This demonstration program ended in August, 2013. Staff will provide a formal evaluation of the Innovative Demonstration Program in 2014, after projects built under the program have been in place for a period of time. The evaluation will measure the success of projects and the program overall, as well as the possibility of incorporating innovative strategies into the Zoning Code to encourage infill housing development.

Alternatives: None.

6. In RZC 21.20 Affordable Housing, edit for greater clarity.

Proposal: Language regarding the use of cottages, duplexes and size-limited homes to meet affordable housing requirements was removed from RZC 21.20.060 Supplemental Requirements and moved to the

general requirements of the section to specify that smaller home types are permitted to meet affordable housing requirements citywide. Also, language is added to specify that ADUs are not permitted to meet affordable housing requirements. RZC 21.20.060 Supplemental Requirements was included as neighborhood requirements were developed during neighborhood plan updates. The proposed deletions are intended to maintain the integrity of individual neighborhood requirements but remove duplicative language.

Alternatives: None.

**B. COMPARISON WITH OTHER COMMUNITIES, APPROACHES
(as applicable)**

The Code Rewrite Commission (CRC) and City Council set aside two housing related issues to be evaluated at a later date. These “parking lot” items are identified as follows: 1) Consider the amount of affordable housing that is required; and, 2) Consider evaluating the housing density bonus and incentive programs available in the Residential chapter in order to explore potential consolidation. In addition, through the Housing Strategy Plan, the City Council identified a number of high priority items for housing implementation, including encouraging Accessory Dwelling Units as a method of providing additional affordable housing. These issues have been reviewed and evaluated as part of this amendment package.

For issue #1 above, the question further clarified as whether the City could encourage more affordable units to be built by allowing additional flexibility. For the second issue, staff evaluated all of the existing residential density bonuses for continued usefulness and for possible consolidation. The City’s Accessory Dwelling Unit regulations were reviewed and compared to those of other East King County jurisdictions, in order to identify possible areas of additional flexibility.

1. Amount of Affordable Housing – Is More Possible?

The City’s affordable regulations require that all new developments of 10 or more units must provide 10% of the total number of units as affordable units. By definition, a household earning 80% of the area median income will not pay over 30% of their gross income for housing costs in an “affordable unit”. The question was posed by the CRC: should the City allow more flexibility in Code requirements such as parking, setbacks and unit sizes, (for example) if it would result in additional affordable units, e.g. above the 10% now required?

Currently, Chapter 21.20 Affordable Housing provides that for each affordable unit, one additional market rate unit is allowed. The number of affordable units provided can now exceed the 10% minimum, with a maximum number of affordable units plus additional “bonus” market rate units capped at 15% above the underlying density. There is flexibility in terms of the number of total units that may be created; however, it is limited in order to maintain the integrity of the underlying residential zone.

In addition, there is flexibility in how affordable units may be constructed compared to market rate units. Overall size of units, interior finishes, configuration, e.g., “flats” instead of townhomes, and carports for affordable homes instead of garages are examples of flexible standards that are either identified in Code language or have been allowed in practice. In Downtown and Overlake, additional market units that are allowed as an offset to the affordable requirements can be built within a development or in Downtown, may also be translated into a density credit which can be used elsewhere or sold through the transfer of development rights (TDRs).

Alternative compliance provisions to the affordable requirements are identified in RZC 21.20.050. The language states, “While the priority of the City is to achieve affordable housing on-site, the Administrator may approve a request for satisfying all or part of the affordable housing requirements with alternative compliance methods proposed by the applicant, if they meet the intent of this section.” Alternative compliance has not been used frequently; however there is currently an applicant that has been given permission to pursue this.

Overall flexibility in site requirements such as setbacks or height and bulk standards may not be appropriate as they have been determined as part of a comprehensive review and plan for a neighborhood. Downtown, for example, is divided into a number of zones with specific standards for these zones, or further, for specific streets within these zones. Variation from the neighborhood vision may have negative unintended consequences. For example, flexibility on a case by case basis may result in improper setbacks from adjoining properties which may have impacts not only to these properties but to the larger community. However, if an applicant requests flexibility in parking standards, the Redmond Zoning Code does have provisions for lowering requirements if a traffic impact analysis is completed and the applicant can demonstrate a need for fewer parking spaces.

Providing additional market rate and affordable housing units is a goal which the City strives to achieve in a variety of ways. Redmond continues

to be successful in creating housing through land use incentives that allow cottages, “backyard homes”, duplexes and size-limited dwellings. The City has created over 200 affordable units through its affordable regulations, and compares very favorably to other East King County cities in its innovative housing policies and regulations.

2. Density Bonus Provisions

There are seven density bonus provisions to support various housing and other City goals. (See Exhibit C). These programs include bonuses for the development of affordable housing, senior housing, land use incentives for the use of duplexes to meet affordable housing requirements, and green building incentives. Staff reviewed each of these individually and as they work together. All have been used successfully and are currently being used to some degree. For the Affordable Housing Exception, staff recommends removing the conditional use requirement and adding the provision that dwelling units built under this exception be allowed as part of a subdivision of 10 or more lots. Otherwise, staff does not recommend consolidating these bonuses.

Review of Accessory Dwelling Units

Accessory Dwelling Unit regulations for all ARCH member cities and other non-local practices were reviewed and compared to City of Redmond ADU regulations. The City’s requirements are consistent with or more flexible in many instances than other neighboring cities in terms of size, allowance of detached units, fees, and the location of home businesses within ADUs, for example. The ARCH website contains a very comprehensive “how to” workbook on all aspects of creating an ADU within East King County member jurisdictions, with each city’s ADU regulations and requirements listed. The step-by-step workbook includes the following information links on ARCH’s website:

- Basic Steps for Creating an ADU
- Design Considerations
- Getting Approval
- Architect, Contractor Services
- Lending Assistance
- Renting-out an ADU
- Zoning Information
- Other Helpful Links

Redmond has permitted the development of ADUs for a number of years, but they have not proliferated as a housing choice. In 2007, the City made some changes to ADU requirements to create more flexibility and to further encourage them, which has not resulted in a significant increase. Greater promotion in general and to homeowners, specifically, may help

to make people more aware of ADUs and how to get desired information. Periodically, ARCH has held workshops for member jurisdictions and property owners for this purpose. City staff are encouraging the creation of a roundtable of ARCH member jurisdictions to brainstorm ways to further promote ADUs as an affordable housing type and also as a way to allow cost-burdened homeowners to receive rental income.

IV. SUPPORTING ANALYSIS

A. EXISTING CONDITIONS

The City's housing regulations support Comprehensive Plan policies that encourage increased housing supply and diversity. Further, the existing housing regulations are intended to provide for clear, accessible instruction for all who desire to understand or implement them. Through the update to the Redmond Zoning Code in 2011, some portions of existing regulations became duplicative when sections were combined together. The housing amendments propose to remove duplication and provide more clarity in these instances. In addition, some changes are recommended to housing regulations, including encouraging the use of duplexes to meet affordability requirements when developed as part of a subdivision of 10 or more lots, and lowering the height of infill smaller structures to be consistent with other limited size dwellings in the City. The recommended amendments are grouped into six topic areas that pertain to the relevant Redmond Zoning Code chapter or section, and which may contain one or more proposed amendments within.

B. COMPLIANCE WITH CRITERIA FOR PLAN AMENDMENTS

Redmond Comprehensive Plan Policies PI-16 and LU-26 direct the City to take several considerations, as applicable, into account as part of decisions on proposed amendments to the Comprehensive Plan.

Items 1 through 6 apply to all proposed amendments. Items 7 through 9 apply when proposed amendments concern allowed land uses or densities, such as proposed amendments to the Land Use Plan Map, land use designations, allowed land uses, or zoning map.

The following is an analysis of how this proposal complies with the requirements for amendments.

