

## Micro-housing and Congregate Residence Regulations

September 16, 2014 PLUS Committee Meeting

Issue	Current Rules	CB 118067 / Original DPD Proposal	O'Brien Proposal	9/16 Council Proposed Amendments
<p><b>Regulatory Model for Micro-housing Projects</b></p> <ul style="list-style-type: none"> <li>• <b>Development standards</b></li> <li>• <b>Locational requirements</b></li> </ul>	<p>The Seattle Municipal Code does not currently include a definition of micro-housing nor refer to micro-housing as a specific unit type. To date, the projects DPD considers micro-housing have generally been permitted as townhouse units or apartments with up to eight bedrooms surrounding a common kitchen area. Over the past few years, DPD has also permitted a growing number of congregate residences (see third row of this matrix) that operate as rental properties and feature many of the same characteristics as micro-housing projects.</p> <ul style="list-style-type: none"> <li>• <i>Development Standards:</i> Micro-housing projects are required to meet the development standards for the multifamily residential forms they take (e.g., townhouses, apartments) in the zones where they are located.</li> <li>• <i>Locational requirements:</i> Multifamily structures that include micro-housing may be constructed in all zones that allow multifamily residential development.</li> </ul>	<ul style="list-style-type: none"> <li>• <i>Development Standards:</i> CB 118067 would amend the Seattle Municipal Code to (1) define micro-housing as a dwelling unit type and (2) require such units to include the following characteristics: <ul style="list-style-type: none"> <li>- A micro-housing unit would be comprised of no more than eight sleeping rooms surrounding a common kitchen.</li> <li>- The common kitchen would be required to measure at least 120 square feet and be accessible to all residents of the micro-housing unit.</li> <li>- Sleeping rooms within micro-housing units would be required to include an attached private bathroom.</li> <li>- Sleeping rooms would not be permitted to include a food preparation area and the installation of sinks would only be permitted in the attached bathroom.</li> <li>- Sleeping rooms, inclusive of the attached private bathroom and any closets, sleeping lofts, or storage spaces, would not be permitted to measure more than 285 square feet.</li> </ul> </li> </ul> <p>Micro-housing projects would also continue to be required to meet the development standards for the multifamily residential forms they take (e.g., townhouses, apartments) in the zones where they are located.</p> <ul style="list-style-type: none"> <li>• <i>Locational requirements:</i> CB 118067 would continue to allow multifamily structures that include micro-housing to be constructed in all zones that allow multifamily residential development.</li> <li>• <i>Congregate Residences:</i> Would continue to be allowed in multi-family zones if owned by a not-for-profit or providing support services. Only allowed in higher intensity zones, and urban villages and centers otherwise. Adds requirement for 10% of floor area in sleeping rooms to be provided as common space within the building.</li> </ul>	<p>Would add alternative language to the Seattle Municipal Code that would serve to replace the existing model of micro-housing development (up to eight bedrooms surrounding a common kitchen) with small efficiency apartments that would be regulated as individual dwelling units (see row 2, below).</p>	<ul style="list-style-type: none"> <li>• <b>Amendment 5 (Licata) Congregates 15% Common Area.</b> Increases the required amount of common space in Congregate Residences from 10% to 15%. (As percentage of total area in sleeping rooms.)</li> </ul>

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<p><b>Regulatory Model for Small Efficiency Dwelling Units</b></p> <ul style="list-style-type: none"> <li>• <i>Development standards</i></li> <li>• <i>Locational requirements</i></li> </ul>	<ul style="list-style-type: none"> <li>• <i>Development Standards:</i> Seattle's Building Code and Housing Code currently require at least one room in a dwelling unit to measure a minimum of 120 square feet. The Building Code also requires living rooms in efficiency dwelling units (also commonly referred to as studio units) to measure at least 220 square feet. In 2004, DPD issued Director's Rule 6-2004, which allows the minimum living room size in certain efficiency dwelling units (called "small efficiency dwelling units") to be decreased to 150 square feet provided other interior space standards are met (e.g., additional storage space requirements, alternative minimum kitchen measurements).