

SEQUIM PLANNING COMMISSION
Public Meeting
To be Held Online
6:00 P.M.
Tuesday, August 18, 2020

ATTENDANCE DURING COVID-19 PANDEMIC:

The public can hear meetings online at <https://www.sequimwa.gov/669/City-Council-Boards-Commission-Media> or by calling (253) 363-9585, conference ID 263677936#. In-person attendance by the public is currently not possible.

Agenda

- 1. CALL TO ORDER, PLEDGE OF ALLEGIANCE & ROLL CALL:**
Commissioners: Carter, Coonts, Downer, Hall, Mahalick, Protze, Wiseman.
- 2. APPROVAL OF MINUTES:** [August 4, 2020](#)
- 3. NEW BUSINESS**
 - a. [Public Meeting on Proposed Accessory Dwelling Unit Code Amendments](#)
- 4. UNFINISHED BUSINESS (with date added to agenda)**
 - a. Manufactured Home Parks - Conceptual Areas (7/21/20)
 - b. Zoning Code Amendment - Commercial Space on Ground Floor in DMU (7/21/20)
 - c. Criteria for Public and Private Streets (7/21/20)
 - d. Rules and Procedures (7/21/20)
- 5. DIRECTOR'S REPORT**
- 6. GOOD OF THE ORDER**
- 7. ADJOURNMENT**

Next Meeting: September 1, 2020

**CITY OF SEQUIM
PLANNING COMMISSION MINUTES
VIRTUAL MEETING
AUGUST 4, 2020**

1. CALL TO ORDER & ROLL CALL:

Present: Elizabeth A. Hall, Jeff Carter, Julianne Coonts, Kathy Downer,
Roger Wiseman

Absent: Karen Mahalick
Olaf Protze

2. APPROVAL OF MINUTES: July 21, 2020

Motion to approve the minutes of the July 21, 2020 Planning Commission meeting;
moved by Coonts and seconded by Downer.

Carried Unanimously.

3. NEW BUSINESS

a. Affordable Housing Report

Senior Planner Tim Woolett presented, stating the term “workforce housing” has taken hold nationwide; the term “affordable housing” has a definition that is different; code could be changed to allow residential on the ground floor in some downtown zones; suggestions include creating a land trust, infill development, and expanding the ADU code; the market will drive things; GFCs for multifamily are about 81% of what a SFR home is; and, perhaps multifamily could be allowed in the HTLI zone.

Community Development Director Barry Berezowsky stated that some Commissioners have heard this and we want to bring new Commissioners up to speed; hopefully the new Council will support some ideas; housing responds to the market; and, builders can profit building \$400-500k homes so that’s what they do.

Downer asked about multifamily in downtown zones, and Berezowsky stated that the only way you can build two units on one lot is to build a primary unit and ADU, and we could open up different options. Hall recalled the suggestion was to allow multifamily on the ground floor in some downtown zones, but not on Washington Street, and asked if that was correct, and Berezowsky confirmed. Carter asked, what are you looking for from the Commission? Woolett stated that he would like them to offer their thoughts, and asked, how can we incentivize so it makes sense for a developer? Berezowsky stated that some recommendations in the report would incentivize, such as to allow triplexes if design standards are met; a fourplex may give a developer a profit and allow young professionals to build equity; and, with the Commission’s support we would bring recommendations to

Council. Carter stated that if you lower fees the market is not driving that, you are; we have power as a community; what about increasing fees on big homes to disincentivize those; big cities are referenced in the report; and asked, are there examples from small towns?

Berezowsky stated that the government was building housing, then federal housing legislation changed things and they provided vouchers to help pay for housing (Section 8) and housing became less available; a large number of the people are in the market for a \$600-700k home and there is not enough supply; it drives the cost of housing; we hear that fees are driving prices up but Cedar Ridge was bought for a below market price, and they sell homes at market rate as if they never got a discount; and, Beckman may have studied other small towns. Downer asked, since this is a census year is there info to glean? Berezowsky stated that he expects we've changed demographically; we have no preliminary results; and, we had a good response level. Carter commented on the expected growth rate in the Housing Study, and Berezowsky stated that the forecast has been aggressive and may not be achieved; we are supposed to work off of the number agreed to with the County, Port Angeles and Forks, and that number cannot be found in the Comprehensive Plan.

