

DRAFT Proposed Code Changes - Housing and Land Use

2024 Comprehensive Plan Periodic Update

Draft February 16, 2024

Definitions

3.52.020

A. "Affordable housing" means residential housing that is rented by a person or household whose monthly housing costs, including utilities other than telephone, do not exceed 30 percent of the household's monthly income. For the purposes of housing intended for owner occupancy, "affordable housing" means residential housing that is within the means of low- or moderate-income households.

18.04.0035 Accessory unit

"Accessory unit" means a second dwelling unit located on the same lot as a single-family housing unit, duplex, triplex, or townhome, either in or added to the principal unit on an existing single-family detached dwelling, or in a separate accessory structure on the same lot as the main dwelling principal unit, for use as a complete, independent living facility with provision within the accessory apartment for cooking, eating, sanitation, and sleeping. Such a dwelling is an accessory use to the main dwelling. Accessory units are also commonly known as "mother-in-law" units or "carriage houses."

NOTE: THIS DEFINITION COMES DIRECTLY FROM NEW STATE LEGISLATION DEFINING ADUs AND WHAT IS CONSIDERED THE MAIN DWELLING.

18.04.0115 Apartments. "Apartments" means a building designed for the purpose of human habitation containing two or more more than two dwelling units where units are stacked vertically one upon another, but does not include a multiplex such as a triplex or fourplex.

18.04.0375 Family. "Family" means an individual, or two or more persons related by blood, marriage, or adoption. For the purposes of this title, "family" includes a group of not more than five persons who are not related, but a group of persons who may be related who are living and sharing kitchen facilities together as a single housekeeping unit. (Six or more unrelated persons living together constitutes a "Group residence." See "Group residence.")

NOTE: RCW 35.21.682 AND RCW 35A.21.314 PROHIBIT CITIES FROM LIMITING THE NUMBER OF UNRELATED PERSONS IN A HOUSING UNIT.

18.04.XXXX Community Garden. "Community garden" means a garden for growing produce that serves the local community and is managed by and located on the premises of a public agency, non-profit organization, or private development.

Chapter 18.12, Low Density Residential District (LDR-4, LDR-6, LDR-7.2, LDR-8.5, LDR-12)

18.12.020 Principal Uses

A. Adult family homes;

B. Manufactured homes subject to the standards of SMC 18.12.080(N), but not to exceed one dwelling on any one lot, except for accessory dwellings as provided in SMC 18.12.030;

C. Minor utility facilities;

D. Single-family detached dwellings, but not to exceed one detached dwelling on any one lot, except for accessory dwellings as provided in SMC 18.12.030;

E. Duplexes, on any one lot in lieu of one single family detached dwelling;

...

H: Existing automotive and motorized vehicle sales and rental agencies lawfully operating as of June 1, 2000 and in accordance with SMC 18.12.080(M);

...

J. Multiplexes;

- OPTION A: In the LDR 8.5 and LDR 12 zones on parcels more than 1.5 times the minimum lot size, multiplexes with up to four units.
- OPTION B: In the LDR 8.5 and LDR 12 zones on parcels more than 1.5 times the minimum lot size, where at least one unit is dedicated long-term affordable housing, multiplexes with up to four units.

NOTE: REQUIRING 1 AFFORDABLE UNIT IN A FOUR-PLEX IS LIKELY FEASIBLE FOR MOST SMALLER DEVELOPERS; REQUIRING MORE AFFORDABLE UNITS WOULD NOT BE AS FEASIBLE AND LIKELY RESULT IN DEVELOPERS BUILDING ONLY DUPLEXES. IN SUMNER, ABOUT 70 LOTS FIT THIS LARGER SIZE/ZONING AND MIGHT QUALIFY FOR FOUR UNITS PER LOT.

NOTE: TO HELP MINIMIZE POTENTIAL IMPACTS, SUMNER DESIGN GUIDELINES APPLY TO MULTIFAMILY DEVELOPMENTS, INCLUDING DUPLEXES AND BUILDINGS WITH 3 OR MORE DWELLING UNITS. GUIDELINES ADDRESS BUILDING MATERIALS AND ALSO ADDRESS IMPACTS ON SURROUNDING PROPERTIES, THROUGH OPEN SPACE REQUIRED, BUILDING HEIGHT, AND SETBACKS.