</li> <li>• <i>Locational requirements:</i> Small efficiency dwelling units are a permitted housing type in all zones that allow multifamily residential development.</li> </ul>	<p>CB 118067 would not amend existing regulations.</p>	<ul style="list-style-type: none"> <li>• <i>Development Standards:</i> <ul style="list-style-type: none"> <li>- A new definition of small efficiency dwelling units with a cross-reference to the efficiency dwelling unit regulations in the Seattle Building Code would be added to the Seattle Municipal Code.</li> <li>- Multifamily structures that include small efficiency dwelling units would continue to be required to meet the development standards for apartments in the zones where they are located.</li> <li>- Required components of small efficiency dwelling units would continue to include a sleeping room; an attached private bathroom containing a toilet, sink, and bathtub or shower; and a food preparation area comprised of a refrigerator, sink, at least four square feet of contiguous worktop area, and a cooking appliance (a stovetop, oven or microwave would all qualify).</li> </ul> </li> <li>• <i>Locational requirements:</i> Small efficiency dwelling units would remain a permitted housing type in all zones that allow multifamily residential development.</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Amendment 6 (Burgess &amp; Licata) Two Sinks.</b> Adds a requirement for two sinks. (One inside of the bathroom and one in the kitchenette.) Current regulations would require one sink within the kitchenette.</li> </ul>
<p><b>Minimum Sleeping Room Size</b></p>	<p>Seattle's Building Code and Housing Code currently require a minimum of one room in a dwelling unit to measure at least 120 square feet. Sleeping rooms within dwelling units and congregate residences are required to measure at least 70 square feet.</p>	<p>CB 118067 would not amend existing regulations regarding minimum room sizes. It would, however, establish a 285 square foot maximum size limit for sleeping rooms in micro-housing units (inclusive of attached private bathrooms, closets, and food preparation areas).</p>	<p>Small efficiency dwelling units in a multifamily structure would be required to measure a minimum average of 220 square feet (inclusive of attached bathrooms, closets, and food preparation areas). For the purpose of this calculation, no dwelling units larger than 400 square feet would be considered small efficiency dwelling units.</p> <p>Existing Seattle Building Code regulations would continue to control the minimum size of sleeping rooms in congregate residences.</p>	<ul style="list-style-type: none"> <li>• <b>Amendment 1 (Licata) 180sf Minimum Size.</b> In addition to the 220sf average minimum would require an absolute minimum SEDU size of 180sf.</li> <li>• <b>Amendment 2 (Rasmussen) 220sf Minimum Size.</b> Would create an absolute minimum size of 220sf for SEDUs, and increase the minimum net floor area of bedroom to 150sf (from 120 sf).</li> </ul>
<p><b>Design Review Thresholds</b></p>	<p>The Seattle Municipal Code includes Design Review thresholds for most residential, commercial, and mixed-use zones where multifamily residential development is permitted. For example, in Midrise zones, Design Review is required for all proposed development projects that include 20 or more residential units. The only exceptions are Lowrise 1 and Lowrise 2 zones, where no Design Review thresholds currently apply. As of June 2014, DPD had not yet received any permit applications for micro-housing or congregate residence projects located in</p>	<p>For micro-housing and congregate residence projects, all zones (including Lowrise 1 and Lowrise 2):</p> <ul style="list-style-type: none"> <li>• Streamlined Design Review (not appealable) applied to projects containing 6,000-11,999 square feet of gross floor area.</li> <li>• Administrative Design Review (appealable) applied to projects containing 12,000-19,999 square feet of gross floor area.</li> <li>• Full Design Review (appealable) applied to projects containing 20,000 square feet or</li> </ul>	<p>For multi-family projects in which more than 50% of the units are small efficiency dwelling units, and for congregate residences, all zones (including Lowrise 1 and Lowrise 2):</p> <ul style="list-style-type: none"> <li>• Streamlined Design Review (not appealable) applied to projects containing 5,000-11,999 square feet of gross floor area.</li> <li>• Administrative Design Review (appealable) applied to projects</li> </ul>	<ul style="list-style-type: none"> <li>• None proposed on this topic.</li> </ul>

