

ORDINANCE NO. 2331

AN ORDINANCE OF THE CITY OF REDMOND, WASHINGTON, AMENDING THE REDMOND MUNICIPAL CODE AND THE REDMOND COMMUNITY DEVELOPMENT GUIDE TO ADOPT REGULATIONS PERTAINING TO ACCESSORY DWELLING UNITS AND COTTAGE HOUSING DEVELOPMENTS, AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, in 2004 the City undertook a major update to its Comprehensive Plan consistent with planning obligations under the Growth Management Act; and

WHEREAS, the City adopted policy HO-30, promoting the development of accessory dwellings; and

WHEREAS, the City adopted policy HO-29, encouraging the development of a variety of housing types, including cottages; and

WHEREAS, the City of Redmond desires to amend the Redmond Community Development Guide with respect to the procedures for obtaining permits to build accessory dwellings, and with respect to the regulations governing cottage housing developments; and

WHEREAS, on October 6, 2006 the City provided 60-day notice to state agencies reviewing Comprehensive Plan and development regulation updates of this proposed amendment; and

WHEREAS, a State Environmental Policy Act Checklist was prepared and a Determination of Non-Significance was issued on October 16, 2006 for the proposed amendment; and

WHEREAS, the Planning Commission conducted a public hearing on October 18, 2006 to receive public comment on the proposed amendment; and

WHEREAS, the City Council held a public meeting to review the proposed amendment on March 13, 2007; and

WHEREAS, the City of Redmond desires to amend the Redmond Community Development Guide to streamline the accessory dwelling permitting process and improve cottage housing development regulations based on Redmond's experience with cottages and the experiences of other cities in the Puget Sound area, NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF REDMOND, WASHINGTON, HEREBY ORDAINS AS FOLLOWS:

Section 1. Analysis. In support of the proposed amendment to modify sections 20C.30.35 and 20C.30.52 of the Redmond Community Development Guide, the City Council hereby adopts the analysis contained in the Technical Committee Report dated October 5, 2006, including all related attachments and exhibits to that report, and the Planning Commission Report dated November 8, 2006, including the related attachments and exhibits to that report.


Section 2. Revisions to Accessory Dwelling Unit Regulations. Section 20C.30.35, Accessory Dwelling Units, of the Redmond Municipal Code and Redmond Community Development Guide is hereby amended as shown in Exhibit 1, incorporated herein by this reference as if set forth in full to this ordinance.

Section 3. Revisions to Cottage Housing Development Regulations. Section 20C.30.52, Cottage Housing Developments, of the Redmond Municipal Code and Redmond Community Development Guide is hereby amended as shown in Exhibit 2, incorporated herein by this reference as if set forth in full to this ordinance.

Section 4. Severability. If any section, sentence, clause, or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such

invalidity or unconstitutionality shall not affect the validity of any other section, sentence, clause, or phrase of this ordinance.

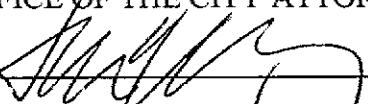
Section 5. Effective Date. This ordinance, being an exercise of a power specifically delegated to the city legislative body, is not subject to referendum, and shall take effect five days after passage and publication of an approved summary thereof consisting of the title.

CITY OF REDMOND

MAYOR ROSEMARIE IVES

ATTEST/AUTHENTICATED:


CITY CLERK, MALISA FILES

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY

By: 

FILED WITH THE CITY CLERK:	March 27, 2007
PASSED BY THE CITY COUNCIL:	April 3, 2007
SIGNED BY THE MAYOR:	April 3, 2007
PUBLISHED:	April 9, 2007
EFFECTIVE DATE:	April 14, 2007
ORDINANCE NO. <u>2331</u>	

Exhibit 1

CODE UPDATES – ACCESSORY DWELLING UNITS

20C.30.20-030 Land Uses Chart.