Coonts stated that she owned a home in Sequim with an ADU and she wanted a separate water meter because she had to pay double fees even when it was empty; it would have cost \$10k; she tried to sell and the bank would not approve because of zoning, because if it burned it would have to be rebuilt as commercial; the bank would not approve a commercial loan because it was a residence; she sold to a cash buyer and they sublet rooms because a third ADU is not allowed; and, working with existing buildings could help with workforce housing.

Carter stated that the Mayor's letter in the front of the Comprehensive Plan gives the growth rate we are planning for; and, we are looking for what is the best way forward. Berezowsky stated that he expected the growth rate to be in the Comprehensive Plan, not in the Mayor's letter; and, we could start by proposing changes to the ADU code. Carter asked Berezowsky if he could follow up on whether Beckman studied small towns, and Berezowsky confirmed. Woolett stated that small towns around Carnation were friendly with building multi-family but they struggle with affordable housing too; the problem is we have one residential zone and it doesn't allow multifamily; and, we can have multifamily in the LD and Downtown zones, but the R4-8 is an expansive area on the map; and, he would look into what they did around Carnation. Carter stated that the report is good, and asked for consensus to ask Berezowsky and Woolett to move forward, and the Commission expressed consensus.

4. UNFINISHED BUSINESS (with date added to agenda)

a. [Manufactured Home Parks - Conceptual Areas \(7/21/20\)](#)

Berezowsky stated that we will probably look at a map together, and look for a consensus on criteria.

b. [Zoning Code Amendment - Commercial Space on Ground Floor in DMU \(7/21/20\)](#)

Berezowsky stated that we need to take care of legal procedures such as notifying Commerce prior to Planning Commission being able to make a recommendation to Council.

c. [Criteria for Public and Private Streets \(7/21/20\)](#)

Berezowsky stated that we are working on this; we have a “road island” issue at Mariners; and, how that ends will impact how we go forward.

d. [Rules and Procedures \(7/21/20\)](#)

Carter asked the Commission what they want to do. Downer asked, if Commissioners are absent do we have to excuse them? Berezowsky stated that it is a courtesy, and after a number of unexcused absences they could be removed; the Council is a legislative, quasi-judicial body and has requirements from the State that the Commission does not have; and, procedures can be important but a long document may make it harder to get right. Carter asked, what is the basis for your determination of procedures? Berezowsky stated that State law, court cases, and SMC are considered; and, sometimes it is a judgement call to make timing work. Carter stated that in the past public comment degenerated into pointed questioning of Berezowsky; once we were struggling with a motion and the proponent said “let me help with the wording”, and that should not have been allowed; and, we need onboarding and direction. Berezowsky stated that sometimes people are emotionally charged; we try to figure out what to do; we look at each other and let them do what they are going to do; and, he would be happy to bring examples. Carter asked other Commissioners what their onboarding experience was. Berezowsky stated that they were selected, then COVID hit. Carter stated that his experience was no different, he did not get a copy of the Comprehensive Plan until he requested one. Coonts stated that she would like a session to talk about rules and regulations. Hall stated that she got a Comprehensive Plan, but a little guidance would help. Downer stated that the Planning Commission where she came from was more casual than the City Council; on the Council they got very little orientation; they attended meetings to see how it worked; people helped; and, she doesn’t want a lot of rules but some basic rules would help. Berezowsky stated that he is hearing concerns regarding how we deal with unruly people, onboarding, and the regulations; the Short Course went by the wayside with COVID; we had to get equipment to Commissioners and learn Teams; and, we need to take into consideration that we live in a new world of virtual meetings.

Carter stated that we operate using some of Roberts Rules, and Roberts Rules for small committees could help; and, asked Berezowsky if he found out when we need to update the Comprehensive Plan.

