



Planning Commission
Meeting:
First Wednesday of
every Month @ 7:00pm

Planning & Community
Development
Department

1812 Main Street
Lake Stevens, WA
98258 (425) 377-3235

www.lakestevenswa.gov

Municipal Code

Available online:
www.codepublishing.com/WA/LakeStevens/

PLANNING COMMISSION AGENDA

Regular Meeting Date: 05 / 02 / 18

CALL TO ORDER: 7:00pm
Pledge of Allegiance

ROLL CALL

GUEST BUSINESS

ACTION ITEMS

1. Approval of Minutes for April 18, 2018

DISCUSSION ITEMS

1. **Briefing:**
LUA2017-0171 Accessory Dwelling Unit Code Amendment
Associate Planner Roth

COMMISSIONER REPORTS

PLANNING DIRECTOR'S REPORT

ADJOURN

SPECIAL NEEDS

The City of Lake Stevens strives to provide accessible opportunities for individuals with disabilities. Please contact City of Lake Stevens ADA Coordinator, at (425) 377-3227 at least five business days prior to any City meeting or event if any accommodations are needed. For TDD users, please use the state's toll-free relay service.

PLANNING COMMISSION REGULAR MEETING MINUTES

Community Center
1808 Main Street, Lake Stevens
Wednesday April 18, 2018

CALL TO ORDER: 7:00 pm by Chair Janice Huxford

MEMBERS PRESENT: Chair Janice Huxford, Vicky Oslund, Tracey Trout, Linda Hoult, Karim Ali

MEMBERS ABSENT: Jennifer Davis

STAFF PRESENT: Community Development Director Russ Wright, Clerk Jennie Fenrich

OTHERS PRESENT: Councilmember Rauchel McDaniel, Councilmember Brett Gailey, Councilmember Gary Petershagen

Excused Absence: Commissioner Hoult made a motion to excuse Commissioner Davis and Commissioner Ali seconded. Motion carried 5-0-0-1.

Guest business: none

Action Items:

1. *Approve Meeting Minutes, April 4, 2018.* Commissioner Hoult made a motion to approve minutes with one correction to excuse Tracey Trout, Commissioner Trout 2nd motion carried 5-0-0-1.

Discussion Items:

1. Community Development Director Wright gave a briefing on the Draft Downtown Subarea Plan. He provided a Power Point presentation showing vision for Downtown in the next twenty years. Commissioner Trout disclosed that she owns property in the project area. Discussion followed. Main points brought up by commissioners were ensuring adequate parking, infrastructure with sewer and stormwater, transit opportunities, public outreach to date and how the public will be notified on future plans and construction activities for this project. There were several comments on funding. Director Wright reported we have received 3.1 million from State Legislature to begin process, and \$300,000 for the new City Hall and destruction of the former one. Parks mitigation fees will be used for North Cove park and Traffic mitigation fees will be used for Main Street improvements.
2. Commissioner Ali made a motion to open public comments and questions, Commissioner Trout seconded. Liz Horley commented that she is a lifelong resident in Lake Stevens. She is enthusiastic for the new vision and looks forward to the retail portion of the plan. Michele Hampton stressed the importance of parking, she feels that if there isn't sufficient parking this plan will not be successful. She also inquired if there are any overall budgets at this point.

Commissioner Reports: Chair Huxford reported that there is a new Ms. Aquafest crowned and there is an impressive court of girls this year and encouraged our support of this years' royalty. No other reports were shared.

Director Report: Community Development Director had no additional report. He asked the commission to make themselves available for both meetings next month on the 2nd and the 16th.

Adjourn: Motion by Commissioner Trout to adjourn Commissioner Hoult 2nd. Motion carried 5-0-0-1. Meeting adjourned at 8:01 p.m.

Janice Huxford, Chair

Jennie Fenrich, Clerk, Planning &
Community Development

DRAFT



Staff Report City of Lake Stevens Planning Commission

Planning Commission Briefing
Date: **May 2, 2018**

SUBJECTS: Accessory Dwelling Unit (ADU) Code Amendment (LUA2017-0171)

CONTACT PERSON/DEPARTMENT: Dillon Roth, *Associate Planner*

SUMMARY: Code amendment to update ADU regulations

ACTION REQUESTED OF PLANNING COMMISSION: Review and make recommendations on the proposed regulations.

