

Draft March 11, 2024

The following represents new design standards specific to detached single-family and all types of middle housing in the Old Fort Lake Subarea. Plain text is verbatim from the Washington State Dept. of Commerce's Model Ordinance for Tier 3 Cities related to addressing Middle Housing per the new requirements of HB 1110. It is to be noted that plain text is optional for a city to use. **Bolded text represents provisions from RCW 36.70A.635 that are mandatory per the legislation.** Red text is staff-suggested additions or modifications within the allowed flexibility for local agencies. Note that staff are choosing to combine the detached single-family standards with the middle housing standards.

## **DMC 25.71.700 Design Standards – Single-Family and Middle Housing**

### **25.71.700 Purpose.**

The purpose of DMC 25.71.700 these regulations is to:

- A. To implement Engrossed Second Substitute House Bill 1110, codified in RCQ36.70A.030, 36.70A.280, 36.70A.635, 36.70A.636, 36.70A.637, 36.70A.638, 43.21C.495, and 43.21C.450, 64.32, 64.34, and 64.38, and 64.90, by providing land use, development, design, and other standards for middle housing developed on all lots zoned predominantly for residential use.
- B. To implement the Community Character, Housing and Land Use goals and policies of the Old Fort Lake Subarea Plan.
- C. To provide in one location all development standards for single-family and middle housing.

### **25.71.701 General Provisions.**

- A. Nothing in this ordinance prohibits the city from permitting detached single-family residences.
- B. Nothing in this ordinance prohibits the city from requiring any development, including middle housing development, to provide affordable housing, either on-site or through an in-lieu payment, nor limit the city's ability to expand or modify the requirements of an existing affordable housing program enacted under RCW 36.70A.540.
- C. Nothing in this ordinance requires the issuance of a building permit if other federal, state, and local requirements for a building permit are not met.
- D. Nothing in this ordinance affects or modifies the responsibilities of the city to plan for or provide "urban governmental services" as defined in RCW 36.70A.030.
- E. The city shall not approve a building permit for single-family or middle housing without compliance with the adequate water supply requirements of RCW 19.27.097.
- F. The city shall not require through development regulations any standards for middle housing that are more restrictive than those required for detached single-family residences, but may apply any objective development regulations that are required for detached single-family residences, including, but not limited to, set-back, lot coverage, stormwater, clearing, and tree canopy and retention requirements to ensure compliance with existing ordinances intended to protect critical areas and public health and safety.
- G. The same development permit and environmental review processes shall apply to middle housing that apply to detached single-family residences, unless otherwise required by state law including, but not limited to, shoreline regulations under chapter 90.58 RCW, building codes under chapter

19.27 RCW, energy codes under chapter 19.27A RCW, or electrical codes under chapter 19.28 RCW.

- H. **Conflicts.** In the event of a conflict between this ordinance and other development regulations applicable to **single-family and middle housing**, the standards of this ordinance control.

## 25.71.702 Definitions.

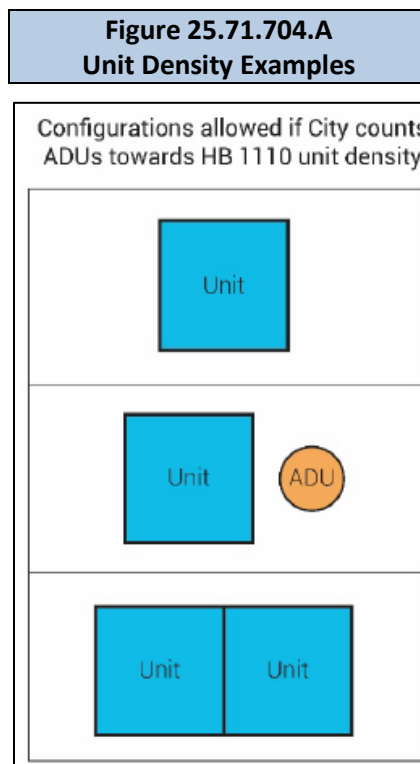
Definitions applicable to this Chapter are found in DMC 25.010.

## 25.71.703 Applicability.

- A. The provisions of this ordinance shall **apply in the Old Fort Lake Subarea to all housing within the Single-Family (SF) and Middle Housing (MH) zoning districts.**
- B. The provisions of this ordinance do not apply to:
- a. Lots designated with critical areas designated under RCW 36.70A.170 or their buffers as required by RCW 36.70A.170.

