



CITY OF SEATAC

PLANNING COMMISSION MEETING

Riverton Room, SeaTac City Hall, 4800 S. 188th Street
November 5, 2013, 5:30 p.m.

MEETING AGENDA

- 1) Call to Order/Roll Call – 5:30 p.m.
- 2) Recognition of Commissioner Dantzler for 20 years of service
- 3) Approve Minutes of October 15, 2013 Planning Commission Meeting (Exhibit A)
- 4) Old Business -

Continued discussion of potential code amendments regarding SEPA Categorical Exemption thresholds and public notice procedures. (Exhibit B)

Presenter: Steve Pilcher, Planning Manager

- 5) New Business –

Discussion of other potential code amendments regarding economic stimulus signs (SMC15.16.080.F) and “micro-apartments.” (Exhibit C)

- 6) Detailed Commission Liaisons’ Reports
- 7) Community & Economic Development Director’s Report
- 8) Planning Commission Comments (including suggestions for next meeting agenda)
- 9) Adjournment

CITY OF SEATAC
PLANNING COMMISSION
Minutes of October 15, 2013
Regular Meeting

Members Present: Daryl Tapio, Roxie Chapin, Jim Adamack, Jim Todd

Members Absent: Tom Dantzler (excused)

Staff present: Steve Pilcher, Planning Manager; Mike Scarey, Senior Planner; Al Torrico, Senior Planner

1. Call to Order

Chairman Tapio called the meeting to order at 6:09 p.m.

2. Approve minutes of October 1, 2013 Meeting

Moved and seconded to approve the minutes as presented. Approved 4-0.

3. Public Hearing on 2013 Comprehensive Plan Amendments

Senior Planner Mike Scarey reviewed the amendment process, noting there had been opportunities for public input into the process of establishing both the preliminary and final docket. An open house to review the proposed amendments had occurred prior to this evening's public hearing. Once the Commission has completed the public hearing and made its recommendations, the amendments will proceed forward to the City Council for final action.

Mr. Scarey then reviewed the proposed map and text amendments under consideration. He noted that staff was not recommending adoption of Map Amendment A-1 since conditions in the area have not changed since last year, when staff also did not support the proposal. Map Amendment A-2 has been withdrawn. The remaining map and text amendments are "housekeeping" in nature and staff recommends approval of those proposals.

Chairman Tapio opened the hearing to public testimony at 6:19 p.m.

Margie Rose, 3049 S. 148th St., SeaTac, spoke in opposition to Map Amendment A-1, which she had spoken against during the 2012 amendment process. She stated it is important to protect this primarily single family residential area.

Donna Shea, 9632 241st. Pl. SW, Edmonds, WA 98020, stated she is the owner of property that was identified as Map Amendment A-2. She voiced concerns regarding stormwater issues in the area and also of the future use of the property under consideration.

Chairman Tapio closed the hearing to further public testimony at 6:22 p.m.

In response to a question from the Commission regarding zoning and potential use of the property in Map Amendment A-2 for a religious institution, Mr. Scarey responded that use would be allowed in both the current and proposed land use designation/zoning classification of the site. He indicated that the new property owner (Islamic Center of Seattle) has not indicated an intention to construct multifamily housing.

After Commission discussion, it was moved and seconded to adopt all the recommendations in the staff report and forward that recommendation to City Council. Approved 4-0.

4. Potential Code amendments re: SEPA Categorical Exemptions thresholds and public notice

Planning Manager Steve Pilcher noted that staff had presented the Commission with the potential of raising the City's established SEPA exemptions thresholds. The State guidelines allow higher exempt levels and the four surrounding jurisdictions also all have higher thresholds.

Senior Planner Al Torrico reported on the results of reviewing the past three years of SEPA determinations. Of a total of 45 actions, approximately only 1% would have been exempted under the higher thresholds. It therefore appears that raising the thresholds would be more symbolic in nature as opposed to making a significant impact.

Commission members expressed interest in raising the thresholds as indicative of a more business-friendly city government. It was also felt that higher thresholds could benefit some projects that might occur in the vicinity of the new light rail station. Staff was asked to return with a definitive proposal.

Mr. Pilcher passed out a copy of appendices to Title 16A, Development Code, which deals with required notifications and notification districts. He highlighted some actions that aren't required by state law and also the relatively large notification districts required for various land use actions. In general, staff is recommending reducing the notification district size to 300 feet for administrative actions and 500 feet for those requiring public hearings. He noted that staff has discussed posting these notices to the City's web page as an alternative to mailing notices to larger districts.

After discussion, the Commission felt it was best to retain a 1,000 ft. notification district for Essential Public Facilities; all the other changes appeared to be acceptable.

5. CED Director's Report

CED Director Scorcio had another engagement this evening and therefore not able to attend.

6. Planning Commission Comments

None.

7. Adjournment

Moved and seconded to adjourn the meeting at 6:58 p.m. Passed 4-0.





MEMORANDUM

COMMUNITY & ECONOMIC DEVELOPMENT

Date: October 31, 2013
To: Planning Commission
From: Steve Pilcher, Planning Manager
Subject: SEPA & Public Notification Code amendments

These two issues have been discussed as part of previous Commission meetings. Staff wishes to get final direction from the Commission before proceeding to public hearing.

1. SEPA Categorical Exemptions

The State Environmental Policy Act was adopted in the early 1970s, before the advent of Shorelines Management, the Growth Management Act, Critical Area regulations, impact fees, etc. The SEPA Rules (found in the Washington Administrative Code at 197-11), which fall under the jurisdiction of the State Department of Ecology, have seen some changes over the years, with more changes under currently under discussion with a variety of stakeholders.

Some of the changes that have occurred are in the area of “categorical exemptions,” which define governmental actions that are, except in certain instances, exempt from the SEPA process. For land use and building permit actions, being exempted can save a considerable amount of time for both staff and applicants, as the SEPA process typically takes from 60-90 days to complete. It also provides the opportunity for any individual to file an appeal of a SEPA determination to the Hearing Examiner, which can result in time delays.

The SEPA Rules allow a local government to adopt higher thresholds for exemptions. Information regarding neighboring jurisdictions’ exempt levels has previously been provided to the Commission (see attached). Staff is recommending that rather than increase to the maximum threshold levels allowed, that the City take an incremental step to be consistent with those jurisdictions.

In order to increase the threshold exemptions, we must identify those existing regulations that address the various elements of the environment. A table addressing outlining those regulations is attached.

An additional step required by the SEPA Guidelines is to provide a 21-day comment period to “affected tribes, agencies with expertise, affected jurisdictions, the department of ecology, and the public” to provide an opportunity to comment. Of course, there will also be an opportunity to testify before the Planning Commission at the public hearing that is required for any proposed code amendment.

Staff is recommending holding a public hearing on this and other minor code amendments at your first meeting in December (December 3rd).

2. Public Notice Procedures

Staff is recommending reducing the size of the notification district for administrative land use approvals from 500 to 300 feet. For actions requiring a public hearing, the recommendation is to reduce from 1,000 to 500 feet, except for Conditional Use Permits for Essential Public Facilities (which have a higher potential of being more controversial).

In conjunction with these reductions, staff recommends instituting more robust use of the City's website for posting various land use actions and also emphasizing the ability of interested parties to receive electronic notifications.

Finally, it is also recommended that the code be amended to not require a Determination of Completeness for Type I ministerial permits and to also redefine a Shoreline Exemption as a Type I action.

