

ORDINANCE NO. 408

AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON, REPEALING COTTAGE HOUSING BONUS DENSITIES; AND REPEALING SHORELINE MUNICIPAL CODE 20.40.120, 20.40.300 AND AMENDING SHORELINE MUNICIPAL CODE 20.20.014

WHEREAS, Shoreline development regulations increased the minimum lot size for low density districts from the interim zoning code (Title 21A of the King County Code, adopted on June 26, 1995 by City Ordinance No. 11), while adopting a cottage housing bonus density that was permitted in R8-12 and R18-48 zones, and could be approved as a conditional use permit in R4 -6 zones, as part of the City's strategy to reach GMA population targets; and

WHEREAS, City Council passed Ordinance No. 362 on August 23, 2004 which adopted findings that 1) existing land development standards intended to require the integration of new cottage housing residential development with existing neighborhoods may not be adequate, particularly in many existing low density neighborhoods; 2) the continued acceptance of development applications proposing the creation of residential development utilizing existing cottage housing development standards and density may allow development that is incompatible with existing neighborhoods, leading to erosion of community character and harmony, and a decline in property values; and 3) the integrity of existing land uses, the Comprehensive Plan, and the State Growth Management Act planning process may suffer irreparable harm unless a moratorium preventing the creation of cottage housing development was adopted; and

WHEREAS, the six month moratorium adopted by Ordinance No. 362 was extended by Ordinance No. 371 and Ordinance No. 397 until February 19, 2006;

WHEREAS, the Council finds that although the Planning Commission's recommendation for permanent amendments to cottage housing regulations would reduce some negative impacts of cottage housing cited above in support of the moratorium, it is unlikely that these additional restrictions, or a design review process, will reliably create the high quality development necessary to compliment Shoreline's lowest density residential neighborhoods;

WHEREAS, the Council further finds that this ordinance is consistent with the Comprehensive Plan, specifically recent amendments repealing LU 27 and adopting LU 9 that provides that dwelling types other than single family detached dwellings may be allowed under certain circumstances in the Low Density Residential land use designation; existing regulations and proposed amendments do not create sufficient safeguards to allow higher density cottage housing in this designation; now therefore

THE CITY COUNCIL OF THE CITY OF SHORELINE, WASHINGTON DO ORDAIN AS FOLLOWS:

Section 1. Repeal. Shoreline Municipal Code sections 20.20.014 ‘Cottage Housing’ and 20.40.300 are hereby repealed in their entirety.

Section 2. Amendment. SMC 20.40.120 is amended to read as follows:


20.40.120 Residential type uses.

NAICS #	SPECIFIC LAND USE	R4-R6	R8-R12	R18-R48	NB & O	CB & NCBD	RB & I
RESIDENTIAL GENERAL							
	Accessory Dwelling Unit	P-i	P-i	P-i	P-i	P-i	P-i
	Affordable Housing	P-i	P-i	P-i	P-i	P-i	P-i
	Apartment		C	P	P	P	P
	Cottage Housing	C-i	P-i	P-i			
	Duplex	P-i	P-i	P-i	P-i		
	Home Occupation	P-i	P-i	P-i	P-i	P-i	P-i
	Manufactured Home	P-i	P-i	P-i			
	Mobile Home Park	P-i	P-i	P-i			
	Single-Family Attached	P-i	P	P	P		
	Single-Family Detached	P	P	C	C		
GROUP RESIDENCES							
	Boarding House	C-i	C-i	P-j	P-i	P-i	P-i
	Community Residential Facility-I (Less than 11 residents and staff)	C	C	P	P	P	P

	Community Residential Facility-II			P-i	P-i	P-i	P-i
721310	Dormitory		C-i	P-i	P-i	P-i	P-i
TEMPORARY LODGING							
721191	Bed and Breakfasts	P-i	P-i	P-i	P-i	P-i	P-i
72111	Hotel/Motel					P	P
	Recreational Vehicle	P-i	P-i	P-i	P-i	P-i	P-i
	Tent City	P-i	P-i	P-i	P-i	P-i	P-i
MISCELLANEOUS							
	Animals, Small, Keeping and Raising	P-i	P-i	P-i	P-i	P-i	P-i
P = Permitted Use S = Special Use C = Conditional Use -i = Indexed Supplemental Criteria							

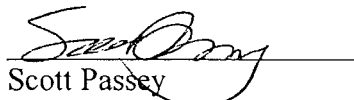
Section 3. Effective Date, Publication. The title of this Ordinance shall be published as a summary, and the Ordinance shall take effect five days from publication.

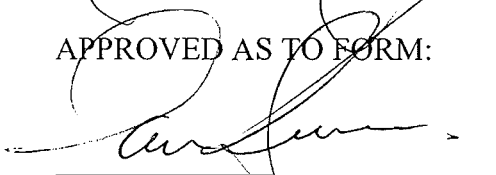
PASSED BY THE CITY COUNCIL ON FEBRUARY 13, 2006.