- 1. Consistency with Growth Management Act (GMA), State of Washington Department of Commerce Procedural Criteria, VISION 2040 or its successor, and the King County Countywide Planning Policies.**

The proposed amendments will provide additional clarity in regulations affecting the development of housing. Encouraging housing as well as affordable housing development is consistent with state and regional goals and policies. The King County Countywide Planning Policies policy HO-5 states: “Adopt policies, strategies, actions and regulations at the local and countywide levels that promote housing supply, affordability, and diversity, including those that address a significant share of the countywide need for housing affordable to very-low, low and moderate income households...” The Housing Chapter of the KCCPP’s reflects and supports VISION 2040’s housing policies, which address affordability, jobs-housing balance, focusing housing in urban centers and innovations in housing.

2. Consistency with Redmond’s Comprehensive Plan, including the following sections as applicable:

a. Consistency with the goals contained in the Goals, Vision and Framework Policy Element.

One of the eight goals for Redmond contained in the Goals, Vision and Framework Policy Element is “To emphasize choices and equitable access in housing, transportation, stores and services.” The proposed amendments support this goal as well as the City’s Housing Element goals, including, HO-11: “Encourage the development of a variety of housing types, sizes and densities throughout the city to accommodate the diverse needs of Redmond residents through changes in age, family size and various life changes...”

b. Consistency with the preferred land use pattern as described in the Land Use Element.

Policy LU-32 states, “Promote compatibility of attached single-family housing and, as appropriate, other types of innovative housing with the character of surrounding single-family residences. Pay particular attention when such housing is located in Single-Family Urban zones...through techniques such as ensuring that new residences do not appear oversized for their lot size, [and] ensuring that the height, bulk and design of new residences do not overwhelm existing adjacent residences.” The proposed amendments to lower height limits on smaller, infill homes such as detached ADUs and “backyard homes” is consistent with existing height limits for cottages and size-limited dwellings. The recommendation for duplexes built under the Affordable Housing Exception to be developed as part of a 10-lot or greater subdivision will help to maintain design compatibility with duplexes and other single-family home types and be less likely to overwhelm existing neighborhoods.

c. Consistency with Redmond’s community character objectives as described in the Community Character/Historic Preservation Element or elsewhere in the Comprehensive Plan.

Policy CC-18 speaks to the use of design standards and design review to accomplish a variety of design goals, including ensuring that building scale and orientation are appropriate to the site. Also, Policy HO-44 states: “Allow incentives, such as bonus densities and flexible design standards that do not adversely impact the general health, safety and welfare of the public to support and promote the construction of new innovative or affordable housing styles.” The proposed amendments are intended to encourage compatibility in building scale with various housing types in both new developments and infill situations.

d. Consistency with other sections as applicable.

See discussion in items *a-c* above.

3. Potential general impacts to the natural environment, such as impacts to critical areas and other natural resources, including whether development will be directed away from environmentally critical areas and other natural resources.

The proposed amendment will not create additional general impacts to the natural environment, and with new development, potential impacts to the natural environment will be assessed on a site specific basis. In any case, new residential development would continue to be directed away from environmentally critical areas.

4. Potential general impacts to the capacity of public facilities and services. For land use related amendments, whether public facilities and services can be provided cost-effectively and adequately at the proposed density/intensity.

The potential impacts to public facilities as a result of the proposed amendments would be negligible. The Redmond Zoning Code provides standards to regulate new housing development as well as environmental review to evaluate and disclose potential impacts of projects above specific unit count thresholds.

5. Potential general economic impacts, such as impacts for business, residents, property owners, or City Government.

The proposed amendments will provide greater clarity in requirements for users of the Zoning Code and Comprehensive Plan. Other impacts to residents would be negligible, as would be impacts to City Government.

6. For issues that have been considered within the last four annual updates, whether there has been a change in circumstances that

makes the proposed amendment appropriate or whether the amendment is needed to remedy a mistake.

The amendment has not been considered within the last four annual updates, nor has there been a change in circumstances. Primarily, the proposed amendments are for greater clarity of language in the Redmond Zoning Code and to remove Policy HO-33 in the Comprehensive Plan which is no longer applicable; as well as to provide consistency and improvements that will promote housing development in an appropriate manner.

The following items apply when proposed amendments concern allowed land uses or densities, such as proposed amendments to the Land Use Plan Map, land use designations, allowed land uses, or zoning map.

7. General suitability of the area for the proposed land use or density, taking into account considerations such as adjacent land uses and the surrounding development pattern, and the zoning standards under the potential zoning classifications.

The proposed amendments to lower the height of detached ADUs and “backyard homes” are consistent with the maximum heights allowed for other smaller homes defined in the Redmond Zoning Code, e.g., cottages and size-limited dwellings and will be more compatible with existing development. Proposed changes to RZC 21.08.260 Attached Dwelling Units will encourage duplexes as affordable housing in a manner that is compatible with newly developing subdivisions.

8. Whether the proposed land use designation, zoning, or uses are compatible with nearby land use designations, zoning or uses. Whether there are opportunities to achieve compatibility with surrounding land uses through design or through separation by topography or buffers.

The proposed amendments to lower maximum heights of structures and changes to RZC 21.08.260 Attached Dwelling Units will provide greater compatibility with surrounding land uses.

9. If the amendment proposes a change in allowed uses or densities in an area:

a. The need and demand for the land uses that would be allowed and whether the change would result in the loss of capacity to accommodate other needed land uses, especially whether the proposed amendment complies with policy HO-17, the City’s policy of no net loss of housing capacity;

The proposed amendments will not result in the loss of capacity to accommodate other needed land uses, including housing. The

proposed amendments are intended to encourage additional housing development.

b. Implications of the proposed amendment for the balance between the amount and type of employment in Redmond and the amount and type of housing in Redmond.

The proposed amendments will not have an effect on the balance between the amount and type of employment in Redmond and the amount and type of housing in Redmond. The proposed amendments may further encourage smaller and more affordable housing types which will provide opportunities to a wider economic spectrum.

B. COMPLIANCE WITH CRITERIA FOR CODE TEXT AMENDMENTS

RZC 21.76.070.AE provides that all amendments to the Redmond Zoning Code must be consistent with the Redmond Comprehensive Plan. The following is an analysis of how this proposal complies with the requirements for code text amendments.

Consistency with the Redmond Comprehensive Plan

The proposed amendments to lower heights maximums for detached ADUs and “backyard homes” as well as encouraging the development of Attached Dwelling Units, cottages and size-limited dwellings for affordable homes is consistent with the Goals, Vision and Framework policies as well as the Housing Element of the Comprehensive Plan.

C. RELATIONSHIP TO PENDING AMENDMENTS IN THE 2013-2014 COMPREHENSIVE PLAN AMENDMENT PACKAGE

The proposed amendment is consistent with Comprehensive Plan policy. It will change text only in the Redmond Zoning Code, and repeal Policy HO-33 in the Comprehensive Plan; thus would not affect amendments in the 2013-2014 Comprehensive Plan Amendment Package.

V. AUTHORITY AND ENVIRONMENTAL, PUBLIC AND AGENCY REVIEW

A. AMENDMENT PROCESS

RZC 21.76.070.J, 21.76.070.AE and 21.76.050.K require that amendments to the Comprehensive Plan or Zoning Code (except zoning map amendments consistent with the Comprehensive Plan) be reviewed under the Type VI process. Under this process, the Planning Commission conducts a study session(s), an open record hearing(s) on the proposed amendment, and makes a recommendation to the City Council. The City Council is the decision-making body for this process.

B. SUBJECT MATTER JURISDICTION

The Redmond Planning Commission and the Redmond City Council have subject matter jurisdiction to hear and decide whether to adopt the proposed amendment.

C. WASHINGTON STATE ENVIRONMENTAL POLICY ACT (SEPA)

A Determination of Non-Significance and SEPA Checklist will be issued for this non-project action on November 12, 2013.

D. 60-DAY STATE AGENCY REVIEW

State agencies were sent 60-day notice of this proposed amendment on November 6, 2013.