## 25.71.704 Unit Density.

- A. The permitted unit density on all lots zoned predominantly for residential use **(see DMC 25.71.703(A))** is two units per lot, unless zoning permitting higher densities or intensities applies. See DMC 24.71.100 for higher densities associated with middle housing and multifamily zoning districts. Accessory dwelling units (ADUs) count toward the unit density.



- B. The standard of subsection (A) does not apply to lots after subdivision below 1,000 square feet unless the city has a smaller allowable lot size in the zone.

**C. Per RCW36.70A.681(3), requirements for ADUs to be addressed with periodic update.**

## **25.71.705 Housing Types Allowed.**

Subject to the requirements of RCW 36.70A.635(5), on all lots zoned predominantly for residential use the following housing types are permitted by-right, **per the Permitted Uses Table in DMC 25.71.120.**

- A. Single-Family District: Detached Single-Family and Duplexes
- B. Middle Housing District: Duplexes, Triplexes, Fourplexes, Fiveplexes, Sixplexes, Townhouses, Stacked flats, Courtyard apartments, and cottage housing.

## **25.71.706 Dimensional Standards.**

### A. Applicability.

1. **The city shall not require through development regulations any standards for middle housing that are more restrictive than those required for detached single-family residences, but may apply any objective development regulations that are required for detached single-family residences. This includes, but is not limited to, the following types of dimensional standards: building height, setbacks, lot coverage, floor area ratio, lot area and lot dimension, impervious surface, open space, and landscaped area standards.**
2. **If a conflict exists between these standards for single-family and duplex housing and those provided elsewhere in the City's zoning code or Old Fort Lake Design Standards, the provisions of this chapter shall apply.**

### B. Density. **Lot area requirements and unit density shall comply with DMC 25.71.704 of this chapter.**

### C. Units per structure. The minimum or maximum number of units per structure are guided by the definitions of middle housing types listed in **Section 21.71.705** of this chapter **and defined in DMC 25.10.**

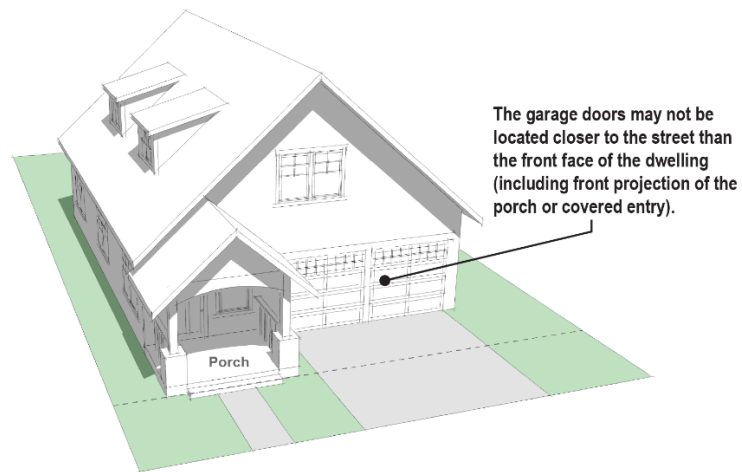
### D. Maximum building height for all **single-family and** middle housing types: 35 feet

### E. Minimum setbacks:

1. The minimum required setbacks **for single-family and middle housing** are as follows.
  - a. Street or front: 15 feet, except 10 feet for lots with a unit density of three or more.
  - b. Street or front, garage door (where accessed from a street): 20 feet
  - c. Side street: Five feet. The street side yard is that other than the street from which the lot fronts upon.
  - d. Side interior: Five feet, and zero feet for attached units internal to the development.
  - e. Rear, without an alley: 20 feet.
  - f. Rear **with access from an alley: Fifteen feet from the centerline of the alley.**
2. **Allowed** Setback projections:
  - a. Covered porches and entries may project up to five feet into required front and rear setbacks.

- b. Balconies, chimneys, bay windows and similar appurtenances may project up to two feet into required front and rear setbacks as long as it does not constitute more than 20 percent of the wall façade to which it is attached.
- c. Eaves may extend two feet beyond the line of the appurtenance or two feet into the required side yard, whichever is greater. If they eaves extend closer than 10 feet between structures they shall be constructed of fire-rated materials.
- d. Required parking spaces may occupy required setbacks.
- e. Storage sheds in rear yards that are less than 100 square feet in area and eight feet in height and decks, provided the deck is maximum six inches above finish grade.

**Street setback standards for individual/private garages on small single-family lots.**



The examples above comply with the standard, as the garage doors are not placed in front of the dwelling (including covered porch or living areas above the garage).