Attached are the areas within code proposed for amendment. Staff is recommending this matter proceed to public hearing on December 3rd in conjunction with the SEPA action and the previously discussed minor amendment concerning Accessory Dwelling Unit reporting.

	Maximum allowed by State (WAC 197-11-800)	SeaTac	Burien	Tukwila	Des Moines	Kent
Single family residential	30 units	4 units	20 units	9 units	15 units	12 units
Multifamily residential	60 units	4 units	20 units	9 units	15 units	12 units
Barn, loafing shed, farm equipment storage, produce storage or packing structure	40,000 sq. ft.	10,000 sq. ft.	10,000 sq. ft.	10,000 sq. ft.	10,000 sq. ft.	30,000 sq. ft.
Office, school, commercial, recreational, service, storage building	30,000 sq. ft.	4,000 sq. ft.	12,000 sq. ft.	12,000 sq. ft.	10,000 sq. ft.	12,000 sq. ft.
Parking lots	90 parking spaces	40 parking spaces	40 parking spaces	40 parking spaces	35 parking spaces	40 parking spaces
Landfill or excavation	1,000 cubic yards	500 cubic yards	500 cubic yards	500 cubic yards	300 cubic yards	500 cubic yards

**CITY OF SEATAC
 ENVIRONMENTAL ELEMENTS & REGULATIONS MATRIX**

Summary of environmental protections in codes/rules (Substantive Authority)

SEPA Authority by Element of the Environment (WAC 197-11-444)	How Addressed by other Codes/Rules
Earth	<p>SMC 13.190 Grading Code; SMC 12.10 Surface and Stormwater Management; SMC 15.30 Environmentally Sensitive Areas (geologic hazard areas); various development standards in SMC Title 15 (Zoning Code) restrict impervious surfaces; address tree retention and establish landscaping standards.</p> <p>SMC 12.10 adopts the King County Surface Water Design Manual by reference, together with the City of SeaTac Addendum. The manual includes Best Management Practices (BMPs) and guidelines for soil amendments and erosion & sedimentation control.</p>
Air Quality	<p>Three agencies have air quality jurisdiction in the City: the United States Environmental Protection Agency (EPA); the Washington State Department of Ecology (DOE) and the Puget Sound Clean Air Agency (PSCAA). All development is subject to the applicable regulations of these agencies.</p> <p>DOE air quality regulations are found in WAC Chapter 173-400.</p> <p>Construction and demolition activity must comply with PSCAA regulations requiring reasonable precautions to minimize dust emissions (Regulation 1, Section 9.15) A PSCAA permit is required for asbestos removal and includes survey and mitigation measures such as use of toxic air control technologies.</p> <p>Stationary equipment used for construction activities must comply with PSCAA regulations requiring best available measures to control the emissions of odor-bearing air contaminants (Regulation 1, Section 9.11).</p> <p>Commercial facilities using stationary equipment that emits air pollutants (e.g., fumes from gas stations, ventilation exhaust from restaurants, emissions from dry cleaners) are required to register their pollutant-emitting equipment with PSCAA (Regulations I and II). PSCAA requires all commercial and industrial facilities to use the Best Available Control Technology (BACT) to minimize emissions. The agency may require applicants for</p>

	<p>high emissions facilities to conduct an air quality assessment to demonstrate that the proposed emissions would not expose offsite areas to odors or air quality concentrations exceeding regulatory limits.</p>
<p>Water: Surface, runoff, groundwater</p>	<p>SMC 12.10 adopts the King County Surface Water Design Manual by reference, together with the City of SeaTac Addendum to the KCSWDM. The manual includes Best Management Practices (BMPs).</p> <p>SMC 15.30 Environmentally Sensitive Areas includes regulations that provide for mitigation of impacts to landslide hazard areas, erosion hazard areas, steep slopes, wetlands, streams, flood prone areas, fish and wildlife habitat areas and critical aquifer recharge areas.</p> <p>SMC Title 18 (Shorelines Management Code) contains regulations for preservation and enhancement of shorelines, consistent with DOE rules regarding no net loss.</p> <p>State Hydraulic Project Approvals provide for protection of freshwater resources.</p> <p>WAC 173-201A, Water Quality Standards for Surface Waters of the State of Washington.</p> <p>WAC 173-200, Water Quality Standards for Ground Waters of the State of Washington.</p>
<p>Plants and Animals</p>	<p>SMC 15.30 Environmentally Sensitive Areas regulations provide protections for fish and wildlife habitat.</p> <p>SMC 15.14 requires the retention of significant trees in new development.</p>
<p>Energy and Natural Resources</p>	<p>The Washington State Energy Code (WAC 51-11) is adopted by reference in SMC 13.220. This code mandates high levels of energy efficiency.</p> <p>Environmentally Sensitive Areas regulations (SMC 15.30) includes provisions for the protection of streams, wetlands and wildlife habitat areas.</p>
<p>Environmental Health</p>	<p>Federal, state and regional regulations, as well as locally adopted Fire and Building Codes, are the primary means of mitigating risks associated with hazardous and toxic materials.</p> <p>WAC 365-230 addresses lead based paint abatement.</p>

<p>Noise</p>	<p>SMC 8.05.360 provides for day/night noise limits for both construction activities and on-going activities.</p> <p>SMC 13.240 Sound Transmission Code, establishes minimum requirements regarding the design and construction of buildings in the vicinity of Seattle-Tacoma International Airport.</p> <p>SMC 15.18.020 establishes general noise standards and references the applicable provisions of the Washington State Administrative Code.</p>
<p>Land and Shoreline Use</p>	<p>SMC Titles 14 (Subdivision), 15 (Zoning, including Environmentally Sensitive Areas), 17 (Crime Prevention Through Environmental Design (CPTED)) & 18 (Shorelines Management) all address the scale of development, protection of environmental features, compatibility of uses and project design.</p>
<p>Housing</p>	<p>Zoning and development standards provide for a broad range of housing types in the City and zone for a variety of densities.</p>
<p>Aesthetics</p>	<p>SMC Title 15 includes a variety of general design standards, plus more specific criteria for certain uses (i.e., townhouses and multifamily housing) or geographic areas (i.e., City Center; 154th St. Station Area; Interim Angle Lake Station Area).</p>
<p>Light and Glare</p>	<p>SMC Title 17 (CPTED) regulations address lighting of various uses and activities. Luminaires are required to be cut-off or shielded to prevent off-site illumination/glare.</p>
<p>Recreation</p>	<p>SMC Title 18 Shoreline Management Code addresses public access to the shoreline.</p> <p>SMC Title 15 establishes standards for common open space/on-site recreational facilities for multifamily development.</p> <p>The City's Parks, Recreation and Open Space Plan (an element of the Comprehensive Plan) includes policies concerning provision of public parks and recreation facilities.</p>
<p>Historic and Cultural Preservation</p>	<p>Federal and state regulations address the protection of cultural/archaeological resources (RCW 27.34, 27.54 & 27.44; WAC 25.48).</p>
<p>Transportation</p>	<p>SMC 11.15 provides for the collection of traffic impact fees for new development.</p>

	<p>SMC 11.05 adopts the King County Road Construction Standards by reference.</p> <p>SMC 11.30 establishes Commute Trip Reduction standards for affected employers, requiring establishment of CTR programs to reduce vehicles miles traveled and single-occupancy trips.</p>
Public Services/Facilities and Utilities	<p>Fire codes mitigate the impacts of the built environment on emergency service (SMC 13.150.)</p> <p>SMC 12.10.222 establishes a Surface Water Utility and surface water management program. SMC 12.12 addresses illicit discharges to surface and storm water systems.</p>

