

1 E. "Covenant" refers to a condition affecting the use of land or property written into the
2 title.

3 F. "Lot Coverage" refers to the portion of a lot that is occupied by covered structures,
4 including but not limited to covered buildings, garages, covered decks and patios, and other
5 covered structures. Lot coverage is related to building footprints. Lot coverage does not include
6 eaves and overhangs.

7 G. "Private Open Space" refers to undeveloped land, privately owned and is reserved for
8 yards, walking paths, gardens or other natural uses. Private open space provides private area
9 around the individual cottage dwellings to enable diversity in landscape design.

10 H. "Transportation Study" is an analysis of the projected impacts of traffic resulting from a
11 new residential or commercial construction. A transportation study must contain an estimate of
12 the number of trips to be generated by the development, a statement of the existing levels of
13 service for all streets adjacent to the development, a projection of any changes in the levels of
14 service that may result from the construction, and a list of infrastructure improvements necessary
15 to handle the new traffic flow.

16
17 **Section 2. General Authority**

18 A. Purpose

19 The purpose of this interim zoning ordinance is to allow development of a limited
20 number of projects that demonstrate a higher density housing choice not currently available in
21 Lake Forest Park's single-family neighborhoods. The City will use this interim ordinance to
22 allow for the construction of demonstration projects to assess the viability of cottage housing in
23 an urban community such as Lake Forest Park.

24 B. Goals

25 The goals of cottage housing are to:

- 26 1. Increase housing supply and the choice of housing style available in the
27 community through projects that are compatible with existing single-family developments;
28 2. Provide housing alternatives to meet the growing demands of "nontraditional"
29 households within the City. New housing constructed within the City should also meet the needs
30 of all populations.
31 3. To construct smaller residences that are of a character and quality consistent with
32 the existing environment of Lake Forest Park.

33 C. Area Designation

34 A cottage housing demonstration project may be sited in zones RS-7.2, RS-9.6, RS-10,
35 RS-15, and RS-20, subject to the terms and conditions of this ordinance."

36 D. Development Regulation and Review

37 1. A maximum of two proposals will be selected by the planning commission to be
38 constructed within the City of Lake Forest Park as demonstration projects. Proposals selected
39 will be evaluated by the City's hearing examiner during an open record public hearing and are
40 subject to subsequent approval or denial of the proposal by the city council. Nothing in this
41 ordinance requires the planning commission to choose any proposals for development. Likewise,
42 the city council is not obliged to approve any of the cottage housing proposals that may be
43 selected by the planning commission. These projects are held pursuant to the regulations
44 established within this interim cottage housing ordinance.

45 2. The regulations put forth by this ordinance are the minimum requirements necessary to
46 be considered for inclusion in the cottage housing development selection process. The City may

1 require additional information from the applicant. Additionally, the City may impose more
2 stringent parameters than those established by this ordinance.

3 E. Duration of Demonstration Ordinance

4 This ordinance shall go into effect as an interim zoning ordinance on (*insert date*) and
5 then shall be effective for one year until (*insert date*) and thereafter may be renewed for one or
6 more six-month periods at the request of the City. If a renewal is requested, a subsequent public
7 hearing shall be held and findings of fact are to be made prior to each renewal. The City may
8 accept submittal of additional proposals if a renewal period is approved by the City Council.

9 F. Severability

10 If any provisions of this chapter or its application to any person or circumstance is held
11 invalid, the remainder of this chapter or application of the provisions to other persons or
12 circumstances shall not be affected.

13
14 **Section 3. Process for selection of demonstration projects.**

15 The City shall use the following process to review and select cottage housing demonstration
16 projects:

17 A. Pre-application requirements.

18 1. Potential applicants must schedule a pre-submittal meeting with Planning staff. One
19 pre-submittal meeting will be held by the Planning Department. The cottage housing proposal
20 selection process commences on the day on which the pre-submittal meeting is held. A complete
21 proposal must be made within 180 days of the pre-submittal meeting to be considered for the
22 selection process.

