

Micro-Housing and Congregate Residences: The O'Brien Proposal

Planning, Land Use, and Sustainability (PLUS) Committee, August 13, 2014

Councilmember (CM) O'Brien developed the following proposal as an alternative to Council Bill (CB) 118067. CB 118067 is DPD's proposed approach to regulating micro-housing and congregate residences developed in Seattle. A comparison of existing City rules, CB 118067, and CM O'Brien's proposal is provided in the matrix assembled by Central Staff as background material for the August 13, 2014, PLUS Committee meeting.

In short, CM O'Brien's proposal would:

- Replace the existing model of micro-housing with small efficiency apartments that would be regulated as individual dwelling units. Required components of such units would include:
 - A minimum average size of 220 square feet.
 - The presence of a food preparation area that includes a cooking appliance which could be a stove top or a microwave.
 - Parking requirements - in Station Area Overlay Districts, Urban Centers, and commercial and multifamily zones within Urban Villages that are proximate to frequent transit service, no minimum parking requirements would apply. In all other areas, one space for every two small efficiency dwelling units.
 - For buildings in which more than 50% of the dwelling units are small efficiencies, establish Design Review thresholds that are based on the square footage of the project.
 - Allow only one Restricted Parking Zone (RPZ) permit for each small efficiency apartment; apply the same rule to all dwelling units of less than 400 square feet, where RPZ permits are available.
 - Count individual small efficiencies as the equivalent of one dwelling unit for the purpose of tracking progress toward neighborhood growth targets.

- Limit future congregate residence construction to higher density zones (Midrise, Highrise, Neighborhood Commercial 3, Commercial 1, Commercial 2, Seattle Mixed, and Downtown zones) that are located within Urban Centers and Urban Villages unless a project meets certain functional and operational criteria. Apply the following rules to congregate residence projects:
 - Maintain existing Seattle Building Code regulations that require sleeping rooms in congregate residences to measure at least 70 square feet.
 - Limit the share of sleeping rooms within congregate residences that could include food preparation areas.
 - Apply the congregate residence regulations proposed in CB 118067 that relate to vehicle parking facilities, design review, shared kitchens, and other common space requirements.
 - Count every two sleeping rooms in a congregate residence as the equivalent of one dwelling unit for the purpose of tracking progress toward neighborhood growth targets.

A more detailed summary of CM O'Brien's proposal appears on the following pages.

Development Standards for Micro-housing:

- Would add 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.

Development Standards for Small Efficiency Dwelling Units

- A new definition of “small efficiency dwelling unit” with a cross-reference to the efficiency dwelling unit regulations in the Seattle Building Code would be added to the Seattle Municipal Code.
- 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).
- Small efficiency dwelling units located 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.
- Multifamily structures that include small efficiency dwelling units would also to be required to meet the development standards for apartments in the zones where they are located.
- Small efficiency dwelling units would be a permitted housing type in all zones that allow multifamily residential development

Development Standards for Congregate Residences:

- Congregate residences would be required to include at least one common kitchen and other communal spaces in addition to any residential amenity areas that may be required in the zone where the project is located.
- The share of sleeping rooms within a congregate residence that could include a food preparation area would be limited to 25% unless the project is (1) owned by or directly affiliated with a college or university or (2) functions as an assisted living facility, nursing home, supportive housing or group home.
- Existing Seattle Building Code regulations would continue to require sleeping rooms in congregate residences to measure at least 70 square feet.
- Congregate residences would also be required to meet the development standards for apartments in the zones where they are located.
- Congregate residences that are (1) owned by or directly affiliated with a college or university, (2) owned by a nonprofit organization or (3) licensed by the State of Washington to provide supportive services would be permitted in all zones where multifamily housing is a permitted use. Congregate residences that do not meet any of the above three conditions would only be permitted in Midrise, Highrise, Neighborhood Commercial 3, Commercial 1, Commercial 2, Seattle Mixed, and Downtown zones, and only within the boundaries of an Urban Center or Urban Village.

Design Review Thresholds: For multifamily projects in which more than 50% of the units are small efficiency dwelling units and for congregate residences (all zones):

- Streamlined Design Review (not appealable) applied to projects containing 5,000-11,999 square feet of gross floor area.
- Administrative Design Review (appealable) applied to projects containing 12,000-19,999 square feet of gross floor area.
- Full Design Review (appealable) applied to projects containing 20,000 square feet or greater of gross floor area.

For multifamily 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.

Vehicle Parking Requirements:

- Within Station Area Overlay Districts, Urban Centers, and commercial and multifamily zones within Urban Villages that are proximate to frequent transit service: No minimum parking requirements would apply for residential uses (consistent with current rules).
- All other areas:
 - For multifamily structures that include small efficiency dwelling units, one space for every two such units.
 - For congregate residences, one space for every four sleeping rooms.

Bicycle Parking Requirements:

- For multifamily structures that include small efficiency dwelling units, one space for every two such units.
- 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.

Restricted Parking Zone (RPZ) Permits: 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.

Spatial Requirements for Solid Waste Storage:

- In multifamily structures, 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. 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.
- For congregate residences, the DPD Director would have the discretion to determine the amount of storage space that would be required on a project-by-project basis based on sleeping room counts and other characteristics of the proposed development.

Affordability Thresholds for Incentive Zoning Projects: Would 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 area median income if they meet the following criteria: (1) they do not exceed 400 square feet in size; (2) they are sleeping rooms in a congregate residence project.

Growth Target Tracking: DPD would be requested to apply the following standards when tracking progress toward residential growth targets:

- Count each small efficiency unit as an individual dwelling unit (consistent with DPD's current practice).
- Count every two sleeping rooms in a congregate residence as the equivalent of one dwelling unit.

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.