

## Chapter 14.46

### INNOVATIVE HOUSING OPTIONS DEMONSTRATION PROGRAM

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#### **Part I. General Provisions**

**14.46.001 Purpose.** This purpose of this chapter is to help achieve the goals and objectives of the Land Use and Housing elements of the Lake Stevens Comprehensive Plan by providing for a separate program for individual projects demonstrating a type of housing appropriately sized for smaller households. These housing options encourage more efficient use of land and energy, build communities, and offer more affordability.

**14.46.005 Goals.** The goals of the innovative housing options demonstration program are to:

- (a) Increase housing supply and the choice of housing styles available in the community in accordance with the Comprehensive Plan.
- (b) Provide for development of housing that responds to changing demographics and smaller-sized households.
- (c) Support the efficient use of land and higher density infill in developed areas.
- (d) Promote housing affordability and greater choice by encouraging smaller and more diverse home sizes and mixes of income levels.
- (e) Promote high quality design.
- (f) Allow flexibility in site and design standards while promoting infill projects compatible with existing single-family developments.

**14.46.010 Applicability.** This chapter applies to all innovative housing demonstration projects allowed and submitted under this chapter.

**14.46.015 Review and Processing.** Innovative housing demonstration projects shall be reviewed and processed according to the requirements of LSMC 14.40.020(b), 14.16.100 and 14.16.120, with the additional requirements below:

(a) A pre-application conference per LSMC 14.16.020 is required to exchange general and preliminary information and to identify potential issues.

(b) After the pre-application conference, the applicant shall schedule and host a neighborhood meeting before submitting an application to the City. The purpose of the neighborhood meeting is to provide residents who live adjacent and nearby to the proposed cottage housing development an opportunity to obtain information about the proposal and provide comment on the overall project before an applicant expends significant time and resources in developing the specific site and development features of the proposal.

(1) The meeting shall be located in the general area of the proposed project.

(2) Notice of the neighborhood meeting shall be mailed to all property owners located within 500 feet of the proposed project and shall provide details of the proposed project including a description of any modification or flexibility in site design standards that will be requested.

(3) Comprehensive notes describing the meeting shall be submitted with the project application.

(4) Following the neighborhood meeting, the applicant shall consider public input received during the neighborhood meeting and shall consider recommendations, if any, for revising the proposed innovative housing project to respond to neighborhood concerns.

(c) The innovative housing review panel shall consider project proposals at one meeting with staff and provide a recommendation for design approval of projects in accordance with this chapter.

(1) The panel shall consist of the following representatives selected by the City Council and shall include staff as a resource:

a. One member of the Lake Stevens Planning Commission,

b. One member of the Lake Stevens City Council,

c. One member who works in a related profession (e.g., architect, engineer, land use consultant), and

d. One member who is a city resident that has expressed an interest in innovative housing options.

(2) Duties and authority are as follows:

a. The panel is required to meet with the director and city staff at a meeting to discuss proposed innovative housing development site plans and recommend modifications.

b. Prior to a final decision by the director or the hearing examiner, the panel shall make a recommendation based on whether the proposed project meets the specific design requirements provided in this chapter for the specific type of innovative housing option and may propose allowable modifications.

**14.46.020 Application.** Applications for an innovative housing demonstration project shall be made on forms provided by the City, shall be available for public review for a minimum of two weeks prior to the neighborhood meeting, and shall include the following materials:

(a) Preliminary Development Plan. 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, the distance to property lines, and the footprint of any existing structures on the property with a note on which structures will remain. The preliminary development plan shall consist of a site plan drawn to scale and shall display the following information:

- (1) The location, size, configuration, and dimensions of the lot(s) on which the cottage housing development will be developed;
  - (2) The location and footprint for each cottage;
  - (3) A depiction of individual dwelling unit area that delineates the spacing around each cottage;
  - (4) A delineation of the common open areas;
  - (5) The height and square footage of each cottage;
  - (6) The parking locations, layout, circulation, ingress and egress;
  - (7) The location, if applicable, of any buildings to be used in common by the residents of the cottage housing development;
  - (8) The layout and dimensions of pedestrian circulation from the parking areas to the cottages, and connecting the cottages;
  - (9) Design illustrations that show, and a design checklist that lists, the design features that constitute the required design points for each cottage;
  - (10) A depiction of the driveway access from a publicly maintained street to the cottage housing development parking areas, with its dimensions; and
  - (11) Any other information the director finds necessary to ensure compliance with this title.
- (b) Conceptual drawings of the proposed innovative housing type, including building footprints and building elevations, floor plans, roof plans, and additional architectural features.
  - (c) A detailed description of how the proposed development is consistent and not in conflict with the surrounding neighborhood character and neighborhood design.
  - (d) A detailed description of how the proposed development meets the purpose and goals of this chapter and complies with all the criteria and project parameters for an innovative housing project.
  - (e) A detailed description of the proposed unit type, including proposed square footage, unit mix, and number of bedrooms per unit.
  - (f) 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, and building height allowed and proposed.
  - (g) Photographs of the site and adjacent properties keyed to the site plan.
  - (h) Additional information as required by the application forms provided by the City or deemed necessary by City staff to consider the application.

**14.46.025 Sewer Requirements.** Innovative housing developments are required to be developed on sewers. No septic systems shall be allowed.

**14.46.030 Modifications to the Provisions in This Chapter.**

- (a) An applicant may request modifications to the provisions of this chapter or other provisions of Title 14 LSMC related specifically to this chapter, to the extent that such modifications are consistent with the purpose, intent and requirements of this chapter.
- (b) The applicant must describe each requested modification and document in writing how the modifications are consistent with the purpose, intent and requirements of this chapter.
- (c) The director or hearing examiner may approve modifications after:
  - (1) Considering the innovative housing review panel's recommendations, and
  - (2) Documenting in writing that the modifications are consistent with the purpose and requirements of this chapter and do not threaten the public health, safety, or welfare.
- (d) Minor changes to a site plan or design elements approved under this chapter may be approved by the director. Changes that increase the intensity of development, e.g. trips generated or number of residential units; alter the character of the development or balance of mixed uses; increase the floor area in one building by more than ten percent; change access points; move buildings around on the site; reduce the acreage of common open area or buffering areas; or diminish the effectiveness of perimeter buffers, are major and shall be subject to the requirements of this chapter. Major

modifications may be approved by the original decision body and shall be subject to design review approval.

**14.46.035 Sunset Clause.** This chapter and the demonstration program shall be evaluated by staff annually and a staff report forwarded to the Planning Commission and City Council. This chapter shall expire on May 30, 2012. The demonstration program may be extended by the City Council, adopted as a permanent code, or removed from code on or before the expiration date. Projects with complete application submittals before the expiration will be considered vested under this chapter.

**14.46.040 Program Evaluation.**

(1) The department will document project process, innovations, and modifications from the Lake Stevens Municipal Code and evaluate to what degree they achieve the purpose of this chapter.

(2) The innovative housing review panel will review the process of design approval and document real and perceived successes and problems.

(3) A periodic report shall be published and submitted to the city council documenting, describing, and evaluating the results of each project and, if appropriate, making recommendations regarding substantive changes to the Lake Stevens Municipal Code that can be supported by evidence gathered from the program experience.

**Part II. Cottage Housing Development Standards**

**14.46.100 Purpose and Intent.**

(a) These regulations set forth the required standards for Cottage Housing Developments as permissible uses in various zoning districts as specified in Section 14.44.035.

(b) Cottage housing allows for a higher density development than is normally allowed. This is made possible by smaller home sizes, clustered home sites, and parking and design standards.