16A.09.030 Distribution

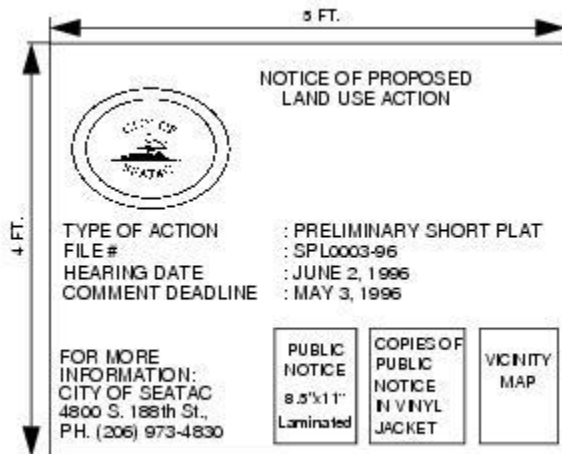
The notice of development application shall be distributed as follows:

A. The NOA shall be posted on the subject property. The notice on the property shall be posted on a “notice board” at a conspicuous place. It must be visible from the public right-of-way and to persons passing by the property. Such “notice board” may be located adjacent to the property upon approval of the City Manager or his designee.

1. The City Manager or his designee may require additional notice boards when a site does not abut a public right-of-way or as determined to be necessary.
2. The posting shall be on-site for at least thirty (30) days.
3. The “notice board” shall have the minimum following dimensions: The notice board shall be four (4) feet by five (5) feet and shall have a sky blue background with white lettering.

4. Lettering size shall be the following:
 - a. Helvetica or similar standard type face;
 - b. Three (3) inch capital letters for the following title:

NOTICE OF PROPOSED LAND USE ACTION



- c. Two (2) inch capital letters for all other letters except for the eight and one-half (8.5) by eleven (11) inch laminated City notice sheet provided by the City.
 5. The property owner or his/her representative shall be responsible for the installation of the "notice board." An affidavit shall be submitted to the City by the property owner or his/her representative stating when the "notice board" has been installed and the location of the "notice board."
 6. Failure to post a site in accordance with these provisions for the required time frame may require extending the comment period and/or the re-initiation of the notice process.
- B. The NOA shall be posted in three (3) public places where ordinances are posted.
- C. The NOA shall be published once in a newspaper of general circulation.
- D. The NOA shall be mailed via first class mail to adjacent property owners within ~~three hundred (300),~~ five hundred (500) or one thousand (1,000) feet of the exterior property line, based on the standards set forth below and in Appendix B.
1. For the following actions, adjacent property owners within ~~five-three~~ hundred (~~500~~300) feet shall be notified:

a. All actions normally exempt from SEPA review, but which require SEPA review due to ~~“sensitive areas” on-site (i.e., construction of a single-family house);~~occurring on lands partially or wholly covered by water;

~~b. All actions within “shoreline” jurisdiction that normally are exempt from SEPA review, but require SEPA review due to being subject to shoreline regulations (i.e., construction of a single-family house);~~

~~eb.~~ Variances, sign variances, minor or administrative conditional use permits, and special home occupations.

2. For the following actions, adjacent property owners within ~~one five hundred thousand~~ (1,000500) feet shall be notified:

a. Conditional use permits, planned unit developments, owner-initiated rezones, site plan review of SEPA applications, preliminary short plats, preliminary subdivisions and, shoreline substantial development permits, ~~and essential public facilities.~~ Provided that, for a conditional use permit for an essential public facility, adjacent property owners within one thousand (1,000) feet shall be notified.

3. If more than one hundred eighty (180) days have passed since the submittal, the City may require updated property owner mailing information from the applicant.

4. The City may exercise discretion to expand the mailing to include areas adjacent to access easements and to areas on the opposite sides of rights-of-way, streams, and other physical features.

5. The notice shall be deemed mailed when deposited in the U.S. mail, postage prepaid and properly addressed.

E. The notice shall additionally be distributed by the City to:

1. The applicant and/or agent;

2. Such internal review offices as needed;

3. Adjacent municipal corporations or organizations which may be affected by the proposal;

4. Other persons, organizations or entities the City may determine or who request in writing such notice. (Ord. 03-1020 § 2)

APPENDICES

Appendix I – City of SeaTac Permits by Department and Type

Permits/Actions	Type I	Type II	Type III
Building Division of Public Works			
Electrical	X		
Mechanical	X		
Plumbing	X		
Building	X		
Engineering Division of Public Works			
Grading and Drainage	X		
Right-of-Way Use	X		
Fire Department			
Fire Alarm Permits	X		
Fire Suppression System	X		
Fuel Storage Tank	X		
Other Fire Code Permits	X		
Planning Department<u>Division</u>			
Home Occupation	X		
Lot Line Adjustment	X		
Separate Lot	X		

Sign	X		
Site Plan Review, Type I	X		
Temporary Use	X		
Administrative Variance		X	
Conditional Use Permit (CUP) Minor, <u>Administrative</u>		X	
Shoreline Exemption	X	X	
Short Plat		X	
Site Plan Review, Type II		X	
Conditional Use Permit (CUP) Major			X
CUP – Essential Public Facility (EPF)			X
Planned Unit Development (PUD)			X
Rezone: Owner-Initiated			X
Shoreline Substantial Development			X
Special Home Occupation			X
Subdivision			X
Variance			X
Variance (Sign)			X

(Ord. 03-1020 § 2)

Appendix II – City of SeaTac Permit Review and Public Notice Procedures

Permit Type	Permits/Actions	Determination of Completeness	Notice of Application	Notice of Public Hearing	Decision Made by	Notice of Decision	Appeal Heard by
		RCW 36.70B.070	RCW 36.70B.110	SMC 16.03.090		RCW 36.70B.130	
Type I	Electrical	Yes <u>No</u>	No	N/A	City staff	No	Hearings Examiner
	Fire Code Permits	Yes <u>No</u>	No	N/A	City staff	No	Hearings Examiner
	Fuel Storage Tank	Yes <u>No</u>	No	N/A	City staff	No	Hearings Examiner
	Mechanical	Yes <u>No</u>	No	N/A	City staff	No	Hearings Examiner
	Plumbing	Yes <u>No</u>	No	N/A	City staff	No	Hearings Examiner
	Building	Yes <u>No</u>	No	N/A	City staff	No	Hearings Examiner
	Grading and Drainage	Yes <u>No</u>	No	N/A	City staff	No	Hearings Examiner
	Right-of-Way Use	Yes <u>No</u>	No	N/A	City staff	No	Hearings Examiner
	Home Occupation	Yes <u>No</u>	No	N/A	City staff	No	Hearings Examiner