23 2. A full proposal shall include the following submittal requirements:

- 24 a. A completed form provided by the City of Lake Forest Park.
25 b. A site plan, that provides the following information:
26 i. The existing dimensions and lot size, proposed dimensions and lot sizes.
27 ii. Location of adjacent streets, existing and proposed access.
28 iii. Location of proposed structures and distances to property lines.
29 iv. Location of proposed alterations or improvements.
30 v. Location of any sensitive areas on or near the site and associated buffers.
31 vi. Identify existing and proposed easements.
32 vii. Scale of the survey, date prepared and north arrow.
33 viii. Existing topography of the land indicated by contours at five-foot intervals.
34 c. A three dimensional projection of the project. Detailed building elevations are
35 acceptable, but a scale model of the site and the proposed development is preferred.
36 d. An in-depth, written report detailing the proposed demonstration project. This
37 report should not only indicate how the project would meet all zoning and environmental
38 regulations as put forward in Titles 16 and 18 of the Lake Forest Park Municipal Code, but also
39 how it accomplishes the infill development goals as described by the City's Comprehensive
40 Plan.
41 e. A base fee for the initial review of the proposed project. If the project is selected by
42 the Planning Commission for further consideration by the City Council, the applicant shall be
43 required to pay the remainder of the fees. These fees shall be based on the valuation of the
44 construction of each cottage housing unit to be built.

1 f. A copy of the Purchase and Sale Agreement or an equivalent document indication
2 ownership of or an option to purchase the property on which the proposed cottage housing
3 development is to be located.

4 g. Any additional information or material that the Planning Official specified at the
5 pre-submittal meeting.

6 B. Proposal selection process.

7 1. Proposals for cottage housing developments authorized by this chapter are subject to
8 the application and notice procedures for Type II applications detailed in LFPMC 16.26. The
9 proposals are reviewed according to the requirements of that chapter and the following:

10 a. All notices pertaining to the application(s) shall be sent to all properties within 500
11 feet of each of the subject properties instead of 300 feet, as specified in LFPMC
12 16.26.040(D)(1)(b).

13 b. Upon expiration of the specified period, the planning commission shall convene to
14 review all submitted proposals. From the proposals, the planning commission may select up to
15 two demonstration projects that best fit the selection criteria. The selection criteria are as
16 follows:

17 i.. The impacts of the proposed development will be no greater than the traditional
18 development that could be constructed on the property with respect to total floor area of
19 structures and structures sizes.

20 ii. The proposal is not larger in scale and is compatible with surrounding
21 development with respect to size of units, building heights, roof forms, building setbacks from
22 each other and property lines, number of parking spaces, parking location and screening, access,
23 and lot coverage.

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

27 iv. The structures proposed for the cottage housing development are diverse in
28 appearance yet remain connected through use of architectural style, details, color and materials.

29 v.. Any proposed modifications to requirements of the Lake Forest Park
30 Municipal Code must be demonstrated to be important to the success of the proposal as a cottage
31 housing project.

32 vi.. In order to meet the goals of the innovative housing demonstration program,
33 there may be flexibility with regard to some normally applicable regulations and requirements.
34 Parameters identified in Section 4 of this ordinance will apply to innovative housing
35 demonstration projects and will prevail if they conflict with the regulations specified in Lake
36 Forest Park Municipal Code Title 17 and Title 18.

37 vii.. As an alternative to the standard buffers listed in LFPMC 16.16.290(A),
38 16.16.310(A), 16.16.320(A), and 16.16.350(A), sensitive areas buffers sites proposed for cottage
39 housing developments may be determined by the Hearing Examiner according to a sensitive area
40 study prepared by a qualified professional. The Hearing Examiner may approve the site-specific
41 sensitive areas buffers provided the following criteria are met:

42 (a) Multiple fish and wildlife habitat functions will be enhanced or risk of
43 flood or geologic hazards will be reduced; and

44 (b) Buffers will be enhanced through approved mitigation measures as
45 defined by LFPMC 16.16.040(J). A mitigation plan must be approved by the Hearing Examiner;
46 and

1 (c) Impacts of existing and proposed development are mitigated; and

2 (d) The proposal results in a significant net benefit to sensitive areas

3 protection.

4 c. The proposal must adhere to the design guidelines delineated by the January 2005
5 “Low Impact Development Technical Guidance Manual for Puget Sound.” When the provisions
6 specified in said manual conflict with the King County Guidelines for Stormwater Management,
7 the provisions of the “Low Impact Development Technical Guidance Manual for Puget Sound”
8 will prevail for this demonstration ordinance.

9 d. Prior to the public hearing, Planning staff will write a staff report for each
10 development proposal. This staff report shall recommend approval or denial of the project based
11 on the project’s ability to meet the selection criteria. A copy of the staff report is to be sent to
12 both the hearing examiner and the applicant at least one calendar week before the open record
13 hearing is held.

14 e. The hearing examiner shall conduct an open record predecision hearing on the
15 detailed application. All exhibits introduced at the hearing shall be retained and an electronic
16 sound recording of each hearing shall be made.