K. Community Gardens.

18.12.040 Conditional Uses

The following uses in the LDR district require a conditional use permit or, where specifically required, a planned residential development approval from the city:

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M. 1. Assisted living facilities, board and care homes...

2. Multifamily senior housing, including retirement homes, senior apartments and continuing care communities may be allowed only through a planned residential development, pursuant to chapter 18.24 SMC;

...

S. Permanent supportive housing that exceeds one two dwellings on any one lot, subject to the performance standards in SMC 18.12.080(R); and

NOTE: STATE LAW REQUIRES SUMNER TO ALLOW 2 UNITS PER LOT (HB 1220). PERMANENT SUPPORTIVE HOUSING AND TRANSITIONAL HOUSING (BELOW) MUST MEET THE SAME SETBACKS AND HEIGHT IN THE ZONE.

T. Transitional housing that exceeds ~~one~~two dwellings on any one lot, subject to the performance standards in SMC 18.12.080(R).

U. Affordable housing apartments on property owned by a religious organization may be allowed only through a planned residential development, pursuant to chapter 18.24 SMC.

NOTE: THIS WOULD FOLLOW THE SAME PROCESS ALREADY ADOPTED FOR MULTIFAMILY SENIOR HOUSING.

18.12.030 Accessory Uses

A. Accessory dwelling units subject to the following criteria:

NOTE: THE STANDARDS BELOW FOR ADUs ARE BEING UPDATED TO MATCH NEW STATE LEGISLATION (HB 1337). SUMNER CAN NO LONGER REQUIRE CERTAIN STANDARDS:

- CANNOT REQUIRE OWNER RESIDENCY
- MUST REMOVE PARKING REQUIREMENTS NEAR TRANSIT
- ALLOW BOTH ATTACHED AND DETACHED ADUs ON ANY LOT
- ALLOW AT LEAST 24-FOOT BUILDING HEIGHT (VERSUS 18-FOOT)
- CANNOT REQUIRE SETBACKS GREATER THAN THE MAIN DWELLING
- CANNOT REQUIRE THE BUILDING ENTRANCE LOCATION TO BE RESTRICTED
- CANNOT IMPOSE CERTAIN DESIGN STANDARDS.
- CANNOT PROHIBIT THE SALE OF A CONDOMINIUM UNIT INDEPENDENTLY OF A PRINCIPAL UNIT ON THE GROUNDS OF IT BEING BUILT AS AN ADU

1. ~~One~~Two accessory dwelling units shall be allowed per legal building lot as a subordinate use in conjunction with the one ~~single-family detached dwelling~~ primary dwelling unit allowed under SMC 18.12.020(D) ~~which, for the purposes of this section, is the primary dwelling unit; except that no accessory dwelling units are allowed where the building lot is below the minimum lot size specified for the zone.~~
2. ~~Either the primary dwelling unit or the accessory dwelling unit must be occupied by the owners of the property. In addition, Accessory dwelling units shall not be subdivided or otherwise segregated in ownership from the primary dwelling unit, except in accordance with subsections (A)(14) and (15) of this section. The owners shall sign an affidavit affirming that the owners will occupy the main building or the accessory dwelling unit as their primary residence for at least six months of every year. The owners shall sign a covenant agreeing to the conditions of this section which shall be recorded with the Pierce County auditor. The form of the affidavit and covenant shall be specified by the development services department;~~
3. ~~The accessory dwelling unit and primary dwelling unit together may account for a total of two families established by the definition of "family" in this title.~~

NOTE: RCW 35.21.682 AND RCW 35A.21.314 PROHIBIT CITIES FROM LIMITING NUMBER OF UNRELATED PERSONS IN A HOUSING UNIT.

