CITY OF SAMMAMISH
WASHINGTON
ORDINANCE NO. O2011-317

AN ORDINANCE OF THE CITY OF
SAMMAMISH, WASHINGTON ESTABLISHING
A PILOT PROGRAM TO ALLOW FOR
COTTAGE HOUSING TO BE LOCATED
OUTSIDE OF THE TOWN CENTER

WHEREAS, the City of Sammamish, Washington is interested in promoting a diverse mix of housing types and sizes to provide for citizens of all ages and all income levels; and

WHEREAS, development of cottage housing can provide additional diversity in housing types available in the City, and is currently allowed only in the Town Center; and

WHEREAS, cottage housing projects in residential zones have not previously been developed in Sammamish, and the impacts of such development are uncertain; and

WHEREAS, allowing cottage housing outside of the Town Center, through a pilot program, is an appropriate means for the City Council to assess the impacts of such projects; and

WHEREAS, the City Council will use the information gathered from the pilot program to determine whether permanent regulations should be adopted to allow Cottage Housing outside the Town Center; and

WHEREAS, the Planning Commission held public meetings on proposed code amendments related to cottage housing on February 2, March 3 and 17, April 21, May 5, June 16 and July 21, 2011; and a public hearing on June 16, 2011; and

WHEREAS, the City issued a SEPA Determination of Non Significance for the proposed code amendments on August 25, 2011; and

WHEREAS, the Growth Management Services Review Team of the Washington State Department of Commerce granted expedited review and approval of the proposed code amendments on August 25, 2011; and

WHEREAS, the City of Sammamish Comprehensive Plan Housing Element contains the following goal and policies:

GOAL HG-7: The City shall address targets for housing affordable to low and moderate income households which should be consistent with targets in the King County Countywide Planning Policies.

HP-15: The City should support the design of affordable housing that is compatible with neighborhood character and is dispersed throughout the community.
HP-19: The City should consider land use regulations that will allow for the modification of existing housing in order to preserve and/or increase lower/moderate cost housing opportunities.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAMMAMISH, WASHINGTON, DO ORDAIN AS FOLLOWS

Section 1. Pilot Program Established. A pilot program is hereby established to allow cottage housing in the R-4 through R-18 zones as follows:

a. Purpose. The purpose of this Ordinance is to allow for the development of a limited number of cottage housing projects in order to evaluate opportunities to increase the availability of cottage housing in Sammamish neighborhoods.

b. Goals. The goals of the cottage housing project are to:

i. Increase housing supply and the choice of housing styles available in the community;
ii. Promote housing affordability and greater choice by encouraging smaller and more diverse home sizes and mixes of income levels;
iii. Promote high quality design;
iv. Promote projects that are compatible with existing single-family developments; and
v. Evaluate the results of the project in order to determine if permanent zoning amendments should be adopted.

c. Developments considered under the provisions of this Ordinance shall be subject to all applicable development standards of state law and the Sammamish Municipal Code.

d. Affordable cottage housing units that meet the provisions of sections 21B.75.050 and 21B.75.060 SMC, shall be counted as one-third of a dwelling unit for the purpose of calculating density.

Section 2: Neighborhood Meeting Required.

a. Developers of cottage housing projects proposed under this Ordinance shall schedule and host a neighborhood meeting following the procedures set forth in SMC 20.05.035.

Section 3. Permit Process and Standards.

a. Except for Cottage Housing Projects that involve a subdivision, as defined by the City of Sammamish Development Code, the City shall use the Type II Review process described in SMC 20.05 of the Sammamish Municipal Code.
b. For Cottage Housing Projects that involve a subdivision, the City shall use the Type III Review process described in SMC 20.05 of the Sammamish Municipal Code.

c. All projects implemented pursuant to this Ordinance shall demonstrate compliance with the development guidelines for cottage housing set forth in Section 21B.30.280 of the Sammamish Municipal Code; except that for the projects authorized by this Ordinance, Section 21B.30.280 (5) is amended as follows: 1) Maximum Floor Area not to exceed = Up to 1,600 SF, but the average for units must equal 1200 SF; and 2) Maximum Floor Area/Ground or Main Floor not to exceed = Up to 1000 SF, but the average for units must equal 800 SF.

d. In addition, the applicant must demonstrate that:

   i. The impacts of the proposed development will be substantially similar to the impacts that would occur with a traditional development that could be constructed on the property;

   ii. Except as otherwise provided in this Ordinance, the proposal is compatible with surrounding development with respect to building heights, roof forms, property lines, parking location and screening, access, and lot coverage; and

   iii. The proposal provides elements that contribute to a sense of community within the development by including elements such as front entry porches, common open space, and common buildings or common spaces within buildings.

e. The City’s approval of a cottage housing project does not, by itself, constitute approval of a subdivision, a short plat, site plan entitlement, or a binding site plan.

Section 4. Pilot Program Monitoring. The Department of Community Development shall monitor the effect of cottage projects pursuant to the provisions of this pilot program. Such monitoring may include tracking any increase in traffic incidents, citizen comments or complaints, and any other appropriate information related to the cottage housing project. Following expiration of this Ordinance, the Department shall prepare a report evaluating how well the project achieved the purpose and goals of the Ordinance and present the report to the City Council.

Section 5. Duration of the Pilot Program. The City may approve cottage housing up to a maximum of 50 units. Affordable cottage housing units shall not be counted against the 50 unit limitation. Applications for the cottage housing program must be submitted within five calendar years from the effective date of this Ordinance on forms to be provided by the Department.

Section 6. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not
affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

Section 7. Effective Date. This ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 6th DAY OF DECEMBER, 2011.

CITY OF SAMMAMISH

[Signature]
Donald J. Gerend, Mayor

ATTEST/AUTHENTICATED:

[Signature]
Melvin Anderson
City Clerk

APPROVED AS TO FORM:

[Signature]
Bruce L. Disend, CITY ATTORNEY

Filed with the City Clerk: October 12, 2011
Public Hearing: October 17, 2011
First Reading: October 17, 2011
Public Hearing: November 14, 2011
Second Reading: November 14, 2011
Public Hearing: December 6, 2011
Passed by the City Council: December 6, 2011
Date of Publication: December 11, 2011
Effective Date: December 16, 2011