
AGENDA

BOTHELL PLANNING COMMISSION

VIRTUAL MEETING

Bothell City Hall, 18415 101st Avenue NE
June 15, 2022, 6:00 PM

Public Notice: Pursuant to Mayor Thompson's Proclamation of Extension of Local Emergency, dated 5/31/2022, this Planning Commission meeting will be conducted remotely through Zoom. We encourage members of the public to attend and participate in the meeting remotely, as described in more detail below:

To attend the meeting virtually:

- Watch the meeting [LIVE online](#) on the City of Bothell YouTube Channel
- Watch the meeting live on BCTV Cable Access Channels 21/26 (must have Ziplly Fiber/Comcast Cable)
- Attend the meeting by Zoom:
 - Click this link (or copy the URL and paste into a web browser): <https://us02web.zoom.us/j/87550953978>
 - Call-in to the Zoom meeting by dialing 253-215-8782 and entering 875 509 53978#
- To provide public comments/testimony or to submit written comments please email Sarah Frost at sarah.frost@bothellwa.gov by 3:00 PM. (day of the meeting)

Planning Commission meetings are also recorded and available the next day on the [City of Bothell YouTube Channel](#).

1. **CALL TO ORDER:**
2. **PUBLIC COMMENTS: Items not on the agenda**
If you wish to comment (either in writing or orally) please submit your comments or request to sarah.frost@bothellwa.gov prior to 3PM (day of meeting). Persons making oral comments will be allowed 3 minutes to speak. All comments will be made part of the record.
3. **APPROVAL OF MINUTES:** June 1, 2022
4. **NEW BUSINESS:**
5. **PUBLIC HEARING:** Middle Housing Code Amendments
6. **STUDY SESSION:** 2024 Comprehensive Plan Update Scoping and Engagement Plan
7. **UNFINISHED BUSINESS:**
8. **REPORTS FROM STAFF:**
9. **REPORTS FROM MEMBERS:**
10. **ITEMS TO REPORT TO COUNCIL:**
11. **ADJOURNMENT:**

Projected Schedule of Land Use Items

City Council (CC) meetings, shown in **bold**. *Planning Commission (PC)* meetings, shown in *italics*.

Other Board meetings shown in normal text unless otherwise noted.

Meetings are held virtually unless otherwise noted. **All meetings start at 6 p.m.** unless otherwise noted.

For planning purposes only: schedule subject to change without notice

June 2022

Monday	Tuesday	Wednesday	Thursday	Friday
		1 <i>Canyon Park TDR Program Public Hearing</i> <i>Parking Reductions Near Frequent Transit Public Hearing</i> <i>Introduction to 2022 Comp Plan Amendments</i>	2	3
6	7 Hobby Beekeeping Public Hearing	8	9	10
13 Shorelines Board	14	15 <i>Middle Housing Code Amendments Public Hearing</i> <i>2024 Comp Plan Update Scoping and Engagement Plan</i>	16	17
20	21	22	23	24
27	28 Landmark Preservation Board	29	30	

June 1, 2022 Minutes

BOTHELL PLANNING COMMISSION MINUTES

REGULAR MEETING – June 1, 2022

COMMISSIONER ATTENDANCE (via Zoom Webinar): Present were Chair Kevin Kiernan, Carston Curd, Amanda Dodd, Cary Westerbeck and Sarah Gustafson

COMMISSIONERS ABSENT AND EXCUSED: Toni Anders and Claire Robson

COMMUNITY DEVELOPMENT STAFF PRESENT (via Zoom Webinar): Interim Community Development Director Jeff Smith, Deputy Community Development Director Ashley Winchell, and Senior Planners Dave Boyd and Nathen Lamb

GUESTS PRESENT (via Zoom Webinar): Gary Yao, Senior Current Planner - Sound Transit

ATTENDEES PRESENT (via Zoom Webinar): Molly A. Lawrence - Canyon Park Business Center Owners Association

CALL TO ORDER: The Regular Meeting of the Bothell Planning Commission was called to order by Chair Kiernan at 6:03 p.m. In acknowledging the presence of Commission members and staff, he introduced Interim Community Development Director Jeff Smith and new Deputy Community Development Director Ashley Winchell, who gave brief introductions

PUBLIC COMMENTS: None

APPROVAL OF MINUTES:

DODD MOVED TO APPROVE THE MINUTES FOR MAY 18, 2022 WITH ONE AMENDMENT TO ADD A STATEMENT REGARDING AN AD HOC COMMITTEE APPOINTED TO DRAFT A LETTER PERTAINING TO TARGETED OUTREACH OF RENTERS DURING THE COMPREHENSIVE PLAN PERIODIC UPDATE. WESTERBECK SECONDED AND IT PASSED WITH ALL PRESENT IN FAVOR.

NEW BUSINESS: None

PUBLIC HEARINGS:

Canyon Park Transfer of Development Rights Code Amendments: Chair Kiernan opened the public hearing and introduced Senior Planner Lamb, who gave a presentation, followed by clarifying questions.

Public Testimony:

Molly A. Lawrence of Van Ness Feldman, attorneys for the Canyon Park Business Owners Association (see [meeting video](#) for testimony)

Discussion ensued.

CURD MOVED TO CONTINUE THE PUBLIC HEARING TO JULY 6. DODD SECONDED AND IT PASSED WITH ALL PRESENT IN FAVOR.

Parking Reductions near Transit: Chair Kiernan opened the public hearing and introduced Senior Planner Boyd, who gave a presentation, followed by clarifying questions.

Discussion ensued.

DODD MOVED TO CONTINUE THE PUBLIC HEARING TO JULY 20. WESTERBECK SECONDED AND IT PASSED WITH ALL PRESENT IN FAVOR.

STUDY SESSION: None

UNFINISHED BUSINESS:

Interim Director Smith led a discussion on options for public meetings, including continuing on-line, returning to in-person and/or hybrid meetings, and will convey the Commission’s feedback in time for City Council to make decisions on how to proceed at their June 14 meeting.

Members of the ad hoc committee assigned to draft a letter to Council on comprehensive plan outreach presented their draft, to be signed by the chair, transmitted to Council and scheduled for presentation.

WESTERBECK MOVED TO APPROVE THE LETTER. GUSTAFSON SECONDED AND IT PASSED WITH ALL PRESENT IN FAVOR.

REPORTS FROM STAFF:

Senior Planners Boyd and Lamb gave a short presentation on the 2022 Comprehensive Plan amendments and schedule, and took input from the Commission.

Senior Planner Boyd reported on the May 31 Middle Housing Community Forum and the accompanying survey.

REPORTS FROM MEMBERS:

Commissioner Curd reported that he will share his Cottage Housing report by June 15.

ITEMS TO REPORT TO CITY COUNCIL: See Unfinished Business above.

ADJOURNMENT:

DODD MOVED TO ADJOURN. GUSTAFSON SECONDED AND IT PASSED WITH ALL PRESENT IN FAVOR.

The meeting was adjourned at 8:56 p.m.

Public Hearing

Middle Housing Code Amendments

MEMORANDUM

Community Development Department



City of Bothell

DATE: June 15, 2022
TO: Planning Commission
FROM: Dave Boyd, Senior Planner

A handwritten signature in black ink, appearing to read "Dave Boyd".

SUBJECT: Middle Housing Code Amendments Public Hearing

Purpose/Action

The purpose of this initial public hearing is to continue the Planning Commission review of potential code amendments for middle housing options, including allowing up to fourplexes in new single-family subdivisions with a density bonus and affordable housing requirement, allowing up to fourplexes in all single-family zones, other middle housing options such as cottage housing, courtyard housing and removing barriers to accessory dwelling units (ADUs).

This public hearing will also include a report on the middle housing community forum on May 31 and the online survey, which closed June 6 (Attachment 1). No action is expected at this hearing, but staff requests Commission feedback on the Draft Findings, Conclusions and Recommendation (Attachment 2), Draft Code Amendments (Exhibit A to Attachment 2) and any further research or analysis desired before continuing the public hearing to July 20, when a recommendation to City Council is anticipated.

Background

Please see the March 16 middle housing memo for a detailed description of background on this subject.

Outreach

To date outreach efforts have included a presentation and discussion with the City's Development Services Advisory Group (DSAG) on March 24 (see the April 6 middle housing memo for a description of their input). Outreach to Bothell residents and the broader community required additional preparation and was conducted through an online survey (open May 18 through June 6) and community forum on May 31.

Online survey: The online survey consisted of illustrated descriptions of middle housing and the approaches being considered by Planning Commission. It was completed by 263 participants, with over 80% homeowners, just under 7% renters, under 1% residential property owners, and about 10% "other." The survey had a number of "yes/no" questions regarding support for various middle housing approaches and also required written responses to help us understand why people responded the way they did. Attachment 1 includes numerical and graphic descriptions of the yes/no responses. Note that the

program used to display the results alternates the colors and order used for “yes” and “no” responses, which may be confusing if one does not check the color coding on each pie chart. The survey responses were a majority negative on all proposed approaches, ranging from about 51% to 69% “no” responses.

The written responses will be organized and presented at the public hearing.

Community Forum: The feedback at the May 31 online Community Forum was not quantified (no survey or polling of participants), but was considerably more positive than the online survey. There was a brief introduction and presentation explaining the reasons for considering middle housing, what middle housing is, and what the different approaches being considered are. Then the approximately 30 participants were grouped into “break-out” sessions of about five each to discuss the following questions:

1. What are your thoughts about allowing middle housing types in new single-family subdivisions? What about in existing neighborhoods?
2. What are your thoughts about expanding the affordable housing requirement to all new subdivisions?
3. Do you agree with the approach of using flexible development standards to facilitate more middle housing? Are there other areas where you think flexibility could be provided (other than setbacks and lot coverage)?
4. Does anyone here own or live in an ADU? What are your thoughts about relaxing current restrictions to facilitate more ADU development?
5. Do you agree with the approach of reducing parking requirements for middle housing near transit and trails?

Not all break-out rooms made it through all the questions, but the responses to the first three questions were generally supportive, with some concerns about how it would be implemented and administered. After the breakout sessions the whole group was reconvened and a representative from each group reported back. Some of the specific comments from the break-out groups were:

- Concern about passing on cost of required affordable units to the market-rate units
- Support for making the rules work for “mom and pop” developers or regular homeowners who want to create middle housing on their property
- Concern about potential conflicts between increasing capacity and increasing affordability and policy support versus facilitating implementation
- Support especially for cottages and ADUs
- Sympathy for the need for housing options, but favor using new subdivisions
- Concern about increasing lot coverage
- Concern about whether non-regulated units would actually be more affordable

There was also some general discussion and further comments among the whole group, including:

- Need to design what we want first, then develop regulations
- Need to address two crises: housing and climate

- Support for Portland’s “visitability” requirements that mandate that some new middle housing units be accessible, with no steps from the street/sidewalk
- Lack of support for courtyard apartments

The video of the meeting (minus break-out sessions) will be posted on the City’s [Middle Housing webpage](#) the week of June 13.