3. There shall be one off-street parking space provided for per accessory dwelling units, except that no off-street parking shall be required for accessory dwelling units that are located within one-half mile of the Sumner transit station ~~if the applicant demonstrates that on-street parking is available.~~
4. Accessory dwelling units may be located as an attached unit in the same building as the primary dwelling unit or in a detached accessory building, ~~except that, in the LDR 4,000 zone, accessory dwelling units shall be located only in the same building as the primary dwelling unit;~~
5. ~~General appearance and layout regulations for accessory dwelling units are as follows: Accessory dwelling units constructed concurrently with a subdivision shall be subject to subdivision Design Review pursuant to SMC 18.40.020.~~
 - a. ~~Detached accessory dwelling units for which any portion of the structure is located closer to the front of the lot than the rear of the primary dwelling unit shall be consistent with the exterior architectural style of the primary dwelling unit, including style of siding and windows;~~
 - b. ~~The entrance for an attached accessory dwelling unit shall be located either on the rear or the side of the primary dwelling unit;~~

NOTE: STATE HB 1337 DOESN'T ALLOW DESIGN REVIEW STANDARDS THAT ARE MORE RESTRICTIVE THAN THE PRINCIPAL UNIT.

- *SUMNER CURRENTLY HAS DESIGN GUIDELINES THAT APPLY SPECIFICALLY TO ADUs, SUCH AS DOOR PLACEMENT AND QUALITY MATERIALS. HB 1337 DOESN'T ALLOW THIS.*
- *A NEW "INFILL" SINGLE FAMILY HOME IN SUMNER MUST MEET A FEW SIMPLE DESIGN GUIDELINES RELATED TO ARCHITECTURALLY COMPATIBLE SIDING AND PROHIBITING MATERIALS LIKE CORRUGATED SIDING. A NEW ADU CONSTRUCTED AT THE SAME TIME COULD BE SUBJECT TO THE SAME GUIDELINES.*
- *SINGLE FAMILY SUBDIVISIONS OF 10 OR MORE LOTS REQUIRE DESIGN COMMISSION REVIEW. SINGLE FAMILY SUBDIVISIONS OF 9 OR FEWER UNITS REQUIRE ADMINISTRATIVE DESIGN REVIEW. ADUs CONSTRUCTED AS PART OF A NEW SUBDIVISION COULD BE SUBJECT TO THE SAME DESIGN GUIDELINES.*
- *IN A FUTURE CODE UPDATE, STAFF WILL REVIEW SMC 18.40 TO UPDATE ADU DESIGN REVIEW TO COMPLY WITH STATE REQUIREMENTS.*

6. Height. Detached accessory dwelling units shall have a maximum building height of 24 48 feet, unless the principal dwelling unit is less than 24 feet in height, in which case the height of the ADU shall not exceed the height of the principal dwelling unit. ~~In no case shall the second story contain exterior walls exceeding five feet in height on more than 50 percent of the perimeter of the second story. Attached accessory dwelling units may match the height of the primary dwelling unit, except that attached units located closer than 30 feet to the rear property line shall have a maximum building height of 18 feet;~~

NOTE: BUILDING/WALL HEIGHT RESTRICTION CANNOT BE MORE RESTRICTIVE THAN FOR THE PRIMARY UNIT.

7. Setbacks, Detached Units. Minimum yard setbacks for detached accessory dwelling units are as follows:

NOTE: SETBACKS BELOW ARE REVISED SINCE THEY CANNOT BE MORE RESTRICTIVE THAN FOR THE PRIMARY UNIT; ALSO STATE LAW SPECIFICALLY REQUIRES CITIES TO ALLOW ADUs TO ABUT AN ALLEY LOT LINE.

a. Front yard setback: equal to or greater than existing front setback of the primary dwelling unit;

b. ~~Rear yard setback:~~ All other setbacks: minimum of 15 feet, same as required for the primary dwelling unit, except when:

i. The rear property line is abutting an alley, in which case the ADU may be located at the lot line the setback shall be that required for garage ingress and egress per SMC 18.12.080(E); or,

ii. The ADU is a maximum of 18 feet in height, in which case it may be located 15 feet from the rear property line, and 7.5 feet from interior side yard lot lines.

NOTE: STATE LAW LIKELY ALLOWS A "VOLUNTARY" HEIGHT RESTRICTION IN EXCHANGE FOR LESSER RESTRICTIONS THAN THE PRIMARY DWELLING. IF SUMNER ALLOWS ADUs CLOSER THAN THE 30-FOOT REAR SETBACK FOR THE MAIN HOUSE, WE COULD REQUIRE A MAXIMUM HEIGHT OF 18 FEET (MATCHES CURRENT CODE).