E. PUBLIC INVOLVEMENT

The public has opportunities to comment on the proposed amendment through the Planning Commission review process and public hearing which will be held on December 4, 2013.

In addition, notice of the proposed amendment was sent to persons expressing interest, as well as online notification sources such as the monthly Neighborhood Newsletter and GovDelivery.

F. APPEALS

RZC 21.76.070.J and 21.76.070.AE identify Comprehensive Plan and Zoning Code Amendments as Type VI permits. Final action is held by the City Council. The action of the City Council on a Type VI proposal may be appealed by filing a petition with the Growth Management Hearing Board pursuant to the requirements.

VI. LIST OF EXHIBITS

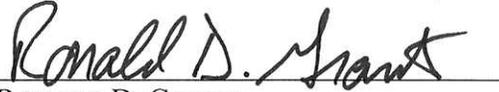
Exhibit A: Recommended Amendments to the Comprehensive Plan and Zoning Code

Exhibit B: Residential Density Bonus Provisions - Chart

Conclusion in Support of Recommendation: The Technical Committee has found the proposal to be in compliance with the Redmond Zoning Code, Redmond Comprehensive Plan, Redmond Municipal Code, and State Environmental Policy Act (SEPA).



ROBERT G. ODLE,
Planning Director
Planning and Community Development
Department



RONALD D. GRANT,
~~Assistant~~ ^{Interim} Director of Public Works
Public Works Department

EXHIBIT A – TABLE OF CONTENTS			
Item	Description of More Significant Changes	RZC Section	Page
1	Add language to clarify that density bonuses are calculated on the underlying base density	RZC 21.08.170 C.3	1
2	Changes to small-lot short plat requirements: <ul style="list-style-type: none"> • Change height limit from 35 feet to 25 feet to be consistent with height limits for cottages and size-limited dwellings • Also added language that requires structures to conform to other site requirements for detached structures within the zone category 	RZC 21.08.170 E.2.a.ii	3
3	Changes to Accessory Dwelling Units <ul style="list-style-type: none"> • Change height limit for detached ADUs from 35 feet to 25 feet unless contained within an accessory structure, in which case the maximum height is 28 feet • Clarify that ADUs may not be used to meet affordability requirements of RZC 21.20 Affordable Housing 	RZC 21.08.220	4-5
4	Changes to Attached Dwelling Units (duplexes, triplexes) <ul style="list-style-type: none"> • Remove language in Section 4, Design which is duplicative of other existing language in that section as well as in RZC 21.08.180 Residential Development and Architectural, Site and Landscape Design Regulations • Remove requirement for conditional use process for use of Affordable Housing Exception in Section 6 • Add provision that duplexes built under the Affordable Housing Exception are allowed as part of a subdivision (10+ lots) only. • Remove requirement that duplexes built under the Affordable Housing Exception must contain 3 bedrooms • Clarify separation requirements for 3 & 4 unit structures in Education Hill, by “lot” vs “site” • Remove duplicative design and siting requirements for duplexes built under the Affordable Housing Exception; duplicative of Section 4, Design as well as RZC21.08.180 Residential Development and Architectural, Site and Landscape Design Regulations 	RZC 21.08.260	5-10

EXHIBIT A – TABLE OF CONTENTS			
Item	Description of More Significant Changes	RZC Section	Page
5	Innovative Housing Demonstration Projects	RZC 21.08.350	10
	<ul style="list-style-type: none"> • Repeal section, as time period of demonstration program has expired • Repeal references to Innovative Housing Demonstration Projects found elsewhere in RZC 	RZC 21.08.170 B; RZC 21.74.030 H.1 and H.3	1, 17
	<ul style="list-style-type: none"> • Repeal Comprehensive Plan Policy HO-33 	Redmond Comprehensive Plan	Housing Element
6	Changes to Affordable Housing <ul style="list-style-type: none"> • Clarifies that cottages, duplexes and size-limited dwellings may be used to meet the requirements of this section • Clarifies that ADUs may not be used to meet the requirements of this section • Removes duplicative language for neighborhoods in 21.20.060, Supplemental Requirements 	RZC 21.20 and 21.20.060, Supplemental Requirements	12,15

RZC 21.08 RESIDENTIAL REGULATIONS

21.08.010 Introduction and User Guide

No changes.

21.08.020 to .140 (all R zones)

No Changes.

21.08.150-160

No changes.

21.08.170 Site Requirements for Residential Zones

Changes to subsections C and E, no changes to A, D, or F-M

- A. **Purpose.** The purpose of this section is to establish basic site requirements for residential zones in Redmond. These requirements implement Redmond’s Comprehensive Plan, the Growth Management Act, the Multicounty Planning Policies, and the County-Wide Planning Policies, while also protecting Redmond’s residential areas from public nuisances, incompatible uses, and other hazards.
- B. **Site Requirements in Zone Use Charts.** Each zone use chart in RZC 21.08.020 through 21.08.140 sets forth the basic dimensional standards for residential development in that zoning district. RZC 21.08.150 through 21.08.200 provide additional general requirements applicable to all zoning districts. Some site requirements may be modified as provided in RZC 21.08.150 through 21.08.200, and as provided in RZC 21.08.350, Innovative Housing Demonstration Projects.

Comment [C1]: ITEM 1

C. **Allowed Density.**

1. Purpose. The purpose of the allowed density requirement is to:
 - a. Help maintain a consistent and compatible land use pattern in Redmond’s residential neighborhoods;
 - b. Serve Redmond’s planned housing needs; and
 - c. Prevent public nuisances that result from a lack of adequate open space and the over utilization of public facilities.
2. Requirements. The allowed density, as shown in each residential zone use chart in RZC 21.08.020 through 21.08.140, represents the maximum number of dwelling units that

Comment [C2]: (This edit pertains to ITEM 5, see below)

EXHIBIT A

may occupy an acre of land, exclusive of bonuses and exclusive of accessory dwelling units.

3. Calculations. When calculating allowed density for any given site in the City, the gross area of the site is multiplied by the allowed density per acre that applies to the zone where the site is located. The result is the maximum number of units (other than ADUs) that may occupy that site. [Please note that any available density bonuses are calculated on the base density.](#)

E. Minimum Average Lot Size.

1. Purpose. The purpose of the average lot size requirement is to:
 - a. Allow for the development of consistent and compatible land use patterns throughout Redmond's residential neighborhoods; and
 - b. Minimize public nuisances that may result from a lack of adequate open space and the over utilization of public facilities.
2. Requirements.
 - a. Explanation. The zone use charts in RZC 21.08.020 through 21.08.140 establish the minimum average lot size for each residential zone in Redmond. The average lot size of all lots created through the subdivision or short subdivision process must meet, at a minimum, this average lot size requirement. However, this requirement may be modified under the following circumstances:
 - i. Green Building and Green Infrastructure Program. The owner may participate in the Green Building and Green Infrastructure Incentive Program (see RZC 21.67), and create a lot or lots which do not meet the minimum average lot size for the underlying zone by meeting all program requirements; or
 - ii. Small Lot Short Plats. The owner of any lot in the Bear Creek, Education Hill, Idylwood, or Overlake Residential Neighborhoods which is at least 200 percent of the required minimum average lot size in the underlying residential zone and which contains an existing detached dwelling unit may short subdivide the lot in order to create a separate fee simple lot which does not meet the minimum average lot size for the underlying zone if the dwelling unit to be constructed on the newly created lot meets all of the following requirements:
 - a. Only one detached dwelling unit shall be allowed on the lot.
 - b. The dwelling unit on the lot shall not exceed 1,000 square feet in total area, excluding any garage area. The dwelling unit and any garage shall not exceed 1,500 square feet in total area. A covenant shall be recorded against the title of the lot prohibiting expansion of the dwelling unit.

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c. The dwelling unit on the lot must conform to all setback, lot coverage restrictions and any other standards or regulations required of a detached dwelling unit in a residential zone.

~~b.d.~~ The maximum height of any portion of the roof, except chimneys or cupolas shall not exceed 25 feet anywhere on the site.