(c) The intent of the Cottage Housing Development regulations is to:

- (1) Support the growth management goal of more efficient use of urban residential land;
- (2) Support development of diverse housing in accordance with the Comprehensive Plan;
- (3) Increase the variety of housing types available for smaller households;
- (4) Provide opportunities for small, detached dwelling units within existing neighborhoods; and
- (5) Provide opportunities for creative, diverse and high quality infill development that is

compatible with existing neighborhoods.

**14.46.105 Existing Dwellings.** An existing detached single-family dwelling that is incorporated into a Cottage Housing Development as a residence and is nonconforming with respect to the standards of this chapter shall be permitted to remain on a site used for a Cottage Housing Development and shall count as one of the allowed units. However, the extent of the noncompliance may not be increased unless the proposed change is determined by the director to be consistent in character, scale and design with the cottage housing development. Repair, maintenance and reconstruction of an existing dwelling are regulated by Section 14.32.040. An existing dwelling may be replaced with cottage units consistent with this chapter.

**14.46.110 Density Standards.** The following density standards shall apply to Cottage Housing Developments:

- (a) Cottages may be built at up to two units per single-family home allowed in the underlying zone.
- (b) Existing single-family dwellings will count towards total units.
- (c) Minimum units per cluster: 4

- (d) Maximum units per cluster: 12
- (e) Maximum units per Cottage Housing Development: 24
- (f) Cottage Housing Developments are required to be a minimum of 500 feet from another Cottage Housing Development.
- (g) Carriage house units may be built on top of a common garage, when the garage is located adjacent to the common open area. No more than twenty-five percent (25%) of the total number of units may be located above a common garage.

**14.46.115 Community Assets.**

(a) Common Open Area. The minimum common open area requirements set forth in this section are intended to provide a sense of openness, visual relief, and community in Cottage Housing Developments. Common open areas shall provide a centrally located, focal area for the Cottage Housing Development.

- (1) At least 400 square feet of common open area per cottage is required for each cluster.
- (2) Required common open area may be divided into no more than two separate areas per cluster.
- (3) To be considered as part of the minimum open space requirement, an area of common open area must have a minimum dimension of 35 feet on all sides.
- (4) The total common open area shall be at least 3,000 square feet, regardless of the number of units in the cluster.
- (5) At least two sides of the common open area shall have cottages along the perimeter.
- (6) Parking areas, yard setbacks, private open space, and driveways do not qualify as common open area. Community buildings can be counted towards the common open area calculations.

(b) Community Building

- (1) Community buildings are permitted in Cottage Housing Developments.
  - (2) Community buildings shall be clearly incidental in use and size to dwelling units.
  - (3) Building height for community buildings shall be no more than two stories with a maximum height of 18 feet.
  - (4) Maximum size of community buildings shall be 2,000 square feet.
  - (5) Design shall be similar to and compatible with the design of the cottages.
  - (6) Community buildings may be constructed on top of parking structures to a maximum height of 23 feet.
- (c) Other shared facilities could include tool sheds, gazebos, workshops, or similar common elements.

**14.46.120 Impact Fees.** Multi-family impact fee rates shall apply to Cottage Housing Developments.

**14.46.125 Access and Parking.** The intent of these access and parking standards is to minimize the visual impact of vehicles and parking areas for residents of the Cottage Housing Development and adjacent properties and to provide for adequate off-street parking for Cottage Housing Developments. It is the intent that shared detached garage structures be used for parking of vehicles used by the residents.

(a) Access. Access to a Cottage Housing Development shall be consistent with Chapter 14.72 and Section 14.56.180 LSMC.

(b) Minimum Number of Off-Street Parking Spaces

- (1) Minimum parking spaces requirement, including garage spaces and guest parking, shall be two per dwelling unit.
- (2) Parking for a maximum of one vehicle per cottage shall be in a shared detached garage, provided the parking structure is adjacent to other parking spaces. Shared detached garage structures shall be reserved for the parking of vehicles owned by the residents of the development. Storage of items which preclude the use of the parking spaces for vehicles is prohibited.
- (3) Guest parking may be clustered with resident parking and shall include clear signage identifying them as reserved for visitors.