	Lot Line Adjustment	Yes No	No	N/A	City staff	No	Hearings Examiner
	Separate Lot Determination	Yes No	No	N/A	City staff	No	Hearings Examiner
	Sign	Yes No	No	N/A	City staff	No	Hearings Examiner
	Site Plan Review – Planning review of Type I permits that do not require SEPA	Yes No	No	N/A	City staff	No	Hearings Examiner
	Temporary Use	Yes No	No	N/A	City staff	No	Hearings Examiner
Type II	Administrative Variance	Yes	within 500 <u>300</u> feet	N/A	City staff	Yes	Hearings Examiner
	Conditional Use Permit (CUP) Minor	Yes	within 500 <u>300</u> feet	N/A	City staff	Yes	Hearings Examiner
	Shoreline Exemption *	Yes	within 500 <u>300</u> feet	N/A	City staff	Yes	Hearings Examiner
	Short Plat	Yes	within 1,000 <u>300</u> feet	N/A	City staff	Yes	Hearings Examiner
	Site Plan Review – Planning review of single-family Type I permits requiring SEPA	Yes	within 500 feet	NA	City staff	Yes	Hearings Examiner
	Site Plan Review – Planning review of all other Type I permits requiring SEPA	Yes	within 1,000 <u>300</u> feet	NA	City staff	Yes	Hearings Examiner
Type III	Binding Site Plan	Yes	within 1,000 <u>500</u> feet	within 1,000 <u>500</u> feet	Hearings Examiner	Yes	Superior Court

Conditional Use Permit (CUP) Major	Yes	within 4,000 500 feet	within 4,000500 feet	Hearings Examiner	Yes	Superior Court
CUP – Essential Public Facility (EPF)	Yes	within 1,000 feet	within 1,000 feet	H. E. or City Council	Yes	Superior Court
Planned Unit Development (PUD)*	Yes	within 4,000 500 feet	within 4,000500 feet	Hearings Examiner	Yes	City Council
Rezone: Owner-Initiated	Yes	within 4,000 500 feet	within 4,000500 feet	Hearings Examiner	Yes	City Council
Shoreline Substantial Development	Yes	within 4,000 500 feet	within 4,000500 feet	Hearings Examiner	Yes	Superior Court
Special Home Occupation	Yes	within 500 feet	within 500 feet	Hearings Examiner	Yes	Superior Court
Subdivision*	Yes	within 4,000 500 feet	within 4,000500 feet	Hearings Examiner	Yes	City Council
Variance	Yes	within 500 feet	within 500 feet	Hearings Examiner	Yes	Superior Court
Variance (Sign)	Yes	within 500 feet	within 500 feet	Hearings Examiner	Yes	Superior Court

*For planned unit developments and subdivisions, the notices shown are for the preliminary plat. The final plat does not have separate DOC or NOA notices. The decision of whether to approve the final plat is made by the City Council at a public meeting (not a formal public hearing) and is appealable to Superior Court.

Appendix III – Description of City of SeaTac Permits

Permit	Actions Subject to this Permit
Building Division of Public Works	
Electrical	All electrical installations/modifications unless exempt by the Electrical Code.
Mechanical	All mechanical installations/modifications unless exempt by the Mechanical Code.
Plumbing	All plumbing installations/modifications unless exempt by the Plumbing Code.
Building	All building construction/modifications unless exempt by the Building Code.
Engineering Division of Public Works	
Grading and Drainage	Projects subject to permits as described in Section 1.1.1 of the 1998 King County Surface Water Design Manual, or projects subject to permits under the Grading Code, including changes to impervious surface area and import/export of fill.
<u>Right-of-Way Use</u>	<u>Use of public right-of-ways for various purposes as described in Chapter 11.10 SMC.</u>
Fire Department	
Fire Alarm Permits	Any addition or modification to a fire alarm system, per the National Fire Protection Association Standard 72.
Fire Suppression System	Sprinkler systems, commercial range hood systems, stand pipe systems, and inert fire protection systems for commercial computer rooms, as required by the Fire Code.
Fuel Storage Tank	Removal Permit – Removal of any underground fuel storage tank. Installation Permit – Installation of new underground fuel storage tank.
Other Fire Code Permits	Any activity related to hazardous materials, places of assembly (fifty (50) or more persons), processes that create hazardous

	atmosphere or conditions and storage of flammable materials, per the Fire Code.
Planning Department Division	
Home Occupation	The establishment or expansion of a business in any residential dwelling. Home occupation requirements are detailed in Chapter 15.17 SMC.
Lot Line Adjustment	Any change to the boundaries of a property that does not create an additional lot. Standards for lots are found in Chapter 15.13 SMC. Subdivision standards and requirements are found in SMC Title 14 .
Separate Lot Determination	The establishment of two or more legal lots based on documentation of historic status as separate lots.
Sign	Any advertisement visible from public or private streets per the Sign Code, Chapter 15.16 SMC. Note that all advertisements must meet the requirements of Chapter 15.16 SMC, but certain provisions allow for nonilluminated signs of nine square feet or less without a permit.
Temporary Use	The establishment of a temporary or seasonal use such as a Christmas tree stand or fruit stand, according to the requirements of Chapter 15.20 SMC.
Administrative Variance	Any variance from a code standard of less than 20% of a standard. Criteria are listed in SMC 15.22.020 .*
Conditional Use Permit (CUP) Minor	The minor expansion of an existing use in a zone where such use is listed as a “conditional” use within the zone, according to the land use chart in Chapter 15.12 SMC. Criteria are listed in SMC 15.22.030 .
Conditional Use Permit (CUP) Administrative	Certain uses within the Interim Angle Lake Station Area as listed in Chapter 15.41
Shoreline Exemption	Any construction or alteration of a structure, or any grading or alteration of shoreline conditions within 200 feet of Angle Lake, if such construction is associated with one single-family dwelling as permitted under State shoreline regulations WAC 173-27-040 .
Short Plat	The division of a piece of property into four (4) or fewer lots. Standards for lots are found in Chapter 15.13 SMC. Short plats must meet certain requirements of the Subdivision Code, SMC Title 14 .

Site Plan Review	
Type I (No Public Notification)	A. Planning review of building and grading permits, per SMC 15.05.040 .
	B. Actions that need to comply with zoning standards, but do not fall under another City permit. SMC 15.05.040 .
Type II (Public Notification)	Done with SEPA review of a project, where no other project permits are being filed at the same time as the SEPA review. See SMC 16A.11.030 .
Conditional Use Permit (CUP) Major	The creation or significant expansion of a use in a zone where such use is listed as a “conditional” use within the zone, according to the land use chart in Chapter 15.12 SMC.
CUP-Essential Public Facility (CUP-EPF)	The creation or expansion of a use listed as being subject to the essential public facility siting process per the Chapter 15.12 SMC use charts. The CUP-EPF process is outlined in SMC 15.22.035 .
Planned Unit Development (PUD)	Any residential development requesting variation from density and other standards to cluster development and preserve open space.
Rezone: Owner-Initiated	A request from a property owner to change the zoning on a piece of property. Note that the proposed zone must be compatible with the Comprehensive Plan Map. Decision criteria are found in SMC 15.22.050 .
Shoreline Substantial Development	Any construction or alteration of a structure, or any grading or alteration of shoreline conditions within two hundred (200) feet of Angle Lake, if such construction exceeds the exemption threshold as outlined under State shoreline regulations WAC 173-27-040 .
Special Home Occupation	The establishment or expansion of a business in any residential dwelling, where the business meets most, but not all, of the criteria for a regular home occupation. Home occupation requirements are detailed in Chapter 15.17 SMC.
Subdivision	The division of a piece of property into five (5) or more lots. Such lots must meet the requirements of SMC Title 14 , Subdivisions.
Variance	Any variance from a code standard of more than twenty percent (20%) of a standard. Criteria are listed in SMC 15.22.020 .*
Variance (Sign)	Any variance from a sign code standard (limit fifty percent (50%) of a standard). Criteria are listed in SMC 15.22.020 .

