

**City of Kenmore
Planning Commission Meeting
October 22, 2019 @ 7:00 p.m.**

Planning Commission Members – In Attendance

Mark Ohrenschall, Chair
Suzanne Greathouse
Nathan Loutsis
Mike Mulcare
Dennis Olson

Consultants & Staff

Debbie Bent, Community Development Director
Lauri Anderson, Principal Planner
Jordan Woltjer, Planning Intern
Maura Query, Administrative Assistant

1. CALL TO ORDER

The meeting was called to order by Chair Ohrenschall at 7:00 p.m.

2. CITIZEN COMMENTS

There were no citizen comments at this meeting.

3. APPROVAL OF MINUTES

- August 20, 2019 Planning Commission Meeting Minutes – Motion to approve by Mike Mulcare, second by Suzanne Greathouse. Passed 5-0.

4. AGENDA ITEMS

The draft ADU code amendments and revised scenarios were reviewed at this meeting.

The public hearing was planned for November 19 if the draft was approved this night.

The Commissioners were asked their thoughts and questions regarding the Missing Middle Housing Panel. Comments included: this is not necessarily affordable housing; slow uptake in Seattle – not solving housing issues; owner occupancy was not addressed; and relaxing on additional parking could be something to consider

although Kenmore is not as walkable as other cities. It was felt that nothing learned from the panel would affect the ADU code amendments.

ADU parking was discussed in more detail. Clarification was given regarding the number of currently-required parking spots: there are to be 2 parking stalls for a single-family dwelling with a 20 ft setback in front of the garage, so 4 parking spots generally exist.

The Commissioners expressed a desire to work with and engage the community for the hearings on the policy changes. The City notifies the public of hearings in a number of ways including a press release, e-news, ListServe email, Website posts, and social media.

The new ADU scenarios led to the conclusion that a detached ADU might not work on a lot smaller than 4500 sq ft.

Current code does not include definitions of attached and detached ADUs or pre-existing footprint, so descriptions were added to the code. It was suggested by City staff that a detached ADU be defined as a structure with the components of an ADU and separated from the main residence by 5 feet. The distance of 5 feet was determined because it is comparable to a side yard separation. The 5-foot separation will be confirmed by City staff as the correct distance for fire safety.

There was an extensive conversation regarding the owner occupancy exceptions. There was general support for the language allowing the city manager to consider exceptions. Clarification was provided that the italicized font indicates that exceptions could be considered by the city manager or his/her designee (in this case it would be the Development Services Director). There was concern about the wording regarding employment exceptions. City staff suggested updating the language to something along the lines of 'business requirements, health reasons, family'. Additional conversations were held about removing the ADU if the owner is gone. It was clarified that the structure of the ADU would not need to be demolished, instead it would be removing the components that make the unit an ADU (kitchen, etc). It was further clarified that the ADU would not need to be removed if the house sold; it would only need to be removed if the owner were to rent the main living unit to one tenant without an owner occupancy exception approved. This was to prevent a tenant from subleasing the ADU, and also prevent the owner from renting both units to separate tenants. There was clarification that regarding the exception being a one-time process; as written – it would not be something the homeowner could reapply for a continuance of. There was a brief discussion regarding the length of the exception period; one year was determined because it is meant to be a temporary timeframe. It was felt that 6 months wasn't long enough for owners who might take a sabbatical or a temporary employment out of state. There was a question about a minimum for the owner occupancy leave. There is no minimum currently. There was a request to modify the owner occupancy language to allow for the owner to rent the main living unit to a tenant and the tenant

could then allow a relative of theirs to inhabit the ADU. After much discussion it was determined that modifying this language would in effect remove the owner occupancy requirement.

The topic of definitions was revisited. Pre-existing footprint was recommended to be defined as the footprint that existed 5 years ago – this was to avoid building an attached ADU and then waiting a year or so for it to be considered as part of the pre-existing footprint, and then building a detached ADU. It was also suggested it could be defined as the footprint of a building before an existing ADU was constructed.

City staff noted that there may be minor amendments to other sections of code to ensure all sections match; an example would be related to rear yard setbacks.

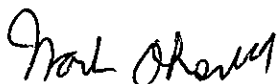
The conversation came back to owner occupancy exceptions. There was a request that the section pertaining to removal of the ADU be revised to be clearer. City staff suggested revising the language to state that the unit or the components shall be removed or modified. There was also a discussion about what proof of the need for exception would be required. The wording was suggested to be changed to 'documented evidence of the need'.

The next steps were for City staff to make the slight changes to the amendments and schedule the hearing. A few slight changes might also be made to other code sections. The hearing was to be scheduled for November 19th. Lauri and a consultant would be presenting the full draft of the PROS Plan to the Commission on November 5th.

A final question was asked regarding pre-approved ADU plans. City staff commented that some jurisdictions and a building reviewer group are looking at pre-approved plans options. It was suggested to wait until after the hearing to discuss other ways to encourage ADUs – these suggestions could be forwarded to City Council when the ADU amendments are presented.

5. ADJOURNMENT

Chair Ohrenschall adjourned the meeting at 8:33 p.m.



Planning Commission

Approved by Planning Commission on:

Feb 4, 2020