~~c. Interior side yard: minimum of five feet, except as follows:~~

~~i. If the interior side property line is abutting an alley with vehicular access to a garage, then the setback is per SMC 18.12.080(E);~~

~~ii. If the interior side property line is the rear property line of an adjacent lot, the side yard shall be a minimum of 15 feet;~~

NOTE: THIS IS MORE RESTRICTIVE THAN THE PRIMARY DWELLING UNIT.

~~d. Street side yard: same as required for the primary dwelling unit;~~

8. Setbacks, Attached Units. Minimum yard setbacks for attached accessory dwelling units shall be the same as the setback requirements for the primary dwelling unit; except that the rear yard setback is a minimum of 15 feet if the attached accessory dwelling unit is 18 feet or less in height;

9. Windows.

NOTE: NEW STATE LAW (HB 1337) REQUIRES CITIES TO MINIMIZE THE USE OF DESIGN STANDARDS ON ADUs, WHICH CAN MAKE ADUs MORE TIME-CONSUMING AND COSTLY TO CREATE. HOWEVER, IT APPEARS CITIES CAN HAVE SOME REGULATIONS THAT ADDRESS PRIVACY.

a. Windows in living, dining, and great room areas located above the first floor shall face interior to the site.

b. If the ADU is closer than 10 feet to a side setback or closer to the rear setback than the rear setback for the primary residence (except at an alley), window area on the ground floor is limited to 30 percent of the area of the facade;

10. The accessory dwelling unit shall meet all technical code standards including building, electrical, fire, plumbing and other applicable code requirements;

11. The accessory dwelling unit may be subdivided from the original parcel; provided, that the minimum lot size, all yard requirements as well as other applicable dimensional standards for a single-family dwelling, such as lot coverage and building height, of this title are met; and provided, that the subdivision is assessed the difference between the ADU fees already paid and the full permit fees for a single-family home in effect at the time of subdivision;
12. Accessory dwelling units that are subdivided from the original parcel shall meet the off-street parking standards for a single-family dwelling in SMC 18.12.060 for the applicable zone;

13. **Conversion of existing accessory structure to ADU.** Existing accessory structures may be converted into an accessory dwelling unit, subject to the following provisions:

- ~~a. An accessory structure can be converted to an accessory dwelling unit so long as the building height, setbacks, and other provisions of this subsection (A) are met, unless otherwise provided in this section;~~
- ~~b. Setbacks. No conversion of an accessory structure to an accessory dwelling unit shall encroach further into the setbacks established in this subsection (A) for accessory dwelling units; except for preexisting structures as provided in subsection (A)(16)(c) of this section;~~
- a. The converted structure does not encroach further than the existing accessory structure into the setbacks established in section 10;
- b. The converted structure does not further violate lot coverage requirements;
- c. The converted structure meets all other development standards as required in 18.12.030(A).
- d. The original structure to be converted was legally constructed prior to the adoption of this code.

NOTE: NEW STATE LAW GREATLY RESTRICTS CITIES FROM APPLYING STANDARDS TO CONVERSIONS OF EXISTING ACCESSORY STRUCTURES (E.G. GARAGE) TO AN ADU—EVEN IF THEY DON'T MEET CURRENT SETBACKS OR LOT COVERAGE REQUIREMENTS. THE CODE UPDATES ABOVE ADDRESS STATE REQUIREMENTS WHILE ENCOURAGING CONVERSIONS IF THEY MEET ADDITIONAL STANDARDS.