EXHIBIT B

DATE 11/05/13



MEMORANDUM

COMMUNITY & ECONOMIC DEVELOPMENT

Date: October 31, 2013

To: Planning Commission

From: Steve Pilcher, Planning Manager

Re: Other potential code amendments: Economic Stimulus Signs and Efficiency Apartments/Micro-Apartments

Economic Stimulus Signs

In 2011, the Section 15.16.080 of the Zoning Code was amended to allow for "economic stimulus signs," in recognition of the sluggish economy and the difficulty some building owners were experiencing in leasing tenant space (see excerpt from the Code, attached). Two of these signs are currently in use at the SeaTac Office Center, located on International Boulevard across from the airport. Staff is not aware of any other current use of this code provision. The code provisions are set to expire at the end of this year.

When staff contacted the property manager earlier this year regarding the impending end of this provision, a desire to keep using the signs was expressed. Given the continuing slow economic recovery, an extension of time appears to be supportable.

Desired outcome of this meeting: Commission guidance on whether to extend the code provision and if so, for what period of time.

Efficiency Apartments/Micro-Apartments

Staff has been approached by a developer interested in constructing small, "efficiency" apartments in the 154th St. Station Area. Sometimes referred to as "micro apartments," these units differ from conventional multifamily housing due to their small size (as small as 250 sq. ft.) and use of a common kitchen area, as opposed to fully functional kitchens in each unit. As a new housing type, their unique character is not anticipated under current City zoning regulations.

The Code currently includes a definition for "dwelling unit, efficiency" (SMC 15.10.205):

"a dwelling unit containing only one (1) habitable room and not having a kitchen."

This definition appears to have been in existence since the code was first adopted in 1992, well before the housing type under consideration came into being.

Even so, it appears this definition could be applicable to the current concept. However, there does not appear to be any unique development standards that apply to this type of housing. Since these are considered to be "dwelling units," they therefore remain subject to all other code requirements that are tied to a dwelling unit standard. This may present some obstacles to

realizing the same types of projects that have been developed in Seattle and some other King County jurisdictions.

For example, “efficiency dwelling units” are not discussed in the required parking space table found at SMC 15.15.030; the closest “match” would be a studio apartment, which has a standard of one stall per unit. This section of code provides for up to a 35% reduction with “proof of viable HCT/PRT, linkage/station, pursuant to determination of the City Manager (SMC 15.15.030.B).

The special standards applicable for the 154th St. Station Area (SMC 15.38.803) adopt the same parking standards applicable elsewhere in the city, with the provision that for one-bedroom apartment units, the requirement is one parking stall per unit. This section of the code also includes a more general opportunity for reducing required parking (SMC 15.38.805.B): “there may be additions or reductions to allowed parking spaces based on a parking plan demonstrating an increased or decreased need to serve residents and/or customers.” The implication is there would still be some amount of on-site parking required, with perhaps additional parking being provided off-site.

There are other standards that a potential “micro-apartment” developer may find challenging, like those requiring a minimum amount of open space (see the attached analysis chart).

The proper means to address this new (for SeaTac, at least) housing type would be to amend the Zoning Code to establish appropriate standards. At a minimum, this could involve:

- Re-evaluating the definition of “dwelling unit, efficiency” to ensure it reflects the nature of this housing type; as part of this effort, consider not using the term “dwelling unit” in the definition, as that can be problematic;
- Establishing an appropriate parking standard for this housing type;
- Establishing an appropriate per-unit open space requirement;
- Establishing an appropriate traffic impact fee, correlated with the new parking requirement;
- Consider in which zones this use could be allowed. If separately defined, it could be limited to the three light rail station areas, as opposed to having city-wide application.

The following is an overview of some of the pros and cons of taking the above actions to allow this housing type:

Pros

- Provides TOD-type development in the station areas
- Potentially stimulates local demand for businesses and services in these areas
- Provides affordable housing in areas with walkable access to light rail
- Serves as a model for future development of TOD
- Innovative and potentially viable alternative to traditional high density housing
- Defining the specific use narrowly within certain multifamily zones (either as a permitted or conditional use) may provide the basis to address the legal standards for equitable treatment under the Zoning Code, if sufficient conditions are included to protect the rights of property owners in the zone. If not well defined, extensive conditions would likely result and could limit design flexibility.

Cons

- The station areas currently do not offer a full range of urban amenities (i.e., walkable grocery stores, variety of dining opportunities, community open space)
- The station areas currently lack adequate sidewalk systems, making for challenging pedestrian environments
- Lack of these amenities could result greater tenant automobile ownership, with parking demands spilling onto area streets
- Depending upon location within a station area, this type of project provides significantly greater intensity of land use than existing residential uses, making it a challenging “gateway” project to more intensive development expected to occur over time

Micro-apartment developments have not occurred without some controversy, even within densely developed portions of Seattle. This summer, the Seattle Planning Commission issued a report with recommendations of how this housing type might best be addressed in that city. A copy of their report is attached, together with an article that appeared in the Seattle Times six months ago.

Other information about a Puget Sound developer involved in these projects can be found at www.liveatfootprint.com.

Desired outcome of this meeting: Staff is hoping for a good discussion with the Commission and direction of how it wishes to proceed with this issue.

Code Requirements and Review

Lot Size	8005 sq ft
Zoning	UH-UCR
Lot Dimensions	60' wide, 133' deep

Code Heading	Code Requirement (abbreviated)	Comment/Departure
Open Space	Minimum of 60 sq ft of outdoor space per unit	The following can be used as open space: courtyards, plazas or multi-purpose green spaces, upper level common decks, patios, terraces, or roof gardens
Setbacks	Front: 10'/20'	Maximum of 10' feet for at least 60% of the building's front facade. Remaining portion has a maximum 20' setback.
	Rear: 5'	
	Side: 5'	
Lot Coverage	90%	Due to open space, landscape and parking requirement it is unlikely the lot coverage can be fully realized.
Landscaping	Front: Not applicable	
	Rear: 5'	
	Side: 5'	
	Building Frontage: 5'	
Density	No minimum or maximum	Defined by building envelope
Commercial/Mixed Use Required	Not Required	
Parking	Multi family: 1 per bedroom Landscape island requirements also apply (1 island to 7 stalls) for surface parking	Departure can be Requested * Code allows for "additions or reductions to allowed parking spaces based on a parking plan demonstrating an increased or decreased need to serve residents and/or customers" <i>No visitor parking required.</i>
Bicycle Parking	1 space/every 10 req'd parking stalls	Must be located in a secured, visible area
Streetscape Requirement	12' sidewalk and landscape strip total (8' sidewalk+4' landscape strip)	This is to be installed by the developer
Height	FAA	The site has a 396 elevation, which will allow for approximately 180' building height.
Building Design	Various design requirements	

Fire Department Requirements	unknown	
Engineering Requirements	Transportation Improvement Program (TIP)	30 th Ave S. is identified on the Transportation Improvement Program (TIP) to be improved. This is earmarked for the years 2019-2022. This will include the provision of onstreet parking, curb, gutter, sidewalk and drainage improvements. The applicant will be responsible for the installation of curb, gutter, sidewalk and drainage at the time of construction. No ROW taking of property is identified on the plan. Level 2 flow control and enhanced basic water quality will be required
Traffic Impact Fee	\$1020/PM peak hr trip	Assume same as multifamily or provide justification for alternative

* Staff comments: Parking has not been required or provided for these types of developments in the City of Seattle. However, SeaTac is significantly less urbanized. Other than the light rail station, there are limited urban amenities (stores, restaurants, parks, etc.) currently within walking distance of this site. Although there is no on-street parking restriction on 30th Ave., opportunities to do so are limited. The street currently lacks curbs, gutters and sidewalks. Not providing off-street parking at a minimal level could have negative impacts on the existing neighborhood.