Berezowsky stated that he believes it is in 2025; there are conflicting numbers; he thinks the number in the RCW is every ten years. Carter stated that many meetings were cancelled, so either we don't need to meet twice per month, or perhaps we can help more than we are. Berezowsky stated that resources are limited and there are two professional planners; he is at Council Monday night then has little time to get ready for the Commission; and, we will be busy with code amendments and projects. Carter asked, is it out of our purview to suggest a new half-time position for a planner? Berezowsky stated that only two new FTEs are being proposed to Council, an IT and an Emergency Management position; and, there is no budget for that. Carter asked if there was consensus for Berezowsky to bring forward rules and procedures that other places are using, and the Commission expressed consensus.

5. DIRECTOR'S REPORT

Berezowsky stated that the pre-hearing conference for MAT appeals takes place Monday morning. Carter stated that the Council has liaisons, and that maybe we can talk about volunteer liaison positions. Berezowsky stated that the Commission is able and welcome to listen to Council meetings; and, if you want to talk about something more formal we can do that.

6. GOOD OF THE ORDER

7. ADJOURNMENT

Motion to adjourn; moved by Hall and seconded by Downer.
Carried Unanimously.

Meeting adjourned at 7:30 pm

Respectfully submitted,

Alisa Hasbrouck
Secretary to the Planning Commission

Jeff Carter
Chair

Minutes approved at a regular meeting held on August 18, 2020.

PLANNING COMMISSION AGENDA COVER SHEET

MEETING DATE: August 18, 2020

FROM: Barry Berezowsky, Director DCD

Initials

SUBJECT/ISSUE: Public Meeting on Proposed Accessory Dwelling Unit Code Amendments

Discussion dates	08/18/20			
CATEGORY	<input type="checkbox"/>	City Manager Report	<input type="checkbox"/>	Information Only
	<input checked="" type="checkbox"/>	Public Meeting/Hearing	<input type="checkbox"/>	Consent Agenda
	<input type="checkbox"/>	Unfinished Business	<input type="checkbox"/>	New Business
				Time Needed for Presentation
				15 min.

PROBLEM/ISSUE STATEMENT:

The need for more affordable housing is probably the single most important reason for the growing interest in accessory dwelling units. Several studies by both public and private housing groups have amply documented the nature and extent of the affordable housing crisis in Washington.¹ Many see ADUs, which use existing housing resources, as a simple and inexpensive way for communities to respond to the affordable housing crisis. ADUs typically cost 25 to 40 percent less to build than new, comparably-sized housing units since they do not require development of new land, and because construction costs are lower. Consequently, ADUs are usually much less expensive to rent.

ATTACHMENTS:

1. Proposed Amendments to the City's Existing ADU regulations

DISCUSSION / ANALYSIS:

Allowing the development of accessory dwelling units, or ADUs, in single-family homes is becoming an increasingly popular technique for creating low- and moderate-income housing for both homeowners and renters. Homeowners benefit from the additional rental income that they can use to pay part of their mortgage payment or to help with the upkeep on their homes. Renters benefit from the availability of moderately priced

rental housing in single-family neighborhoods. The community benefits from the addition of affordable housing for little or no public expense.

ADUs are most commonly understood to be a separate additional living unit, including separate kitchen, sleeping, and bathroom facilities, attached or detached from the primary residential unit, on a single-family lot. ADUs are usually subordinate in size, location, and appearance to the primary unit.

The proposed amendments to the City's ADU regulations include:

- Increasing the maximum square footage for an ADU from 700 sq. ft. to 850 sq. ft.;
- Remove requirement for one off-site paved parking space;
- Removing the two-bedroom limitation;
- Prohibiting manufactured and mobile homes and recreational vehicles (RV) from serving as ADUs;
- Prohibiting ADUs from serving as short-term rentals (less than 90-days);
- Not including ADUs in density calculations;
- Removing the requirement that the property owner must reside in either the primary residential unit or the ADU;
- Removing the requirement that the ADU must match the architectural style of the primary residence.
- Conversion of existing accessory structures such as garages that do not meet current setback requirements are allowed if structure meets fire code requirements for building separation;
- Removing the limitation on the number of people that can reside in an ADU; and,
- Amending the definition of an ADU in SMC 18.08 to align with some of the above proposed amendments.