~~e.e.~~ Two off-street parking places are required. Parking spaces must be paved and may include private attached garages, carports, or other off-street areas reserved for vehicles. No detached garages are allowed.

~~d.f.~~ The dwelling unit must be affordable to an individual or family that has an annual income that is 120 percent or less of the annual median income defined in RZC 21.20, Affordable Housing. (Ord. 2642)

Comment [C3]: ITEM 2

21.08.180 to .210

No changes.

21.08.220 Accessory Dwelling Units

Comment [C4]: ITEM 3

- A. **Purpose.** The purpose of the accessory dwelling unit (ADU) provisions is to:
1. Provide a housing type that responds to changing needs and lifestyles (e.g., small families, retired couples) and that allows persons of all ages and incomes to live in a neighborhood by promoting diversity in the size, type, and price of new single-family development;
 2. Enhance opportunities for ownership housing;
 3. Better utilize existing infrastructure and community resources;
 4. Add to Redmond's stock of affordable dwelling units; and
 5. Protect neighborhood character and stability by ensuring that ADUs are compatible with surrounding land uses according to the conditions of this division and by blending new development with existing residential development.
- B. **Applicability.** The provisions of this section apply to all accessory dwelling units.
- C. **Requirements.**
1. Number of ADUS. One ADU shall be allowed on each residential lot as in conjunction with any new or existing detached single-family dwelling unit in the City of Redmond.
 2. Location.

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- a. An ADU may be added to or included within the primary unit, or located in a detached structure on the same lot as the primary dwelling unit.
 - b. Detached ADUs and the primary dwelling unit must each conform to all setback, height, and lot coverage restrictions, and any other standards or regulations required of a detached dwelling unit in a residential zone.
 - b.c. For detached ADUs the maximum height of any portion of the roof, except chimneys or cupolas, shall not exceed 25 feet anywhere on the site. The maximum height for a detached ADU that is contained within an accessory structure is 28 feet.
3. Size/Scale.
 - a. The total square footage of a detached ADU shall not exceed 40 percent of the total square footage of the primary dwelling unit and the accessory dwelling unit combined, excluding any garage area, and in no case shall it exceed 1,000 square feet.
 - b. In no case shall the ADU exceed 1,500 square feet in total area. If an ADU occupies an entire single floor, the Technical Committee may allow for an increase in the allowed size of the ADU in order to efficiently use all of the floor area, so long as all other standards of this section are met.
 4. **Subdivision.** An ADU shall not be subdivided or otherwise segregated in ownership from the primary dwelling unit.
 5. **Occupancy - ADUs.** Either the primary dwelling unit or the ADU must be occupied by an owner of the property. The owner-occupied unit shall not be rented to others. A permit authorizing an ADU shall not be issued until the City receives proof of recordation of an instrument requiring owner occupancy, on-site parking, and compliance with the requirements of this section.
 6. **Parking.** One off-street parking space is required for an ADU in addition to the parking required for the primary dwelling unit. Parking spaces must be paved and may include private driveways, garages, carports, or off-street areas reserved for vehicles.
 7. **Exterior Modification ADUs.** Only one entrance on the front of the primary dwelling unit is permitted. Additional entrances are permitted on the side and rear of the primary structure. The Technical Committee may allow both entrances to the primary and accessory units to be located on the front of the structure where design, site layout, and construction considerations significantly hinder other options. Additions to an existing structure or the development of a newly constructed detached ADU shall be designed consistent with the existing facade, roof pitch, siding, and windows of the primary dwelling unit.
 8. Home business shall be allowed, subject to existing regulations, in both the ADU and the primary unit.

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~~8.9.~~ Affordable Requirement. ADUs shall not be used to meet any requirement to provide affordable dwelling units per RZC 21.20 Affordable Housing.

~~9.10.~~ Applicable Codes - ADUs. The portion of the single-family dwelling in which the accessory dwelling unit is proposed must comply with all standards for health and safety contained in all applicable codes, with the exception of the ceiling height requirements of the International Building Code. The Building Official may waive the ceiling height requirements of this chapter if it is determined that the structure was built in compliance with past building code requirements.

- D. **Cancellation.** Cancellation of the ADU approval may be accomplished by the owner recording a document with the King County Department of Public Records and Elections against the title removing the ADU restriction described in subsection C.5 of this section. The cancellation document will confirm that the property has reverted to use as a single dwelling unit and that the former ADU is not to be used as a separate dwelling unit. The property owner shall provide proof of recordation to the Administrator. Cancellation may also occur as a result of an enforcement action.

21.08.230 to .250

No changes.

21.08.260 Attached Dwelling Units

Comment [C5]: ITEM 4

- A. **Purpose.** The purpose of this section is to:
1. Enhance opportunities for ownership housing;
 2. Reduce development costs related to construction and the provision of utilities which in turn may help to reduce housing prices in support of affordability goals;
 3. More effectively set aside critical areas and natural resources as open space than would otherwise be allowed through the subdivision process; and
 4. Achieve the planned density for a site that may not otherwise be met due to environmental and other physical constraints.
- B. **Applicability.**
1. Generally. Unless otherwise specified in subsections B.2 and B.3 of this section, attached dwelling units are allowed through a conditional use permit process in zones R-4 through R-6. Attached dwelling units are allowed outright in zones R-8 through R-20, and three-unit attached dwelling units and four-unit attached dwelling units are allowed outright in the R-30 zone unless otherwise provided in subsections B.2 and B.3.

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2. Willows/Rose Hill Neighborhood.

- a. Two-unit attached dwelling units are an allowed use on individual lots in Single-Family Urban zones in the Willows/Rose Hill Neighborhood, provided, that a minimum of 70 percent of the total dwelling units within the single-family portion of each residential subarea of the Willows/Rose Hill Neighborhood shall remain detached single-family dwellings.
- b. Three-unit attached dwelling units and four-unit attached dwelling units may be allowed ~~on individual lots as part of a preliminary plat application~~ in Single-Family Urban zones only as part of the demonstration project provided for in Policy N-WR-E-4 of the Redmond Comprehensive Plan to evaluate compatibility with the Willows/Rose Hill Neighborhood.

3. Bear Creek, Education Hill, Grass Lawn, North Redmond, and Overlake Neighborhoods.

- a. Two-unit attached dwelling units are an allowed use on individual lots in Single-Family Urban zones ~~in the Education Hill Neighborhood.~~
- b. Three-unit attached dwelling units and four-unit attached dwelling units are allowed on individual lots in Single-Family Urban zones, with public notification and at least one neighborhood meeting required. The public notification and neighborhood meeting is not required in R-8 zones.

C. **Requirements.** Attached dwelling units are subject to all of the land use, density, site requirements and development standards of the underlying zone with the following exceptions:

1. **Minimum Lot Size.** The minimum lot size for attached dwelling units in R-4, R-5 and R-6 zones shall be based on a percentage of the average lot size of the underlying zone as presented in the zone use chart for the residential zone. (See RZC 21.08.020 through 21.08.140.)
 - a. The minimum lot size for a two-unit attached dwelling unit is equal to 150 percent of the average lot size for the underlying zone.
 - b. The minimum lot size for a three-unit attached dwelling unit is equal to 200 percent of the average lot size for the underlying zone.
 - c. The minimum lot size for a four-unit attached dwelling unit is equal to 250 percent of the average lot size for the underlying zone.
2. **Lot Division.**
 - a. For ground-oriented, side-by-side attached dwelling units, a single lot that meets the minimum lot size requirement of this section may be divided into separate lots and

EXHIBIT A

ownerships as part of the approval process. If separate lots are created, interior side setback standards no longer apply.

- b. Where structures are built over property lines, or property lines are created which divide structures, and ownership is or can be divided, the entire structure shall meet the requirements of the City's RMC Title 15, Buildings and Construction, based on the gross square footage of the structure before division and not based on the square footage of the individual units after division. A perpetual joint ownership and management agreement shall be created to manage contracts for the monitoring, maintenance, and emergency repair service for all fire protection systems for the entire structure.