Comments and testimony received to date: In addition to the public feedback through the survey and forum, there has been public comment during the Planning Commission review of these potential code amendments, both in person and in writing. The Draft Findings, Conclusions and Recommendation list the public testimony and comments received to date, including new exhibits with comments received since the last meeting. Additional comments and testimony at the June 15 and subsequent hearings will be added to the Findings prior to approval and transmittal to City Council.

Preliminary Draft Findings and Code Amendments

A very preliminary draft Findings, Conclusions and Recommendation, including potential code amendments as Exhibit A to the Findings, are included as Attachment 1 and 1a, respectively. Staff wanted to give Planning Commission an opportunity to consider public feedback before making a recommendation, but also wanted to provide draft findings and code amendments to help move the discussion forward. These drafts reflect the direction received by Commission to date, along with some suggestions from staff based on ongoing analysis and discussion. The text boxes in the draft code also include some key questions for the Commission.

With responses to these questions and additional outreach to City staff involved in development and legal review, staff proposes to bring refined Findings and code amendments back to Planning Commission for a recommendation, if ready, on July 20.

Next steps

Staff recommends a motion and vote to continue the public hearing to July 20, along with any other direction Commission wishes to provide.

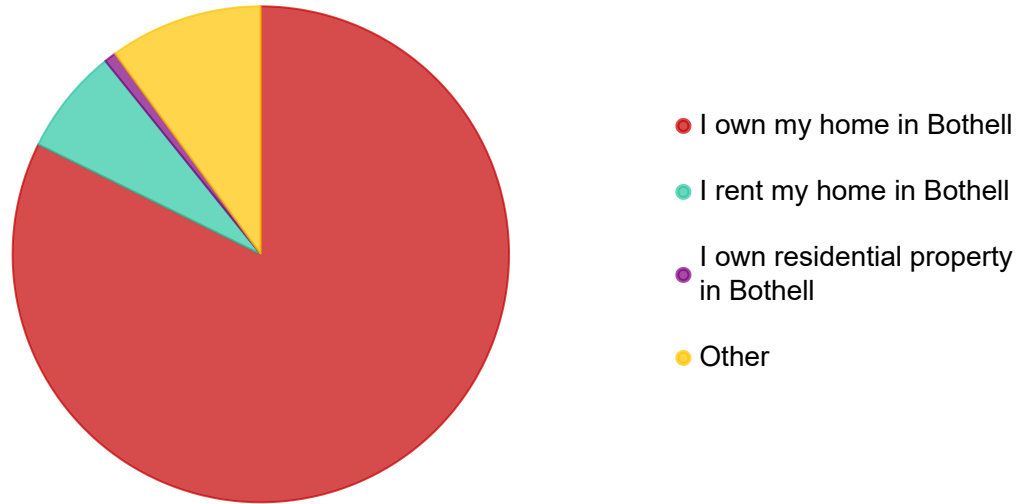
Attachments

1. Middle Housing Survey Result Charts
2. Draft Findings, Conclusions and Recommendations
 - a. Exhibit A to Findings: Memo on preliminary draft code amendments
 - b. Public Comments received to date:
 - Exhibit 1: Snohomish County–Camano Association of Realtors letter, February 15, 2022
 - Exhibit 2: Email from Bill Moritz, May 30, 2022
 - Exhibit 3: Email from Sandy Alto, June 3, 2022
 - Exhibit 4: Portland cottage housing report from Commissioner Curd, received June 9, 2022

Attachment 1: Middle Housing Survey Results Charts

Bothell Middle Housing Code Amendments

What best describes you?

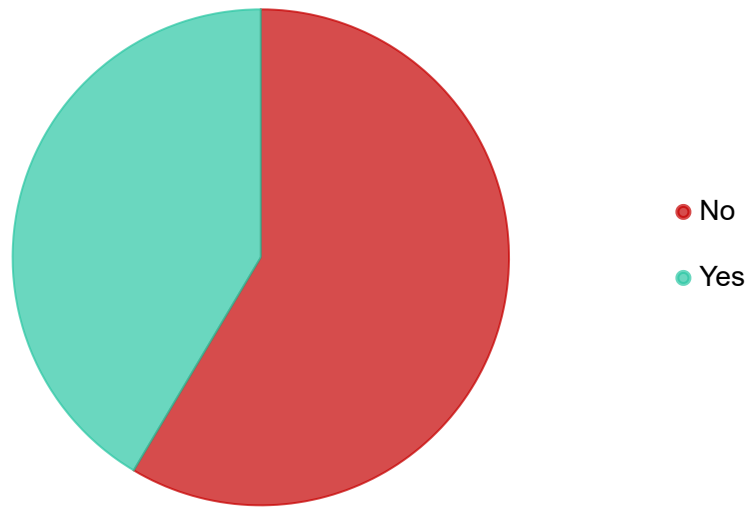


Answers	Count	Percentage
I own my home in Bothell	214	81.37%
I rent my home in Bothell	18	6.84%
I own residential property in Bothell	2	0.76%
Other	26	9.89%

Answered: 260 Skipped: 3

Code concepts being considered - middle housing in new subdivisions

Do you support the proposed approach to allowing more middle housin... *

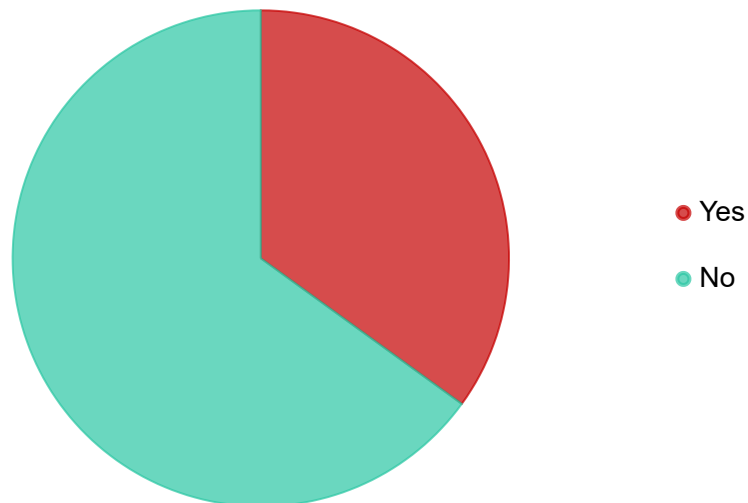


Answers	Count	Percentage
No	154	58.56%
Yes	109	41.44%

Answered: 263 Skipped: 0

Code concepts being considered - middle housing in existing single family neighborhoods