Residential Zones Permitted Land Uses Chart Subject to Neighborhood Requirements

Land Use	Zoning Districts												Residential Innovative
	RA-5	R-1	R-2	R-3	R-4	R-5	R-6	R-8	R-12	R-18	R-20	R-30	RIN
Housing													
Single-Family Dwelling (20C.30.25)	P	P	P	P	P	P	P	P	P	P	P		P
2 Unit Structure (20C.30.70)					C ¹	C ¹	C ¹	P	P	P	P		C ¹
3 – 4 Unit Structure (20C.30.70)					C ¹	C ¹	C ¹	P	P	P	P	P	C ¹
5 – 12 Unit Structure (20C.30.25)									P	P	P	P	
13+ Unit Structure (20C.30.25)									S	P	P	P	
Accessory Dwelling Units ² (20C.30.4035)	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP

² Accessory dwelling unit permit required.

20C.30.35 Accessory Dwelling Units.

20C.30.35-010 Purpose.

The purpose of the accessory dwelling unit (ADU) provisions are to: (1) provide homeowners with an opportunity for companionship and security; (2) better utilize existing infrastructure and community resources; (3) provide a housing type that responds to changing needs and lifestyles (e.g., small families, retired couples); (4) add to Redmond's stock of affordable dwelling units; and (5) protect neighborhood character and stability by ensuring that ADUs are compatible with surrounding land uses according to the conditions of this section. (Ord. 1901)

20C.30.35-020 Applicability.

One accessory dwelling unit is permitted as a subordinate to an existing single-family dwelling unit provided that the criteria presented in this section are met. An approved accessory dwelling unit permit is required. (Ord. XXXX; Ord. 1901)

20C.30.35-030 Requirements.

- (1) Number. One ADU shall be allowed in each residential lot as a subordinate use in conjunction with any new or existing detached single-family dwelling unit in the City of Redmond.
- (2) Location. The ADU may be added to or included within the primary unit, or located in a detached structure on the same lot as the primary dwelling unit. Both detached ADUs and the primary dwelling unit must conform to all setback, height, and lot coverage restrictions and any other standards or regulations required of a single-family dwelling unit in a residential zone.
- (3) Size/Scale.

- (a) If any ADU is located in a structure which does not include the primary housing unit, the total square footage of the ADU shall not exceed the lesser of (i) 1,000 square feet or (ii) 40 percent of the total square footage of the primary dwelling unit and the accessory dwelling unit combined, excluding any garage area.
- (b) In no case shall the ADU exceed 1,500 square feet in total area. If an ADU occupies an entire single floor, the Technical Committee may allow for an increase in the allowed size of the ADU in order to efficiently use all of the floor area, so long as all other standards of this section are met.
- (4) Subdivision. An ADU shall not be subdivided or otherwise segregated in ownership from the primary dwelling unit.
- (5) Occupancy. Either the primary dwelling unit or the ADU must be occupied by an owner of the property. The owner-occupied unit shall not be rented to others. Owner occupancy is defined as a property owner, as reflected in title records, who makes his or her legal residence at the site, as evidenced by voter registration, vehicle registration, or similar means, and actually resides at the site more than nine months out of any given year. A permit authorizing an ADU shall not be issued until the City receives proof of recordation of an affidavit of owner occupancy, on-site parking, and compliance with the requirements of this section. (Ord. XXXX)
- (6) Parking. One off-street parking space is required for an ADU in addition to the parking required for the primary dwelling unit. Parking spaces must be paved and may include private garages, carports, or off-street areas reserved for vehicles.
- (7) Exterior Modification. Only one entrance on the front of the primary dwelling unit is permitted. Additional entrances are permitted on the side and rear of the primary structure. The Technical Committee may allow, under special circumstances, for both entrances to the primary and accessory units to be located on the front of the structure where design, site layout, and construction considerations significantly hinder other options. Additions to an existing structure or the development of a newly constructed detached ADU shall be designed consistent with the existing facade, roof pitch, siding, and windows of the primary dwelling unit.
- (8) Home Business. Home business shall be allowed, subject to existing regulations, in either the ADU or the primary unit, but not both.
- (9) Applicable Codes. The portion of the single-family dwelling in which the accessory dwelling unit is proposed must comply with all standards for health and safety contained in all applicable codes, with the exception of the ceiling height requirements of the International Building Code. The Building Official may waive the ceiling height requirements of this chapter if it is determined that the structure was built in compliance with past Building Code requirements. (Ord. 1901)
- (10) Public Notification. At time of review of building permit application, the Code Administrator shall notify by mail residents within 500 feet of the property that a complete building permit application has been submitted. Notified parties, and other interested parties, may comment on items concerning parts (1) through (9) of 20C.30.35-030. The comment period shall close when the building permit application is resolved in issuance or denial. (Ord. XXXX)

20C.30.35-040 Penalty for Violation.