3. Density.

- a. Bear Creek, Education Hill, Grass Lawn, North Redmond Neighborhoods.
 - i. The allowed number of dwelling units for two-unit attached dwelling units shall be determined solely by the minimum lot size and lot division provisions of subsections C.1 and C.2 of this section.
 - ii. The allowed number of dwelling units for three-unit attached dwelling units and four-unit attached dwelling units shall not exceed the allowed number of detached single-family dwelling units, exclusive of any other bonuses.
- b. All Other Areas. The allowed number of dwelling units for two-unit, three-unit, and four-unit attached dwelling units shall not exceed the allowed number of detached dwelling units.

4. Design.

- ~~a. Attached dwelling units in Single-Family Urban zones shall be visually separated from existing single-family uses located outside of the proposed subdivision. Visual separation shall be achieved through a combination of site planning, landscaping, fencing and natural screening.~~
- ~~b. All attached dwelling units in the Single-Family Urban zones shall have the following design features in addition to those required by the City's adopted design standards:
 - ~~i. A pitched roof covered with nonmetallic material.~~
 - ~~ii. An entry which can be seen from the street and is noticeable from the street.~~
 - ~~iii. Frames around each window.~~
 - ~~iv. The height, bulk, and scale shall be consistent with the nearby residential uses.~~~~
- e.a. All a Attached dwelling units in Single-Family Urban zones shall meet the following design requirements in addition to those required by the City's adopted design

EXHIBIT A

[standards, RZC 21.08.180 Residential Development and Architectural, Site and Landscape Design Regulations](#) ~~subsections C.4.a and C.4.b above:~~

i. Maintain the traditional character and quality of detached single-family dwelling units by using design elements, such as single points of entry noticeable from the street, pitched roofs, visible trim or framing around windows, porches, and chimneys.

~~ii.~~ ii. Be consistent in height, bulk, scale and style with nearby single-family residential uses.

~~iii.~~ iii. [No side-by-side mirror image duplex designs shall be permitted.](#)

~~iv.~~ iv. Locate surface parking for attached dwelling units in groups of no more than three stalls to appear more consistent with parking for single-family detached dwellings in the area. If parking areas include more than three stalls, they should be visually separated from the street or common areas through site planning, landscaping, or natural screening.

~~d.b.~~ New applications for three-unit and four-unit attached dwelling units in the Education Hill Neighborhood shall be accepted for [sites-lots](#) no less than 500 feet of each other and new applications for duplex structures shall be accepted for [sites-lots](#) no less than 250 feet of each other until an evaluation of compatibility with the neighborhood subarea is completed. See Education Hill Neighborhood Plan Policy N-EH-20 and N-EH-21 in the Redmond Comprehensive Plan.

5. Review and Decision Procedures.

a. Bear Creek, Education Hill, Grass Lawn, North Redmond, [Willows/Rose Hill](#) and Overlake Neighborhoods.

i. Review and decision for two-unit attached dwelling units shall occur through the Type I process.

ii. Review and decision for three-unit and four-unit attached dwelling units shall occur through the Type II process; [in the Willows/Rose Hill it shall occur through the Type III process.](#)

~~b. Willows/Rose Hill Neighborhood.~~

~~i. Review and decision for two unit attached dwelling units shall occur through the Type I process, subject to the requirements of this section and RZC 21.08.180. Residential Development and Architectural, Site and Landscape Design Regulations.~~

~~ii. Review and decisions for three unit and four unit attached dwelling units shall occur through the Type III process.~~

EXHIBIT A

6. Affordable Housing Exception. In order to meet the City's objective of providing opportunities for the ownership of affordable family-size housing the following exceptions to the requirements of RZC 21.20, Affordable Housing, and some other requirements specifically provided for in this section apply:

~~a. Two-unit attached dwelling units made affordable to households earning 80 percent or less of King County median income are allowed on individual lots in R-4, R-5 and R-6 zones through the conditional use permit process unless otherwise provided by a neighborhood plan or neighborhood specific regulations.~~

a. Two-unit attached dwelling units made affordable to households earning 80 percent or less of King County median income under the requirements specifically provided for in this section are allowed as part of a preliminary plat application for residential subdivisions of 10 units or more.

b. Two-unit attached dwelling units meeting the affordability requirements of this section shall not be subject to the density requirements set forth in the zone summary for the residential zone district, or the minimum lot size requirements of subsection C.1 of this section, but shall be subject to the minimum lot size requirements of the underlying zone as set forth in the zone use chart for the residential zone. (See RZC 21.08.020 through 21.08.140.)

~~c. Each two-unit attached dwelling unit meeting the affordability requirements of this section must include at least three bedrooms.~~

~~d. No more than two two-unit attached dwelling units meeting the affordability requirements of this section may be sited adjacent to each other in the same development. Adjacency is defined as nearest, immediately adjoining, and having a common boundary. Therefore, two-unit attached dwelling units shall be separated by other land uses, dedicated open space, or streets. Where a tract or easement is used as a separator, such tract or easement shall be:~~

~~i. Dedicated or otherwise restricted in use so that it will remain in place for as long as the duplexes are present;~~

~~ii. No less than 35 feet in width, the minimum width for a local access street; and~~

~~iii. Contiguous with other~~

~~e. Two-unit attached dwelling units meeting the affordability requirements of this section shall not be subject to the attached dwelling unit design requirements of subsection C.4 of this section, with the exception of subsection C.4.c of this section, which has standards requiring that attached dwelling units shall be of a similar design and appearance to single-family homes located in the area.~~

EXHIBIT A

~~f.—A covenant agreement, in a form to be approved by the City, as required by RZC 21.20.040 must be recorded for all two-unit attached dwelling units allowed under this section and meeting the affordability requirements of this section. This covenant agreement shall appear on the deed to the property requiring all affordable housing units created under this section to remain as affordable for a 30-year period. This covenant agreement shall run with the land, binding on the assigns, heirs and successors of the applicant.~~

21.08.350 Innovative Housing Demonstration Projects

Repealed

Comment [C6]: ITEM 5

(No changes to rest of chapter)

ARTICLE II CITYWIDE REGULATIONS

RZC 21.20 AFFORDABLE HOUSING

Comment [C7]: ITEM 6

21.20.010 Purpose

The purpose of this chapter is to:

- A. Implement the responsibility of the City under the state Growth Management Act to provide for housing opportunities for all economic segments of the community.
- B. Help address the shortage of housing in the City for persons of low and moderate incomes, helping to provide opportunities for low- and moderate-income persons who work in the City to live here, rather than in locations distant from employment that contribute to increased length and number of vehicle trips.
- C. Help facilitate an adequate affordable housing supply in the City by offsetting the pressure on housing costs resulting from high job growth and construction of high-end housing.
- D. Preserve and create opportunities for affordable housing as the City continues to grow.
- E. Encourage the construction of housing that is affordable to senior citizens of Redmond.

21.20.020 Applicability

- A. This chapter applies to:

EXHIBIT A

1. All new residential and mixed-use **developments** within the Downtown, Overlake, Bear Creek, Willows/Rose Hill, Grass Lawn, North Redmond and Education Hill Neighborhoods;
2. All new senior housing developments and congregate care **dwelling units**, not including nursing homes.