Do you support the proposed approach to allowing more middle housin... *

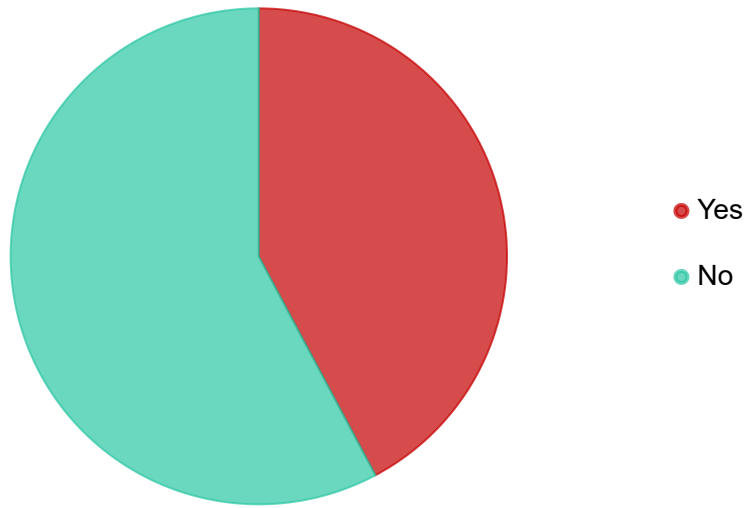


Yes	92	34.98%
No	171	65.02%

Answered: 263 Skipped: 0

Code concepts being considered - cottage housing

o Do you support the proposed approach to allowing more middle housin... *

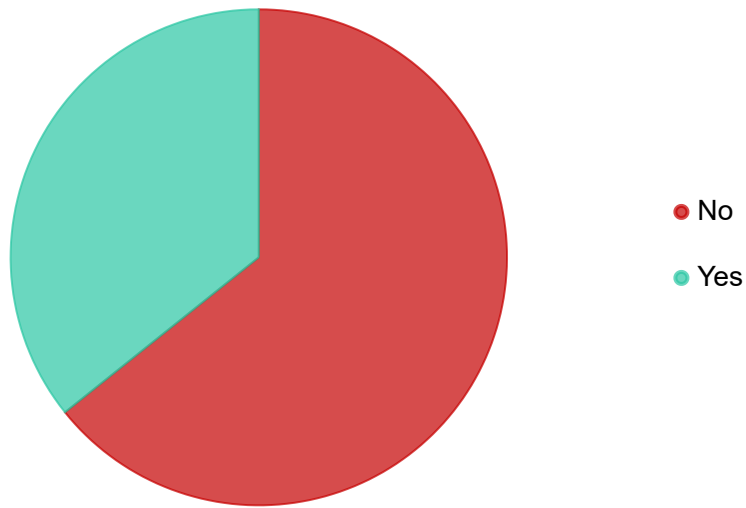


Answers	Count	Percentage
Yes	111	42.21%
No	152	57.79%

Answered: 263 Skipped: 0

Code concepts being considered - courtyard apartments

o Do you support the proposed approach to allowing more middle housin... *

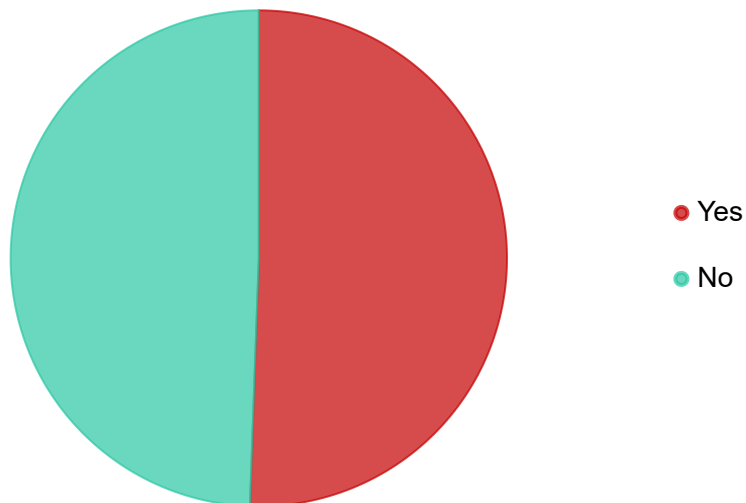


Answers	Count	Percentage
No	169	64.26%
Yes	94	35.74%

Answered: 263 Skipped: 0

Code concepts being considered – affordable housing

Do you support the affordable housing concept described here? *

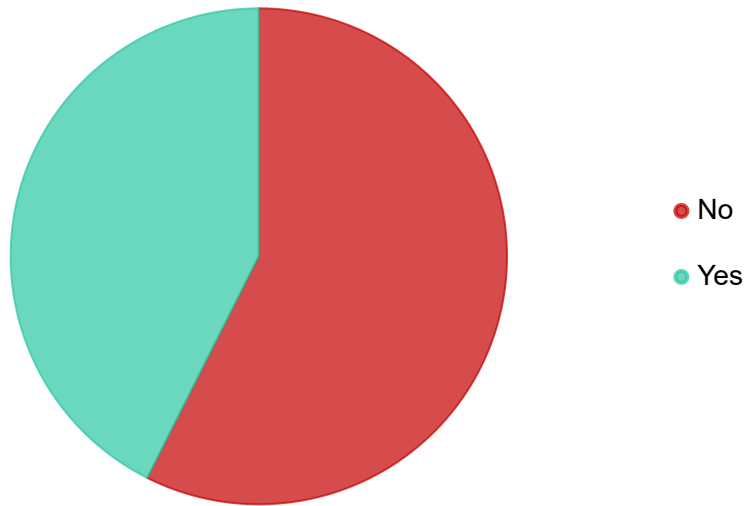


Yes	133	50.57%
No	130	49.43%

Answered: 263 Skipped: 0

Code concepts being considered – flexible development standards

Do you support the concept of flexible development standards? *

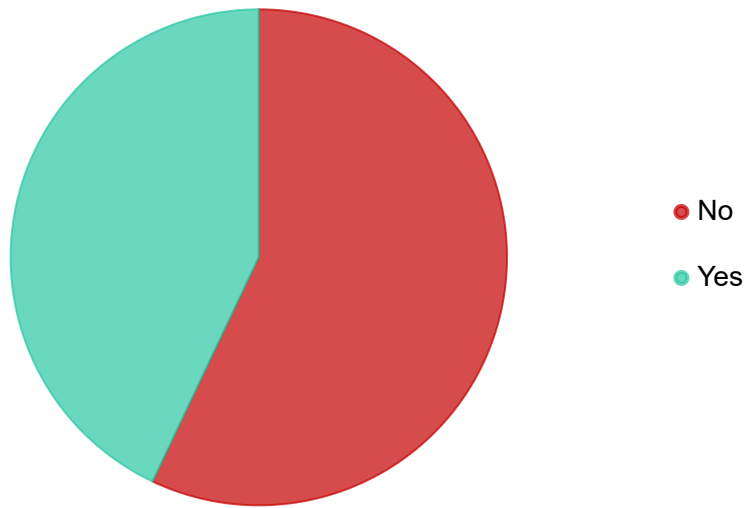


Answers	Count	Percentage
No	151	57.41%
Yes	112	42.59%

Answered: 263 Skipped: 0

Code concepts being considered – accessory dwelling units (ADUs)

Do you support this proposed approach to ADU regulation? *

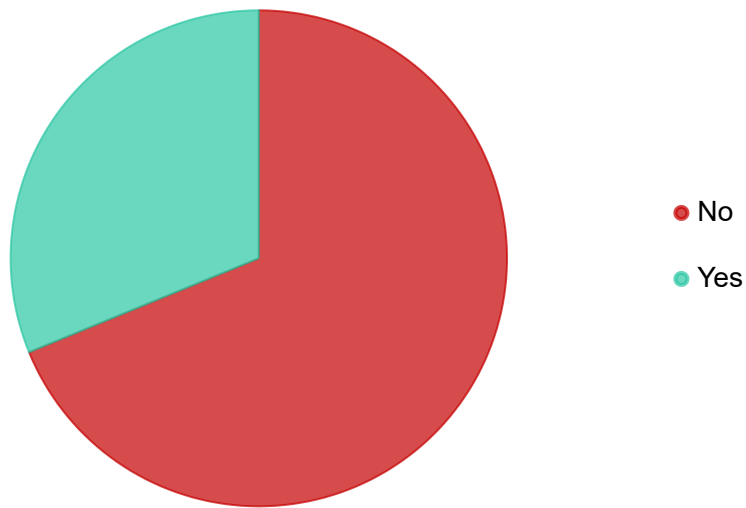


Answers	Count	Percentage
No	150	57.03%
Yes	113	42.97%

Answered: 263 Skipped: 0

Code concepts being considered – parking reductions

Do you support parking reductions as described here? *



No	181	68.82%
Yes	82	31.18%

Answered: 263 Skipped: 0

Attachment 2: Draft Findings, Conclusions and Recommendations

Middle Housing Code Amendments

DRAFT Planning Commission Findings, Conclusions and Recommendation

Findings

1. **History.** This item was initiated by City Council as part of the 2021 Docket of Plan and Code Amendments, with at least one aspect (cottage housing) dating to the 2020 Docket.
2. **Geographic Location.** The proposed code amendments would apply to single-family zones citywide and middle housing types in other zones near transit and trails.
3. **Proposed Action.** The proposed code amendments would encourage middle housing in the City of Bothell, including:
 - a. Allow middle housing in new subdivisions with density bonuses and affordability provisions.
 - b. Allow middle housing in existing single-family zones, including modification of lot size requirements where existing housing is retained and new middle housing is provided.
 - c. Revise accessory dwelling unit (ADU) regulations to remove impediments and encourage more ADUs in residential developments.
 - d. Parking reductions for middle housing in all zones within one-half mile from frequent transit or regional trails.
4. **Public Meetings.** The Planning Commission held a study session on November 3 and December 18, 2021, and February 16, March 16, and April 6, 2022; a community forum on May 31, 2022; and a public hearing on June 15 and July 20, 2022 regarding the proposed code amendments.
5. **Public Notice.** Public notice for the proposed code amendments was provided through the following methods:
 - a. *Imagine Bothell...* notice. The City of Bothell provides a monthly notice to citizens, interested parties and news media which, in general, describes upcoming hearings, the topics of those hearings, and explains potential ramifications of decisions which may occur from actions of the City. This notice is provided at the end of the month for the subsequent month's hearing schedule. The *Imagine Bothell...* notice also contains information which directs inquiries to city staff, the City web page, and telephone contact numbers.

Notice of the public meeting dates for the proposed code amendment was published in the November and December 2021 and February, March, April, May, June and July 2022 editions of the *Imagine Bothell...* notice.
 - b. The *Imagine Bothell...* notice is sent via e-mail and/or regular U.S. Postal Service mail to all parties who have signed up for the service.

- c. The *Imagine Bothell...* notice is published in the *Seattle Times*, the City's Newspaper of Record.
- d. The *Imagine Bothell...* notice is also posted on the City's web page at www.bothellwa.gov.
- e. The City maintains a number of public notice boards which are placed throughout the City at certain accessible and visible locations. Each of these notice boards contains a plastic box where extra copies of the *Imagine Bothell...* notice are stored and are available for retrieval by any interested citizen. These boxes are filled with paper copies of the notice each month.
- f. The *Imagine Bothell...* notice is also publicly posted at City Hall, the Municipal Court Building, and the Bothell Post Office.

Planning Commission Deliberations and Specific Findings

- 6. The Planning Commission makes the following specific findings regarding the proposed code amendments. These findings are based upon information provided to the Planning Commission by staff, public testimony the Planning Commission received during the study session, community forum and public hearing, and Planning Commission deliberations.
- 7. The Puget Sound region is experiencing a housing crisis, with 1.8 million in new population projected by 2050 per the Puget Sound Regional Council. There is an urgent need to allow and facilitate new housing in urbanized areas with existing infrastructure, and to promote affordable housing options in a variety of ways.
- 8. Middle housing has provided affordable housing options in traditional American residential development, but is no longer allowed in most exclusively single-family zones. Allowing such housing in structures matching the scale of single-family homes throughout Bothell's single-family zones will create new options while maintaining their scale and character.
- 9. Providing density bonuses for new subdivisions, along with affordable housing requirements calibrated to share the benefit between developers and the public is appropriate to create permanent, contractually obligated affordable housing options.
- 10. Removing restrictions to accessory dwelling units will further encourage this form of middle housing and affordable housing options.
- 11. Provisions to encourage retention of existing housing when adding middle housing promotes both environmentally sustainable and affordable development.
- 12. Applying parking reductions adopted for corner-lot duplexes near transit and trails to other types of middle housing will facilitate development of those generally more affordable forms of housing.
- 13. Beyond the limited scope of these amendments, additional work should be done to promote middle housing through education and outreach, with consideration given to implications for displacement and equity.

14. Also beyond the limited scope of these amendments, additional work should be done to identify impediments to middle housing in Bothell's Design and Construction Standards and Specifications, requirements of other utility districts within Bothell, applicable building codes, and legal requirements,
15. **Consistency with *Imagine Bothell... Comprehensive Plan Goals and Policies*.**
 Several Goals and Policies in the Land Use, and Housing & Human Services Elements of the Comprehensive Plan support these amendments:
 LU-G4 To provide for development first in areas already characterized by urban growth that have existing public facility and service capacities to serve such development, and second in areas already characterized by urban growth that will be served by a combination of both existing public facilities and services and any additional needed public facilities and services that are provided by either public or private sources.
 HHS-P13 Promote an appropriate supply and mix of densities and housing types to meet the needs of people who work and desire to live in Bothell, especially near existing and planned transportation and employment centers.
16. **Department of Commerce Review.**
 The proposed code amendments will be sent to the Department of Commerce for expedited review following the Planning Commission recommendation.
17. **State Environmental Policy Act (SEPA) Review.**
 A SEPA Determination of Non-Significance (DNS) will be issued for the proposed code amendments prior to consideration by City Council.
18. **List of Exhibits** (to date – see also Planning Commission packets on City of Bothell website)
 1. Snohomish County–Camano Association of Realtors letter, February 15, 2022
 2. Email from Bill Moritz, May 30, 2022
 3. Email from Sandy Alto, June 3, 2022
 4. Portland cottage housing report from Planning Commissioner Carston Curd, received June 9, 2022
19. **Public Testimony** (See video recordings on City of Bothell website for detailed testimony)

February 2, 2022 (Study Session on Parking Reductions Near Transit):
 Ann Aagaard, Norway Hill resident, spoke also on middle housing

February 16, 2022
 Karin Eastby, Government Affairs and Outreach Specialist, Master Builders Association of King and Snohomish Counties

March 16, 2022
 Mack Carter, 19115 103rd Ave NE

Conclusions

1. The recommended code amendments have been drafted, noticed, reviewed by the public and considered by the Planning Commission in accordance with all applicable laws of the State of Washington and the City of Bothell.

2. The recommended code amendments are necessary to provide options for residential development and related affordable housing provisions.
3. The recommended Code amendments are in the best interest of the public health, safety and welfare.

Recommendation

Based upon these findings and conclusions, the Planning Commission recommends the City Council adopt the code amendments in Exhibit A to these Findings, Conclusions and Recommendation.