 Mayor Robert Ransom

ATTEST:

APPROVED AS TO FORM:


 Scott Passey
 City Clerk


 Ian Sievers
 City Attorney

Date of Publication: February 16, 2006
 Effective Date: February 21, 2006

ORDINANCE NO. 462

AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON, DELETING ALL REFERENCES TO COTTAGE HOUSING AND AMENDING SHORELINE MUNICIPAL CODE SECTIONS 20.20.014, 20.40.030, 20.40.230, AND 20.50.020

WHEREAS, the City Council repealed Cottage Housing Bonus Densities in Ordinance No. 408;

WHEREAS, the Shoreline Municipal Code includes other references to cottage housing which are no longer relevant;

City staff drafted several amendments to the Development Code;

WHEREAS, the Planning Commission held a Public Hearing, and developed a recommendation on the proposed amendments; and

WHEREAS, a public participation process was conducted to develop and review amendments to the Development Code including:

- A public comment period on the proposed amendments was advertised from December 14, 2006 to December 28, 2006 and
- The Planning Commission held a Public Hearing and formulated its recommendation to Council on the proposed amendments on February 1, 2007.

WHEREAS, a SEPA Determination of Nonsignificance was issued on December 28, 2006, in reference to the proposed amendments to the Development Code; and

WHEREAS, the proposed amendments were submitted to the State Department of Community Development for comment pursuant WAC 365-195-820; and

WHEREAS, the Council finds that the amendments adopted by this ordinance are consistent with and implement the Shoreline Comprehensive Plan and comply with the adoption requirements of the Growth Management Act, Chapter 36.70A. RCW; and

WHEREAS, the Council finds that the amendments adopted by this ordinance meet the criteria in Title 20 for adoption of amendments to the Development Code;

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

Section 1. Amendment. Shoreline Municipal Code Sections 20.20.014, 20.40.030, 20.40.230, and 20.50.020 are amended to delete all references to cottage housing as set forth in Exhibit 1, which is attached hereto and incorporated herein.

Section 2. 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 preempted by state or federal law or regulation, such decision or preemption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

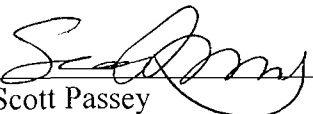
ORIGINAL

Section 3. Effective Date and Publication. A summary of this ordinance consisting of the title shall be published in the official newspaper and the ordinance shall take effect five days after publication.


PASSED BY THE CITY COUNCIL ON MARCH 26, 2007.


Mayor Robert L. Ransom

ATTEST:


Scott Passey
City Clerk

APPROVED AS TO FORM:


Ian Sievers
City Attorney

Date of Publication: March 29, 2007
Effective Date: April 3, 2007

20.20.014. C definitions

Cottage

A small, detached dwelling unit.

20.40.030 Residential zones.

A. The purpose of low density residential, R-4 and R-6 zones, is to provide for a mix of predominantly single detached dwelling units and other development types, such as accessory dwelling units, ~~cottage housing~~ and community facilities that are compatible with existing development and neighborhood character.

20.40.030 Residential zones.

B. The purpose of medium density residential R-8 and R-12 zones, is to provide for a mix of single-family homes, duplexes, triplexes, townhouses, ~~cottage housing~~ and community facilities, in a manner that provides for additional density at a modest scale.

20.40.230 Affordable housing.

A. Provisions for density bonuses for the provision of affordable housing apply to all land use applications, except the following which are not eligible for density bonuses: (a) the construction of one single-family dwelling on one lot that can accommodate only one dwelling based upon the underlying zoning designation, (b) provisions for accessory dwelling units, (c) ~~provisions for cottage housing~~, and (d) projects which are limited by the critical areas requirements.

Table 20.50.020(1) – Densities and Dimensions in Residential Zones

Note: Exceptions to the numerical standards in this table are noted in parenthesis and described below.

Residential Zones							
STANDARDS	R-4	R-6	R-8	R-12	R-18	R-24	R-48
Base Density: Dwelling Units/Acre	4 du/ac	6 du/ac (4)(7)	8 du/ac	12 du/ac	18 du/ac	24 du/ac	48 du/ac
Min. Density	4 du/ac	4 du/ac	4	6	8 du/ac	10 du/ac	12 du/ac

ORIGINAL

			du/ac	du/ac			
Min. Lot Width (2)	50 ft	50 ft	50 ft	30 ft	30 ft	30 ft	30 ft
Min. Lot Area (2)	7,200 sq ft	7,200 sq ft	5,000 sq ft	2,500 sq ft	2,500 sq ft	2,500 sq ft	2,500 sq ft
Min. Front Yard Setback (2) (3)	20 ft	20 ft	10 ft	10 ft	10 ft	10 ft	10 ft
Min. Rear Yard Setback (2) (4) (5)	15 ft	15 ft	5 ft	5 ft	5 ft	5 ft	5 ft
Min. Side Yard Setback (2) (4) (5)	5 ft min. and 15 ft total sum of two	5 ft min. and 15 ft total sum of two	5 ft	5 ft	5 ft	5 ft	5 ft
Base Height	30 ft (35 ft with pitched roof)	30 ft (35 ft with pitched roof)	35 ft	35 ft	35 ft (40 ft with pitched roof)	35 ft (40 ft with pitched roof)	35 ft (40 ft with pitched roof) (8) (9)
Max. Building Coverage (6)	35%	35%	45%	55%	60%	70%	70%
Max. Impervious Surface (6)	45%	50%	65%	75%	85%	85%	90%

Exceptions to Table 20.50.020(1):

- (1) *In order to provide flexibility in types of housing and to meet the policies of the Comprehensive Plan, the base density may be increased for cottage housing in R-6 (low density) zone subject to approval of a conditional use permit.*