

Housing Committee

City of Leavenworth Zoom Meeting
3:45 - 4:30 PM
October 27, 2020

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| <p><u>Members:</u> Mia Bretz Clint Strand Zeke Reister*</p> |
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Agenda Items:

1. Administrative Interpretation of Multifamily (multiple units attached and detached) (10-15 minutes)
2. Housing Action Plan Update (10-15 minutes)
3. Draft Senate Bill 6446, 2020 regular session (10-15 minutes)
4. Future Agenda Items
 - a. Draft Housing Needs Assessment – What does this document tell us?
 - b. Transfer Development Rights
 - c. Workforce Housing
 - d. Housing renovation partnership options
 - e. Suggestions

Committee Goals:

- a. Initiating a discussion regarding the collaboration on regional housing issues and potential regional solutions.
- b. Exploring possible funding options for assistance of work force level housing.
- c. Reviewing and monitoring the implementations of municipal code language as it is developed and approved via the City Council and Planning Commission. The Committee shall evaluate the effectiveness of implementation of the code language.



City of Leavenworth
Department of Development Services
Administrative Interpretation

Date: TBD
Applicant: City of Leavenworth
Property Address: Citywide
Docket No: AI 2020-01
From: Lilith Vespier, Development Services Manager
Regarding: Definition of Multifamily

Summary of the Request:

The existing Leavenworth Municipal Code does not address a multifamily development that is designed with a group of single-family (detached) residential dwellings.

Determination:

Where all other standards can be met, the definition of multifamily dwelling is appropriately inclusive of multiple single-family and duplex (attached or detached) residential dwellings on a single parcel of land or under a condominium ownership.

Analysis & Findings:

The definition of multifamily dwelling is “a residential building designed for or occupied by three or more families”. This definition does not account for the option of multiple detached dwellings which serve the same function.

The Leavenworth Municipal Code permits the development of multifamily dwellings within the Multifamily Residential District and Commercial Zoning Districts.

The Leavenworth Municipal Code does not have a specific density minimum or maximum for multifamily developments, other than to require 40% of the parcel to be open space. Further, multifamily development requires specific landscape standards, pursuant to LMC 18.22.030.

Multifamily development allows for the most efficient use/expansion of city infrastructure and the most efficient use of residential land. By providing for more dense development, the City preserves land and reduces costly extensions of city infrastructure.

The intent of multifamily development is to provide diverse rental housing options to residents, such as, the Leavenworth Haus, Bavarian Village and Berg Rose. Additionally, the Leavenworth Municipal Code permits the conversion or construction of condominiums within the Multifamily Residential District, which allows for ownership of smaller, lower cost dwellings, such as, Park View, Village Crest, Valley View, Granite Court and Tumwater Townhomes. There is no functional difference between a rented unit and an owned unit. Both provide for multiple units on a common parcel of land.

Within all the Multifamily District, single-family, duplex and accessory dwellings are permitted. It is possible that a development could provide a mix of dwellings within one project area. Similar to ownership type, there is no functional difference between three or more attached or three or more

detached units.

The intent of multifamily dwellings is to provide higher density of dwellings and to create a variety of housing options to meet the residential needs of the community members. This intent can be met regardless of the dwellings being attached or detached.

Related Code Definitions, LMC 21.90:

“Lot” means a fractional part of divided lands having fixed boundaries or single parcel of land located within a single block, which at the time of application for a building permit is designated by its owner or developer to be used, developed, or built upon as a unit, under single ownership or control being of sufficient area and dimension to meet minimum zoning requirements for width and area. The term shall include tracts or parcels.

“Dwelling, multifamily” or “multifamily dwelling” means a residential building designed for or occupied by three or more families, with the number of families in residence not exceeding the number of dwelling units provided for owner occupancy, rent, or lease on a monthly or longer basis.

“Dwelling, single-family” or “single-family dwelling” means a detached residential dwelling unit, which is site-built, manufactured, modular, or other type of similar construction not including recreation vehicles, travel trailers, or similar structures, designed for and occupied on a monthly or longer basis by one family.

“Dwelling/duplex, two-family” or “two-family dwelling/duplex” means a detached residential building containing two dwelling units, designed for occupancy on a monthly or longer basis by not more than two families. Each unit shall be designed for and occupied on a monthly or longer basis.

“Dwelling unit” means one or more rooms designed, occupied or intended for occupancy as separate living quarters. A dwelling unit includes a single-family dwelling, a unit in a two-family dwelling/duplex, an apartment or other leased premises leased on a monthly or longer basis, or residential condominium unit. A dwelling unit shall include a detached accessory dwelling unit that is intended for human habitation (i.e., living quarters). Dwelling unit does not include individual hotel/motel guest rooms, condominium timeshare units, cabins, transient accommodations or similar guest accommodations rented to transient guests in a motel, hotel, inn, or similar transient lodging establishment.