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	Lowrise 1 zones; however, a few such projects have been permitted in Lowrise 2 zones.	greater of gross floor area.	<p>containing 12,000-19,999 square feet of gross floor area.</p> <ul style="list-style-type: none"> <li>• Full Design Review (appealable) applied to projects containing 20,000 square feet or greater of gross floor area.</li> </ul> <p>For multi-family projects in which 50% or fewer of the units are small efficiency dwelling units, the standard Design Review threshold for the zone where the project is located would apply.</p>	
<p><b>Vehicle Parking Requirements</b></p> <ul style="list-style-type: none"> <li>• <b>Within Station Area Overlay Districts, Urban Centers, and commercial and multifamily zones within Urban Villages that are proximate to frequent transit service.</b></li> <li>• <b>All other areas</b></li> </ul>	<ul style="list-style-type: none"> <li>• <i>Within Station Area Overlay Districts, Urban Centers, etc.:</i> No minimum parking requirements for residential uses.</li> <li>• <i>All other areas:</i> <ul style="list-style-type: none"> <li>- For most multifamily residential uses, including micro-housing, a minimum of one parking space must be provided for each dwelling unit (one micro-housing dwelling unit may contain up to eight sleeping rooms).</li> <li>- For congregate residences, a minimum of one parking space must be provided for every four residents.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• <i>Within Station Area Overlay Districts, Urban Centers, etc.:</i> CB 118067 would not amend existing regulations.</li> <li>• <i>All other areas:</i> <ul style="list-style-type: none"> <li>- For micro-housing projects, one space for every four sleeping rooms.</li> <li>- For congregate residences, one space for every four sleeping rooms.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• <i>Within Station Area Overlay Districts, Urban Centers, etc.:</i> Existing regulations would not be amended.</li> <li>• <i>All other areas:</i> <ul style="list-style-type: none"> <li>- For multifamily structures that include small efficiency dwelling units, one space for every two such units.</li> <li>- For congregate residences, one space for every four sleeping rooms.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• <b>Amendment 7 (Rasmussen) Analysis of Parking Requirements.</b> Requests DPD to complete a parking analysis and recommend regulatory changes by March 31, 2015.</li> </ul>
<p><b>Restricted Parking Zone (RPZ) Permits</b></p>	<p>Residents of an individual dwelling unit located within an RPZ are eligible to receive up to four RPZ permits. Micro-housing units, which may include as many as eight separately rented sleeping rooms, are regulated as one dwelling unit.</p> <p>The Seattle Municipal Code provides the Seattle SDOT Director with the discretion to determine the appropriate number of RPZ permits to issue to residents of Congregate Residence projects. SDOT's common practice has been to issue no more than one RPZ permit to the occupants of individual sleeping rooms.</p>	CB 118067 would not amend existing regulations.	Households occupying residences within RPZs that measure less than 400 square feet in area would not be eligible to obtain more than one RPZ permit. This rule would apply to residents of all small residential types, not just small efficiency dwelling units and congregate residence sleeping rooms.	<ul style="list-style-type: none"> <li>• None proposed on this topic.</li> </ul>