Kevin Kiernan, Planning Commission Chair

Memorandum

To: Dave Boyd, Senior Planner
Bothell Planning Commission

From: Serah Breakstone, AICP
Sierra Carson, AICP Candidate

Copies: Cristina Haworth, AICP, File

Date: June 10, 2022

Subject: Bothell Middle Housing Code Amendments Preliminary Recommendations

Project No.: 33255.A

This memo presents preliminary recommended code amendments to help the City of Bothell facilitate more middle housing development and achieve more affordable units. Code amendments are presented in underline/strikethrough format where red underlined text indicates new language and red strikethrough text indicates deleted language. Blue underlined text designates existing hyperlinks – additional hyperlinks will likely be added. Skipped sections are marked by ellipses: ... Brief commentary that summarizes proposed amendments for each section is also provided, in some cases with questions for consideration, sometimes accompanied by highlighted text in the relevant following text.

Title 11 Administration of Development Regulation

Amendments to this section are intended to provide information about middle housing types and clarify how those housing types are defined relative to other housing types in Bothell.

- *Revise definitions for types of residential structures for consistency and clarity.*
- *Include new definitions for multifamily, cottage housing, courtyard apartment and middle housing in general. The new definition for cottage housing is intended to allow maximum flexibility.*

Questions:

1. *Should townhomes be included with the definition of “middle housing”?*
2. *Should courtyard apartments be included?*

11.02 Definitions

11.02.005 “D.”

“Cottage housing” refers to small detached dwelling units, each with a footprint of less than 1,000 square feet, in a grouping with other cottages or duplexes, triplexes and/or fourplexes, located on a single lot or parcel that includes a common open space. Cottage housing is also called and can include “bungalow court,” “cottage court,” or “pocket neighborhood.”

“Courtyard housing” means a single structure on a lot consisting of multiple side-by-side and/or stacked dwelling units oriented around a courtyard where the ends of an L- or U-shaped building face the street(s) and have similar scale to single-family homes.

“Dwelling unit” means a single unit providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

“Dwelling unit, accessory” means a secondary dwelling unit with complete and independent living facilities on the same lot as an existing primary dwelling unit. Accessory dwelling units (ADUs) can be detached or attached to a primary dwelling unit. ~~an additional room or set of rooms secondary to a single family structure and designed, arranged, occupied or intended to be occupied by not more than one household as living accommodations independent from any other household. An accessory dwelling unit may be within or detached from a primary single family dwelling.~~

“Dwelling, fourplex” means four dwelling units on a lot or parcel in any configuration.

“Dwelling, multifamily” means a structure containing five or more dwelling units. “Dwelling unit, multifamily” means the same thing as “apartment”.

“Dwelling unit, ~~one unit per structure, detached single- family~~” means a dwelling unit surrounded on all sides by open space. ~~“Dwelling unit, one unit per structure, detached”~~ and means the same thing as ~~“single-family dwelling unit, one unit per structure, detached”~~ and “single-family residence.”

~~“Dwelling unit, three or more units per structure” means a dwelling unit located in a structure containing three or more dwelling units. “Dwelling unit, three or more units per structure” means the same thing as “multifamily dwelling unit,” “multifamily residence” and “apartment.”~~

“Dwelling, triplex” means three dwelling units on a lot or parcel in any configuration.

~~“Dwelling unit, two units per structure” means a dwelling unit located in a structure containing two dwelling units.~~

~~“Dwelling unit, two units per structure” means the same thing as “duplex.”~~ A single-family dwelling containing an accessory dwelling unit shall not be interpreted as a duplex.

“Duplex” means two dwelling units on a lot or parcel in any configuration. In instances where a development can meet the definition of a duplex and also meets the definition of a primary dwelling unit with an accessory dwelling unit (ADU), the applicant shall specify at the time of application review whether the development is considered a duplex or a primary dwelling unit with an ADU.

“Middle housing” means duplexes, triplexes, fourplexes, cottage housing, and small courtyard structures.

Title 12 Zoning

12.06 Permitted Uses

Amendments to this section are intended to provide more flexibility/allowances for middle housing types, specifically triplex, fourplex, and cottage cluster developments. They also expand allowances for duplexes.

- Revise residential use table to allow duplexes in all zones, remove corner-lot-only limitation so duplexes can be allowed anywhere.
- Add triplex and fourplex as permitted uses in residential zones. Need to determine approach: new subdivision-only or city-wide (including existing neighborhoods)?

12 .06.140 Residential uses.

A. Use Table.

Residential Uses	Zoning Classification					
	R 40,000	R 9,600 R 8,400 R 7,200	R 5,400d R 5,400a	R 4,000	R 2,800	R-AC
Dwelling units, accessory (4)	P	P	P	P	P	P
Dwelling units, primary, one unit per structure, detached ("single-family") (5)	P	P	P	P	P	P
Dwelling units, primary, two units per structure ("duplex") Dwellings, duplex (6)(16) (18)	P (18)	P (18)	P (R-5,400a) P (R-5,400d) (18)	P	P	P
Dwellings, triplex and fourplex (18)	P	P	P	P	P	P
Cottage housing (19)	P	P	P	P	P	P
Courtyard housing	P	P	P	P	P	P
Dwelling, multifamily units, primary, three or more units per structure ("multifamily") (6)			P (R 5,400a)	P	P	P

P: Permitted Use

Residential Uses	Zoning Classification						
	R 40,000	R 9,600 R 8,400 R 7,200	R 5,400d R 5,400a	R 4,000	R 2,800	R-AC	

C: Conditional Use

Numbers in parentheses reference use-specific development and operating conditions under subsection [B](#) of this section.

B. Development Conditions

...

4. Accessory dwelling units are permitted when added to, created within, or detached from a dwelling unit subject to the restrictions in BMC 12.14.135.

5. Detached primary dwelling units, or single-family dwelling units, include site-built homes, type A manufactured homes and modular homes. Modular homes on individual lots shall incorporate design features of typical site-built homes including but not limited to modulation, articulation, sloped roofs, and wood siding or siding of a material which imitates wood.

6. ~~In the R 5,400d zone, permitted primary dwelling units are detached single family dwellings only except duplexes constructed pursuant to subsection (B)(18) of this section.~~ In the R 5,400a zone, permitted primary dwelling units may include ~~detached single family dwellings, duplexes, and/or~~ multifamily units, in accordance with subarea regulations.

...

16. ~~Except when a duplex is constructed pursuant to subsection (B)(18) of this section, duplexes shall be permitted on individual lots within specific subareas only when such duplexes are used to satisfy the affordable housing requirements of Chapter 12.07 BMC. Duplexes installed to meet affordable housing requirements may be exempt from the side yard setback provisions for the common wall(s) between the duplex units; provided, however, that all duplex structures shall be consistent with all setbacks from exterior property lines pursuant to BMC 12.14.030.~~

...

The following provisions may be best combined for all middle housing types and moved to 12.14.030.

~~18. Duplexes are allowed on corner lots in all residential zones.~~The following incentives apply when a corner-lot duplex is created by retaining and renovating an existing dwelling unit:

- a. Legally established nonconforming building setbacks and height can be matched in any building addition or expansion necessary to convert the existing dwelling unit to a duplex; and
- b. Maximum building coverage set forth in BMC 12.14.030(A) can be increased by 10 percent; and
- c. Maximum hard surface coverage set forth in BMC 12.14.030(A) can be increased by 10 percent.

18. Duplexes, triplexes, and fourplexes are allowed in all residential zones, subject to the following provisions:

- a. [this could be restricted to only new subdivisions or leave it open city-wide]
- b. [this could also be limited to only certain zones]
- b. [placeholder for reference to flexible development standards. Alternatively, the flexible development standards could live here.]

19. Cottage housing is allowed in all residential zones, subject to the following provisions:

a. [could be new subdivisions only, or city-wide]

b. [placeholder for reference to cottage cluster development standards, if needed]

12.07 Affordable Housing

Revising the affordability requirements to include new subdivisions eligible for the middle housing density bonus. A potential revision to change the threshold from 5 units to 10 units has been discussed, to reflect the increase in short plats to nine lots, to avoid fractional units that could require an in-lieu fee, and to avoid encumbering smaller infill developments. On the other hand, in-lieu fees would be used to fund affordable housing projects serving lower income households, so staff recommends leaving the threshold at 5.

- *Should all new subdivisions that have the opportunity to get a middle housing bonus be required to provide a percentage of affordable units whether they use the middle housing bonus or not (in order to incentivize both middle housing and contractually obligated affordable units)?*
- *Should the threshold for mandatory affordability be raised from 5 to 10 units?*

12.07.020 Location of affordable housing programs.

A. Downtown Subarea:

1. Within the Downtown Transition District Affordable Housing Overlay, affordable housing is required as provided in BMC [12.64.103\(B\)\(3\)](#).
2. Within the SR 522 Corridor District Affordable Housing Overlay, affordable housing is required as provided for in BMC [12.64.104\(B\)\(4\)](#).
3. Within the SR 522 Corridor District outside the Affordable Housing Overlay, voluntary affordable housing incentives are available as provided in BMC [12.64.104\(B\)\(5\)](#).
4. Within the General Downtown Corridor District, affordable housing is required as provided for in BMC [12.64.105\(B\)\(4\)](#). (Ord. 2360 § 2, 2021; Ord. 2325 § 3, 2020; Ord. 2270 § 2, 2018).

B. Within new middle housing subdivisions, affordable housing is required consistent with 12.07.030 below. Middle housing subdivision means any new subdivision that contains middle housing units. The affordability requirement applies only to subdivisions created after adoption of middle housing density bonus provisions in 12.14.030.

12.07.030 General affordable housing requirements.

The provisions of this chapter shall apply to all affordable housing units required by, or allowed through, any chapter of the Bothell Municipal Code, except as otherwise provided by this code.

A. Threshold for Compliance.

1. For Affordable Housing Overlays: All developments creating **five** or more new dwelling units shall provide for affordable dwelling units within the development or provide other methods of creating affordable housing as provided in BMC [12.07.050](#). Adjacent developments by the same developer will be considered as a single development for the purpose of applying the threshold for compliance.

12.14 Area, Dimensions, and Design

Updating the development standards table and associated provisions to accommodate middle housing development and provide flexible development standards. Also providing updates to establish the density bonus for middle housing subdivisions (see new Note 12).

- Should maximum lot size be adjusted for some or all middle housing types?
- Should minimum lot area for R 8,400 through R 5,400d be revised to allow reductions to the next more dense zone, similar to the allowance for R 9,600? Or should changes as shown in (7) below be made? If so, should that be allowed only as an incentive for middle housing?

