



INFORMATIONAL MEMORANDUM

TO: **Planning Commission**

FROM: **Nora Gierloff, AICP, Community Development Director**

BY: **Neil Tabor, AICP, Senior Planner**

DATE: **12/2/2024**

SUBJECT: **December 12, 2024, Planning Commission Memo**

ISSUE

Staff will provide background on several future housekeeping code amendments that will be further developed and revisited at a future meeting. Early middle housing renderings will also be discussed.

BACKGROUND & DISCUSSION

In the interest of staggering planning commission and staff time, a housekeeping code package is proposed to be developed with a combination of legislative and non-legislative updates, including:

- Amending the requirements for phased Binding Site Improvement Plans
- Residential conversions of non-residential buildings consistent with SB 1042
- Removing townhouses as a permitted use in Tukwila Urban Center zones for consistency with regional requirements

Binding Site Improvements

Binding Site Improvement Plans are plans used to provide flexibility for sale of property within a larger development. These developments often rely on shared features within the larger site, such as parking, access points, landscaping, utilities, refuse collection areas, etc. As an alternative to the traditional subdivision process, these plans are typically used for commercial or industrial sites, however, they can also be used for residential and mixed use developments, which may desire to sell individual portions of land for building sites, while retaining shared common areas. BSIPs can also provide flexibility when combined with creating condominium ownership or phased development.

Codified in TMC 17.16, BSIPs proposing to develop in phases are required to enter into a development agreement in addition to completing the BSIP. Staff believes this requirement is redundant to the BSIP process and existing requirements. Development agreements add cost to a project by adding several months of process time for review, analysis, legal consultants, contracting, and scheduling of a public hearing before City Council. This equates to months of unnecessary additional carrying costs for developers on what are generally large scale projects, in addition to permit fees. In addition to the staff and City Council time exhausted, this process also creates uncertainty for the developer by changing the review from being entirely administrative, based on municipal code standards, to a legislative process before the City Council on a generally, technically complex topic.

Staff is proposing to create a code amendment to remove the requirement for phased BSIPs to also complete development agreements. Development agreements would remain an option for developers of phased BSIPs if circumstances of the development made them desirable.

SB 1042

In the 2023 legislative session the state legislature passed a bill broadening the required allowances for conversion of non-residential buildings, or non-residential portions of buildings, into multifamily spaces. This bill intends to encourage conversion of underutilized office and commercial space into much needed residential units. Viability of individual buildings for conversion will be entirely case by case, but the City is required to adopt code compliant with the bill by six months after the adoption of the comprehensive plan, or June 30, 2025.

Per the Municipal Research and Services Center (MRSC) some of the key provisions of the requirements include:

- Allowing a 50% density increase above what is permitted in the underlying zone if the housing is constructed entirely within the envelope of an existing building, provided that generally applicable health and safety standards can be met;
- Prohibiting the imposition of parking standards on the additional dwelling units (however, cities may require retention of existing parking required to satisfy existing residential parking requirements under local law and for any nonresidential uses that remain after new units are added);
- Prohibiting imposing additional permitting requirements on use of existing buildings beyond those applicable to all residential development in the zone, with the exception of emergency and transitional housing;
- Prohibiting the imposition of additional design standards beyond those generally applicable to all residential development in the zone;
- Prohibiting requiring that unchanged portions of an existing building used for residential purposes meet the current energy code (however, if any portion of an existing building is converted to new dwelling units, the new units must meet the current code); and
- Prohibiting denial of a building permit based on certain existing nonconformities unless a city official with decision-making authority makes findings that the nonconformity is causing a significant detriment to the surrounding area.

Townhouses in Tukwila Urban Center

The Tukwila Urban Center is a regional center designated with the Puget Sound Regional Council for future growth, capitalizing on transit infrastructure to reduce car dependency. Center designations can provide additional funding resources to improve these areas and help them transition into denser transit-oriented development over time. Part of the requirements for a center is to plan for a minimum of 45 “activity units” per acre. This metric is a summation jobs and housing units per acre. Currently, the Urban Center contains approximately 22 activity units per acre, about half of the density the area is planned for. This total is largely jobs, with recent housing growth in the last ten years beginning to add to this total.

As they City plans for additional growth in this area redevelopment should be encouraged to meet or exceed the minimum activity unit density planned for the area. While this naturally occurs in part from market demand and property values, development allowances should encourage uses which align with this density and not permit uses which are not expected to support this density. Townhouses are one such use currently permitted in the TUC – Regional Center, TUC – Pond, TUC – TOD and partially within the TUC – Work Place zoning districts, that would likely not meet the minimum density of 45 activity units per acre if developed. Generally, townhouses, even when constructed in an especially dense manner, would not be expected to reach 30 units per acre. As townhouses will likely be permitted throughout other residential zones within the City after the adoption of middle housing updates, staff believes townhouses should be removed from the Tukwila Urban Center zones.