(c) **Parking Design.** The intent of these parking design standards is to create unobtrusive parking, by screening and disguising parking structures and spaces from surrounding properties, including screening by architectural design and/or vegetation, and by minimizing the number of contiguous spaces.

(1) Parking areas or common garages shall be limited to no more than four contiguous spaces separated by a minimum of five feet of sidewalk, landscaping, or open space. The number of continuous parking garages or spaces shall be minimized.

(2) Shared detached garage structures may not exceed four garage doors per building and a total of 1,200 square feet.

(3) Parking shall be separated from the common open area, adjacent properties, and public streets by landscaping and/or architectural screening. Solid board fencing shall not be allowed as an architectural screen. **EXCEPTION:** One parking structure may be adjacent to the common open area, if carriage house units are placed on top and the garage includes architectural features to make it look consistent with the units and community assets.

(4) Parking shall be set back a minimum of 20 feet from a public street.

(5) The parking layout shall be designed to minimize walking distance to cottages.

(6) A pitched roof is required for all parking structures.

(7) The design of garages and carports, including roof lines, shall be similar to and compatible with that of the dwelling units within the Cottage Housing Development.

(8) Common garages are allowed, if locked storage space is provided for each unit in the garage or community building.

(9) Parking may be located between or adjacent to structures, if it is located toward the rear of the structure and is served by an alley or driveway.

#### **14.46.130 Walkways.**

(a) A Cottage Housing Development shall have sidewalks along all public streets and be consistent with LSMC 14.56.180.

(b) A system of interior paved walkways shall connect all cottages with each other, the parking area, and the sidewalks abutting any public streets bordering the Cottage Housing Development.

(c) Interior walkways shall be a minimum of three feet and a maximum of five feet in width.

#### **14.46.135 Storage.**

(a) Storage closets for each unit may be included as part of community buildings or added to garages.

(b) Storage for gardening supplies may be included as part of a community building or a separate small building designed to mimic the units.

(c) Garages shall not be used for storage except in addition to the parking of one owner's vehicle.

#### **14.46.140 Design Standards.**

(a) **Cottage Size.** The intent of setting a unit size is to ensure the overall size of cottages remains smaller and causes less visual impact than standard sized single family dwellings, particularly given the increased density of cottage dwellings, and to provide variety in cottage housing developments through a mixture of building sizes and footprints.

(1) The total floor area of each cottage shall not exceed 1,500 square feet. No more than twenty-five percent of the total number of units shall be larger than 1,200 square feet.

(2) The footprint of each cottage shall not exceed 1,000 square feet. 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 housing development regulations.

(3) There shall be no minimum size requirements for the individual units, provided units meet the minimum livability standards as defined by Chapter 3 of the International Residential Code.

(4) The second floor area cannot exceed 75 percent of the first floor area.

(5) At least 25 percent of the cottages in each cluster shall have a gross floor area less than 1,000 square feet.

(6) Cottage areas that do not count toward the gross floor area or footprint calculations are:  
a. Interior spaces with a ceiling height of six feet or less, such as in a second floor area under the slope of the roof;

b. Unheated storage space located under the main floor of the cottage;

c. Basements;

d. Attached unenclosed porches;

e. Garages or carports; or

f. Architectural projections (i.e., bay windows, fireplaces or utility closets) no greater than 24 inches in depth and six feet in width.

g. The director may approve other exemptions similar in nature provided the intent of this section is met.

(7) Plat or plan note required. The total square footage of a cottage shall not be increased from its permitted size. A note shall be placed on the final plan or plat stating this limitation.

(b) Cottage Height and Roof Standards. The height of all units shall comply with LSMC 14.48.060 Building Height Limitations. In addition, the following standards shall apply to Cottage Housing Developments and shall take precedence over conflicting standards in LSMC 14.48.060:

(1) A cottage shall have a gable roof or a hipped roof. A cottage shall not have a flat roof. Dormers are allowed.