Each owner of a structure who maintains or permits an accessory dwelling unit therein in violation of any provision of this section shall be subject to a civil penalty in accordance with the RMC 1.14.050(b). (Ord. 1901)

20C.30.35-050 Cancellation.

Cancellation of the ADU approval may be accomplished by the owner recording a document with the King County Department of Records and Elections against the title removing the ADU deed restriction

~~described in 20C.30.35-030(5), filing a certificate with the Planning Director for recording at the King County Department of Records and Elections. The cancellation document will confirm that the property has reverted to use as a single dwelling unit and that the former ADU is not to be used as a separate dwelling unit. The property owner shall provide proof of recordation to the Planning Director. Cancellation may also occur as a result of an enforcement action. The cancellation certificate will confirm that the property has reverted to use as a single dwelling unit and that the former ADU is not to be used as a separate dwelling unit. (Ord. XXXX; Ord. 1901)~~

Exhibit 2

CODE UPDATE – COTTAGE HOUSING

20C.30.52 Cottage Housing Developments.

20C.30.52-010 Purpose.

The purpose of this section is to:

- (1) Provide a housing type that responds to changing household sizes and ages (e.g., retirees, small families, single person households);
- (2) Provide opportunities for ownership of small, detached dwelling units within a single-family neighborhood;
- (3) Encourage creation of more usable open space for residents of the development through flexibility in density and lot standards;
- (4) Support the growth management goal of more efficient use of urban residential land; and
- (5) Provide guidelines to ensure compatibility with surrounding land uses. (Ord. 2249; Ord. 2126)

20C.30.52-020 Applicability.

Cottage housing developments are allowed Citywide in Single-Family Urban zones (except R-8), when permitted through the adoption of neighborhood plans and regulations in all areas of the City designated Low-Moderate Density Residential, in the Willows/Rose Hill Neighborhood and Grass Lawn Neighborhood, and other areas when permitted through a neighborhood plan. See RCDG 20C.30.52-060, Supplemental Neighborhood Requirements: Willows/Rose Hill, for cottage development standards specific to the Willows/Rose Hill neighborhoods. (Ord. XXXX; Ord. 2249; Ord. 2126)

20C.30.52-030 Cottage Housing Development Size.

Cottage housing developments shall contain a minimum of four and a maximum of 12 cottages located in a cluster, on no less than one-half acre subject to density requirements listed below, to encourage a sense of community among the residents. A development site may contain more than one cottage housing development. (Ord. XXXX; Ord. 2249; Ord. 2126)

20C.30.52-040 Special Site Requirements for Cottage Housing Developments.

- (1) Density, Lot Coverage, Height, Setback and Parking Requirements.
 - (a) Intent. The site requirements chart establishes the basic dimensional requirements for cottages. Development standards are intended to define design parameters of cottages to achieve compatibility with adjacent single-family residential uses. For site requirements not specified below that may apply, see RCDG 20C.30.25-140, Site Requirements Chart and Flexibility, for the R-6 zoning category.

(b) Requirements – Cottage Housing Developments Site Requirements Chart.

	Site Requirement
Cottages Allowed in Place of Each Standard Single-Family Home Allowed by the Density of the Zone ¹	1.752
Minimum Lot Frontage (in feet) ²	20'
Setbacks for All Structures from Adjacent Property Lines Along the	10'

Perimeter of the Site (except front or any public street setback) ^{3, 4}	
Front or any Public Street Setback ⁵	15'
Minimum Distance Between Structures (including accessory structures) ⁴	10'
Maximum Lot Coverage for Structures	40 percent
Maximum Impervious Surface Area	60 percent
Minimum Open Space	See RCDG 20C.30.52-040(3), Required Minimum Open Space
Maximum Height for Cottages and Accessory Structures	18'
Maximum Height for Cottages with Minimum Roof Slope of 6:12 ⁶	25'
Parking Spaces per Cottage ⁷	1.5

¹ For the purpose of this calculation, fractional values shall be rounded to the nearest whole number (0.5 and above, round up; below 0.5, round down). In no case shall the number of cottages allowed in place of each standard sized house exceed two.