12.14.030 Residential area and dimensions.

A. Development Standards Table.

Residential Development Standards (1)	Zoning Classification								R-AC (always in combination with OP, NB, CB, and/or LI)
	R 40,000	R 9,600	R 8,400	R 7,200	R 5,400d	R 5,400a	R 4,000	R 2,800	
Minimum lot area per single-family dwelling unit, duplex, triplex, or fourplex (square feet) (2)(10)(11)(12)	40,000	9,600 avg.; 8,400 min. per BMC 12.14.030 (B)(2)	8,400	7,200	5,400	None	None	None	None
Minimum land area per multifamily dwelling unit (square feet) (3)						5,400	4,000	2,800	None (9)
Maximum lot area per single-family dwelling unit, duplex, triplex, or fourplex (square feet) (2)	150% of underlying zone	150% of underlying zone	150% of underlying zone	150% of underlying zone	150% of underlying zone				

Residential Development Standards (1)	Zoning Classification								
	R 40,000	R 9,600	R 8,400	R 7,200	R 5,400d	R 5,400a	R 4,000	R 2,800	R-AC (always in combination with OP, NB, CB, and/or LI)
Minimum density (3)(6)						150% of underlying zone	150% of underlying zone	150% of underlying zone	As established for designated centers (6)
Minimum lot circle diameter (4)	150	70 – 80 per BMC 12.14.030(B)(4)	70	60	50	None	None	None	None
Minimum front yard setback (5)(10)	30	20	20	20	20	20	20	20	As established for designated centers (6) or for associated commercial designations See BMC 12.14.040(A)
Minimum rear yard setback (5)(10)	35	15	15	15	15	15	25	25	
Minimum side yard setback: One side yard Combined side yards (5)(10)(11)	5 15	5 15	5 15	5 15	5 15	5 15	5 15	5 15	
Maximum building height (6)	30 35 in certain situations (6)	30 35 in certain situations (6)	30 35 in certain situations (6)	30 35 in certain situations (6)	30 35 in certain situations (6)	30 35 in certain situations (6)	35 35 in certain situations (6)	35, or as established for designated centers (6)	
Maximum building coverage (7)	35%	35%	35%	35%	35%	50%	50%	50%	
Maximum accessory building coverage (8)	5%	5%	5%	5%	5%	5%	5%	5%	As established for designated

Residential Development Standards (1)	Zoning Classification								
	R 40,000	R 9,600	R 8,400	R 7,200	R 5,400d	R 5,400a	R 4,000	R 2,800	R-AC (always in combination with OP, NB, CB, and/or LI)
									centers (6) or for associated commercial designations
Maximum hard surface coverage (7)	35%	45%	50%	65%	70%	70%	75%	75%	80%
	The area within the front yard setback shall not contain any hard surface except for driveways, walkways, and structures allowed to project into the setback in accordance with BMC 12.14.090 . If critical areas are present anywhere on the property, impervious surface coverage is further regulated by BMC Title 14 , Environment.					If critical areas are present anywhere on the property, impervious surface coverage is further regulated by BMC Title 14 , Environment.			

B. Notes.

...

2. ~~Single-Family~~ Minimum, Average and Maximum Lot Area.

a. In the R 40,000, R 8,400, R 7,200 and R 5,400d zones, no lot shall be less than the minimum lot area ~~per single-family dwelling unit~~, except as may otherwise be permitted under an approved planned unit development, in accordance with Chapter [12.30](#) BMC or under Fitzgerald/35th Avenue SE Subarea regulations in accordance with Chapter [12.52](#) BMC. ~~No more than one primary dwelling unit shall be placed on a lot.~~

b. In the R 9,600 zone, subdivisions shall achieve an average of no less than 9,600 square feet per lot, except as may be otherwise permitted under an approved planned unit development, in accordance with Chapter [12.30](#) BMC or under Fitzgerald/35th Avenue SE Subarea regulations in accordance with Chapter [12.52](#) BMC. That is, the total area of all lots within a proposed subdivision divided by the number of lots shall amount to an average lot area of at least 9,600 square feet. Twenty percent of the lots in a subdivision may be smaller than 9,600 square feet, but no lot shall be smaller than 8,400 square feet, nor larger than 14,400 square feet. ~~No more than one primary dwelling unit shall be placed on a lot.~~ Rounding up to attain the minimum lot area is not permitted.

...

7. Lot size averaging in land divisions. When creating new residential lots through land division, individual lots shall be considered in compliance with minimum lot size requirements if the average of the areas of all the lots in the land division meets the minimum requirement for the base zone in which the land division is located, provided:

a. That no individual lot therein shall be reduced more than 30 percent from the minimum required lot size per the base zone;

b. A reduction of up to 30 percent of the required lot width may be applied to reduced lots, except for lots created for townhomes, which shall not be reduced below 20 feet in width.

c. In order to promote efficient use of land, no subdivision shall contain any lot having more than one and one-half times the minimum lot area in the R 40,000, R 8,400, R 7,200 and R 5,400d zones, or one and one-half times the average lot area in the R 9,600 zone (i.e., 14,400 square feet), except as follows:

- (1) Any subdivision of nine lots or fewer may contain larger lots, but the property lines of such a subdivision shall be laid out so as to allow future subdivisions which comply with this subsection;
- (2) A subdivision of 10 or more lots may contain larger lots to accommodate phasing of the subdivision; provided, that at completion of all phases, the subdivision complies with this subsection;
- (3) A subdivision of 10 or more lots may contain a larger lot to permit the preexisting house and any related outbuildings and grounds to be retained intact on one property;
- (4) These maximum lot size regulations do not apply to any common tracts for critical area protection, open space retention, storm water retention/detention or other purposes as may be required by the city as a condition of subdivision approval.

...

There are R 2,800 and R 4,000 lots in Lower Maywood that are the same scale as many older single-family lots but couldn't do middle housing due to the density limits

Should rounding up be allowed to address this issue?

Or should we exempt existing lots from density maximums for middle housing, as Oregon does?

3. Multifamily Minimum and Maximum Density.

a. In the R 5,400a through R 2,800 zones, one multifamily dwelling unit shall be allowed for each whole number multiple of the stated minimum land area per multifamily dwelling unit. Only whole numbers may be credited toward unit count. Rounding up is not permitted. The following exceptions apply:

- (1) Specialized senior housing subject to an approved conditional use permit in accordance with Chapter [12.10](#) BMC; or
- (2) On lots of 4,000 square feet or more rounding up shall be allowed.
- ~~(2) Duplexes authorized pursuant to BMC [12.06.140\(B\)\(18\)](#).~~

Should setback reductions be allowed as shown below?

Or should reductions in setbacks on one side be accompanied by increases on the other side to maintain the building envelope in cases where such modifications would protect trees or other natural amenities?

5. Setbacks.

a. "Setback" shall mean the distance from the lot line to the point where a structure may be constructed, not including those structures permitted under BMC [12.14.090](#) to project into the setback. The area between a lot line and a setback is a yard. Setbacks shall be in accordance with BMC [12.14.050](#) through [12.14.100](#).

b. Garages, carports, and other structures whose intent is to house or provide parking for vehicles shall be set back from streets and access tracts a minimum of 20 feet.

c. Special setbacks apply to specific building types, uses and accessory structures. See BMC [12.14.070](#).

d. For duplex, triplex and fourplex development, front and rear setbacks may be reduced by [5-10] feet in all zones.

6. Specific building height, minimum residential densities, and minimum floor area ratios may apply to certain activity centers as follows:

a. Within the following activity centers identified in the Imagine Bothell... Comprehensive Plan:

...

b. Within the R 40,000, R 9,600, R 8,400, R 7,200, R 5,400d, and R 5,400a zones, **single-family** residential structures which incorporate peaked roofs having a minimum roof pitch of four feet vertical for every 12 feet horizontal (4:12) may be up to 35 feet in height under any of the following conditions:

...

Should increases in coverage be limited to case where existing structures are preserved, as was done for corner lot duplexes?

7. Building and hard surface coverage shall be measured as set forth in BMC [12.14.140](#). For the purposes of this section, driveways within the front yard setback shall be no wider than necessary to accommodate three vehicles across, and walkways within the front yard setback shall not exceed five feet in width.

a. *Notes.* Hard surfaces legally established on a site prior to December 31, 2016, and which exceed the limits set forth in this section and BMC [12.14.040](#) shall be subject to nonconforming provisions of Chapter [12.26](#) BMC.

b. In determining the building and hard surface coverage for a panhandle lot, the handle or access portion of the lot shall not be used to determine hard surface coverage. Building and hard surface coverage shall be measured as though no handle was on the lot.

c. For duplex, triplex and fourplex development, maximum building coverage may be increased by [10-15] percent and maximum hard surface coverage may be increased by [10-15] percent.

...

Subsection immediately below would be moot with proposed changes.

~~11. Within specific subareas duplexes shall be allowed on individual lots to meet affordable housing requirements (see Chapter [12.07](#) BMC). Such duplexes do not need to meet the side yard setbacks for the common walls between dwelling units, but all duplex lots shall provide all setbacks from adjacent property lines pursuant to subsection [A](#) of this section.~~

Should all middle housing units be subject to affordable housing requirements as shown in d below, or should a percentage of all units be required to be affordable?

~~12. Middle Housing Maximum Density. For new subdivisions that allow middle housing units (duplex, triplex, fourplex, small townhomes or courtyard housing, or cottage housing), increased density is allowed consistent with the following:~~

a. Middle housing units may exceed the maximum density of the underlying zone by up to 40 percent if the units are located within one-half mile of a regional trail or transit stop that receives frequent transit service. Frequent transit service is service from at least one route that provides service at least two times per hour for 12 or more hours per day.

b. Middle housing units may exceed the maximum density of the underlying zone by up to 20 percent if the units are located further than one-half mile from a regional trail or transit stop that receives frequent transit service.

c. Maximum density is calculated by dividing the total area of the subdivision by the minimum lot size of the underlying zone. For example, the maximum density for a three-acre subdivision in the R7,200 zone is 18 units.

d. Middle housing units created through the density bonus are subject to the affordable housing requirements of 12.07.

...

Should subsection A below be modified as shown or eliminated?

12.14.070 Setbacks – Applying to specific building or use.

A. Any structures containing two or more attached primary dwelling units shall be set back a minimum of 25 feet from any property line abutting ~~the R-40,000 zone through R-5,400d zones~~, unless the adjacent property already is occupied by structures containing two or more primary dwelling units. This special setback requirement shall not apply to duplex structures within detached residential zones that provide affordable dwelling units consistent with the affordable housing provisions of Chapter 12.07 BMC.

...

While details of some of the changes shown below to ADU regulations have not been discussed much, they are consistent with changes that have been discussed in State legislation and are offered for Planning Commission consideration.

12.14.135 Accessory dwelling units

A. Accessory dwelling units are secondary dwelling units with complete and independent living facilities on the same lot as an existing primary dwelling unit. Accessory dwelling units (ADUs) can be detached, attached, or interior to a primary dwelling unit. are an accessory use to a primary dwelling unit and may be an additional room, set of rooms, or a separate structure all of which are a secondary use to the primary use of a property as a single-family dwelling.

