



City Neighborhood Council

December 6, 2013

Seattle Mayor Elect Ed Murray
Via Email: mayoraltransition@seattle.gov

Re: Micro-housing Regulations

Dear Mayor Elect Murray:

Congratulations on your recent election; members of the City Neighborhood Council look forward to working with you and your administration. In this spirit we wish to bring this important matter to your attention.

For nearly two years neighborhoods have become increasingly concerned about the appearance of micro-housing projects. During this period, nearly 60 micro-housing projects have been built or permitted, representing nearly 3,000 units. This has been done extra-legislatively, with the Department of Planning and Development (DPD) approving projects by exception and “interpretation” in order to enable a growing array of variations devised by a small handful of developers.

Many of these projects are occurring in lowrise zones, where community expectations are for lower densities of people in new developments and redevelopments of existing housing. Typically projects of the size of these new micro-housing developments, have been subject to SEPA and Design Review, but this, and public notice, have been avoided. Instead of seeing a diversity of housing types and room counts, neighborhoods are experiencing monocultures of tiny micro apartment projects.

Part of the issue is DPD's formulation of this new housing type without public or Council engagement. We believe that DPD has exceeded its authority in interpreting the code to permit micro-housing as follows:

- 8 separate “micro” apartments are counted as one “boarding house” with as many as 8 “boarding houses” in a single project. These 64 unit projects avoid SEPA and Design Review since DPD counts them as only 8 “dwelling units”. These projects are appearing in lowrise zones where in the land use code only fraction as many units are allowed.

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- More recently “congregate” micro-housing projects are appearing with between 150 and 200 units, and dozens of apartments sharing a kitchen. These projects are also avoiding Design Review because DPD calls the apartments “sleeping rooms” (a term not used in the zoning code).
- Of special concern are exceptions made for fire safety and egress. Projects have been approved with 5 and 6 story walk-ups, with only one means of egress – something which would be against the building code if these were considered as “apartments”. But because these are simply named “boarding houses”, DPD allows it. A DPD building code specialist admitted that in the case of a fire in a lower floor, tenants would have no recourse other than to jump from upper stories because of no other exits.
- Micro projects completed so far are populated with tenants who own automobiles, yet these projects are built without parking. Because of the far greater densities of units in these projects, they are placing far more automobiles on the street than traditional projects, often exacerbating neighborhoods that are already short of parking spaces.

When citizens have challenged these projects, by paying \$2,500 for an “interpretation”, these errors have been exposed and the project is sent back for correction. But this is an expensive proposition for many neighbors, and an absurdity to pay to have DPD ensure projects conform to existing codes.

Developers are being “incented” to produce micro-housing because it is far more profitable on a per square foot basis (rents 2-5 times as much per square foot than regular sized apartments), the avoidance of review, the receipt of Multi-family Tax Exemption (MFTE was recently shut off after public outcry), and the lax requirements for fire safety and unit amenities. Yet what Seattle needs is diversity of housing stock, including larger family sized units. But given the choice of what to build with current conditions, the developers are obviously going for the micro-housing. These advantages need to be removed.

You indicated on the campaign trail that you wanted to see micro-housing better regulated. The legislation produced by DPD is seriously flawed in addressing the concerns raised by citizens. DPD’s proposed code leaves many loopholes, introduces a whole new set of naming conventions and code complexity, and avoids using existing code standards for small apartments (thereby continuing the developer’s preference to avoid SEPA and Design review).

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We ask that you do these things:

1. Withdraw the micro-housing legislation (it is currently being appealed by a number of neighborhoods for lack of SEPA analysis).
2. Immediately convene a roundtable of stakeholders – developers, neighbors, architects and affordable housing specialists – to define clearer and complete definition for this housing type and its variants. Residents from many neighborhoods are well versed in the issue and have a good feel for how to make this type of housing work in their communities, however have been shut out of the process.
3. Support Council action to pass interim emergency legislation to halt the more egregious instances of these projects from entering the pipeline and disrupting the pattern of our neighborhoods.

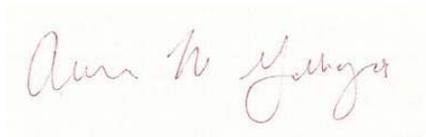
We would be pleased for the opportunity to brief you further in this matter.

This issue was discussed at the CNC's November 25th meeting where this letter was authorized.

Sincerely,



CNC Co-Chair



CNC Co-Chair

Irene Wall, Cindi Barker
Co-Chairs
CNC Neighborhood Planning Committee

C: City Council
Diane Sugimura, DPD
Tom Hauger, DPD