21.20.030 General Requirements and Incentives

- A. Pursuant to RCW 36.70A.540, the **City** finds that the higher income levels specified in the definition of “affordable housing” set forth in the definitions section of this Zoning Code are necessary to address local housing market conditions in the City. The income levels specified in the definitions section of this Zoning Code shall therefore be used in lieu of the “low-income **household**” income levels set forth in RCW 36.70A.540.
- B. Unless otherwise specified in **RZC 21.20, Affordable Housing**, at least 10 percent of the units in new housing **developments** in those areas specified in **RZC 21.20.020, Applicability**, of 10 units or greater must be **affordable housing units**.
- C. At least one bonus market-rate unit is permitted for each affordable housing unit provided, up to 15 percent above the maximum allowed density. For example, if the maximum allowed density for the **site** is 20 units per acre, the density bonus shall not exceed three units per acre, yielding a total allowed density, with bonus, of 23 units per acre, or 20 units + 15 percent bonus = 23 units. In areas where density limitation is expressed as a Floor Area Ratio (FAR), density bonuses will be calculated as an equivalent FAR bonus.
- D. Each low cost – affordable housing unit provided counts as two affordable housing units for the purpose of satisfying the affordable unit requirement under subsection RZC 21.20.030.B of this section. For purposes of computing bonus market-rate units under subsection RZC 21.20.030.C of this section, two bonus market-rate units are permitted for each affordable housing - low cost unit provided, up to 20 percent above the maximum density permitted on the **site**.
- E. The number of required affordable housing units is determined by **rounding** fractional numbers up to the nearest whole number from 0.5. In single-family zones, the required number of affordable housing units shall be calculated as a minimum of 10 percent of the greater of: (1) proposed **dwelling units** on the site, excluding **cottage** housing density bonus or other bonuses, or (2) **net buildable area** multiplied by the site’s allowed density.
- F. The affordable housing units and the bonus market-rate units shall not be included in the total number of the housing units when determining the number of required affordable housing units.
- G. Depending on the level of affordability provided, the affordable housing units may be eligible for the **impact fee** waivers described in RMC 3.10.070.

H. Urban Centers Requirements

1. Overlake.

- a. In portions of Overlake where density limits are expressed as a Floor Area Ratio, the bonus above the maximum residential FAR expressed in RZC 21.12, Overlake Regulations, is two times the equivalent floor area for each affordable unit provided. The bonus residential floor area may be used to increase building height by up to one story above the base standards shown in RZC 21.12, Overlake Regulations. The bonuses granted under this provision are in addition to any bonuses granted for senior housing under RZC 21.20.070, Affordable Senior Housing.
- b. Affordable Housing requirements are optional for the first 100 housing units approved to be developed in the Overlake Village zones and that otherwise would be required to be affordable units per this section. Each proposed development site may qualify for waiver of no more than 25 units of affordable housing. For purposes of this subsection, development site is measured for the project as a whole, including the total area proposed for development or included as part of a master plan.

- 2. Downtown. Development in Downtown will receive a square footage density credit equal to the square footage of the affordable housing units provided on-site, or the square footage of the affordable housing units provided off-site pursuant to RZC 21.20.050, *Alternative Compliance Methods*. This square footage credit can be converted to TDRs pursuant to RZC 21.48.010.G, *Affordable Housing Bonus*. The bonus is subject to the limitations of RZC 21.10.110.B, *Downtown Height Limit Overlay*.

I. Measurement in square feet of floor area of all affordable units shall be defined by the gross leasable area within the unit.

J. Cottages, duplexes and size-limited dwellings may be used to meet the requirements of this section.

K. Accessory Dwelling Units (ADUs) shall not be used to meet the requirements of this section.

21.20.040 Implementation Provisions

The following requirements shall be met for all affordable housing units created through any of the provisions of RZC 21.20, *Affordable Housing*:

- A. Affordable housing units that are provided under this section shall remain as affordable housing for a minimum of 50 years from the date of initial owner occupancy for ownership affordable housing units and for the life of the project for rental affordable housing units. At the sole discretion of the Administrator, a shorter affordability time period, not to be less than 30 years, may be approved by the City for ownership affordable housing units, in order to meet federal financial underwriting guidelines.

EXHIBIT A

- B. Prior to the issuance of any permit(s), the Administrator shall review and approve the location and unit mix of the affordable housing units consistent with the following standards:
1. The location of the affordable housing units shall be approved by the Administrator, with the intent that they generally be intermingled with all other **dwelling units** in the **development**.
 2. The tenure (ownership or rental) of the affordable housing units shall be the same as the tenure for the rest of the housing units in the development.
 3. The affordable housing units shall consist of a mix of number of bedrooms that is generally proportionate to the bedroom mix of units in the overall development.
 4. The size of the affordable housing units, if smaller than the other units with the same number of bedrooms in the development, must be approved by the Administrator. In general the affordable housing units may be as small as 500 square feet for a studio unit, 600 square feet for a one bedroom unit, 800 square feet for a two bedroom unit, or 1,000 square feet for a three bedroom unit. However, the Administrator has the discretion not to approve proposals for smaller units based on the criteria that rooms within the units provide adequate space for their intended use.
 5. The exterior materials and design of the affordable housing units must be comparable with the other dwelling units in the development, with similarity in **building** finishes, rooflines and landscaping. The interior finish and quality of **construction** of the affordable housing units shall at a minimum be comparable to entry level rental or ownership housing in the City.
- C. Construction of the affordable housing units shall be concurrent with construction of market-rate dwelling units unless the requirements of this section are met through RZC **21.20.050, Alternative Compliance Methods**. The Affordable Housing Agreement provided for in Section **21.20.080** shall include provisions describing the phasing of the construction of the affordable units relative to construction of the overall housing. This can allow for sequencing of construction of the affordable units to be interspersed with construction of the overall housing units.
- D. The City reserves the right to establish in the Affordable Housing Agreement referred to in RZC **21.20.080**, monitoring fees for the Affordable Housing Units, which can be adjusted over time to account for inflation. The purpose of any monitoring fee is for the review and processing of documents to maintain compliance with income and affordability restrictions of the Affordable Housing Agreement.

21.20.050 Alternative Compliance Methods

- A. While the priority of the **City** is to achieve affordable housing on-site, the **Administrator** may approve a request for satisfying all or part of the affordable housing requirements with

EXHIBIT A

alternative compliance methods proposed by the [applicant](#), if they meet the intent of this section.

- B. The project proponent may propose one or more of the following alternatives, and must demonstrate that any alternative achieves a result equal to or better than providing affordable housing on-site. Housing units provided through the alternative compliance method must be based on providing the same type and tenure of units as the units in the project that give rise to the requirement.
1. [Affordable housing units](#) may be provided off-site if the location chosen does not lead to undue concentration of affordable housing in any particular area of the City. Preference shall be given for the location of the off-site affordable unit in the same neighborhood planning area, and the site must be within close proximity to employment opportunities and transit services. No individual property that receives off-site affordable housing units may have more than 25 percent of its units as affordable housing units, unless the property will be utilizing public funding sources for affordable housing.
 2. Cash payments in lieu of providing actual housing units may be provided and will be used only for the subsequent provision of affordable housing units by the City or other housing provider approved by the Administrator. Payments in lieu shall be based on the difference between the cost of [construction](#) for a prototype affordable housing unit on the subject property, including land costs and [development](#) fees, and the revenue generated by an affordable housing unit. The payment obligation will be established at the time of issuance of [building permits](#) or [preliminary plat](#) approval for the project.
 3. The Administrator may consider other options for satisfying the affordable housing requirements, as proposed by the project proponent.
- C. Timing.
1. Application for and approval by the Administrator for alternative compliance must be made prior to issuing a [building](#) permit for the project, unless otherwise permitted by the Administrator.
 2. Application for off-site alternative compliance must document the timing that off-site affordable housing units will be made available and provide assurances to ensure completion of the off-site affordable housing units. The intent is for affordable housing units to be provided before or at the same time as the on-site market rate housing.

21.20.060 Supplemental Requirements

A. Willows/Rose Hill Neighborhood.

EXHIBIT A

~~1. Development of a size-limited dwelling, a duplex unit, or cottage may be used to meet affordability requirements.~~

2.1 As provided for in Comprehensive Plan policy N-WR-E-7, the allowed density shall be seven units per acre for a demonstration project in which at least 20 percent of the total dwelling units are affordable. Other bonuses allowed by the RZC may be used in addition to this bonus.