<p><b>Bicycle Parking Requirements</b></p>	<p>For multifamily structures, of which micro-housing is a type, one space for every four dwelling units.</p> <p>For congregate residences, one space for every 20 sleeping rooms.</p>	For micro-housing and congregate residence projects, one space for every four sleeping rooms.	<p>For multifamily structures that include small efficiency dwelling units, one space for every two such units.</p> <p>For congregate residences, one space for every two sleeping rooms; however, exceptions could be provided for certain types of projects, such as assisted living facilities.</p>	<ul style="list-style-type: none"> <li>• <b>Amendment 3 (Licata) Bicycle Parking Quantity.</b> Increases required amount of bike parking to 0.75 spaces per 1 SEDU.</li> <li>• <b>Amendment 4 (Rasmussen) Bicycle weather protection.</b> Requires all bicycle parking for SEDUs to be covered with permanent weather protection.</li> </ul>

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<b>Spatial Requirements for Solid Waste Storage</b>	<p>For multifamily structures, of which micro-housing is a type, the minimum area that must be set aside for solid waste storage space varies based on the number of dwelling units located in the project.</p> <p>For congregate residences, no minimum size standard is currently in place for solid waste storage areas. Instead, the DPD Director has the discretion to determine the required amount of storage space on a project-by-project basis based on sleeping room counts and other characteristics.</p>	<p>For multifamily structures that contain micro-housing, the DPD Director would have the discretion, on a project-by-project basis, to increase the required amount of solid waste storage space beyond the existing minimum standards.</p> <p>For congregate residences, the DPD Director would continue to have the discretion to determine the required amount of storage space based on sleeping room counts and other characteristics of the proposed development.</p>	<p>For multifamily structures that contain small efficiency dwelling units, the existing minimum size standards for solid waste storage spaces would continue to apply, with each small efficiency counted as a discrete dwelling unit.</p> <p>For congregate residences, the DPD Director would have the same discretion as is proposed in CB 118067.</p>	<p>None proposed on this topic.</p>
<b>Affordability Thresholds for Incentive Zoning Projects</b>	<p>Income-restricted rental apartments located in residential structures that participate in the City's incentive zoning program may be rented to households earning no more than 80% of area median income (AMI). This threshold does not vary for different sizes and types of rental units.</p>	<p>CB 118067 would amend existing regulations to require income-restricted rental apartments in residential structures that participate in the City's incentive zoning program to be affordable to households earning no more than 40% of AMI if they meet the following criteria: (1) they do not exceed 400 square feet in size; (2) they are sleeping rooms in a micro-housing or congregate residence project.</p>	<p>Same as CB 118067.</p>	<p>None proposed on this topic.</p>
<b>Measuring Progress Toward Growth Targets</b>  <b>Note:</b> DPD has the administrative authority to revise the manner in which dwelling units are counted for the purpose of neighborhood growth target tracking; legislative action by the City Council is not required. Thus, this issue is not addressed in CB 118067.	<p>DPD's current counting practices for micro-housing, small efficiency dwelling units, and congregate residences are as follows:</p> <ul style="list-style-type: none"> <li>• Micro-housing units, which may be comprised of up to eight sleeping rooms surrounding a common kitchen, are each counted as one dwelling unit.</li> <li>• Small efficiency dwelling units are each counted as one dwelling unit.</li> <li>• A congregate residence, regardless its number of sleeping rooms, is counted as one dwelling unit.</li> </ul>	<p>In the Director's Report DPD submitted to the City Council together with CB 118067, DPD proposed amending its growth-tracking counting practices as follows:</p> <ul style="list-style-type: none"> <li>• Count every four sleeping rooms in a micro-housing project as the equivalent of one dwelling unit.</li> <li>• Count every four sleeping rooms in a congregate residence project as the equivalent of one dwelling unit.</li> </ul>	<p>DPD would be requested to apply the following standards when tracking progress toward residential growth targets:</p> <ul style="list-style-type: none"> <li>• Count small efficiencies as individual dwelling units (consistent with DPD's current practice).</li> <li>• Count every two sleeping rooms in a congregate residence as the equivalent of one dwelling unit.</li> </ul>	<p>None proposed on this topic.</p>