- ~~c. Where the structure to be converted was constructed prior to 2012, the converted unit may have a minimum rear yard of three feet, and a minimum interior side yard of three feet, if located in the rear 33 percent of the lot, or in back of the front 75 feet of the lot; except as follows:~~
 - ~~i.—An accessory structure with vehicular access from an alley shall have a rear setback and interior side setback established by SMC 18.12.080(E); unless the interior side property line is the rear property line of an adjacent lot, in which case the setback shall be a minimum of 10 feet at the abutting rear yard;~~
 - ~~ii.—The converted unit shall be no taller than one story and 16 feet; and~~
- e. The structure to be converted shall be of sound condition and meet current fire, building and safety regulations, as determined by the building official;

- f. Parking. If off-street parking spaces for the primary dwelling unit are removed as part of converting an existing accessory structure to an accessory dwelling unit, the applicant shall demonstrate on a site plan how the provisions in subsection (A)(6) of this section and the parking requirements in SMC 18.12.070(~~H~~K) are being met;

NOTE: THIS REFERENCES THE PARKING REQUIREMENTS FOR THE MAIN DWELLING.

- g. Conversion of a nonconforming structure to an accessory dwelling unit shall not result in an increase in the nonconformity; and

h. An accessory structure conversion may be expanded beyond its existing footprint and setbacks up to a maximum of 1,000 square feet in area, provided:

i. the finished structure shall comply with the maximum building height in 18.12.030(A)(9);

ii. the expanded portion of the structure shall meet the setbacks established in 18.12.030(A)(10).

18.12.040 Conditional Uses

AFFORDABLE HOUSING, AFFORDABLE SENIOR HOUSING---SEE LAST PAGE

Chapter 18.14, Medium and High Density Residential Districts

18.14.020 Principal Permitted Uses

The following uses are permitted in all MDR and HDR districts unless otherwise specified:

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- H. One new single-family dwelling on each building site in the MDR zone only, subject to maximum lot size in 18.14.070. Single-family dwellings legally constructed prior to the adoption of this code are permitted in the MDR and HDR zones.

...

- L. One manufactured homes per lot in the MDR zone only, subject to the standards of SMC 18.14.080(N), except when placed in a manufactured home park, pursuant to SMC 18.14.040(K).

NOTE: THIS IMPLEMENTS THE PROPOSED POLICY TO MAINTAIN HIGH DENSITY ZONES FOR HIGH DENSITY HOUSING, NOT FOR SINGLE FAMILY HOMES.

...

- N. Apartments up to three stories in the medium-density and high-density residential zone south of East Main and 60th Street East, except for senior housing subject to SMC 18.14.040

NOTE: CURRENT CODE ALLOWS APARTMENTS ONLY IN TOWN CENTER PLAN AND EAST SUMNER NEIGHBORHOOD PLAN BOUNDARIES. NEW CODE WOULD ALLOW APARTMENTS IN BOTH MDR AND HDR ZONES. ALTHOUGH THESE ARE MULTIFAMILY ZONES, SUMNER YEARS AGO REMOVED APARTMENTS FROM ALLOWED USES.

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O. Triplexes and fourplexes

P. Community Gardens.

18.14.030 Accessory buildings and uses

ADUs allowed subject to 18.23.030.

NOTE: Since the MDR and HDR zones allow for single-family development, ADUs must also be allowed per HB1337.

18.14.040 Conditional Uses

~~B. Dwellings constructed for and occupied by households with at least one member being physically handicapped may exceed allowable dwelling unit densities by 50 percent of that permitted by the respective zone. A title notice indicating occupancy by the physically handicapped is required;~~

...

NOTE: THIS PROVISION NO LONGER NEEDED, SINCE NEW CODE WILL ALLOW EITHER 2 DWELLINGS PER LOT OR 2 ADUs PER LOT ALONG WITH THE PRINCIPAL UNIT.

S. Multifamily senior housing, including senior apartments, retirement homes and continuing care communities exceeding the maximum density for the zone may be allowed only through a planned residential development, pursuant to chapter 18.24 SMC;

T. Affordable multifamily housing on properties owned by a religious organization exceeding the maximum density for the zone may be allowed only through a planned residential development, pursuant to chapter 18.24 SMC.

18.14.70 Property Development Standards for MDR/HDR

C. **Maximum density.**

- OPTION A: maximum density would change in MDR from 15 to 22.
- OPTION B: maximum density would change in MDR from 15 to 17.

NOTE: CITIES ARE NOT SPECIFICALLY REQUIRED TO UPDATE DENSITY IN THESE ZONES. HOWEVER, ALLOWING HIGHER DENSITY IS NECESSARY TO MEET THE STATE-REQUIRED TARGETS FOR HOUSING CAPACITY AND AFFORDABILITY.