17 i. Any person may participate in the hearing by submitting written comments to
18 the code administrator before the hearing or by submitting written comments or by testifying at
19 the hearing.

20 ii. The applicant must demonstrate by a preponderance of the evidence that their
21 development proposal for a demonstration project merits a recommendation of approval or
22 approval with modifications as based on the selection criteria.

23 f. The hearing examiner shall make a recommended decision on each application
24 based upon applicable decision criteria; provided, that in its recommendation, the hearing
25 examiner may modify or condition a proposal to ensure conformity with the relevant decision
26 criteria.

27 g. Following the close of the record, the hearing examiner shall file with the code
28 administrator a written report, which shall contain:

29 i. The recommendation on the demonstration project application; and

30 ii. Any conditions included as part of the recommendation; and

31 iii. Findings of fact upon which the recommendation, including any conditions,
32 was based and the conclusions derived from those facts.

33 h. The code administrator shall mail the written recommendation to each person who
34 participated in the open record predecision hearing, all members of the planning commission,
35 and all members of the City Council.

36 i. For each detailed application, planning staff shall draft an ordinance incorporating
37 the hearing examiner’s recommendation. This ordinance is to be sent to the City Council for
38 consideration. The ordinance shall be prepared within 14 days of issuance of the hearing
39 examiner’s recommendation.

40 j. Within 30 days of completion of the ordinance, and no more than 45 days from the
41 date of issuance of the hearing examiner’s recommendation for each proposal selected, the City
42 Council shall hold a closed record hearing to discuss the application, hearing examiner’s
43 recommendation, and the ordinance.

44 i. Planning staff shall notify any participant in proceedings before the hearing
45 examiner of the date of the city council hearing on the recommendation.

46 ii. The city council shall consider the following in deciding upon an application:

- 1 a) The complete record developed before the hearing examiner for the
2 application; and
3 b) The recommendation of the hearing examiner on the application.
4 iii. Written and oral arguments submitted by a participant in the proceedings
5 before the hearing examiner and such new information or evidence may be review within the
6 closed record hearing by the council in its discretion. Argument shall be based upon the record
7 only.
- 8 k. The city council shall take one of the following actions:
9 i. Approve the application; or
10 ii. Approve the application with modifications or conditions; or
11 iii. Remand the application to the hearing examiner for an additional hearing
12 limited to specific issues identified by the council; or
13 iv. Deny the application.
- 14 l. The city council shall include findings of fact and conclusions that support the
15 decision of the council, including any conditions, in the ordinance approving or approving with
16 modifications the application. The city council may by reference adopt some or all of the
17 findings and conclusions of the hearing examiner.
- 18 m. The decision can be appealed to the King County Superior Court.
- 19 2. Upon selection of the demonstration projects, the candidates must submit to the City
20 remaining detailed application components. Applicants must submit the following elements
21 within one year of the Planning Commission's acceptance of their proposal:
- 22 a. A site-plan that is accurate, legible and drawn to scale that provides the following:
23 i. The existing dimensions and lot size, proposed dimensions and lot size.
24 ii. Identify adjacent streets, existing and proposed access.
25 iii. Identify existing and proposed structures and distances to property lines.
26 iv. Location of proposed alterations or improvements.
27 v. Location of any sensitive areas on or near the site.
28 vi. If possible, locate drainage channels, sewer and water lines.
29 vii. Identify existing and proposed easements.
- 30 b. A clearing, grading, filling, excavating plan that provides the following
31 information:
32 i. Topographical map with contour lines at five (5) foot intervals.
33 ii. Designates areas involving land clearing, filling, land cuts or excavation.
34 iii. Identifies the amount of excavation, fill, and removal of material in cubic
35 yards.
36 iv. Locates all significant trees (6" diameter or greater) and identify type and
37 size. Designate those trees to be removed and those to be protected.
38 v. Identifies areas to be revegetated and/or restored. Provide plant types and
39 methods.
- 40 c. An erosion control plan that includes erosion and sedimentation control, a
41 vegetation management plan, a landscape plan, and a restoration plan with the following
42 elements:
43 i. Locate areas that erosion and sedimentation control devices are to be installed.
44 Include details for silt fence or any other mechanisms.
45 ii. Identify areas to be revegetated or restored, types of vegetation and timing for
46 implementation.

1 d. A drainage plan. This should be prepared by professional engineer licensed in the
 2 State of Washington. Drainage requirements, systems and techniques must comply with the King
 3 County Surface Water Design Manual, as adopted by the City of Lake Forest Park.