~~3. In addition to meeting the provisions in RZC 21.20.050, Alternative Compliance Methods, a project proponent who proposes off-site location of affordable housing units shall locate the dwellings within the Willows/Rose Hill Neighborhood unless there is no feasible site. If no site in the neighborhood is feasible, the preferred alternative compliance method is construction of affordable housing elsewhere in the City.~~

~~B. North Redmond Neighborhood.~~

~~1. Development of a size-limited dwelling, a duplex unit, or cottage may be used to meet affordability requirements.~~

~~C. Education Hill Neighborhood.~~

~~1. Development of a size-limited dwelling, a duplex unit, or cottage dwelling unit may be used to meet affordability requirements.~~

~~2. In addition to meeting the provisions in RZC 21.20.050, Alternative Compliance Methods, a project proponent who proposes off-site location of affordable housing units shall locate the dwellings within the Education Hill Neighborhood unless there is no feasible site. If no site in the neighborhood is feasible, the preferred alternative compliance method is construction of affordable housing elsewhere in the City.~~

21.20.070 Affordable Senior Housing

- A. Except for Retirement Residences developing under RZC 21.08.370.C.3.b, the affordable senior housing bonus may be used in any zone that allows retirement residences or multifamily housing. The bonus shall be part of any land use application. Where the affordable housing bonus was requested in an earlier land use application, the bonus does not have to be requested in subsequent land use applications provided that the number of bonus units is included in the subsequent land use applications. If the bonus is approved, the land use shall comply with the requirements of this section for the life of the use.
- B. The development shall be restricted to persons 55 years of age or older and handicapped persons as defined by federal law. At least 80 percent of the total housing units shall be occupied by at least one person who is 55 years of age or older. Owners of affordable senior housing units shall be required to verify annually that the occupancy requirements of this section are met as provided for in the Affordable Housing Agreement pursuant to RZC 21.20.070. It is the intent of this section to promote the provision of housing for older persons

EXHIBIT A

in compliance with the Housing for Older Persons Act (HOPA) 42 U.S.C. sec. 3607, as the same now exists or is hereafter amended, by providing a density bonus for affordable housing that meets the requirements of HOPA.

- C. No conversion of occupancy to persons other than those specified by subsection RZC 21.20.070.B shall be allowed without first complying with the underlying zoning and [site](#) requirements. The bonus shall not apply to the property if it is no longer occupied by those persons specified by subsection RZC 21.20.070.B, and the bonus housing units shall be eliminated unless otherwise authorized by the applicable development regulations.
- D. If an affordable senior housing bonus application is approved, developments may exceed the allowed density of a zone by as much as 50 percent, provided that 50 percent of the bonus units are [low-cost affordable housing units](#).
- E. The bonus shall only be used in the multifamily or retirement residence development for which it is approved. The bonus application shall be made as part of the first land use application made for the project. The decision maker for this application shall decide the request for the bonus.
- F. All site requirements and development standards of the Zoning Code shall apply to uses that obtain an affordable senior housing bonus with the following exceptions:
 - 1. The site requirements that shall apply to the development (see applicable zone use charts in RZC [21.08.020](#) through [21.08.140](#) shall follow the zone which most closely matches the approved density of the use including density bonuses and not the density of the underlying zone. This subsection shall not apply to retirement residences.
 - 2. Developments shall be designed to project a residential appearance through architectural design, landscaping, and [building](#) materials.

21.20.080 Affordable Housing Agreement

Prior to issuing any [building permit](#), an agreement in a form approved by the [City](#) that addresses price restrictions, home buyer or tenant qualifications, phasing of [construction](#), monitoring of affordability, duration of affordability, and any other applicable topics of the [affordable housing units](#) shall be recorded with King County Department of Records and Elections. This agreement shall be a covenant running with the land and shall be binding on the assigns, heirs and successors of the [applicant](#). The City may agree, at its sole discretion, to subordinate any affordable housing regulatory agreement for the purpose of enabling the owner to obtain financing for [development](#) of the property, consistent with any applicable provision of the Redmond Zoning Code in effect at the time of the issuance of the [land use permit\(s\)](#).

21.74.030 Decision Criteria and Procedures

Comment [C8]: These edits pertain to ITEM 5

H. Unit Lot Subdivisions.

1. *Applicability.* The provisions of this section apply exclusively to the unit lot subdivision of land for attached dwelling units that have land use approval through RZC 21.76.070.Y, Site Plan Entitlement; RZC 21.67, Green Building and Green Infrastructure Incentive Program (GBP); and RZC 21.76.07.P, Master Planned Development; ~~and RZC 21.08.350, Innovative Housing Demonstration Projects,~~
2. *Approval Process.* A unit lot subdivision shall follow the procedures established in RZC 21.76.050.G, Type II Review, if nine or fewer unit lots are proposed. Preliminary unit lot subdivisions shall follow the procedures established in RZC 21.76.050.H, Type III Review, if ten or more unit lots are proposed. Final unit lot subdivisions of ten or more lots shall follow the procedures established in RZC 21.74.030.G, Final Subdivision Procedures, of this chapter for final plats.
3. *Compliance with Prior Approvals.* Sites developed or proposed to be developed with single-family attached dwelling units may be subdivided into individual unit lots as provided herein. The development as a whole shall conform to the regulations of the zone that the site is located in and to the plans that were granted approval through provisions of this code, either: RZC 21.76.070.Y, Site Plan Entitlement; RZC 21.67, Green Building and Green Infrastructure Incentive Program (GBP); ~~or~~ RZC 21.76.070.P, Master Planned Development; ~~or RZC 21.08.350, Innovative Housing Demonstration Projects.~~

Comment [C9]: This item also pertains to ITEM 5

COMPREHENSIVE PLAN POLICY: HO-33 REPEALED

HO-33

~~Support the Innovative Housing Program that helps promote City goals for affordability, high quality design and housing to meet a diversity of household sizes, types and age ranges. Allow for flexibility in density and design standards to promote the pilot program.~~

EXHIBIT B
BONUS PROVISIONS

TYPE OF BONUS	RZC	PURPOSE	WHERE USED	HOW	COMBINES WITH	EXAMPLES
Affordable Housing	21.20.020	increase supply of affordable housing throughout City	In SF and MF zoned areas within Downtown, Overlake, WRH, NR, EH, BC, GL	Up to 15% above underlying zoning: For every affordable unit provided, 1 market rate unit or additional FAR	Can combine with other bonus provisions in neighborhoods where affordable housing is allowed	Used extensively in Downtown; new subdivisions in other neighborhoods, esp. N. Redmond
Affordable Senior Housing	21.20.070	Encourage greater affordability in senior housing	Allowed in any zone that allows Retirement Residences or multi-family housing	Up to 50% above the allowed density of the zone if 50% of units are low-cost (50% AMI)	Cannot combine with Retirement Residence bonus provisions	Not used – but could be promoted
Retirement Residences	21.08.370	Allow greater density for retirement residences in SF areas	Allowed in all R zones that - 3x bonus in R4-R6 areas with conditions	Up to 3x units of underlying zone in R4-R-6. -Must provide min. 10% assisted or skilled nursing and not >25%; min of 25% < 80% AMI; [other requirements]	No additional affordable senior housing bonus is allowed per RZC	E.g., Emerald Heights, Fairwinds, Peters Creek
Attached Dwelling Units, Affordable Housing Exception	21.08.260(6)(b)	Encourage duplexes as an affordable housing option	In all R4-R6. -Some neighborhoods require less process	Must be 80% AMI; duplexes -Are not subject to density requirements of the underlying zone or the minimum lot size requirements for duplexes	Recommendation Modify existing code to allow when done as part of a subdivision (10+ lots)	Kirkmond, (WRH) Other examples in North Redmond, recommend not as infill on freestanding lots
Cottages	21.08.290	Provide variety in	Neighborhoods where cottages	Additional density given due to smaller units.	Combines with other bonus provisions	More of an equivalency, not