B. Accessory dwelling units are permitted subject to the following requirements:

~~1. Either the primary dwelling unit or the accessory dwelling unit shall be occupied by an owner of the property or by an immediate family member of the property owner. The owner or immediate family member of the owner must occupy one of the dwelling units on the property for more than six months of each calendar year.~~

~~2. The total number of occupants in both the primary residence and accessory dwelling unit combined may not exceed the maximum number of occupants allowed in a household per BMC 12.06.140(B)(9).~~

3. Wherever practicable, a house shall have only one entrance on the front, with additional entrances permitted on the side and rear. On corner lots, it is permissible to locate the entry door to the accessory dwelling unit on a street side of the structure other than the street side with the entry door for the principal dwelling unit. The entrance to an attached accessory dwelling unit may be on the front of the house only if (a) it is located in such a manner as to be clearly secondary to the main entrance to the principal dwelling unit; (b) it is screened from the street; and (c) it shall not detract from or alter the single-family character of the principal dwelling unit.

4. At least one additional paved off-street parking stall shall be provided in addition to any parking required for the primary dwelling unit; such parking shall consist of a driveway, carport, garage, or a combination thereof, located on the lot they are intended to serve. The parking requirement for ADUs may be waived if one of the following circumstances is met:

a. The ADU is located within one-half mile of a transit stop that receives transit service at least two times per hour for 12 or more hours per day.

b. The ADU is located within one-half mile of pedestrian access to a regional trail that provides a continuous two-way paved connection to employment centers and/or similar activity centers and amenities.

5. The size of an accessory dwelling unit shall be limited as follows:

a. A detached accessory dwelling shall not exceed 1,000 square feet of floor area, or **75-85** percent of the primary dwelling's floor area, whichever is smaller.

b. An attached accessory dwelling shall not exceed 1,000 square feet of floor area, or [75-85] percent of the primary dwelling's floor area, whichever is smaller. However, accessory dwellings that result from the conversion of a level or floor (e.g., basement, attic, or second story) of the primary dwelling may occupy the entire level or floor, even if the floor area of the accessory dwelling would be more than 900 square feet.

~~a. The floor area devoted to an accessory dwelling unit shall comprise no more than two-thirds of the primary dwelling unit, or 40 percent of the total floor area of the primary dwelling unit and the accessory dwelling unit combined, excluding any garage area; or 800 square feet, whichever is less. If the accessory unit is completely located on a single floor, the director may allow increased size in order to efficiently use all floor area.~~

~~B.c.~~ Detached accessory dwelling units are exempt from the provisions of BMC 12.14.130 that limit the size of accessory buildings to five percent of the lot area.

6. Detached accessory dwelling units shall have a height no greater than 25 feet or no greater than 28 feet for units over an existing accessory structure.
7. A single-family lot shall contain no more than one accessory dwelling unit.
8. The property owner shall apply for an accessory dwelling unit permit and pay any applicable application fee as set by the city. The application shall include an affidavit signed by the property owner agreeing to all the general requirements outlined in this section.
9. Approval of the accessory dwelling unit shall be subject to the applicant recording a document with King County or Snohomish County, which document (a) runs with the land and identifies the address of the property, ~~(b) states that the owner(s) resides in either the principal dwelling unit or the accessory dwelling unit,~~ (c) includes a statement that the owner(s) will notify any prospective purchasers of the limitations of this section, and (d) provides for the removal of the accessory dwelling unit if any of the requirements of this chapter are violated.
10. For existing accessory dwelling units that were created without an approved application, the property owner must still apply to the city for approval. If an accessory dwelling unit was created without a building permit that was finalized, the city shall require a building inspection to determine whether the structure is sound, will not pose a hazard to people or property, and meets the requirements of this section and BMC Title 20. The accessory dwelling unit application fee will cover the building inspection of the accessory dwelling unit.
11. Two-story, detached accessory dwelling units shall be designed to protect the privacy of adjacent residential uses by employing all of the following techniques, as applicable:
 - a. For any walls that are less than 10 feet from the property line, second-level openings facing adjacent residential uses where sill heights are less than six feet above the second-level floor must use nontransparent windows or glass block.
 - b. Second-level decks less than 10 feet from the property line must be oriented away from adjacent residential uses or provide a minimum six-foot-tall, sight-obscuring screen facing the adjacent residential use. Entry stoops and landings are exempt from this requirement.
 - c. Where any walls that are 10 feet or more from the property line have second-level openings or decks facing adjacent residential properties, vegetative screening that will be sight-obscuring at maturity must already exist or be planted to screen the opening or deck from the adjacent residential use. (Ord. 2277 § 1, 2019; Ord. 2258 § 5, 2018).

12.16 PARKING, LOADING, TRANSIT ACCESS AND PEDESTRIAN CIRCULATION

Updating parking standards to establish requirements for new middle housing types and allow reduction for middle housing near transit and regional trails, similar to what was done for corner-lot duplexes.

12.16.030 Computation of required off-street parking spaces.

A. Except as modified under this section or BMC [12.16.040](#), off-street parking areas shall contain at a minimum the number of parking spaces as stipulated in the following table. Off-street parking ratios expressed as number of spaces per square feet means the gross square footage. If the formula for determining the number of off-street parking spaces results in a fraction, the number of off-street parking spaces shall be rounded to the nearest whole number with fractions of 0.50 or greater rounding up and fractions below 0.50 rounding down. The land uses below correspond to those listed in Chapter [12.06](#) BMC.

Land Use	Minimum Parking Spaces Required
Residential uses, including only the following:	
Dormitories, fraternities and sororities	1 per 2 bedrooms
Dwelling units, accessory driveway	None 1 per accessory dwelling unit, located in a garage or on a driveway
Single-family dwelling unit-Dwelling units, primary, detached, one unit per structure	3 per dwelling unit, which spaces shall consist of garage floor and/or driveway area
Duplexes	2.0 per dwelling unit, four total for the duplex
Triplexes	4.0 total for the triplex
Fourplexes	5.0 total for the fourplex
Cottage housing	0.5 per unit
Multifamily dwellings-Dwelling units, primary, two or more units per structure	2 per dwelling unit, plus 1 guest parking stall for every 5 dwelling units

12.16.110 Transit, rideshare, and green building provisions.

...

F. For ~~corner-lot duplexes, triplexes, and fourplexes constructed pursuant to BMC 12.06.140(B)(18)~~, an applicant may apply for an exception allowing minimum parking requirements to be reduced ~~to one parking space per unit~~ when any of the following conditions apply:

1. The ~~corner-lot duplex development~~ is located within one-half mile of a transit stop that receives transit service at least two times per hour for 12 or more hours per day.

2. The ~~corner-lot duplex~~ development is located within one-half mile of pedestrian access to a regional trail that provides a continuous two-way paved connection to employment centers and/or similar activity centers and amenities.

3. When one of the above conditions is met, off-street parking may be reduced to one parking space per unit.



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"The voice for real estate in Snohomish County"

Tuesday, February 15th, 2022

The City of Bothell Planning Commission
18415 101st Avenue NE
Bothell, WA 98011

RE: Wednesday, February 16th, 2022 Study Session on Middle Housing

Dear Bothell Planning Commissioners,

The Snohomish County-Camano Association of REALTORS® (SCCAR), an organization which represents nearly two thousand REALTORS® across Snohomish County, would like to offer our support of your pursuit of amending Bothell's city code to accommodate middle housing.

Firstly, we would like to thank the city of Bothell's Planning Commissioners and staff for bringing this topic to the table for consideration. As you know, these amendments reflect state House Bills 1782 and 1660. The REALTORS® are supportive of these two bills. Secondly, we would like to communicate our support specifically for the proposed code amendments which would allow duplexes, fourplexes, cottage housing, and other missing middle housing in single family areas and encourage ADUs by providing pre-approved ADU plans and eliminating impact and other fees for ADUs.

We believe these changes will work toward increasing a diverse housing inventory in Bothell, which is desperately needed. Bothell, and all of Snohomish County, is amid an affordable housing crisis where housing prices have increased exponentially due to a lack of housing supply. REALTORS® see firsthand how expensive housing has become to secure, and we believe these amendments are a step in the right direction to address the housing affordability crisis our county is experiencing.

Thank you for your time and consideration. Please do not hesitate to contact us if you need anything, as we would be happy to partner with the city of Bothell in any housing or real estate matters.

Sincerely,

A handwritten signature in blue ink that reads 'Cami Gray'. The signature is fluid and cursive, with the first name 'Cami' and last name 'Gray' clearly legible.

Cami Gray
Director of Government & Public Affairs

From: W.Moritz <moritz.web@frontier.com>

Sent: Monday, May 30, 2022 6:13 PM

To: City Council Distribution List <CityCouncil@bothellwa.gov>; City Clerk <CityClerk@bothellwa.gov>

Subject: [EXTERNAL] Middle housing proposal - some problems

Dear Council members,

Unfortunately I will be out of town when the 'middle housing' Forum takes place on the 31st but want to pass along two concerns that I have.

1. Apparently someone has decided that 'middle housing' would be appropriate to consider for any property within 1/2 mile of any transit stop. I guess on the supposition that 'middle housing' occupants would thus be able to, possibly, not need to have personal motor vehicles to meet their transportation needs. I see a small map on the web with circles that has apparently been produced illustrating the area within the city. But looking at that map reveals a very serious flaw in that thinking.

Those circles obviously do NOT account for terrain nor the practicality of folks within many of those 1/2 mile circles actually being able to get to that stop safely and efficiently. Two examples should suffice to get the point across.

A. There are transit stops (E and W bound) on SR 522 at 96th NE (Wayne curve). The associated 1/2 mile circle would of course include Talon Ridge (as well as a lot of other housing in that area) atop the modestly high hill around which 522 curves. Just how would those folks get to that transit stop with less than a 1/2 mile hike?

B. There is a transit stop located on E. Riverside Dr adjacent to the Senior Center (elevation about 50 ft). That 1/2 mile circle includes virtually all of the Promontory West development on Norway Hill to the south. While there is a gravel utility access (102nd Ave extended) that climbs that hill to the south reaching nearly 400 feet in elevation within that 1/2 mile and is a somewhat stiff hike. I can't imagine lugging a couple bags of groceries up that hill - in the rain say. The surface is not maintained for pedestrian use.

Drawing circles on a flat map is pretty easy but very sloppy. Those 'circles' should reflect the reality on the ground regarding the real feasibility of getting to those transit stops.

2. I have read some of the material the staff has prepared on the various type of 'middle' housing and one thing stands out: most do not require off-street parking for the vehicles that would likely be part of such projects. I would love to live in a place where one did not need a private car to accomplish most or all of my daily transportation needs.

But a pretty fully suburban city like Bothell with really few transit options does measure up. So where will all those motor vehicles the 'middle' housers park? On the public street of course.

We already see what happens when several apartment buildings downtown were only required to have 0.75 parking spaces per unit. Our public streets are where those folks park. Our tax dollars should NOT be used to provide parking for local residents.

If there are any sites within Bothell that can accommodate additional housing units along with off street parking, go for it.

I would also add that the city is considering a Bicycle Plan which has the worthwhile goal of getting more people to bike. But there must be space on our streets for residents to ride their bikes. Parked cars make such biking more difficult especially on our narrow streets built decades ago.