4 e. If tree removal is proposed, a tree removal and replacement plan is also required. A
 5 tree removal and replacement plan must provide the following:

- 6 i. The existing dimensions and lot size, proposed dimensions and lot size.
- 7 ii. Identify adjacent streets, existing and proposed access.
- 8 iii. Identify existing and proposed structures and distances to property lines.
- 9 iv. Identify all significant trees. Designate those proposed for removal.
- 10 v. Identify location of replacement trees.
- 11 vi. Location of sensitive areas on or near the site.
- 12 vii. If possible, locate drainage channels, sewer and water lines.
- 13 viii. Identify existing and proposed easements.
- 14 ix. A professional evaluation and/or a tree protection plan prepared by a Certified

15 Arborist, including:

- 16 a) A written evaluation of the anticipated effects of proposed construction on
 17 the viability of trees on a site.
- 18 b) A hazardous tree assessment.
- 19 c) Plans for, supervising, and/or monitoring implementation of any required
 20 tree protection or replacement measures.
- 21 d) A post-construction site inspection and evaluation. (Required upon
 22 completion of the tree removal and replacement.)

23 3. All development permits issued are held pursuant to the time limitations stated in the
 24 International Building Code 105.3.2 and 105.5.

25
 26 **Section 4. This table sets forth minimum parameters applicable to cottage housing project**
 27 **applications.**

Parameters	
Housing Types	<ul style="list-style-type: none"> • Cottage housing provided that existing residences may remain if they are integrated into the proposal in a manner that enhances the development. • If an existing residence remains on the site as a residence, it is to be considered a cottage and is counted towards the 12 cottage maximum specified by this demonstration ordinance.
Number of Developments	<ul style="list-style-type: none"> • Up to two cottage housing proposals may be chosen.
Locations	<ul style="list-style-type: none"> • Proposals are permitted for RS-7.2, RS-9.6, RS-10, RS-15, and RS-20 zones. • A cottage housing development is not permitted to be within 1,500 feet of another cottage housing development.
Development Size	<ul style="list-style-type: none"> • Cottage housing developments may have minimum of six units and a maximum of 12 units.
Minimum Lot Size	<ul style="list-style-type: none"> • Lots must be a minimum of 21,780 square feet (0.5 acres) in area to be considered as a site for a cottage housing development.

<p>Floor Area Limitations</p>	<ul style="list-style-type: none"> • Minimum 700 square foot gross floor area per cottage. • Maximum 1000 square foot gross floor area per cottage. • 800 square foot maximum main floor area. • A covenant restricting any increases in unit size after initial construction shall be recorded against the property.
<p>Exceptions to Floor Areas Limitations</p>	<ul style="list-style-type: none"> • Attached covered porches up to 200 square feet in size. • Spaces with a ceiling height of six feet or less measured to the exterior walls, such as in a second floor area under the slope of the roof. • Unheated storage space located under the main floor of a cottage. • Architectural projections such as bay windows, fireplaces, or utility closets not greater than 18 inches in depth and six feet in width. • Detached garages.
<p>Parking Requirements</p>	<ul style="list-style-type: none"> • Two stalls per unit. One stall is to be set aside for each cottage residence. The second stall is to be used for visitor parking. • Shall be provided on the subject property. • Shall be screened from public streets and adjacent residential uses by landscaping or architectural screening. • Shall be located in clusters of not more than six adjoining spaces. • Shall not be located in the front yard setback, except on a corner lot where it shall not be located in the front yard between the entrance to any cottage and the front property line. • Shall not be located within 40 feet of a public street except in a single loaded configuration where the stalls lie parallel to the street. • May be located between or adjacent to structures if it is located towards the rear of the structure and is served by an alley or driveway. • All parking structures shall have a pitched roof design with a minimum slope of 4:12.
<p>Access Requirements</p>	<ul style="list-style-type: none"> • Determine flexibility for road widths, public vs. private, and turn around requirements with input from the Engineering and Public Works departments. The proposal should also conform to the requirements of the Northshore Fire District. • A transportation study must be conducted by each applicant to ascertain the impacts to the existing transportation infrastructure in the City of Lake Forest Park.
<p>Ownership Structure</p>	<ul style="list-style-type: none"> • Condominium • Subdivision
<p>Appearance</p>	<ul style="list-style-type: none"> • Cottage housing shall be aesthetically pleasing and maintain a consistent architectural design throughout the entire