“Binding site plan” means an alternate method of land division under the following circumstances: (A) the division of land into two or more lots, parcels, or tracts located in a commercial or industrial zoning district; (B) the division of land for lease when no other structure other than mobile homes or recreational vehicles are to be placed on the land; and (C) the division of land into lots or tracts when performed in accordance with Chapters 64.32 and 64.34 RCW, and RCW 58.17.040(7), and complying with the provisions contained in Chapter 17.10 LMC.

Related Code Binding Site Plan, LMC 17.10.010 Applicability:

A binding site plan may be performed as an alternate method of land division under the following circumstances:

A. The division of land into two or more lots, parcels, or tracts located in a commercial or industrial zoning district.

B. The division of land for lease when no other structure other than mobile (manufactured) homes or recreational vehicles are to be placed on the land.

C. The division of land into lots or tracts when performed in accordance with Chapters 64.32

[Horizontal Property regimes Act] and 64.34 RCW [Condominium Act], and RCW 58.17.040(7).

Related Code Multifamily Site Plan Review, LMC 18.22.030:

Multifamily dwellings involving three or more units, as provided in LMC 18.22.020, shall be subject to site plan review for the following minimum landscaping standards:

A. Planting Area. A minimum five-foot-wide planting strip shall be provided adjacent to all street frontages, as directed by the public works director, and along all property lines which front upon a low density residential district. The total landscaped planting area, exclusive of lawns, shall not be less than eight percent of the gross project area.

B. Trees. One tree shall be required for each 250 square feet of required planting area. Trees of two-inch caliper (measured three feet above ground level) are required. At least one out of every four of the required trees shall be planted within the interior (20 feet from any lot line, unless prevented by the structures). Nuisance trees, which are susceptible to breakage, disease, or insect infestation, or which have undesirable growth habits (roots which invade sewer lines, trees which produce messy blooms and/or fruit) should be avoided.

C. Shrubs. The planting area must be 50 percent covered with shrubs which are two feet or higher at maturity.

D. Ground Cover. Ground cover is required to complete the landscaping of the planting areas.

E. Other Areas. All areas not covered by structures, paving or landscaped planting areas shall be maintained in grass.

F. Irrigation and Maintenance. A permanent, underground irrigation system shall be provided for all planting areas and lawns. All plantings shall be the owner's responsibility to maintain and replace as needed.

Related Code Multifamily Lot Size, LMC 18.22.050:

In a multifamily residential district, the lot size shall be as follows:

A. The minimum lot area for new land divisions shall be 6,000 square feet for up to three units. Two thousand square feet of additional area on the lot is required for each additional dwelling unit. No lot shall be created which is less than 6,000 square feet in size, but multiple lots of 6,000 square feet and larger may be platted.

B. For existing legal lots of record, at a minimum, 2,000 square feet of lot area are required for each dwelling unit.

C. The minimum lot width at the front building line for new land divisions shall be 60 feet for an interior lot and 70 feet for a corner lot.

Related Code Multifamily Yard Requirements, LMC 18.22.060:

A. The front yard shall be a minimum of 25 feet. On through lots, front yards shall be required on both streets.

B. The side yard shall be a minimum of five feet.

C. The rear yard shall be a minimum of 15 feet for lots without an alley adjacent to the rear yard, and the rear yard shall be not less than eight feet for lots with an alley adjacent to the rear yard.

D. For corner lots, the street side yard shall be a minimum of 10 feet, and at least one rear yard setback shall be provided. For the purposes of this title, street side yard shall be that yard area which is adjacent to a public street right-of-way, but which does not provide the primary access to the residential structure, and/or which does not serve as the street address for the residence.

Related Code Multifamily Lot Coverage, LMC 18.22.080:

In a multifamily residential district, buildings and structures shall not occupy more than 40 percent of the lot area.

Appeals:

This decision is final unless appealed as provided in LMC Chapter 21.11 Appeals. The appeal closing date is June 11, 2019, (10 days from the date of this decision). As provided in LMC 21.11.010, appeals of administrative decisions pursuant to LMC 21.09.040 may be appealed, by applicants or parties of record, to the Hearing Examiner as provided for in LMC 21.11.030.

An appeal must contain a concise statement identifying:

1. The decision being appealed,
2. The name and address of the appellant and his/her interest(s) in the matter;
3. The specific reasons why the appellant believes the decision to be wrong, including identification of each finding of fact, each conclusion, and each condition or action ordered which the appellant alleges is erroneous. The appellant shall bear the burden of proving the decision was wrong;
4. The specific desired outcome or changes to the decision;
5. The applicable appeal fee, and
6. The notice of appeal shall include a copy of the receipt evidencing payment of the appeal fee.