Staff will provide an initial rendering of different examples of potential middle housing development on a parcel for group discussion.

ATTACHMENTS

Powerpoint Presentation

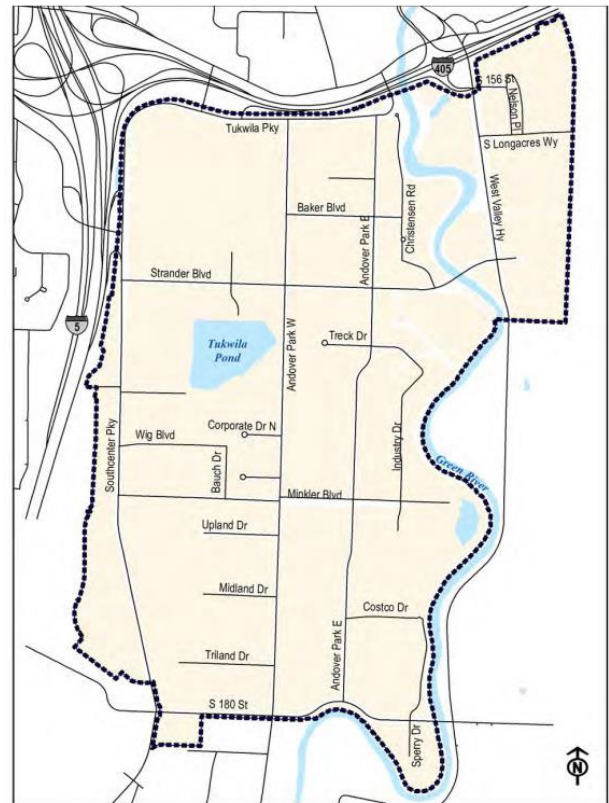


Figure 10-1: Tukwila's Urban Center (Southcenter) Boundaries

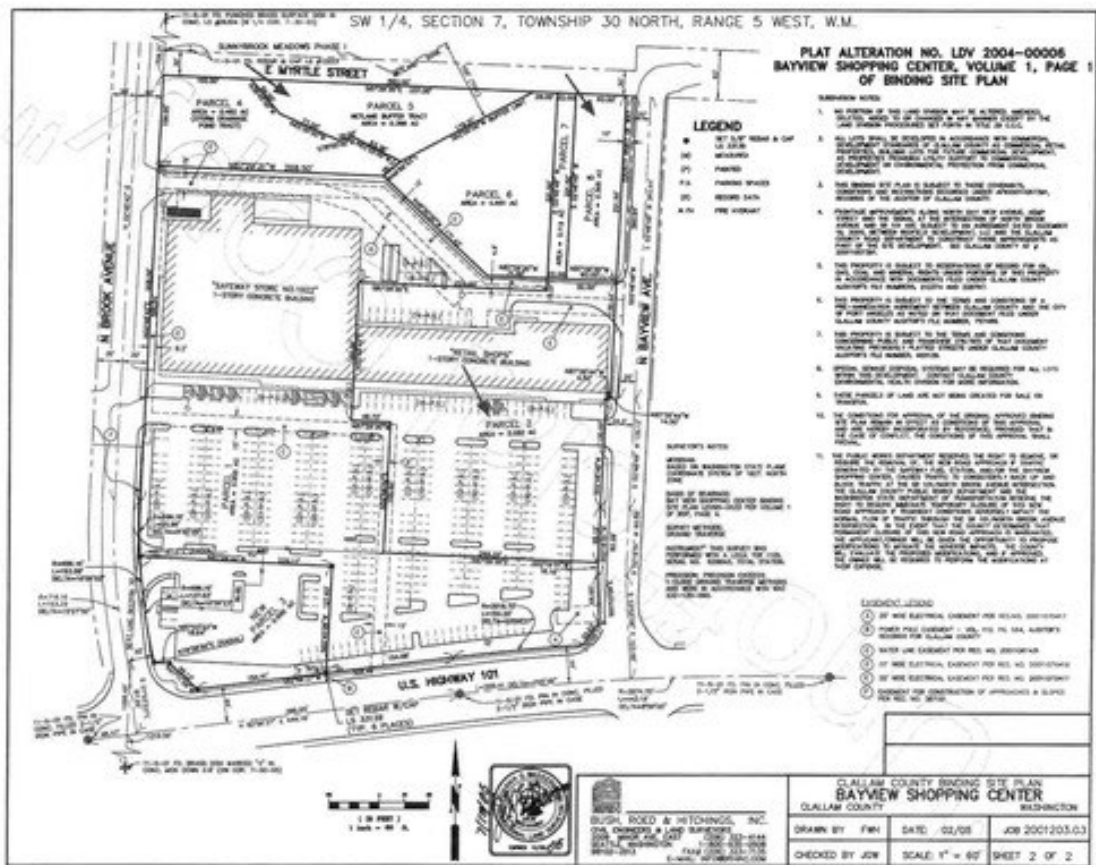
12/12/24 Planning Commission

Items

- Binding Site Improvement Plans
- Residential Conversions (SB 1042)
- Townhomes in Tukwila Urban Center
- Middle Housing