Each of the proposed amendments pose a policy choice before the Planning Commission and are subject to modification or deletion from the proposed amended draft ADU regulation.

FINANCIAL IMPLICATIONS:

Potential increase in ADU permits will generate a modest amount of new permitting revenue.

RECOMMENDATION:

None

MOTION:

None

ⁱ 1 For more on the affordable housing crisis in Washington see: Closing the Gap: Housing Needs in Washington State, by James L. McIntire and Stanislav Fritz, University of Washington, Graduate School of Public Affairs, Institute for Public Policy and Management, Seattle, WA, prepared for the Washington State Department of Community Development, December 1990; The State of Washington 1992 Comprehensive Housing Affordability Strategy, Washington State Department of Community Development, November 1991; and Washington State Housing Needs and Market Trends: An Overview, by Raj Joshi, et al., Washington State Department of Community Development, Olympia, WA, March 1989

Exhibit A

Chapter 18.66 ACCESSORY DWELLING UNITS

Sections:

- [18.66.010](#) Purpose.
- [18.66.020](#) Definitions.
- [18.66.030](#) Designation.
- [18.66.040](#) Procedure.
- [18.66.050](#) Standards.
- [18.66.060](#) Additional requirements.

18.66.010 Purpose.

Expand the mix of affordable housing opportunities within the city by permitting the creation of secondary dwelling units as an accessory use to existing single-family detached dwellings while maintaining the visual and functional character of single-family residential neighborhoods. (Ord. 2001-002 § 1)

18.66.020 Definitions.

A. "Accessory dwelling unit (ADU)" means a subordinate dwelling unit with complete and independent living facilities on the same lot as and detached from, attached to or contained within an existing single-family dwelling.

B. "Rental occupancy" means nonownership including long term lease ownership per Chapter [18.59](#) RCW. (Ord. 2001-002 § 1)

18.66.030 Designation.

One accessory dwelling unit shall be permitted only on parcels which meet the following conditions:

- A. Is a legally created lot;
- B. Contains one existing single-family detached dwelling which is a conforming use;
- C. Contains no other accessory dwelling unit(s). (Ord. 2001-002 § 1)

18.66.040 Procedure.

Each accessory dwelling unit shall require an administrative permit as follows:

- A. The permit for an accessory dwelling unit shall be considered a Type A-1 permit per SMC Title 20 to be approved by the director of the department of community development.
- B. The required fee shall be submitted with the application for permit.
- C. The application shall be made in accordance with submittal requirements on file with the department of community development.
- D. Prior to submitting an application the applicant shall meet with the department of community development to determine compliance of the property with current zoning codes.
- E. The permit shall be recorded prior to occupancy as a deed restriction to run with the land or until removed with the concurrence of the city. (Ord. 2011-017 §§ 1, 2; Ord. 2001-002 § 1)

18.66.050 Standards.

A. New construction for an accessory dwelling unit shall comply with all the development standards for a single-family detached dwelling including, but not limited to, setbacks, height limits and lot coverage and shall will not increase any nonconforming aspect of any existing structure unless otherwise addressed by this chapter. For the purposes of this chapter, converting an existing accessory structure such as a garage into an ADU that does not meet current setback requirements is not considered increasing that structures nonconformity with City setback requirements.

B. The following standards shall also apply:

- 1. The total floor area of the ADU shall will not exceed ~~700~~ 850 square feet or ~~50-60~~ percent of the area of the primary unit, whichever is less.
- ~~2. The ADU shall not reduce the size of the primary unit to less than two times the size of the ADU.~~
- ~~3. Both the ADU and the primary unit shall must comply with the International Building and Fire Code regulations. for smoke alarms.~~
- 4. If the ADU is attached to the primary unit, the main exterior entrances may not be on the same side of the building.