**Street setback standards for individual/private garages on small single-family lots.**



These examples do not comply with the standard. On the left, there is a “dwelling” space above the garage but the garage extends out in front of it. On the right, the garage extends beyond the front door and living areas.

**F. Maximum Lot coverage.**

1. The maximum lot coverage for **single-family and** middle housing is 40 percent.
2. Lot coverage is measured as follows: the total area of a lot covered by buildings or structures divided by the total amount of site area minus any required or planned dedication of public rights-of-way and/or designation of private rights-of-way. Lot coverage does not include building overhangs such as roof eaves, bay windows, or balconies and it does not include paved surfaces.

**25.71.707 Single-Family and Middle Housing Design Standards.**

**A. Applicability.**

1. These standards apply to **all single-family and** middle housing types.
2. For the purposes of this section, a “street” refers to any public or private street and does not include alleys.

**B. Purpose.** The purpose of these standards is to:

1. Promote compatibility **between single-family and middle housing uses.**
2. De-emphasize garages and driveways as major visual elements along the street.
3. Provide clear, safe and accessible pedestrian routes between buildings and streets.
4. Implement the definitions of cottage housing and courtyard apartments provided by state law.
5. **To enhance the character of the street and neighborhood.**
6. **To provide usable open space for residents.**

**C. Design Review.** The process used for reviewing compliance with **these** design standards shall be **administrative design review.**

**D. Standards.**

1. Entries Each building shall incorporate a primary building entry or one or more private unit entries, such as a covered porch or recessed entry. Each entry shall feature minimum weather protection of three feet by three feet.
2. Driveway access and garage standards. Where the garage door(s) face the street, they may occupy no more than 50-percent of the ground-level façade facing the street. Garage doors may exceed this limit up to a maximum of 65-percent of the ground level façade facing the street provided at least two of the following design details are utilized:
  - a. A decorative trellis over at least the entire width of the garage door(s).
  - b. A window or windows are placed above the garage on a second story or attic wall.
  - c. A balcony that extends out over the driveway.
  - d. Utilizing all single vehicle car doors as an alternative to wider garage doors suitable for two car garages.
  - e. Windows in the garage door.
    - i. Decorative details on the garage door. Standard squares on a garage door will not qualify as a decorative detail.

**Figure XX**

**Garage design detail examples.**



A decorative trellis over the garage door.



A balcony over the garage, single doors (instead of a wider double door), and windows above the garage on a second story.

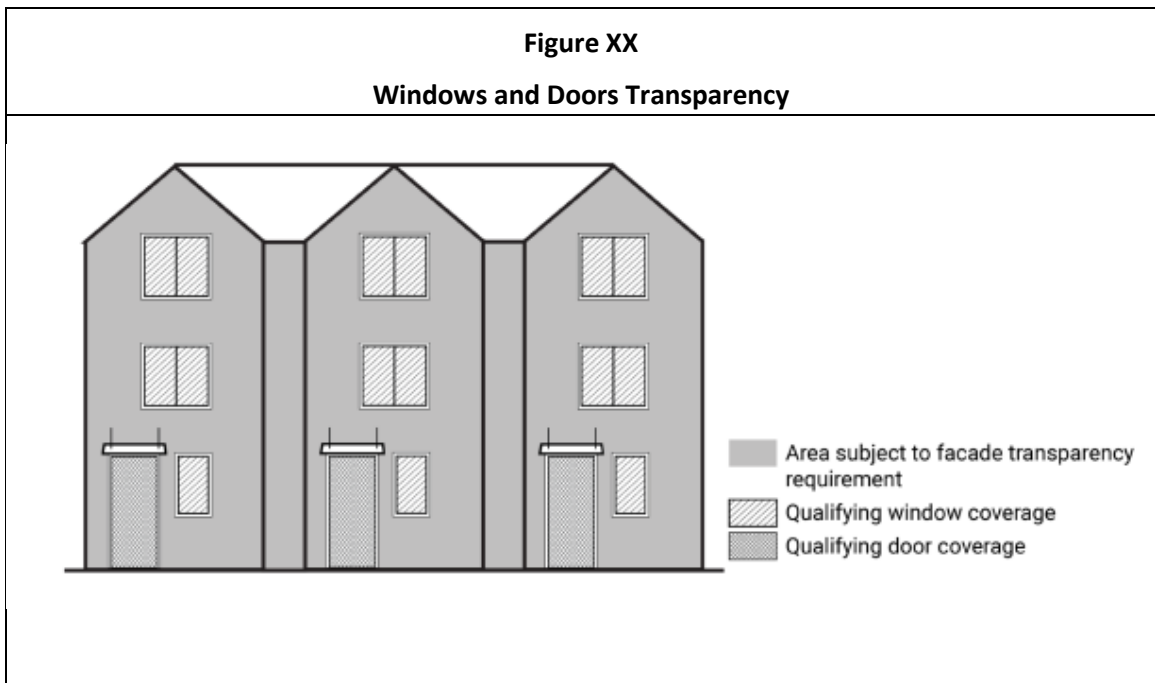
- f. Driveway cut width. Driveway cuts are limited to the widths identified in Table XX, below.