15.16.080 Secondary Signage

F. Economic Stimulus Sign.

1. **Perforated Window Film Sign.** In order to improve local economic conditions, one (1) perforated window film sign may be installed per building during the time a property is for sale, lease, or rent and shall relate to the sale, lease, or rental of the property. The size of the sign shall meet the requirements of SMC 15.16.030(B)(2). Because of the special circumstances of these signs, the graphics of such signage must be artistically pleasing and shall be approved by the Director of Community and Economic Development.
2. For purposes of this subsection, a perforated window film sign is defined as a see-through window graphic, is a vinyl window film made with small holes throughout so you can see through the material, which is affixed to the window(s).
3. This subsection shall expire on December 31, 2013, at which time signs pursuant to this subsection shall be removed.

15.16.030 Commercial/Office/Industrial Zone Classification Signs

B. Standards.

2. **Building-Mounted Signs (Including Parapet, Awning, Marquee, Porte-Cochere, and Canopy-Mounted Signs).** The surface area of any building-mounted sign shall not exceed the figures derived from the following schedule. The size of electronic signs for building-mounted signs is limited by SMC 15.16.115.

<u>Surface Area of Facade</u>	<u>Maximum Sign Surface Area</u>
Less than 100 sf	30 sf
100 – 199 sf	35 sf + 11% of facade area over 100 sf
200 – 499 sf	40 sf + 12% of facade area over 200 sf
500 – 999 sf	80 sf + 11% of facade area over 500 sf
1,000 sf or greater	10% of facade

Additionally, the following conditions apply:

- a. In multiple occupancy buildings, the facade area for each tenant or user is derived by measuring only the surface area of the exterior facade of the premises actually used by the tenant or user. The sign displayed by the tenant or user must be located on the facade that was used to determine the size of the sign, except as provided in this section.



City of Seattle

Seattle Planning Commission

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June 21, 2013

Councilmember Richard Conlin
Seattle City Council Planning, Land Use and Sustainability Committee
PO Box 34025
Seattle, WA 98124-4025

RE: Recommendations on micro-apartment development

Dear Councilmember Conlin,

The Seattle Planning Commission has been asked to provide input on code amendments related to micro-apartments. We have been asked to consider potential changes that will ensure this development type reflects the letter and the spirit of our land use laws, while balancing the need to provide a housing type that is attractive to many people. In addition to a robust and expert dialogue among Commissioners, our review included: Briefings from the Office of Housing and DPD, including DPD's Principal Engineer and Building Official for life safety and constructability issues; An on-site tour of three micro-housing developments on Capitol Hill and First Hill, where we were able to see and inspect many units and common areas as well as meet and speak with residents, developers, and property representatives; Review and /or attendance at a number of forums and debates where concerns about these units were vetted.

We have not yet had the opportunity to review DPD's proposal on micro-apartments. When it is released later today, we will take a close look and comment on their specific recommendations.

It's our conclusion that micro-apartments fill a unique niche in the Seattle housing market. We believe this type of housing should be embraced and encouraged in appropriately zoned parts of the city. We find that these units are in high demand and provide housing for a range of people who are willing to trade off tight personal living space for other personal considerations such as proximity to work or school, life situations, tenure, etc. We believe some minor changes to the rules and regulations that govern micro-apartments are in order to ensure they add long-term value to Seattle's housing stock and community.

Comments and recommendations on key issues related to micro-apartments

◆ Positive impacts and benefits of micro-apartments should be considered

SPC comments and findings: Micro-apartments provide modest, appealing housing that the market will produce in response to high demand from people who value privacy but don't need, want or cannot afford much personal space. It is providing a market rate housing product at the lower end of the rent spectrum in areas where public subsidies are typically required to achieve similar levels.

Micro-apartments seem to be particularly attractive to students, service industry employees, hospital and childcare workers, and others who might not otherwise be able to live close to work or school. It also works well as a close-in, commute saving option for professionals who have another home outside Seattle, but who stay in Seattle during the work week. It can also provide a short term housing option for people who are in Seattle to take a short course to get a certification, new residents not yet ready to commit to a long term lease, or people in personal transition (job loss, change in family status, reentry into society, etc). This housing type meets a particular need in the marketplace that may otherwise go unmet.

Furthermore micro-apartments provide more opportunities for people to live affordably in urban centers, urban villages, and transit-rich communities, which help Seattle achieve policy goals related to responsible growth and climate action.

SPC recommendations: Balance code changes to ensure that this desirable housing type is viable from the perspective of those who build housing *and* those who need it. Micro-apartments are a meaningful solution toward ensuring that a broad and diverse population has access to housing they can afford in Seattle. We support changes that make Micro-apartments better for residents and the communities, but we caution our decision-makers against regulations that would make this housing type unfeasible or undesirable.

◆ Create a definition of micro-apartments as a development type

SPC comments and findings: Currently, city rules and regulations treat micro-apartments similar to a boarding house or other communal living arrangement. Like any residential structure, micro-apartments are allowed to have up to eight unrelated individuals living within a single dwelling unit. A kitchen, which is specifically defined in the code, is the key to defining a dwelling unit. Currently, the prevalent development trend is to divide the dwelling unit into eight individual "sleeping rooms," each with a private bathroom

(shower and toilet), microwave, and mini-refrigerator. These amenities presumably make the sleeping rooms more marketable, but they are not required by code. The sleeping rooms share a single kitchen.

SPC recommendations: Define “micro-apartment” as a specific development type, looking to the land use and building codes for guidance. A clear and consistent definition will be particularly useful in determining the threshold to undergo design review and SEPA review. It will also be helpful in specifying development standards for micro-apartments, such as standards for common space and the use of the Multi-Family Tax Exemption (MFTE) or other programs.

◆ **Base design review & SEPA thresholds on the scale of the development**

SPC comments and findings: There are currently three design review processes, each intending to address the scale of distinct project types, to manage the impact of development and better integrate certain projects into respective neighborhoods. Primarily, due to the way dwelling units are counted consistent with the land use code (based on the number of kitchens), most micro-apartment projects do not meet the threshold for design review and are not subject to SEPA. Current thresholds for requiring design review range from number of dwellings to actual square footage.

We also recognize that these two processes can significantly lengthen the permitting process for any development, which in turn may impact the cost and supply of housing¹. However, if micro-apartment developments (that exceed the scale of developments otherwise subject to design review and SEPA review) continue to be exempt, then the city is potentially making an unintended policy choice to prioritize the micro-apartment housing type over others by endorsing its speedier, less costly, and less risky path to entitlement. While we wholeheartedly support micro-apartments, we caution the City not to create a policy direction that could result in an unintended preference in the market for micro-apartments over other multifamily housing types. This issue is predominantly about crafting policy that balances the City’s priorities.