18.14.080 Performance Standards for MDR/HDR

N. Manufactured homes shall meet all of the following conditions:

- ~~1. Manufactured homes shall be new;~~

2. Manufactured homes shall be set upon a permanent foundation and the space from the bottom of the home to the ground shall be enclosed by ~~concrete or an approved concrete~~ a product which can be either load-bearing or decorative;
3. Manufactured homes shall be thermally equivalent to the State Energy Code;
4. Manufactured homes shall have exterior siding similar in appearance to siding materials commonly used on site built single-family homes;
5. The roofs of manufactured homes shall be constructed with a shake or shingle, coated metal, or similar material ~~with a nominal roof pitch of 3:12~~; and
6. Manufactured homes shall be comprised of at least two fully enclosed parallel sections each of not less than 12 feet wide by 36 feet long.

NOTE: A "MANUFACTURED HOME" (MFH) IS FACTORY BUILT TO FEDERAL H.U.D. STANDARDS WHICH ADDRESS BUILDING CODES, ENERGY CODES, ETC., AND HAS AN APPEARANCE SIMILAR TO A SINGLE FAMILY HOME BUILT ON SITE. A "MOBILE HOME" IS A FACTORY BUILT DWELLING BUILT PRIOR TO JUNE 15, 1976. NO MOBILE HOMES HAVE BEEN BUILT SINCE INTRODUCTION OF THE HUD MANUFACTURED HOME CONSTRUCTION AND SAFETY STANDARDS ACT. THE REQUIREMENT THAT A MFH BE NEW EXCLUDES MANY HOMEOWNERS FROM SINGLE FAMILY NEIGHBORHOODS.

Chapter 18.29, Town Center Code (TCC) and Chapter 18.30, East Sumner Urban Village Overlay District (ESUV)

L. Apartments and multifamily residential

1. Multifamily dwellings; rooming houses and boarding houses; senior apartments, retirement homes, and continuing care communities; assisted living facilities, board and care homes, hospices, or nursing homes.