Table XX. Driveway cut width		
Lot width	Minimum driveway width	Maximum driveway width
≥ 40 feet	10 feet	20 feet



< 40 feet	10 feet	12 feet or 20 feet if shared with adjacent lot
-----------	---------	---

- g. **Shared driveways** may be allowed for providing access to residential units in a subdivision per Table XX provided:
- The residential units being served by a shared driveway are limited to no more than two per shared driveway, unless the driveway extends to the rear of the unit for garage access.
  - At least one lot abuts a public right-of-way.
  - The shared driveway would not adversely affect future circulation to neighboring properties.
  - The shared driveway poses no safety risk and provides sufficient access for utilities, emergency vehicles and personnel.
  - Shared driveways must be located within an easement.
  - The maximum length, minimum paved width and easement width, and applicable turnaround requirements must comply with the city's Public Works Standards.
- a. **Windows and doors.** A minimum of 15 percent of the area of the street-facing façade elevation shall include windows or doors. Facades separated from the street by a dwelling or located more than 100 feet from a street are exempt from this standard.



- b. **Minimum Useable Open Space in Yards.** For all single-family and duplex lots:
  - i. All new single-family and duplex units must provide a contiguous open space to the side or rear of the dwelling with a minimum dimension of 15 feet on all sides. For duplexes, each unit must have access to its own space meeting the dimensions.
  - ii. Covered but unenclosed decks and porches may be used as a part of the usable open space provided they are part of a space that meets the standards herein.

## **25.71.708 Cottage Housing Design Standards.**

- A. Applicability. These standards apply to cottage housing proposals.
- B. **Design Review.** The process used for reviewing compliance with cottage housing design standards shall be administrative design review.
- C. Standards.
  - 1. Cottage size. Cottages shall each have no more than 1,600 square feet of net floor area, excluding attached garages.
  - 2. Entries. All cottages shall feature a roofed porch **at least three feet by three feet.**
  - 3. **Open space.** Open space shall be provided equal to a minimum 20 percent of the lot size. This may include common open space, private open space, setbacks, critical areas, and other open space.
  - 4. Common open space
    - a. **At least one outdoor common open space is required.**
    - b. Common open space shall be provided equal to a minimum of 300 square feet per cottage. Each common open space shall have a minimum dimension of 15 feet on any side.
    - c. Orientation. Common open space shall be bordered by cottages on at least two sides. At least half of cottage units in the development shall abut a common open space and have the primary entrance facing the common open space.
    - d. Parking areas and vehicular areas shall not qualify as common open space.
    - e. Critical areas and their buffers, including steep slopes, shall not qualify as common open space.
  - 5. Community building.
    - a. A cottage housing development may contain no more than one community building. The community building is not to be counted toward the open space requirements.
    - b. A community building shall have no minimum off-street parking requirement.



### **25.71.709 Courtyard Apartments Design Standards.**

- A. Applicability. These standards apply to courtyard apartments proposals.
- B. **Design Review.** The process used for reviewing compliance with cottage housing design standards shall be administrative design review.
- C. Standards.
  - 1. Common open space.
    - a. **At least one outdoor common open space is required.**
    - b. **Common open space shall be bordered by dwelling units on two or three sides.**
    - c. Common open space shall be a minimum dimension of 15 feet on any side.
    - d. Parking areas and vehicular areas do not qualify as a common open space.
  - 2. Entries. Ground-related courtyard apartments shall feature a covered pedestrian entry, such as a covered porch or recessed entry, with minimum weather protection of three feet by three feet, facing the street or common open space.

### **25.71.710 Parking Standards.**

- A. See DMC 25.71.270 for single-family and middle housing parking standards.

### **25.71.711 Infrastructure Standards.**

- A. Transportation. Regulations for driveways, frontage improvements, alley improvements, and other transportation public works and engineering standards shall not be more restrictive for middle housing than for detached single-family residences, except as addressed by this ordinance.
- B. Infrastructure including driveways and fire apparatus roads, shall be designed in accordance with the city's Public Works Standards, building and fire codes or other fire, life, and safety standards.