Binding Site Improvement Plans Background

- Binding Site Improvement Plans are a process similar, but different, than the subdivision process, which allow separation of areas of land within the larger connected site
- This can be beneficial for:
 - Sharing common features such as parking or utilities
 - Selling off “pads” or portions of a site
 - Developing in multiple phases over time
- Tukwila’s code currently requires BSIPs developing in phases to also execute a Development Agreement, a contract between the City and Developer approved by the City Council



Proposed Change

- Planning and Legal Staff have identified the requirement for a Development Agreement (DA) for phased BSIPs as redundant to the process and unnecessarily costly and cumbersome for developers, and creating unnecessary work for staff and City Council
- Staff is proposing to amend Title 17 of the Municipal Code to remove the DA requirement for phased BSIPs
- The City receives very few applications for phased BSIPs, in part due to limited greenfield development, but may see more with increased denser infill development



Legislative Updates Required

- June 2025:
 - Middle Housing (HB 1110)
 - Objective Design Review (HB 1293)
 - Residential Conversions (SB 1042)
 - Residential Parking (SB 6015)
 - ADU Cleanup (HB 1337)
 - Unit Lot Subdivision Cleanup & Proportionate Impact Fees(SB 5258)
- December 2025:
 - Co-living Housing (HB 1998)
 - Critical Areas Update

SB 1042 Background

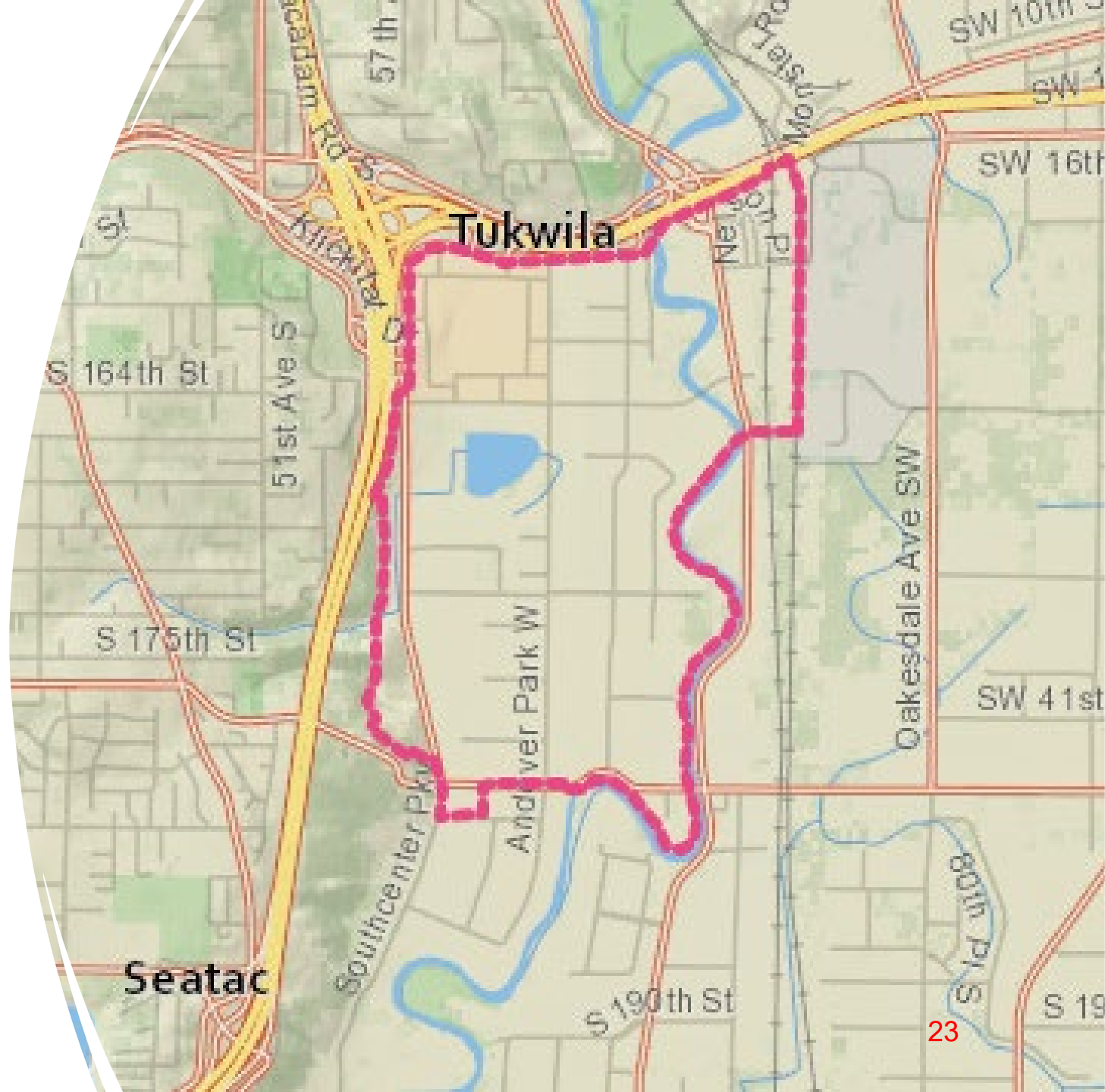
- SB 1042 provides developers flexibility in converting non-residential structures in commercial and mixed-use zones into multifamily structures
- Limitations jurisdictions cannot apply include:
 - Requiring additional parking
 - Density below 1.5x of zone allowance
 - Additional site or setback requirements
 - Additional requirements for non-STEP housing
 - Exterior design requirements beyond life and safety considerations
 - SEPA review and traffic concurrency