Thanks for taking the time to listen to my concerns,

Sincerely

Bill Moritz
16901 - 105h NE

Response from Senior Planner Dave Boyd, May 31, 2022

Bill,

Thank you for your comments, which got forwarded to me for a response. I will add your comments to the public record and include you in the list of interested parties.

I wanted to clarify that the current proposal is to use a ½ mile walking distance to transit and regional trails to qualify for parking reductions. The radii on the map are, as you say, an easy way of showing where such reductions could extend if there are actual pedestrian connections. The code will specify that the reductions are available only to projects that demonstrate that they are within walking distance of qualified transit and trails, and it will be up to the applicant to make that case (and plans reviewers to verify it). The map included in the survey is just to illustrate where these reductions could apply. Actually mapping the walksheds for bus stops and regional trail connections is problematic since they change as transit routes and service change and as connections are built.

Also, consideration is being given to reducing the parking within those areas, not eliminating it. The proposed code provisions would mirror those already adopted for corner-lot duplexes, requiring 1 space per unit.

This item is still going through the Planning Commission process, with an initial public hearing on 6/15, which is anticipated to be continued to 7/20. Please feel free to send any further comments to me, and I will forward them to Commission and enter them into the public record, which will go to Council with the Commission's recommendation.

Best regards,
Dave

Dave Boyd AIA, Senior Strategic Planner
City of Bothell Community Development Department
425-471-4705

From: Sandy Alto <BothellNS@hotmail.com>

Sent: Friday, June 3, 2022 10:14 PM

To: Erin Leonhart <Erin.Leonhart@bothellwa.gov>; Imagine Bothell <ImagineBothell@bothellwa.gov>; Mason Thompson <mason.thompson@bothellwa.gov>

Subject: [EXTERNAL] The Missing Middle Plan is unclear in keypoints.

Hi Erin, Imagine Bothell, and Mayor Mason,

I have been reviewing the Missing Middle Housing Plan and the objectives are a bit unclear to me. How is

1. Allow duplexes, triplexes, and fourplexes in new subdivisions, with density bonuses and affordability requirements.
2. **Allow duplexes, triplexes, and fourplexes in all single family zones.**
3. **Allow cottage housing and courtyard housing in all single family zones.**
4. **Require affordable housing units in a portion of all subdivisions.**
5. Create flexibility in development standards to facilitate middle housing
6. Reduce barriers to ADU (accessory dwelling unit) development.
7. Reduce parking requirements for middle housing near transit or regional trails.

Regarding item 4. **Require affordable housing units in a portion of all subdivisions.**

Can you provide an example that explains this more fully?.

We have already permitted duplexes on corner lots. But I am confused as to what other types of affordable housing units are meant that aren't already identified in items 2 & 3.

I am also confused by the use of the stronger word "require" here. How is that expected to be "enforced"? Was this a typo that was supposed to indicate "new" subdivisions.

FYI there seven typos in the document and a few sentences lacking commas. Not sure if anyone notices those types of errors in official communications so please take no offense. Personally, I am incapable of texting anything coherent using my phone.

Thank you,
Sandy Alto
BothellNS@hotmail.com
206 920 4557

Please note: Email exchanges may be public records and subject to disclosure.

Response from Senior Planner Dave Boyd, June 6, 2022

Good morning, Sandy.

Thank you for your comments, which were forwarded to me for response. City Manager Leonhart is copied here and will forward to Council.

It appears you are referring to the [Middle Housing online survey](#), and that the sentence/question just before the bullet points in your email was truncated, so we may not have received your full intended comments and questions.

You are correct, your bullet 4 should have referred to all new subdivisions, as noted in the first bullet. The first section of the online survey provides one example of how this could be applied to a sample subdivision, where a unit bonus would be applied, and the additional units could be provided as a mix of duplexes, triplexes and/or fourplexes. There are additional examples in the presentation to Planning Commission on April 6 – links to the packets and videos for the Planning Commission can be found on the [Planning Commission webpage](#).

Planning Commission is considering all of the middle housing types in your bullets 2 and 3, along with potential amendments to accessory dwelling unit regulations. They have not made a recommendation yet, so other types could be considered, or some types could be deferred for further study.

If affordable housing requirements are instituted for new subdivisions where middle housing is allowed, those units would have enforceable agreements in place and recorded with the county. The City works with ARCH to develop these regulations, and ARCH would work with us to put those agreements in place, then monitor and enforce them. It should be noted that the middle housing units that aren't contractually required to maintain certain levels of affordability are still expected to be relatively affordable and provide a wider range of housing options for both ownership and rental.

Thank you for your careful reading of the survey document, and please feel free to let me know of specific typos and further questions and comments. I will enter your comments into the public record and add you to the list of contacts.

Best regards,

Dave Boyd AIA, Senior Strategic Planner
City of Bothell Community Development Department
425-471-4705

I am working primarily from home and can best be reached at this [email](#) address or by the cell number above.



NE

PORTLAND MIDDLE HOUSING

Examples from the Field

CULLY NEIGHBORHOOD

- Former Chinook village
- Annexed in 1985 with few sidewalks or paved roads
- Rural elements: large lots, low density, Single-Family
- Least per-capita parkland
- Scant Transit
- Abundant brownfield lands
- Majority low-income residents
- ***Most ethnically and racially-diverse in Portland***



RESIDENTIAL INFILL PROJECT (RIP)

Part 1: August 1, 2021

- **DEREGULATES SINGLE-FAMILY RESTRICTIONS** in R2.5 to R7 zones, up to fourplexes
- Increases **ACCESSIBLE** housing
- Intended to create **LESS EXPENSIVE** housing

Part 2: June 30, 2022 (*in progress*)

- **EXPANDS HOUSING OPPORTUNITIES** to very low density R10 and R20 zones
- **COTTAGE CLUSTERS** in all neighborhoods
- Revises **ENVIRONMENTAL RESTRICTIONS**
- Allows for **CONDOMINIUMIZATION** of middle housing and allows more options for homeownership



COTTAGE CLUSTER

“Groupings of no fewer than

- *FOUR detached housing units per acre*
- *with a footprint of less than 900 square feet each*
- *and that include a common courtyard”*

(ORHB 2001)

CULLY GROVE

16-home, Intergenerational Cohousing Community by Orange Splot, LLC

- Zoned R5 (1 dwelling/5,000 sf)
- 1.85 acre site
- 22 off-street parking spaces
- 38 bike parking spaces
- Solar on each unit
- HOA regulates common spaces, including guest house
- Prior development (2 homes) was saved/demolished
- Preserved trees and open space





NO PARKING
FIRE LANE

4745-
4805

BLACK
LIVES
MATTER

FIRE LANE





4773

Ridwell



PEAS

COMMON
Summer
Squash

COMMON
Summer
Squash

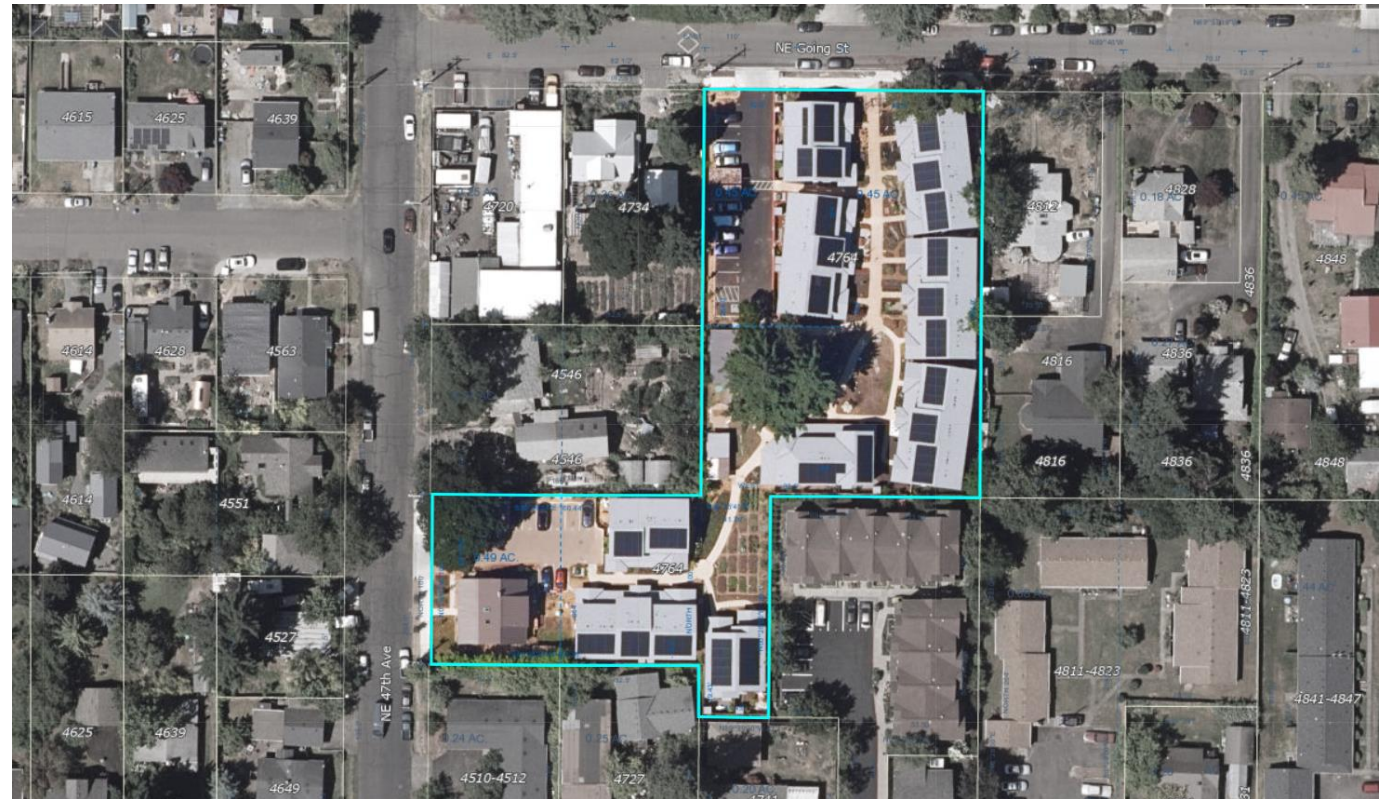
COMMON
② Sheward
Sandy
Summer
Squash



CULLY GREEN

23-home, Intergenerational Cohousing Community by Orange Splot, LLC

- Zoned R5 (1 dwelling/5,000 sf)
- 1.5 acre site
- 22 off-street auto parking spaces
- 52 bike secure shed with charging
- Solar on each unit
- Small private yards
- HOA regulates common spaces, including guest house, sauna, community kitchen, and bike shed
- Electric Vehicle Charging
- Preserved prior home and fir tree grove
- 3 permanently affordable units (80% AMI)





4784







Study Session

2024 Comprehensive Plan Updates Scoping and Engagement Plan

MEMORANDUM

Community Development Department



City of Bothell

DATE: June 15, 2022
TO: Planning Commission
FROM: Nathen Lamb, Senior Planner
SUBJECT: *Imagine Bothell* 2024 Periodic Update Public Engagement Plan

Purpose/Action

The purpose of this study session is to discuss the scope of work for the *Imagine Bothell...Comprehensive Plan* periodic update due in 2024. Staff is seeking feedback on a preliminary public engagement plan which includes staff's approach to educating the public about the periodic update, gathering input throughout the update process, and sharing feedback received. No formal action is required at this time.