SPC recommendation: Consider requiring a form of design review for micro-apartments, while being sensitive to the importance of this development type to the market place. A threshold for a streamlined, administrative, and design review board processes could be based on a specified, graduated square footage of the overall

¹ In terms of cost and affordability of micro-apartments we know that a typical apartment building in comparison can cover carrying costs through design, ongoing debt service, etc. at about \$3 per square foot (including utilities) and still provide meaningful common spaces and building amenities. So, it stands to reason that there should be some flexibility for micro developers to do the same at about \$5.00 per square foot (including utilities) while still providing some level of affordability.

development, rather than on number of dwelling units. Allow departures or adjustments to address some scale limitations on micro-apartments that may help them fit better within the neighborhood context. Consider revising SEPA thresholds to be based on the scale of the project and not on the number of units.

◆ **The current minimum parking requirements for multifamily development are appropriate for micro-apartments**

SPC comments and findings: In general micro-apartment projects house more people per square foot than other similar building types. They also tend not to include onsite parking for automobiles. The City does not require a minimum number of parking spaces be built in multifamily residential developments within areas that are well served by transit, instead letting the market determine the on-site parking supply.

Despite objections raised by micro-apartment critics, we find that there is no evidence that parking impacts are greater with micro-apartment projects than with comparably sized multifamily projects. To the contrary, antidotal evidence supports the notion that a small percentage of micro-apartment tenants own cars, especially in areas well served by transit with good internal pedestrian and bicycle access.

SPC recommendation: In hub urban villages, urban centers, and areas well served by transit, continue to allow micro-apartments to be built without parking. Outside of those areas, continue to require parking consistent with the land use code (*see Land Use Code Table B for 23.54.015: PARKING FOR RESIDENTIAL USES*).

◆ **Increase both private secure and publically accessible bicycle parking**

SPC comments and findings: We find that residents of micro-apartments have a high demand for bicycle parking. Many residents do not own a car, and most micro-apartment projects are located in areas with access to frequent and reliable transit and in close proximity to a high concentration of neighborhood businesses and services, where walking and biking are often the preferred options for internal neighborhood access.

SPC recommendations: Create appropriate bicycle parking standards for this development type. Residents should have enclosed, secure bicycle parking as well as publicly accessible bike parking in the right-of-way for themselves and their visitors. Consider relating the number of required bike parking spaces to the number of sleeping rooms (i.e. no less than one space per two to three rooms), rather than to the number of dwelling units.

◆ **Use MFTE program only if used to gain deep affordability for micro-apartments**

SPC comments and findings: Because this housing type can be built without elevators, parking and with only one exit and staircase for up to five floors, these units can be built at a much lower cost to developers. In turn these units are quite affordable on a per-bedroom basis (but relatively more expensive on per-square-foot basis).

SPC comments and findings: If the project is employing MFTE, we recommend that a significantly deeper affordability level be required. In our [April 25th letter on MFTE](#), we recommended requiring deeper affordability for the smallest units as part of an overall recalibration of the affordability tiers in the MFTE program (to get more affordability on the small-unit-size side of the spectrum, while providing more effective incentives for construction of family-size units). In that letter, we made the following recommendation: “*Strengthen affordability for studios and micro units that receive the tax exemption. The current market for new construction is producing a large supply of studios. The current 65% AMI maximum rent level for studios should be reduced for all regular studio units. Additionally, a new tier intended to promote much deeper affordability levels should be introduced for micro units. For studios and micro units, the City should also consider increasing the percentage of units required to be set aside for income restricted affordable units.*”

◆ **Allow development of micro-apartments in zones where multifamily housing is allowed**

SPC comments and findings: *SPC comments and findings:* This housing type appears to have a strong market driver in places with a combination of: 1) a high demand for housing but a limited supply of rents affordable to a wide range of incomes; 2) accessible frequent and reliable transit; 3) a compact, walkable, complete community rich in retail businesses, services and civic spaces and places; and 4) relief from parking standards. The very small size of sleeping rooms in micro-apartments seems to be offset by the fact that they are in areas rich with neighborhood businesses and services (so-called “third places”) that can improve quality of life. The regulatory and investment table is set in a way as to ensure that transit rich communities are in fact communities richest in “third places” where this lifestyle can be lived with more ease and humanity.

SPC Recommendations: Micro-apartment units should continue to be allowed outright in places that allow multifamily housing. These areas are predominately in urban centers, urban villages, and in other transit rich areas of the City.

◆ **Size of units - minimum square footage of units/sleeping rooms**

SPC comments and findings: Commissioners have toured and seen units with sleeping rooms smaller than 100 square feet and as large as 244 square feet. Most had very good light and air with prominent and generous windows. They also had nice amenities such as private bathrooms within the unit as well as basic furnishings such as a refrigerator, microwave, a bed, closets, cabinets and shelving. While the spaces were compact they were nicely designed for maximum space efficiency.

SPC Recommendations: We do not support limits on minimum square footage. However, we do support development standards, such as requirements for operable windows that exceed the building code requirements for light and ventilation. These are the kinds of features that will help to ensure that these spaces are comfortable and livable even though they are quite small.

◆ **Adopt additional development standards and requirements for common spaces**

SPC comments and findings: We recognize that micro-apartment developments are predominately being built in areas with a high quality and accessible network of neighborhood businesses and services - “third places” - that can substitute for common areas to some degree. Indeed, the properties we toured had very little in the way of indoor amenity areas for residents. The common areas tended to be laundry facilities and small kitchens. There was no evidence of meaningful indoor common areas where residents could congregate, socialize, or entertain visitors. In a few projects we visited, there was a common courtyard with a picnic table, or a roof deck where residents might gather when the weather was nice.

SPC recommendations:

This is perhaps the biggest area where improvements are needed and a clear set of standards should be outlined. We recommend development standards that will result in “meaningful” interior and exterior common space. While these standards may add some additional costs to construction, we believe it is feasible for developers and important for improving the quality of life for residents.

Similar to the multifamily housing residential amenity area requirements, there should be a minimum square footage for micro-apartments based on the number of sleeping rooms in each dwelling unit. Not only does the common space for food preparation need to be adequate as well as meet universal design standards, but common space should also include adequate and accessible dining areas. Residents should not be expected to eat meals in their sleeping units. The common kitchens shared among sleeping rooms are required to

define a dwelling unit and thus should not be considered indoor residential amenity area. We recommend that common space have some minimum standards, including a clear requirement about how space can be broken up for different uses (food prep, dining, laundry and other possible uses).

◆ **Fire/Life/Safety**

SPC comments and findings: It is our understanding that micro-apartment developments are required to meet a high standard for fire, life, and safety, including stringent standards for early warning, suppression, containment, and structural integrity – in some cases, even more stringent than other multifamily building types. While we understand that micro-apartments also meet egress standards that include fire rated walks and paths within and between the dwelling units, we are generally concerned about tall egress paths from upper-story sleeping rooms within a single dwelling unit, specifically where only one path is provided, exiting through a common space, like the kitchen..

SPC recommendations: We recommend that DPD investigate potential egress life/safety issues and evaluate potential solutions to address concerns regarding the single stairwell exit. This is a particular concern for micro-apartments in midrise zones where buildings may be taller than 3-4 stories.

Thank you for the opportunity to provide you with our recommendations on micro-apartments. We are available to answer any questions and would be happy discuss these recommendations as your review at Council proceeds. As stated previously we have not yet had the opportunity to review DPD's forthcoming proposal (to be released today) but will take a closer look and comment on their specific recommendations. You can contact me or call our Director, Barbara Wilson, at (206) 684-0431.