SB 1042 Implementation

- Recognizing the number of updates that are required in the first half of 2025 staff is proposing to move forward a SB 1042 compliant code package in the beginning of 2025
- Staff will evaluate the most direct way to introduce compliance with these requirements in a combined code amendment package to leave space for middle housing, design review, and with later Planning Commission meetings

Tukwila Urban Center

- Tukwila has two centers designated by the Puget Sound Regional Council (PSRC)
 - Manufacturing and Industrial Center (North Tukwila)
 - Urban Center (Southcenter)
- These centers are intended to provide a high density of jobs and housing units near transit, or cluster industrial uses
- Urban Centers must plan for at least 45 activity units (jobs + housing units) per acre
- The Tukwila Urban Center currently has about 22 activity units



Townhouses in the Urban Center

- Several of the zoning districts within the Tukwila Urban Center currently allow townhomes as a permitted residential use
- While not undesirable as a housing type, townhome development will not meet the density requirements of the urban center
- Townhouses are planned to be permitted across other residential zones with the middle housing code update
- Staff proposes removing the allowance of townhomes in the Urban Center to align new development with desired density



Address: 160 Green Street, Melrose
Units: 6 **Acres:** 0.22 **Density:** 27 Units/Acre

Middle Housing

- The following slides include several renderings of potential middle housing products and associated development standards
- Two of the examples include parking, while one does not
- Design is minimal to focus on the massing scale of the units



Wide Duplex

Wide Duplex

Wide Lot - Duplex		
Base Lot Size	10,000 sqft	
Divided Lot Size	5,000 sqft	2 Lots Total
Allowed Density	3 Dwellings	6 Dwellings Total
Max Impervious Area	3,750 sqft	
Max Lot Coverage	2,500 sqft	per lot
Actual Coverage	834 sqft	
Setbacks	Front	15'
	Side	5'
	Rear	10'
	Porch Bonus	8'
Internal Setbacks	Private Drive	N/A
	Internal Lot Line	0'





Narrow Duplex

Narrow Duplex

Narrow Lot - Duplex		
Base Lot Size	20,000 sqft	
Divided Lot Size	5,000 sqft	4 Lots Total
Allowed Density	3 Dwellings	12 Dwellings Total
Max Impervious Area	3,750 sqft	
Max Lot Coverage	2,500 sqft	per lot
Actual Coverage	934 sqft	
Setback	Front	15'
	Side	5'
	Rear	10'
	Porch Bonus	8'
Internal Setbacks	Private Drive	5-8'
	Internal Lot Line	5'





Narrow Triplex & ADU

Narrow Triplex & ADU

Narrow Triplex & ADU		
Base Lot Size	20,000 sqft	
Divided Lot Size	5,000 sqft	4 Lots Total
Allowed Density	3 Dwellings	12 Dwellings Total
Max Impervious Area	3,750 sqft	
Max Lot Coverage	2,500 sqft	per lot
Actual Coverage	657 sqft	
Setback	Front	15'
	Side	5'
	Rear	10'
	Porch Bonus	8'
Internal Setbacks	Private Drive	5-8'
	Internal Lot Line	5'



Questions & Discussion