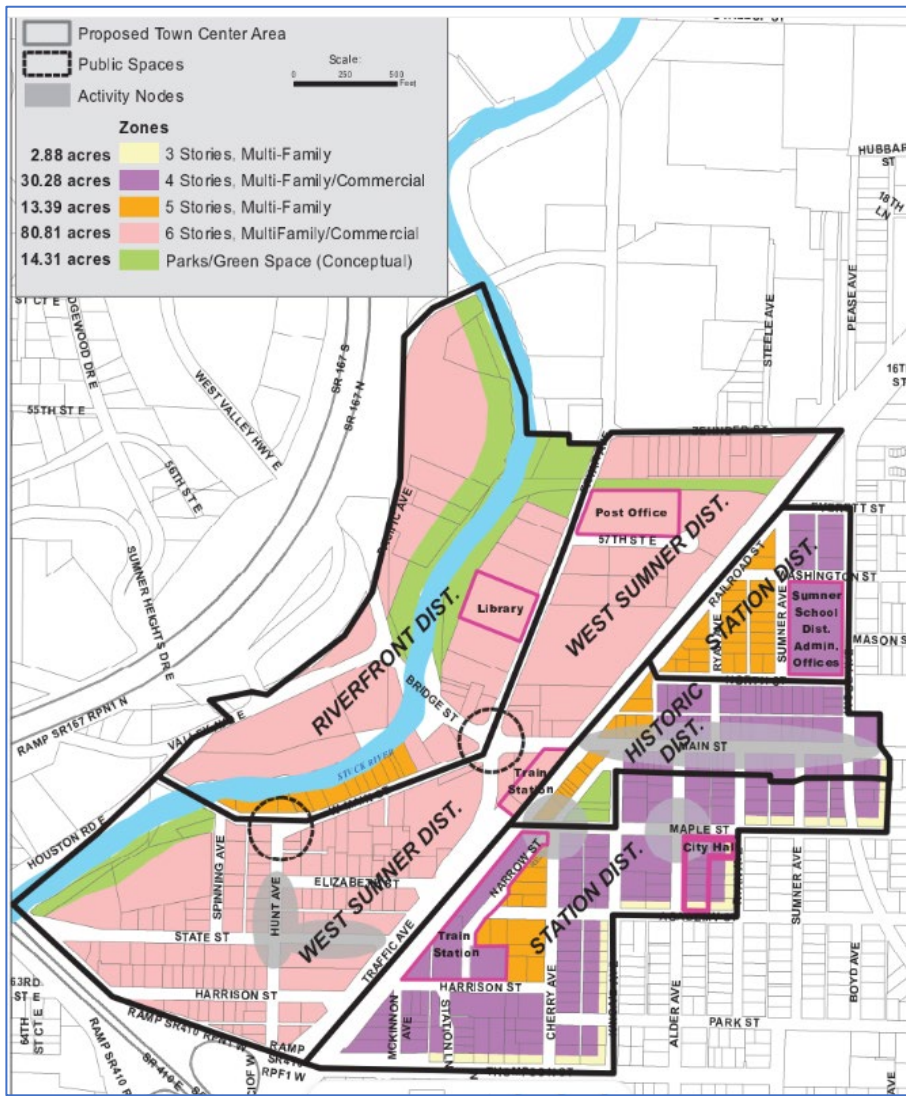
2. Affordable multifamily dwellings

- OPTION A: affordable housing development (less than 80% AMI) is incentivized in the existing Town Center Multifamily Tax Exemption (MFTE) area by limiting MFTE eligibility to affordable developments.
- OPTION B: 20% of units in new developments in the TC-5 and TC-6 zones and East Sumner will be mandatory affordable to less than 80% AMI

NOTE: TC-5 AND TC-6 DENOTE THE BUILDING HEIGHT ALLOWED; THESE ZONES PRIMARILY LOCATED AROUND THE TRANSIT STATION AND WEST OF TRAFFIC AVENUE. THE ASSUMPTION IS THAT MORE DENSE DEVELOPMENTS ARE MORE LIKELY TO SUPPORT SOME AFFORDABLE UNITS.

NOTE: THESE CODE UPDATES ARE INTENDED TO INCREASE SUMNER'S CAPACITY FOR AFFORDABLE HOUSING, WHILE CONCENTRATING MOST OF THE DENSITY INCREASE IN THE 2 SUBAREAS WITH THE GREATEST POTENTIAL FOR DWELLING UNITS. NOTE THAT "AFFORDABLE" IN THE COMPREHENSIVE PLAN MEANS AFFORDABLE TO HOUSEHOLDS MAKING LESS THAN 80% OF THE AVERAGE MEDIAN INCOME IN PIERCE COUNTY. THE CITY'S CURRENT MFTE PROGRAM IN TOWN CENTER HAS OPTIONS FOR MARKET RATE AND AFFORDABLE DEVELOPMENTS.

SEE TOWN CENTER MAP BELOW.



SMC 18.16.020, 18.30.030 - Permit Community Gardens in NC/GC/IC and ESUV

Chapters 18.12, 18.14, 18.16, 18.30 - Conditionally Allow Affordable Apartments

Low Density Residential, Medium Density and High Density Residential, Neighborhood Commercial, and General Commercial:

1. Senior housing may be allowed only through a planned residential development, pursuant to chapter 18.24 SMC...
2. [Apartment housing with 100% affordable units on properties owned by religious organizations may be allowed only through a planned residential development, pursuant to chapter 18.24 SMC.](#)

NOTE: SENIOR HOUSING (APARTMENTS) IS CURRENTLY ALLOWED IN MOST ZONES BUT ONLY IF 20% OF THE UNITS ARE AFFORDABLE. NEW CODE WILL EXPAND THAT TO ALLOW RELIGIOUS

INSTITUTIONS TO CREATE AFFORDABLE HOUSING (NOT JUST FOR SENIORS) ON THEIR PROPERTIES. THIS IS REQUIRED UNDER STATE LAW.

Chapter 18.24 Planned Residential Development

Update the uses and property development standards for PRDs to allow for affordable apartment housing on properties owned by religious organizations, with the same height, density, and other standards as for senior housing.