Background

On May 18, 2022, staff and Planning Commission held a comprehensive plan periodic update scoping study session. At the meeting, staff provided the context for periodic updates per the State Growth Management Act (GMA). Mandatory elements required by GMA and optional elements in Bothell's current plan were listed, and included the scope of work required to update the goals, policies, and actions in each element. Elements are required to be consistent with federal regulations, GMA updates, multicounty planning policies, and countywide planning policies. Bothell Municipal Code development regulations are also required to be updated to ensure consistency between policies and regulations.

Although not a specific requirement of GMA, updates to the development regulations will also require concurrent updates to the Bothell Design and Construction Standards and Specifications. Further, the policies and actions in the updated comprehensive plan will have implications for impacts to the natural environment and ecosystems in Bothell. Staff is anticipating a supplemental environmental impact statement which should be sufficient to address the future proposed land use alternatives (to be determined in 2023).

Additionally, all elements in the City's current Plan need to be evaluated with a Diversity Equity and Inclusion (DEI) lens to determine if any policies are discriminatory and to ensure that the updated plan is inclusionary and reflects the demographic and socioeconomic diversity of Bothell. Finally, public engagement will be an ongoing component of the comprehensive plan update. Engagement will begin with education in Q3 of this year, and conclude in 2024 by reporting back what the City heard from the community. Please reference the May 18, 2022 Planning Commission agenda package for additional background.

Public Engagement Scope

The current scope of the *Imagine Bothell...Comprehensive Plan* periodic update over the next few years requires a planned public engagement process. Some elements of the plan are broad and include topics that intersect with a variety of other interrelated topics e.g. the Land Use Element. Other elements are more narrowly focused and therefore don't have as many overlapping topics as with the broader elements, e.g. the Historic Preservation Element.

Since topics can span across multiple elements and can be intertwined (e.g. land use and transportation), it'll be necessary to facilitate public engagement using a holistic approach where discussions are not always focused on one particular element at a time. Staff has attempted to sort major topics into "buckets", which should be used to facilitate public engagement. Each bucket would contain subtopics that would address the scope of work needed to update the plan (please reference the May 18 Planning Commission agenda packet for scope of work). Feedback from discussions would then be parsed out and applied to the pertinent element(s). Staff's proposed buckets and subtopics are listed below:

1. Land Use

- a. Vision statements
- b. 2044 growth targets and planning for a Downtown Countywide Growth Center
- c. Increasing capacity for growth in Activity Centers
- d. Subarea plans
- e. Capital facilities and utilities
- f. Annexation

2. Transportation

- a. Connection to land use
- b. Multi-modal system
- c. Target zero

3. Housing

- a. Urban design
- b. Development regulations
- c. Middle housing
- d. HB-1220 requirements

4. Human Services *(Council priority is to pursue a new separate Human Services Element, which is currently combined with the Housing Element)*

- a. Strategic plan and needs assessment

5. Economic Development

- a. Regional economic strategy
- b. Life sciences and medical devices
- c. Activity centers
- d. Jobs/businesses

6. Diversity Equity and Inclusion

- a. Telling Bothell's full story and historic preservation
- b. Equity lens and current plan evaluation
- c. Vision 2050 equity policies

7. Climate Change (*Council priority is to pursue a new separate Climate Change and Resiliency Element using HB 1099 as a template*)

- a. Natural environment
- b. Critical areas
- c. Tree retention
- d. Resiliency
- e. Environmental review

Preliminary Public Engagement Plan:

Following is an outline of staff's proposed approach to public engagement. Bothell communities will be engaged in a number of ways throughout the entire scope of the periodic update. The outline below describes the purpose(s) of the engagement plan, and identifies milestones, key messages to communicate to the public, promoting inclusive outreach, potential challenges, stakeholders, and measuring results.

Purpose:

1. **Education and information** - communicating to the community about what the comprehensive plan is intended to do, and what the vision of the current plan is;
2. **Participation** - involving the community in the discussion, communicating their priorities for policy direction, and participation in Planning Commission and City Council meetings;
3. **Direct feedback** - soliciting targeted feedback and engagement from specific demographics, neighborhoods, and stakeholders as a well as the community as a whole.

Projected Milestones:

Dates	Milestones
2022 Q3-Q4	<ul style="list-style-type: none"> ▶ Start initial educational / information outreach; affirm the vision and setting the scope ▶ Set parameters and define why we need participation and how to participate
2023 Q1-Q2	<ul style="list-style-type: none"> ▶ Ask for feedback, input, and ideas from stakeholders and community on targeted topics
2023 Q3-Q4	<ul style="list-style-type: none"> ▶ Continue direct communication with residents and stakeholders ▶ Host topic specific events ▶ Deeper dive into feedback driven engagement producing actionable items for review and consideration
2024 Q1-Q2	<ul style="list-style-type: none"> ▶ Process accumulated data and analytics to present to Planning Commission and City Council ▶ Present preferred alternative and draft SEIS
2024 Q3-Q4	<ul style="list-style-type: none"> ▶ Close the loop: provide policy outcomes and how engagement helped to shape those determinations

Key Messages:

- Growth and change are inevitable - the comprehensive plan directs how we plan for and adapt to that growth and change; Bothell is a "core city" in our regional geography having a regional growth center and potential countywide growth center.
- The comprehensive plan is a way to incorporate and reinforce the identity of our community in the region.

- The City will remain committed to thoroughly and clearly communicating all aspects of the periodic update process, and make that communication easily accessible through www.ImagineBothell.com, social media, and other communication channels.
- Community input and feedback is integral to the update process and staff will "close the loop" to be transparent and to report back how responses and ideas were used and considered.

Inclusive Outreach:

Common barriers to participation often include:

- English proficiency
- Missing income - inability to leave work to invest time
- Different literacy abilities
- Different physical abilities which may limit physical access to meetings
- Perceptions and preexisting notions about citizen participation and local government
- Access to technology

Ways in which we can address and mitigate barriers:

- Utilize the City's forthcoming DEI Strategic Plan to reach diverse populations
- Be familiar with and review community demographics using available Census data
- Partner with diverse organizations, faith-based groups and non-profits - ensure surveys are sent to them and ask for them to share within their networks and community
- Find and engage staff and councilmembers who have trusted relationships with target populations, leaders, or ambassadors
- Consider what documents should be translated and consider interpreter services (top limited English proficiency languages are currently Spanish, Chinese, and Korean)
- Create a welcoming atmosphere for any in-person events, select times/days carefully that work for a variety of work schedules which are sensitive to religious observations
- Have materials and/or participation available in multiple formats - digital, hybrid, in-person, off-site and in the community itself, video, illustrations, etc.

Potential Challenges:

- **Challenge:** Misinformation or user-generated content already exists in the community.
→ **Mitigation:** Identify common myths or misunderstood facts and develop clear educational messaging to clarify; notify and educate early and often.
- **Challenge:** For a complex interagency project, community members may not understand how much influence or impact the City of Bothell can have.
→ **Mitigation:** Clearly communicate the roles of each agency and jurisdictional, legal or legislative ability to influence changes. For the periodic update, this may look like clear delineation on what State, regional or other jurisdictional requirements are verses issues specific to Bothell and/or City Council direction.

- **Challenge:** Resistance to change and growth in our City.
→ **Mitigation:** Growth and change are coming; the City can communicate with the public that the comprehensive plan is a specific growth management tool used for addressing that growth and change.
- **Challenge:** Not enough funds available to get everything the community wants.
→ **Mitigation:** Constant and clear communication throughout the decision-making process to make sure we are prioritizing the correct elements of the comprehensive plan and acknowledge how the community input has been used in that decision-making process.

Stakeholders:

Everyone who lives, works, visits, or commutes through Bothell is a stakeholder and will be affected by the periodic update. Those stakeholders include:

External

- Residents
 - Neighborhoods
 - Property owner associations
 - *Renters*
- Employers and employees
- Visitors, shoppers, park/trail users
- Commuters (to and through)
- Interest groups
- Community-based organizations and religious groups
- Tribes
- King and Snohomish County
- Utility agencies
- Northshore School District

Internal

- City Council
- Boards and Commissions
- City Staff
 - Community Development
 - Transportation
 - Public Works
 - Executive Office
 - Finance
 - Legal
 - IS/GIS
 - Parks and Recreation

Methods of engagement:

Digital: imaginebothell.gov, engagement platform (to be determined), QR codes, eNews, Social media, YouTube;

Print: Bothell bridge, signage/posters, fact sheets and brochures, direct mail and postcards, door hangers;

Interactive: One-on-one engagement, open house, board and commission meetings, community and interest group meetings, in person polls and surveys, door-to-door outreach (to be determined), event presence with informational tables, community spaces, meetings with organizations in their spaces and convenient times.

Measuring Results:

1. Number and diversity of comments and feedback received
2. Number of visits to the comprehensive plan website pages and engagement portal
3. Social media interactions and engagement growth
4. Email subscribers
5. Participants in public hearings, webinars, surveys and activity-based events
6. Diversity of people reached based on voluntary demographic information submitted
7. Survey feedback results from in-person or virtual events

Policy Considerations

- ❖ Does the Planning Commission find the "buckets" and subtopics list to be satisfactory?
 - Commissioners are encouraged to move subtopics, remove, and add to them.
- ❖ Are there any other potential challenges the City might anticipate before engaging with the community? In what ways could those challenges be mitigated for a more collaborative input process?
- ❖ Are there other stakeholders not captured in the list above, and other methods of engagement the City could deploy?

Next Steps

The figure below shows a preliminary schedule for the periodic update starting with the evaluation of the City's current Plan. Elements will be evaluated based on what policies, goals, actions have been implemented and completed to date. An equity "lens" will also be applied using equity tools available through the Puget Sound Regional Council and King County to identify any discriminatory language. Connected development regulations that may need to be updated will also be examined as part of the evaluation.

Evaluation findings will be communicated to Planning Commission and the public in quarter three of this year, along with educational information being disseminated about the periodic update, which will officially commence the City's solicitation for input from the public. When there is consensus among Planning Commission that a thorough evaluation of the current plan is done, staff will use the evaluation findings to inform initial outreach discussions in tandem with the buckets above as discussion parameters.

Comp. Plan Periodic Update Schedule	2022											
	Foundational Work											
2015 Plan evaluation and assessment												
Begin Transportation Element update					2023							
Public education and scoping					Update Elements							
Alternatives development									2024			
Environmental impact									Plan Adoption			
Choose preferred alternative												
Planning Commission recommendation												
Council adoption												
Public engagement												

Attachments

None