	<p>development.</p> <ul style="list-style-type: none"> • Cottage housing developments shall exhibit a planned community synergy. Each development is to be seen as a coherent project with unifying community motifs present throughout. These motifs shall focus on homogenous architectural characteristics to foster a sense of community within the development. • Cottage housing developments should not be comprised of rows of opposing houses. Every effort must be made to have the cottages surround the common open space. • Cottages shall maintain the appearance of one-and-a-half story residence. • In two story cottages, plate height may not exceed five (per IBC requirements for habitable space) feet on the second level of the cottage.
Screening and Landscaping	<ul style="list-style-type: none"> • Cottage housing developments must comply with the screening and landscaping requirements of LFPMC 18.62. • Cottage housing shall be adequately screened as to not be visible from adjacent properties and right-of-ways. • Trash areas and dumpsters must be screened with solid wood decorative fencing or with approved vegetation such as trees and/or shrubs. The fencing and/or trees and shrubs must exceed the height of the trash area and dumpsters contained within.
Tree Preservation	<ul style="list-style-type: none"> • Preservation of the existing tree canopy for any cottage housing development is a priority. • Any development shall comply with the tree preservation regulations specified in the Lake Forest Park Municipal Code as adopted at the time of acceptance of the application, with the exception of lots greater than one acre in area. On lots larger than one acre, fifty percent of all significant trees on site must be retained-Submittal of an evaluation from a certified arborist is required prior to the removal of any trees on site.
Preservation of the Natural Environment	<ul style="list-style-type: none"> • Cottage housing developments shall have the outdoor lighting necessary for visibility and security while minimizing glare and light pollution. Only the amount of light required to sufficiently light the cottage housing property shall be used. Lighting shall not significantly illuminate adjacent properties. • All cottages must obtain at least a 4 star “Built Green” rating from the Master Builders Association of King County.
Lot Coverage	<ul style="list-style-type: none"> • 40 percent maximum
Impervious Surface	<ul style="list-style-type: none"> • 50 percent maximum
Setbacks from Public Streets	<ul style="list-style-type: none"> • Cottage housing developments are to be set back a minimum of twenty feet from a public road.
Setbacks from Adjacent Properties	<ul style="list-style-type: none"> • Structures located in cottage housing developments must be separated at least 30 feet from structures on adjacent properties.

Front Setbacks	<ul style="list-style-type: none"> • 20-foot minimum from the front property line.
Other Setbacks	<ul style="list-style-type: none"> • A minimum of five feet from all property lines shared with adjacent cottages other than front property lines.
Distance Between Structures	<ul style="list-style-type: none"> • 10-foot minimum separation
Height	<ul style="list-style-type: none"> • 18-foot maximum for all structures except 25-foot maximum for cottages with a minimum roof slope of 6:12 for all parts of the roof above 18 feet. • At least 30 percent of the cottages in the development must be one-story structures.
Accessory Structures and Community Buildings	<ul style="list-style-type: none"> • The only accessory structures permitted for cottage housing developments are detached garages and community buildings. Sheds, workshops, gazebos, and/or accessory dwelling units are not permitted as part of a cottage housing development. • Only one detached garage is permitted for each cottage lot. • Detached garage structures may not exceed 1000 square feet in area. • All detached garages shall have a minimum dimension of at least twelve feet on all sides. • Detached garages must maintain uniformity in architectural design with the cottage to which it is accessory. • Community buildings shall be clearly incidental in use and size to the cottages. • Community buildings shall be commonly owned by the residents of the cottages. • Community buildings are intended for the use of residents and are not to be rented to nonresidents.
Common Open Space	<ul style="list-style-type: none"> • 400 square foot minimum per cottage. • Common open space shall be in one contiguous and useable piece with a minimum dimension of 10 feet on all sides. • Common open space shall abut at least 50 percent of the cottages in the development and those units must be oriented to and have their main entry from the common open space. • All cottages shall be within 60 feet walking distance of the common open space. • Common space shall be maintained through the establishment of a homeowners association and shall be owned collectively by all cottage owners. Ownership percentage for each cottage owner is to be determined by the homeowners association.
Private Open Space	<ul style="list-style-type: none"> • 300 square feet minimum per cottage. • Shall be adjacent to each cottage and be for the exclusive use of the residents of that cottage. • Shall be in one contiguous and useable piece with a minimum dimension of 10 feet on all sides.

	<ul style="list-style-type: none">• Shall be oriented to the common open space as much as feasible.
Attached Covered Porches	<ul style="list-style-type: none">• Each cottage shall have an attached covered porch that is a minimum of 80 square feet in area.• Each covered porch shall have a minimum dimension of at least eight feet on all sides.

1