NOTE: THE PRD STANDARDS AND PROCESS ALLOW INCREASED DENSITY AND BUILDING HEIGHT FOR THESE AFFORDABLE HOUSING DEVELOPMENTS AND REQUIRE A PUBLIC HEARING WITH THE HEARINGS EXAMINER.

Displacement Provisions (all zones)

To be consistent with State requirements, the City should consider incorporating into the code a combination of strategies for anti-displacement.

- OPTION A: The City adopts an ordinance for tenant relocation assistance, in which developers must pay an amount to displaced low-income renters.
- OPTION B: The City adopts a manufactured home park zoning designation and applies it to manufactured home parks at risk of displacement.
- OPTION C: The City adopts just cause eviction protections, in which landlords must give written notice stating the specific “just cause” and supporting facts for the eviction.
- OPTION D: The City adopts a notice of intent to sell ordinance, in which landlords must post a notice to give tenants time to prepare and to consider tenant purchase of the building.
- OPTION E: The City connects residents with information on County and State tenant protections and programs, for example, through resources linked on the City website and targeted outreach through community organizations.

Impact Fees (Chapter 3.5, 12.36, 12.38)

Proposed updates to various chapters to provide additional incentives for affordable units.

- OPTION A: ADUs would be made exempt from impact fees.

NOTE: PER STATE BILL HB 1337, FEES FOR ADUs CANNOT BE MORE THAN 50% OF THE CHARGE FOR THE PRINCIPAL UNIT. CURRENTLY, SOME FEES CHARGED BY THE CITY ARE 75%-80% OF THE FEES FOR THE PRINCIPAL UNIT; THEREFORE, ADU FEES WILL NEED TO BE UPDATED.

- OPTION B: Religious organizations building affordable housing units would be made exempt from impact fees.

NOTE: THE COMMISSION MAY ALSO CONSIDER WAIVING THESE FEES FOR SENIOR AFFORDABLE HOUSING, AND/OR WAIVING OTHER TYPES OF FEES FOR CERTAIN HOUSING TYPES, SUCH AS SEWER/STORM/WATER CONNECTION FEES.

Performance Standards for permanent supportive housing and transitional housing

Allowed in LDR, MDR/HDR, Commercial zones and Industrial zones. Update existing regulations to comply with State guidelines:

- Update occupancy limits (currently varies from 10 units per parcel to 25 du/acre) to occupancy based on the fire code.
- Update spacing (currently half-mile between facilities) to 880 feet per State.

Performance Standards for Emergency Shelters and Emergency Housing

Allowed in Commercial zones and Industrial zones only. Update existing regulations to comply with State guidelines:

- Update occupancy limits (currently 20 occupants) to occupancy based on the fire code.
- Update spacing (currently half-mile between facilities) to 880 feet per State.

NOTE: CURRENT CODE IS NOT CONSISTENT WITH STATE GUIDELINES AND LAWS THAT STATE THAT CITIES CANNOT LIMIT THE NUMBER OF UNRELATED PERSONS IN A DWELLING. INSTEAD, SOME CITIES BASE OCCUPANCY ON BUILDING/FIRE CODE REQUIREMENTS.

NOTE: PER STATE GUIDELINES, CITIES SHOULD BE CAREFUL OF ARBITRARY SPACING REQUIREMENTS THAT MAY NOT ACTUALLY REDUCE NEIGHBORHOOD IMPACTS. INSTEAD, CODES COULD INCLUDE LOCATION CRITERIA SUCH AS LOCATING NEAR TRANSIT OR SERVICES. SPACING REQUIREMENTS IN STATE LAW CREATE A "COMMUNITY PROTECTION ZONE" OF 880 FEET FROM INCOMPATIBLE USES.

18.40.020(2) Design Review ADUs.

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B. Administrative Review. The following types of projects shall require design review according to the procedures for Type III.b decisions, chapter 18.56 SMC, Procedures for Land Use Permits:

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2. Accessory units in residential zones:

NOTE: HB1337 does not allow more restrictive design review for ADUs than for the principal unit. Only ADUs as part of a subdivision would be subject to design review, like the principal units.