Commented [BB1]: Proposed size increase to make ADU more desirable as living quarters

Commented [BB2]: Conflicts with B.1 above.

~~64. The ADU must have an architectural style that either reflects the of the ADU shall match that of the primary unit and/or neighborhoods character or reflects a Pacific Northwest architectural style.~~

~~6. One paved off-street parking space shall be provided in addition to those required for the primary unit.~~

Commented [BB3]: Some jurisdictions are not requiring off-street parking. In most neighborhoods Sequim has plenty of on-street parking so this requirement may be unnecessary.

~~75. There shall be no Exterior stairways leading to the ADU may not be on the front of the house.~~

~~8. There shall be no more than two bedrooms in an ADU.~~

Commented [BB4]:

~~6. The accessory dwelling unit shall meet all zoning development standards, such as setback, lot coverage and height restrictions, when increasing square footage or adding a new detached structure; and accessory dwelling units shall meet all building code standards adopted by the city, including building, electrical, fire, and plumbing code requirements (conversion of existing legally created on-site assessor structures such as garages to an ADU that do not meet setback requirements are exempt from meeting setback standards).~~

~~7. Mobile homes, manufactured homes, or recreational vehicles are prohibited to be used as accessory dwelling units.~~

~~8. An ADU may not be used as a short-term rental and must be rented for a minimum of ninety days or more.~~

~~99. Separate utility connections are not required by the city.~~

~~1010. Any additions to the ADU shall-will meet the requirements of this chapter.~~

~~C. An Accessory dwelling units are not included in density calculations which conforms to the standards in this chapter shall not be considered to exceed the allowable density for the lot upon which it is located and shall will be considered a residential use which is consistent with the comprehensive plan and zoning designation for the lot. (Ord. 2001-002 § 1)~~

18.66.060 Additional requirements.

Accessory dwelling units shall be subject to the following requirements:

A. Sale or ownership of such unit separate from the primary residential unit without a subdivision is prohibited.

~~B. The occupant of either the ADU or the primary unit shall be the owner of the entire property.~~

Commented [BB5]: Recommend removing ownership requirement

~~C. No more than three persons shall occupy an ADU.~~

Commented [BB6]:

~~D.B.~~ A permit for an ADU shall be subject to the payment of infrastructure impact or general facility fees equal to the established rate for a hotel/motel room.

~~E.C.~~ Prohibited occupancy or sale, in addition to authorizing all other remedies available to the city, ~~shall will~~ constitute a zoning violation and a nuisance subject to abatement. (Ord. 2001-002 § 1)

18.66.065 Approval

~~A. Any property owner seeking to establish an accessory dwelling unit must apply for an accessory dwelling unit permit with the Community Development Department (DCD). The ADU application will be processed consistent with the appropriate permit type.~~

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~~B. If approved, the city shall file the ADU application form and conditions of approval as a deed restriction with the Clallam County auditor's office to indicate the presence of the accessory dwelling unit. The deed restriction shall run with the land and bind all current and future property owner's assigns, beneficiaries and heirs; unless the ADU registration is otherwise cancelled.~~

~~C. Cancellation of the accessory unit's registration may be accomplished by the owner submitting notice to DCD for recording at the Clallam County auditor's office or may occur as a result of enforcement action. The cancellation notice will confirm that the residence has reverted to use as a single dwelling, and the cooking stove in the ADU has been removed.~~

~~D. The accessory dwelling unit will continue to be permitted upon transfer of property ownership and subject to the limitations of this chapter, the approved ADU permit and deed restriction, unless the ADU registration is otherwise cancelled~~

Also recommend changing the definition in SMC 18.08 as follows:

"Accessory dwelling unit (ADU)" means a second dwelling unit added to, created within, or detached from an existing single-family detached dwelling for a family member, by blood or by marriage only, to use as a completely independent or semi-independent unit with provisions for cooking, eating, sanitation and sleeping.