² For private streets and access corridors serving less than three lots and accessing directly onto a public street, lot frontage may be reduced to 14 feet.

³ When vehicular access to a cottage housing development is from an alley or access corridor, a four-foot minimum rear setback is allowed.

⁴ Except standard architectural projections up to a maximum of 18 inches in depth and six feet in width, and eaves up to 1.5 feet.

⁵ Front orientation shall be determined by the lot on which the cottage housing development is located as it addresses a public street or access corridor.

⁶ All parts of the roof above 18 feet shall be pitched. The maximum height of any portion of the roof, except chimneys or cupolas, shall not exceed 25 feet anywhere on the site.

⁷ The Technical Committee may reduce parking requirements based on the applicant's demonstration of site-specific factors that justify a lower standard, such as opportunities for transit service or anticipated number of residents.

(2) Cottage Floor Area.

(a) Intent.

- (i) Scale of development. To ensure that the overall size, including bulk and mass of cottage structures and cottage housing developments, remain smaller and incur less visual impact than standard sized single-family dwellings, particularly given the allowed intensity of cottage dwellings.
- (ii) Variety. To provide variety in cottage housing developments through a mixture of building sizes and building footprints.

(b) Requirements.

- (i) The total floor area of each cottage shall not exceed either 1.5 times the area of the main floor or 1,000 square feet, whichever is less. Attached garages shall be included in the calculation of total floor area.
- (ii) Cottage areas that do not count toward the total floor area calculation are:
 - (A) Unheated storage space located under the main floor of the cottage.

- (B) Architectural projections, such as bay windows, fireplaces or utility closets not greater than 18 inches in depth or six feet in width.
- (C) Attached roofed porches.
- (D) Detached garages or carports.
- (E) Spaces with a ceiling height of six feet or less measured to the exterior walls, such as in a second floor area under the slope of the roof.
- (F) The Code Administrator may approve other exemptions similar in nature provided the intent of this section is met.

- (iii) The maximum main floor area for cottages is 800 square feet. For the purposes of this calculation, the area of interior stairway may be allocated between floors served.
- (iv) A minimum of 40 percent of the cottages and not more than 50 percent shall have main floors of 700 square feet or less. For example: in a five-cottage development, two of the cottages would need to have main floors of 700 square feet or less and the other three cottages could have main floors of up to 800 square feet. For fractional numbers 0.5 and above, round up; below 0.5, round down.
- (v) The total square foot area of a cottage dwelling unit may not be increased. A note shall be placed on the title to the property for the purpose of notifying future property owners that any increase in the total square footage of a cottage is prohibited for the life of the cottage or duration of City cottage regulations.

(3) Required Minimum Open Space.

- (a) Intent. The minimum open space requirements are intended to provide a sense of openness and visual relief in cottage housing developments. Common open space shall provide a centrally located focal area for the cottage housing development. The common area shall be outside of wet stormwater ponds, wetlands, streams, lakes, and sensitive area buffers and on slopes of 10 percent or less and developed and maintained so it is usable for active or passive recreation activities. Private open space shall provide private area around the individual dwellings to enable diversity in landscape design.

(b) Requirements.

(i) Common open space shall:

- (A) Be a minimum of 400 square feet per cottage.
- (B) Abut at least 50 percent of the cottages in a cottage housing development.
- (C) Have cottages abutting on at least two sides.

(ii) Cottages shall:

- (A) Be oriented around and have the main entry from the common open space.
- (B) Be within 60 feet walking distance of the common open space.

(iii) Private open space shall:

- (A) Be a minimum of 300 square feet of private, contiguous, usable open space adjacent to each dwelling unit, for the exclusive use of the cottage resident. It shall be oriented toward the common open space as much as possible, with no dimension less than 10 feet.
- (B) Additionally, cottages shall have a roofed porch at least 80 square feet in size with a minimum dimension of eight feet on any side.