(2) Maximum height of cottage units with a minimum roof slope of 6:12 shall be 25 feet, subject to all parts of the roof above 14 feet shall be pitched.

(3) Maximum height shall be 18 feet for cottages without a roof sloop of 6:12 and for all accessory structures.

(c) Orientation of Cottages

(1) Each dwelling unit shall be oriented toward a common open area, and sixty-five percent of the units shall abut the common open area.

(2) Each cottage shall be within 60 feet walking distance of the common open area.

(3) Lots in a Cottage Housing Development are not required to abut a public street.

(4) Each unit abutting a public street (not including alleys) shall have a façade, secondary entrance, porch, bay window, or other architectural enhancement oriented to the public street.

(5) Cottages shall be placed with a minimum intervening space between buildings of 60 feet, measured foundation to foundation across the common open space.

(d) Cottage Setbacks

(1) The minimum setbacks between all structures (including cottages, parking structures and community buildings) in a Cottage Housing Development shall be ten feet. Eaves may project into the required setback up to 18 inches.

(2) The minimum cottage setback from interior roads in a Cottage Housing Development shall be 15 feet.

(3) All other minimum setbacks for all structures (including cottages, parking structures, and community buildings) in a Cottage Housing Development shall be as provided for in the standards for the zoning district in which the Cottage Housing Development lot is located and shall be subject to the International Residential Code.

(4) No part of any structure in a Cottage Housing Development (including but not limited to cottages, parking structures, and community buildings) shall be more than 150 feet, as measured by the shortest clear and open route, from legally compliant fire department vehicle access.

(e) Porches. The intent of this porch requirement is to create outdoor space in each cottage that is visually and physically connected to the common open area and to other cottages.

(1) Cottage units shall have an unenclosed, covered front primary entry and porch. The front porch shall be oriented toward a common open area.

- (2) Covered porches shall have at least 80 square feet in area with no side shorter than eight feet.
- (f) Private Open Space. At least 500 square feet per cottage of private open space contiguous to each cottage and for the exclusive use of the cottage resident is required and shall be oriented toward the common open area. Private open space is partly intended to enable diversity in landscape design.
- (g) Basements. Cottages may have basements.
- (h) Fencing and Screening. The intent of internal decorative fencing and screening is to delineate private yards and screen parking structures, community assets and unit walls. A Cottage Housing Development shall internally be an open community sharing common areas. The intent of external fencing and screening is to conceal the higher density development from adjacent lower density land uses.
- (1) Decorative fencing may be used for delineating private yards.
- (2) Fencing or shrubbery may be used to screen parking areas, community assets, and unit walls.
- (3) Fencing and shrubbery may not exceed thirty-six inches in height, except directly adjacent to a parking structure.
- (4) Chain link and solid fences shall not be allowed internally. Solid fencing is allowed on the exterior boundary, except bordering an external street.
- (i) Exterior Design Standards for Cottages.
- (1) Purpose. It is the intent of this exterior design standards section:
- a. To ensure cottage design is based on a coherent architectural concept;
- b. To ensure cottages possess architectural finish;
- c. To ensure cottages contribute positively to the architectural character of the neighborhood;
- and
- d. To provide flexibility in design and contrast among individual cottages, while assuring attention to design amenities.
- (2) Character compatibility. Cottage Housing Developments shall utilize building and site design that promotes variety and visual interest and that is compatible with the character of the surrounding neighborhood.
- (3) Variety in building and site design. Cottage Housing Developments shall avoid the repetitive use of the same combination of building size, styles, features, and site design elements within the entire residential development and between adjacent dwellings. Dwellings with the same combination of features and treatments shall not be located adjacent to each other.
- (4) Variety and Visual Interest. Cottage Housing Developments shall provide variety and visual interest by using various combinations of building elements, features, and treatments and variation in site design elements, in a manner that is compatible with the character of the surrounding neighborhood.
- (5) Site Design Requirements. The overall site design for all common areas must include a minimum of 8 points from the following table:

<b>Site Design of Common Areas (minimum of 9 points)</b>	<b>Points</b>
Additional retention of trees or stands of trees consistent with, and greater than required by, LSMC 14.76.120	3 points
Low impact development (LID) features to address stormwater runoff and to promote infiltration such as permeable pavers, water retention facilities, rain gardens, etc.	3 points
Mixture of grass areas and garden areas	3 points
Pervious concrete or asphalt on walkways and/or driveway	2 points
Incorporate additional site and architectural features such as special paving, ornamental gate and/or fence, seating, planter boxes or pots, functional accent lighting, artwork near entry, and/or special landscape treatment with seasonal color, flowering trees, and trees with interesting bark or branching structure.	1 point per type of feature

(6) Exterior Design Requirements. No blank walls are allowed, and each cottage in a cottage housing development must be designed to include a minimum of 38 points from the following table, including the specified minimum number of points from each category:

<b>Totals by Category as Determined by Tables below</b>	<b>Points</b>
Façade	minimum of 12 points
Windows and Doors	minimum of 10 points
Roof	minimum of 8 points
Landscaping and Groundwork	minimum of 8 points

<b>Façade (minimum of 12 points)</b>	<b>Points</b>
Cedar shingle siding, board and batten, or horizontal lap siding (Wood or hardi-plank. Exposed siding must be between four inches and seven inches in width.)	4 points
Change of plane of front elevation	3 points
Gable detailing	2 points
Exterior stonework, masonry, stone, rock, cultured, stone, woodwork, or brickwork	2 points
Three-tone paint on exterior walls trim and roof	2 points
Decorative gable vents	2 point
Architectural detailing on porch railings and posts	2 point
Gable detailing on porch roof	2 point
Bay window	1 points

<b>Roof (minimum of 8 points)</b>	<b>Points</b>
Architectural shingle roof	3 points
Architectural metal roof (Must be commercial quality with hidden fasteners)	3 points
Gable dormer (Shall not also be used for gabled porch roof or porch roof overhang)	3 points
Gabled or modified porch roof	3 points
Porch roof overhang to cover stairs (Shall not also be used for a change of plane of front façade or as a gable dormer or gabled porch roof)	2 points
Soffit detailing (Exposed rafter tail painted or decoratively cut; soffit finished in shiplap or similar treatment)	2 points
Roof brackets	2 points
Rooftop cupola or weathervane	1 point

<b>Windows and Doors (minimum of 10 points)</b>	<b>Points</b>
Skylights or clerestory windows	3 points
Window placement offset for privacy	3 points
Mullioned windows (Minimum of two. Must be divided-lite windows with grillwork on the inside and outside of the window.)	3 points
Window trim (must include cornice molding, jamb molding, and sill for all windows)	2 points
Decorative window(s) on front façade	2 points
Front door lites or sidelites, glass front doors, transoms, glass borders, or split front door	2 points
Front door trim (must have cornice molding, parting bead, and plinth blocks)	1 points

<b>Landscaping and Groundwork for Each Cottage's Private Area (minimum of 8 points)</b>	<b>Points</b>
Additional retention of trees or stands of trees consistent with, and greater than required by, LSMC 14.76.120	3 points
Low impact development (LID) features to address stormwater runoff and to promote infiltration such as water retention facilities, rain gardens, etc.	3 points
Architectural fence around cottage (Not less than two, or more than three, feet high)	2 points
Pervious concrete or asphalt, or permeable pavers, on walkways	2 points
Front yard landscaping (Must include at least one dozen perennial bushes and/or trees native to the area or tolerant of local climate conditions. Landscaping does not include lawns.)	2 points
Incorporate additional architectural features such as special paving, ornamental gate and/or fence, seating, planter boxes or pots, functional accent lighting, artwork near entry, and/or special landscape treatment with seasonal color, flowering trees, and trees with interesting bark or branching structure.	1 point per type of feature