

Code Interpretation – Senior Citizen Assisted Housing Regulations
Determining Number of Allowed Units

This interpretation is for Urban Innovations Group for tax parcel 0424069138 PLN2011-00014

The question:

The City of Sammamish Development Code Regulations (SMC 21A) establish an allowance for Senior Citizen Assisted Housing in zones R-12-18 and NB, CB and O and also in the Town Center. The regulations provide that Senior Citizen Assisted Housing means housing of two or more dwelling units or sleeping units in the structure restricted to occupancy by at least one senior per unit. Dwelling unit is defined in city code, however, neither sleeping unit nor unit are defined. An applicant desires to construct a Senior Citizen Assisted Housing project in an R-12 zone and has asked how many bedrooms are allowed on a site that is one acre. The maximum number of dwelling units allowed in an R-12 zone on a one acre unconstrained site is 12 dwelling units. The applicant needs to determine how bedrooms will be allowed in a Senior Citizen Assisted Housing project since sleeping units is undefined.

Context, Findings & Facts:

1. **Chapter 21A.15.1062 Senior citizen assisted housing.** "Senior citizen assisted housing" means housing in a building consisting of two or more dwelling units or sleeping units restricted to occupancy by at least one senior citizen per unit, and may include the following support services, as deemed necessary:

- (1) Food preparation and dining areas;
- (2) Group activity areas;
- (3) Medical supervision; and
- (4) Similar activities. (Ord. O2003-132 § 10)

2. There are no definitions of "sleeping unit" or "unit" in the code.

3. **Chapter 21A.15.345 Dwelling Unit.** "Dwelling unit" means one or more rooms designed for occupancy by a person or family for living and sleeping purposes, containing kitchen facilities and rooms with internal accessibility, for use solely by the dwelling's occupants; dwelling units include but are not limited to bachelor, efficiency and studio apartments, factory-built housing, and mobile homes. (Ord. O2003-132 § 10).

4. **Chapter 21A.15.450. Family.** "Family" means one or more persons (but not more than six unrelated persons) living together as a single housekeeping unit. For the purposes of this code, children with familial status within the meaning of Title 42 United States Code, Section 360(k) and persons with handicaps within the meaning of Title 42 United States Code, Section 360(h) will not be counted as unrelated persons. (Ord. O2003-132 § 10)

5. The applicant proposes to construct a four-building complex for senior citizens with dementia and similar conditions. There are two units having 9 bedrooms and two units having 10 bedrooms for a total of 38 bedrooms with the total number of residents not to exceed 50 persons, excluding staff.

Interpretation & Conclusions:

1. The code does not specify as to how the city should determine the number of allowed bedrooms in such a facility. It appears from the definition of Senior Assisted Housing that dwelling unit and sleeping unit are considered the same.

2. Dwelling unit is further defined as "designed for occupancy by a ... family."

3. A "family is further defined as "one person but not more than six unrelated persons..." in the dwelling unit.

4. It would follow that the total number of dwelling units allowed by zoning density multiplied by six (6) persons would be the amount of bedrooms or residents allowed for unrelated adults in a Senior Citizen Assisted Housing developments.

5. Since the property is R-12 and is one acre in size the allowed number of units would be 12 dwelling units. Six (6) times 12 equals 72 bedrooms. The project proposes 38 bedrooms and an allowance for 50 individuals outside of staff. The project as proposed would be under the threshold of 72 bedrooms or persons allowed on a one-acre unconstrained R-12 site.



Kamuron Gurol, Community Development Director

7/7/11

Date

Exhibits:

1. Letter of explanation from Kevin Carl, UIG, dated May 26, 2011.
2. Project summary, dated April 17, 2011.
3. Aerial photograph of site.
4. Site Plan, dated June 2, 2011.
5. Building Plans schematic, dated June 2, 2011.