(4) ~~Parking Location and Screening.~~

(a) Intent. To ensure that cottage housing developments do not create adverse minimal-visual impacts from vehicular use and storage areas for residents of the cottage housing development as well as and adjacent properties, and to maintain a single-family character along public streets. This subsection sets out requirements and guidelines for minimizing potential impacts resulting from the parking structures and other storage and waste facilities. (Ord. XXXX)

(b) Parking Requirements. Parking shall be:

- (i) Located on the cottage housing development property.
- (ii) Screened from public streets and adjacent residential uses by landscaping or architectural screening.
- (iii) Located in clusters of not more than five adjoining spaces.
- (iv) Prohibited in the front yard setback area. (See Footnote 5, Cottage Housing Developments Site Requirements Chart.)
- (v) Prohibited within 40 feet of a public street, except: single-loaded parking is allowed in a maximum 50-foot-wide area when set back a minimum of 15 feet from a public street. (See Figure 1)
- (vi) Allowed between or adjacent to structures only when it is located toward the rear of the principal structure and is served by an alley or private driveway.
- (vii) A pitched roof design is required for all parking structures. If a parking structure is attached to a cottage unit, review by the Design Review Board shall be required.
- (viii) The Code Administrator may approve other methods provided the intent of this section is met.

(c) Screening Requirements.

- (i) Boundaries between cottage dwellings and neighboring properties shall be screened with landscaping to reduce the appearance of bulk or intrusion onto adjacent properties, or otherwise treated (e.g., through setbacks or architectural techniques) to meet the intent of this section.
- (ii) Common waste and other storage receptacles shall not be placed in the front yard setback area.
- (iii) Common waste and other storage receptacles shall be architecturally screened and/or screened with landscaping so as to mask their appearance to residents, adjacent properties, and the public right-of-way. (Ord. XXXX)

(5) Accessory Dwelling Units. RCDG 20C.30.35 provides for accessory dwelling units (ADUs) in residential areas. For the purposes of this section, additional requirements for ADUs are as follows:

- (a) The number of accessory dwelling units (ADUs), either attached or detached, that are permitted in a cottage housing development shall be based on the underlying density calculation for standard sized dwellings that would be attributed to that site. For example, if the density calculation for a site indicates that three standard size homes would be allowed, then three ADUs plus the number of cottages allowed would be the total number of dwelling units permitted on the site. (For fractional values of 0.5 and above, round up; below 0.5, round down.)
- (b) The size of an accessory dwelling unit shall be subordinate to that of the primary, or cottage dwelling. For any ADU, the total square footage of the ADU shall not exceed the lesser of (i) 500 square feet or (ii) 40 percent of the total square footage of the primary dwelling unit and the accessory dwelling unit combined. ADUs attached to a cottage shall

count in the 1,000 square feet maximum floor area. ADUs in a detached structure do not count in the 1,000 square foot maximum floor area.