TYPE OF BONUS	RZC	PURPOSE	WHERE USED	HOW	COMBINES WITH	EXAMPLES
		housing options; smaller homes	allowed: WRH, NR, EH, BC, GL	-Varies w/size of unit, up to 1.75 cottages per std. SF home allowed	where cottages and other bonus provisions allowed (e.g. Affordable Housing)	a bonus per se
Residential Innovative Zone (RIN)	21.08.360	Provide variety in housing options; smaller homes	RIN zone currently in WRH only	If parcel is min. 30,500 sf in size, can get additional home; e.g. R-4 effectively becomes R-5. -Additional home must be size-limited	Can combine with Affordable Housing, Critical Areas, Green Building Program	Benjamin Estates, Kirkmond (WRH)
Critical Areas Residential Density Bonus	21.03.300	Preserve critical areas; encourages housing on non-critical area of site	R-1 zoned areas	50% increase in density if all of the allowed density including the bonus is transferred from [critical areas as defined]	Could combine with other bonus provisions	North Redmond
Green Building Program GBP	21.67	Reduce negative impacts of development through green building techniques and mitigating environmental impacts	Any residential zone – also there are non-residential incentives and bonuses	Up to 10% bonus of base zoning density -Point system for provision of green and LID features – bonuses determined by points	Could combine with other bonus provisions	Lakeview Lane, Swenson short plats; (IDYL) Beuca (N Red)

Note:

Please also refer to Maximum Development Yield Table to identify and calculate available bonus provisions for each Residential zone.

RECOMMENDATION: Add wording to RZC 21.08.170 Site Requirements for Residential Zones to state that bonuses are calculated on the base density.



STATE ENVIRONMENTAL POLICY ACT (SEPA) DETERMINATION OF NON-SIGNIFICANCE

For more information about this project visit www.redmond.gov/landuseapps

PROJECT INFORMATION

PROJECT NAME: Redmond Zoning Code Housing Related Amendments

SEPA FILE NUMBER: SEPA-2013-01823

PROJECT DESCRIPTION:

Housing related amendments to the Redmond Zoning Code, including RZC 21.20 Affordable Housing, RZC 21.08.220 Accessory Dwelling Units, RZC 21.08.260 Attached Dwelling Unites, and RZC 21.08.170.E.2.a.ii regarding Small Short Plats. Proposed amendments are minor in nature and provide clarification to existing regulations.

PROJECT LOCATION: Citywide

SITE ADDRESS: Citywide

APPLICANT: Sarah Stiteler

LEAD AGENCY: City of Redmond

The lead agency for this proposal has determined that the requirements of environmental analysis, protection, and mitigation measures have been adequately addressed through the City's regulations and Comprehensive Plan together with applicable State and Federal laws.

Additionally, the lead agency has determined that the proposal does not have a probable significant adverse impact on the environment as described under SEPA.

An Environmental Impact Statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. **This information is available to the public on request.**

CITY CONTACT INFORMATION

PROJECT PLANNER NAME: Steve Fischer

PHONE NUMBER: 425-556-2432

EMAIL: sfischer@redmond.gov

IMPORTANT DATES

COMMENT PERIOD

Depending upon the proposal, a comment period may not be required. An "X" is placed next to the applicable comment period provision.

There is no comment period for this DNS. Please see below for appeal provisions.

This DNS is issued under WAC 197-11-340(2), and the lead agency will not make a decision on this proposal for 14 days from the date below. Comments can be submitted to the Project Planner, via phone, fax (425)556-2400, email or in person at the Development Services Center located at 15670 NE 85th Street, Redmond, WA 98052. **Comments must be submitted by 11/26/2013.**

APPEAL PERIOD

You may appeal this determination to the City of Redmond Planning Department, Redmond City Hall, 15670 NE 85th Street, P.O. Box 97010, Redmond, WA 98073-9710, no later than 5:00 p.m. on 12/13/2013, by submitting a completed City of Redmond Appeal Application Form available on the City's website at www.redmond.gov or at City Hall. You should be prepared to make specific factual objections.

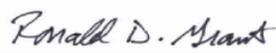
DATE OF DNS ISSUANCE: November 12, 2013

For more information about the project or SEPA procedures, please contact the project planner.

RESPONSIBLE OFFICIAL: ROBERT G. ODLE
PLANNING DIRECTOR

SIGNATURE: 

RESPONSIBLE OFFICIAL: RONALD D. GRANT
ASSISTANT PUBLIC
WORKS DIRECTOR

SIGNATURE: 

Address: 15670 NE 85th Street Redmond, WA 98052

CITY OF REDMOND NOTICE OF PUBLIC HEARING

PROJECT INFORMATION

FILE NUMBER: LAND 2013-01815

TOPIC: HOUSING RELATED AMENDMENTS TO REDMOND'S ZONING CODE AND COMPREHENSIVE PLAN

SUBJECT: THE PURPOSE OF THE PROPOSED AMENDMENTS IS TO IMPROVE CLARITY AND CONSISTENCY IN THE ZONING CODE, SUCH AS BY CLARIFYING HOW DENSITY BONUSES ARE CALCULATED AND REDUCING HEIGHT LIMITS FROM 35 FEET TO 25 FEET FOR DETACHED ACCESSORY DWELLING UNITS AND HOMES BUILT THROUGH A SMALL-LOT SHORT-SUBDIVISION; THE AMENDMENT WOULD ALSO REVISE REGULATIONS REGARDING THE PERMITTING PROCESS AND DESIGN STANDARDS FOR DUPLEXES; FIX MINOR ERRORS IN THE ZONING CODE AND REPEAL COMPREHENSIVE PLAN POLICY HO-33 WHICH SPEAKS TO THE INNOVATIVE HOUSING DEMONSTRATION PROGRAM WHICH ENDED IN AUGUST, 2013.

REQUESTED ACTION: PLANNING COMMISSION RECOMMENDATION ON THE PROPOSED AMENDMENTS

IMPORTANT DATES

PUBLIC HEARING DATE & TIME: DECEMBER 4, 2013 AT 7:00PM OR AS SOON THEREAFTER AS POSSIBLE

PLACE: CITY COUNCIL CHAMBERS, CITY HALL 15670 NE 85TH STREET, REDMOND WA 98052

BY: CITY OF REDMOND PLANNING COMMISSION

LEGAL NOTICE: NOVEMBER 13, 2013

CITY CONTACT INFORMATION:

PROJECT PLANNER NAME: SARAH STITELER

PHONE NUMBER: 425-556-2469

EMAIL: SSTITELER@REDMOND.GOV

PUBLIC COMMENT

ALL INTERESTED PERSONS ARE INVITED TO COMMENT AT THE PUBLIC HEARING TO EXPRESS THEIR VIEWS OR TO SUBMIT WRITTEN TESTIMONY, OR, WRITTEN COMMENTS MAY BE SENT TO THE PLANNING DEPARTMENT PRIOR TO THE HEARING TO BE RECEIVED NO LATER THAN DECEMBER 4, 2013 AT 5:00PM. WRITTEN COMMENTS MAY BE SENT TO THE PROJECT PLANNER VIA PHONE, EMAIL OR IN PERSON TO THE PLANNING DEPARTMENT LOCATED AT CITY HALL, 15670 NE 85TH STREET, P.O. Box 97010, REDMOND, WA, 98073-9710.

INFORMATION AVAILABLE:

A COPY OF THE PROPOSAL WILL BE AVAILABLE NO LATER THAN NOVEMBER 8, 2013 FROM THE PLANNING DEPARTMENT, 4TH FLOOR OF CITY HALL AND ON THE CITY'S WEBSITE AT WWW.REDMOND.GOV/PLANNINGCOMMISSION

HEARING INFORMATION

IF YOU ARE HEARING OR VISUALLY IMPAIRED, PLEASE NOTIFY THE PLANNING DEPARTMENT AT (425) 556-2440 ONE WEEK IN ADVANCE OF THE HEARING IN ORDER TO BE PROVIDED ASSISTANCE.