Sincerely,



David Cutler, Chair
Seattle Planning Commission

cc: Mayor Michael McGinn
Seattle City Councilmembers

Darryl Smith, Ethan Raup, Alison Van Gorp; Mayor's Office
Diane Sugimura, Marshall Foster, John Skelton, Mike Podowski, Geoff Wentlandt; DPD
Rick Hooper, Miriam Roskin; Office of Housing
Sara Belz, Council Central Staff

SEATTLE PLANNING COMMISSION RECORD OF DISCLOSURES & RECUSALS:

- Commissioner Catherine Benotto disclosed that her employer, Weber Thompson, advises housing developers and designs multifamily projects throughout Seattle that could be impacted.
- Commissioner Josh Brower disclosed that his firm, Veris Law Group PLLC, represents single-family and multifamily housing developers throughout the city of Seattle that could be impacted.
- Commissioner David Cutler disclosed that his firm, GGLO, works on a wide range of residential architectural projects for clients throughout the city of Seattle that could be impacted.
- Commissioner Colie Hough Beck disclosed that the firm for which she works, HBB Landscape Architecture, works on multifamily projects in Seattle.
- Commissioner Bradley Khouri disclosed that his firm, b9 architects, works on housing projects throughout Seattle that could be impacted.
- Commissioner Grace Kim disclosed that her firm, Schemata Workshop works on multifamily housing projects throughout the City.
- Commissioner Amalia Leighton disclosed that her employer, SvR Design, provides engineering and landscape architecture services to public and private clients that could be impacted.
- Commissioner Kevin McDonald disclosed that he lives in Capitol Hill, which is one of the neighborhoods in which much of the new micro-housing development has occurred.
- Commissioner Tim Parham disclosed that he works for the Puget Sound Regional Council and is facilitating the development of the Growing Transit Communities' Fair Housing and Equity Assessment.
- Commissioner Marj Press disclosed that she is a small business owner on Capitol Hill where many of these projects are located and currently being developed.
- Commissioner Matt Roewe disclosed that he works for VIA architecture who does work with multifamily developers.
- Commissioner Morgan Shook disclosed that he is representing the Planning Commission on the Mayor's Affordable Housing Incentives Committee and the consulting firm where is employed, BERK, commonly assists cities with land use and housing policies.

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Local News

Updated Tuesday, April 23, 2013 at 11:31 PM

Critics of micro-apartments calling for a moratorium

By Lynn Thompson /
Seattle Times staff reporter

Judy Green was well-suited to move into a 10-by-10-foot University District apartment.

The retired AutoCAD drafter spent the previous decade on a boat before finding a home in one of the nearly 50 microhousing buildings that have sprung up in Seattle over the past several years.

The units are tiny, typically 150 to 250 square feet, about the size of a hotel room. Six or eight residents share a kitchen. And the rent is lower than the average studio or one-bedroom apartment, about \$600 to \$900 a month compared with \$1,200 and up.

Although it's popular with young urban singles and students, microhousing, also known by the brand name aPodments, is stirring controversy as well.

Some contain as many as 64 units, but because they're in dense neighborhoods served by transit, they aren't required to provide any parking.

And because the city only counts kitchens, not sleeping units, for the purposes of development regulations, the housing avoids design and environmental review and notice to neighbors that usually is required for big, multifamily projects.

Neighborhood activists are urging the city to adopt a moratorium on new micro-apartment buildings. They estimate that 19 of the developments already are renting or are being built within a square mile on Capitol Hill.

The buildings also are clustered in the University District and the Eastlake neighborhood.

On Capitol Hill, older homes are being razed to build the new units that will bring an influx of residents who may rent for only a few months, developing few ties to the neighborhood, argued Carl Winter, who formed the group Reasonable Density Seattle to lobby the city for more regulations governing the developments.

"We're not concerned with who these people are, but with how many there are. This is a massive increase in density," Winter said.

Mayor Mike McGinn has praised the micro-apartments as offering affordable, transit-friendly options for city living.

He also noted, in a January blog post, that some of the micro-apartment builders are participating in the city's Multifamily Tax Exemption Program, which reserves some units for moderate-wage workers in exchange for an exemption from property taxes for up to 12 years.

But that aspect also is controversial. Builders have told the city that they have only six or eight kitchens, the definition of a dwelling unit, in order to get under the threshold for design and environmental review.

But they've used the total number of sleeping units — for example, 56 or 64 — when applying to the Office of Housing for the tax-exemption program.

Councilmember Tim Burgess said his staff alerted the Housing Office in September to the issue.

Only last month did the Housing Office announce that, starting April 26, it would no longer allow developers to use different unit counts for different purposes. Burgess, a candidate for mayor, said the lost tax revenue to the city is substantial.

"What's troubling is the city looks like it's twisting the rules to favor developers and that's not appropriate," he said.

Councilmember Nick Licata has advocated charging developers more, to increase the stock of housing for low- and moderate-income residents.

During a City Council hearing on microhousing Thursday, Licata grew impatient with talk about the city tax-exemption program.

"The best way to address the issue of affordable housing is to change the law to require affordable units in all new construction," Licata said.

Neighbors have been complaining about microhousing developments for several years. In 2009, following an outcry over a 46-room project at 23rd Avenue East and East John Street, City Councilmember Sally Clark, then chair of the land-use committee, suggested that the projects undergo the same scrutiny as a similarly sized apartment building, because of the potential impacts.

But the Department of Planning and Development has continued to count kitchens, not total units, and has generally provided no notice to neighbors when a development is proposed.

"Bad on both the mayor and council that we didn't get involved sooner," Clark said earlier this week. She said that the number of microhousing projects has taken off since the end of the recession, and that their impacts should be addressed.

"Design review and notice to the neighbors with a chance to influence the outcome seems like a reasonable thing to ask," she said.

Developers say that with microhousing, they're filling a need for lower-priced housing in a city where it's expensive to live. And they say they have no trouble renting out the units.

"People want to live in walkable neighborhoods with easy access to shops and transit," said Jim Potter, chairman of Kauri Investments, which has partnered with other developers to build six microhousing projects in Seattle, with several more planned. He's been asked to develop projects in Portland, California and New Jersey.

The buildings are popular, he said, because people want an affordable alternative to shared living.

Judy Green, 67, said her brand-new aPodment in the University District offered more light and more stylish finishes than the one-bedroom apartments she looked at in her price range.

She pays \$850 a month for a sixth-floor room that features a sleeping loft, a private toilet and shower, a kitchenette with a sink, fridge and granite countertop, a skylight, two windows and a sliding-glass door to a small private deck. The loft brings the total square footage to 200.

The kitchen she shares with seven other tenants is on the second floor. She said she keeps fit walking up and down stairs — there's no elevator in the building.

But she's right across the hall from the shared rooftop deck with a view of Lake Union and the Space Needle.

"I'm a minimalist," she said. "I think this is a wonderful thing."

Lynn Thompson: lthompson@seattletimes.com or 206-464-8305. On Twitter @lthompsontimes



Steve Ringman / The Seattle Times

Judy Green sits in her 200-square-foot aPodment apartment in the University District, which has a cathedral ceiling and a sleeping loft where the photographer is standing. Behind her is the kitchen, and behind the mirrored door is the bathroom.



Steve Ringman / The Seattle Times

A parking lot comes with the aPodment building that Judy Green lives in. Projects built in densely populated areas served by transit aren't required to provide parking.



Carl Winter

This house on Capitol Hill was built in 1904 and razed in January to make room for a microhousing project, one of a number that have gone up in the neighborhood.