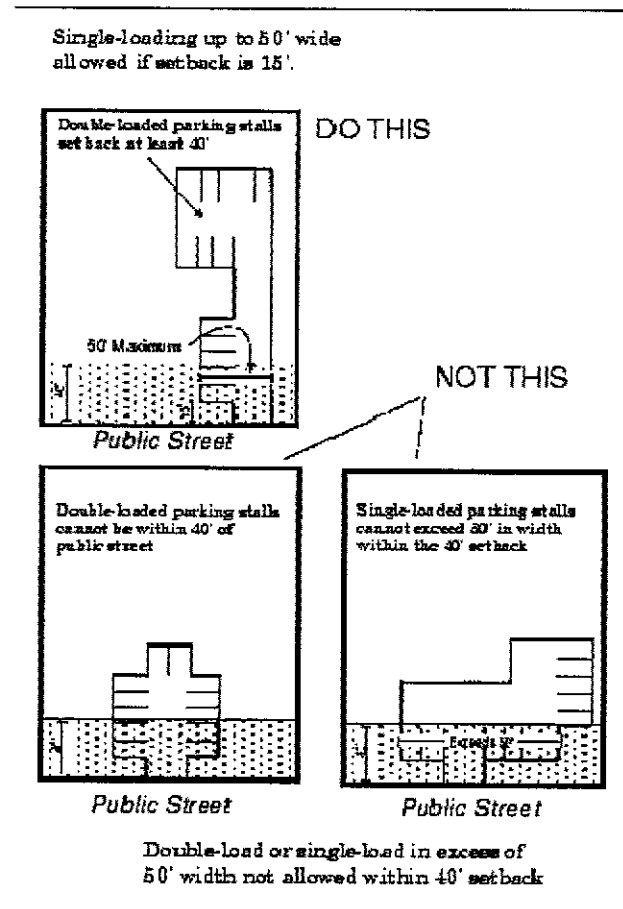


Figure 1. Cottage Housing Parking Requirements

- (c) Accessory dwelling units (ADUs) are allowed in cottage housing developments only when proposed at the time of initial cottage development application.
- (d) Review by the Design Review Board may be required.
- (e) Accessory dwelling units are not allowed with cottages in the Willows/Rose Hill Neighborhood.
- (6) Community Buildings. A cottage housing development may contain community building(s) that are clearly incidental in use or size and related to the dwelling units. Such community buildings shall be located on the same site as the cottage housing development and be commonly owned by the residents.
- (7) Existing Dwellings. An existing detached or attached single-family dwelling that is incorporated into a cottage housing development as a residence and is nonconforming with respect to the standards of this section shall be permitted to remain on a site used for a cottage housing development. However, the extent of the noncompliance may not be increased unless the proposed change is determined by the Code Administrator to be consistent in character,

scale and design with the cottage housing development. If the existing dwelling meets the requirements of this section with regard to size and is able to conform to other site standards, it may be counted as a cottage in the density calculation for the site. If the existing dwelling does not meet the size limitation for a cottage, then it shall count as one standard size dwelling. (Ord. 2249; Ord. 2126)

20C.30.52-050 Neighborhood Meeting. _____

- (1) Intent. The purpose of having neighborhood meetings is to provide residents who live adjacent and nearby the proposed cottage housing development with opportunities, in addition to those provided in RCDG Title 20F, to obtain information about the proposal and provide comment on the overall project design and concept before an applicant expends significant time and resources in developing the specific site and development features of the proposal.
- (2) Requirements.
 - (a) The project applicant for a cottage housing development is required to hold a minimum of one neighborhood meeting. The meeting shall be held early in the permit review process, and may be held prior to submission of a development permit application, in order that the project proponent have the ability to alter the plans based on neighborhood feedback before the plans are finalized.
 - (b) The applicant shall provide the following materials at the neighborhood meeting:
 - (i) A site plan of the proposed development, indicating property lines, proposed setbacks, and lot coverage calculations. The site plan shall also include the location of all adjacent structures and distance to property lines, and the footprint of any existing structures on the property.
 - (ii) Conceptual drawings of the proposed cottages, including building footprints, building elevations, and roof plans.
 - (iii) A description of how the proposed development is consistent with the vision for the character of the neighborhood as described in its most recent neighborhood plan and any accompanying regulations (where applicable).
 - (iv) A description of how the proposed development complies with the requirements of 20C.30.52-040 Special Site Requirements for Cottage Housing Developments.
 - (v) General information about the site including the number of dwelling units allowed by the zone and the number of proposed dwelling units, open space allowed and proposed, impervious surface allowed and proposed, building height allowed and proposed.
 - (vi) Photographs of the subject and adjacent properties keyed to the site plan.
 - (vii) Additional information as required by the application forms provided by the City.
 - (viii) A conceptual site plan, including building footprint(s), demonstrating the type of development that would likely occur if the site were developed under the City's traditional zoning and design standards for the site.
 - (bc) Notification of the meeting shall be mailed to property owners within 500 feet of the proposal and a sign will be posted on-site, according to the requirements of RCDG 20F.30.35-020(2), Notice of Application Requirements of Type II Review.
 - (ed) The City shall participate in neighborhood meetings. (Ord. XXXX; Ord. 2249; Ord. 2126)