Background on Code Amendment Process

On December 14, 2017, the city initiated a code amendment to update regulations governing accessory dwelling units (ADU). The purpose of the update is to create clear and more flexible regulations for ADUs. The advantages of ADUs and flexible regulations include an expansion of property rights for current residential property owners; provide homeowners a means of obtaining rental income, companionship, security and services; make it possible for adult children to care for a parent or other relative in need of assisted living within their own homes; and build a more diverse housing stock to accommodate a wider variety of housing demands.

On March 21, 2018, the Planning Commission was briefed on the code amendment. Staff presented basic facts of the benefits and issues associated with ADUs, other cities' ADU regulations, the context of housing regulations in the City of Lake Stevens, and the proposed ADU regulations. In the following discussion, the Planning Commission agreed to loosen the restrictions currently governing ADUs and generally agreed on the proposed regulations.

On April 3, 2018, the code amendment was discussed at a City Council work session. Council supported further loosening the proposed regulations and directed staff to remove the owner occupancy requirement. A forgiveness of impact fees based on financial hardship and an exemption from frontage improvements was also discussed. Staff revised the proposed regulations and drafted the ADU code based on model ordinances and these discussions with the Planning Commission and City Council (**Attachment 1**).

Draft Code Summary

The attached draft code is intended for review and comment by the Planning Commission. The draft code generally reflects the proposed regulations that were previously discussed on March 21. To summarize, the draft code revises the definition of ADU, removes the minimum lot size except in high urban residential zones, adds a purpose statement, clarifies the development standards, and adds design requirements. Generally, the draft code reflects a more ADU-friendly code than what the city currently has adopted. In addition to more flexible ADU regulations, the draft code also includes provisions to mitigate impacts. Mitigation measures include, requirements to protect the privacy of neighbors and ADU residents to be visually compatible with single-family homes and to maintain the single-family appearance of the

neighborhood from the street.

Next steps

To continue the code amendment process, staff will begin the SEPA review process and the Department of Commerce review process. Staff plans to bring the code amendment before the Planning Commission at a public hearing on June 6 and a public hearing before the City Council on June 26.

ATTACHED:

- 1) Draft ADU Code

14.08.010 Definitions of Basic Terms.

~~Residence, Primary with Accessory Apartment. A residential use having the external appearance of a single-family residence but in which there is located a second dwelling unit that comprises not more than 25 percent of the gross floor area of the building nor more than a total of 750 square feet.~~

~~Accessory Dwelling Unit. A residential use having the external appearance of a residence. The dwelling unit is an independent self-sustaining unit that provides the basic requirements of shelter, heating, cooking and sanitation or any combination of these.~~

~~Residence, Two-Family Apartment. A two-family residential use other than a duplex, two-family conversion, or primary residence with accessory apartment.~~

TABLE 14.40-I: TABLE OF PERMISSIBLE USES BY ZONES¹⁶

Use Descriptions	SR	WR	UR	HUR	MFR	NC ⁴	LB	CBD	MU ¹	PRD ⁵	SRC	LI	GI	P/SP
1.220 Primary residence with accessory apartment dwelling unit	P ³	P ³	P ³	P ^{3&8}	P				P					
1.115 Class A, B, or C mobile home or apartment used exclusively for a night watchman and his/her family ^z												A	A	

^z ~~Subject to Section 14.44.065 (Accessory Apartment in Industrial Zones).~~

[&] ~~Accessory dwelling units in the HUR zone shall only be permitted on lots larger than 125% of the minimum lot size for that zone.~~

14.44.065 Accessory Apartment in Industrial Zones.

Any accessory apartments permitted in the Light or General Industrial Zone pursuant to Use Class 1.447-115 shall meet the following standards:

- (a) The total number of accessory dwellings on a site shall not exceed one.
- (b) The gross floor area of an accessory apartment site shall not exceed 1,000 square feet.
- (c) The accessory apartment shall be integrated into a larger building which also houses activities for the principally permitted use.
- (d) The apartment use shall not enjoy the protection of the Manufacturing and Processing Performance Standards as contained in Part III of Chapter 14.40. (Ord. 606, 1999)

14.48.020 Duplexes in Single-Family Zones.

Duplexes, ~~and~~ two-family conversions, ~~and primary residences with an accessory apartment,~~ in single-family zones, shall be allowed only on lots having at least 150 percent of the minimum square footage required for one dwelling unit on a lot in such district. (Ord. 676, Sec. 44, 2003; Ord. 590, 1998; Ord. 468, 1995)

TABLE 14.72-I: TABLE OF PARKING REQUIREMENTS

1.200	Two family residences.	2 spaces for each dwelling unit, except that one-bedroom units require only one space.
<u>1.220</u>	<u>Accessory Dwelling Unit</u>	<u>Single family detached residences with accessory dwelling units require 1 space in addition to the 2 spaces required for the principal dwelling.</u>

14.44.045 Accessory Dwelling Units (ADU).

The installation of an ADU in new and existing single-family dwellings shall be allowed in residential zones subject to specific development and design standards.

(a) Purpose. The purpose of allowing ADUs is to:

1. Offer a means for residents to remain in their homes and neighborhoods, despite rising costs of living; while obtaining rental income, companionship, security and services.
2. Expand housing options for residential property owners, particularly family caregivers, adult children, aging parents, and families seeking smaller households.
3. Provide another means for homeowners to reinvest in and improve their residential property.
4. Develop housing units in single-family neighborhoods that are appropriate for people at a variety of stages in the life cycle.
5. Promote a broader range of affordable housing options in Lake Stevens.
6. Comply with RCW 43.63A.215, which requires cities with populations greater than twenty thousand to include provisions for ADUs in their development regulations.
7. Comply with the goals and policies of the Housing Element in the Comprehensive Plan.
8. Protect neighborhood stability, property values, and the single-family residential appearance of the neighborhood by ensuring that ADUs are installed under the conditions of this Ordinance.

(b) Development Standards.

1. The ADU may be, within, attached to, or detached from, the principal unit.
2. Only one ADU may be constructed per residential lot. Residential lots with an existing duplex are not eligible to construct an ADU.
3. An ADU can be constructed to a maximum size of up to 50% of the existing single-family home's total gross floor area, or to a maximum size of 800 square feet of total gross floor area, whichever is less.
 - a. The gross floor area is defined in LSMC 14.08.010. Buildings and garages detached from the existing home shall be excluded from calculating the existing home's total gross floor area.
 - b. The total gross floor area of the ADU shall exclude garage space.
 - c. If the ADU is completely located on a single floor, the Director may allow an increased size in order to efficiently use the floor area, so long as all other standards set forth in this section are met.
4. An ADU shall not be smaller than 250 square feet of gross floor area.
5. In High Urban Residential zoning districts, ADUs may only be constructed on lots larger than 125% of the minimum lot size for that zone.
6. An ADU shall not be segregated from the ownership of the principal dwelling through any process that would subvert state and local statutes and ordinances.
7. The construction of an ADU shall conform to all applicable standards in the building, plumbing, electrical, mechanical, fire and any other applicable codes.
8. Applicants shall obtain all necessary approvals from agencies with jurisdiction over utility infrastructure.
9. The construction of ADUs shall not require the construction of frontage improvements in the public right-of-way pursuant to LSMC 14.56.170.

(c) Design Standards.

1. ADUs shall include architectural and design features that are visually compatible with single-family homes. Examples of these features include using matching materials, colors, window style, or roof design.
2. The privacy of dwelling units on adjacent lots and ADUs shall be protected to a reasonable extent by including a landscape screen, fencing, strategic window and door placement, or orienting the ADU to maximize privacy.
3. If the ADU's primary entrance is not the same as that for the principal dwelling, it shall be less visible from the street view of the principal dwelling than the main entrance of the principal dwelling unit, and the ADU's stairways may not be constructed on the front of the principal dwelling unit.