

Adopted 2024 Comprehensive Plan Code Updates

Edits to Title 21: Sammamish Development Code

Chapter 21.02 Neighborhood Design

21.02.050 Residential Density Incentives

A. Purpose

The purpose of this Section is to provide density incentives to developers of residential lands in urban areas and rural activity centers, in exchange for public benefits to help achieve comprehensive plan goals of open space protection and energy conservation, by:

1. Defining in quantified terms the public benefits that can be used to earn density incentives;
2. Providing rules and formulae for computing density incentives earned by each benefit;
3. Providing a method to realize the development potential of sites containing unique features of size, topography, environmental features or shape; and
4. Providing a review process to allow evaluation of proposed density increases and the public benefits offered to earn them, and to give the public opportunities to review and comment.

B. Permitted locations of residential density incentives

Residential density incentives (RDI) shall be used only on sites served by public sewers and only in the following zones:

1. In R-4 through R-18 zones; and
2. In NB, CB and O zones when part of a mixed use development.

C. Maximum densities permitted through residential density incentive review

The maximum density permitted through RDI review shall be 150 percent of the base density of the underlying zone of the development site or 200 percent of the base density for RDI proposals with 100 percent affordable units.

D. Public benefits and density incentives

1. The public benefits eligible to earn increased densities, and the maximum incentive to be earned by each benefit, are set forth in subsection 6. of this section. The density incentive is expressed as additional bonus dwelling units (or fractions of dwelling units) earned per amount of public benefit provided.
2. Bonus dwelling units may be earned through any combination of the listed public benefits.

21.02.060 Land Division

C. Administration

18. Circumvention of zoning density prohibited

A lot, which has been created through a legally recognized process and is of sufficient land area to be subdivided at the density applicable to the lot, as specified by underlying zoning or overlay, may be further subdivided.

Provided, however, further division of a lot or alteration of a tract shall only be permitted to the extent that the total number of lots contained within the parent lot or external boundaries of the original short subdivision, subdivision or binding site plan does not exceed the density allowed under current zoning.

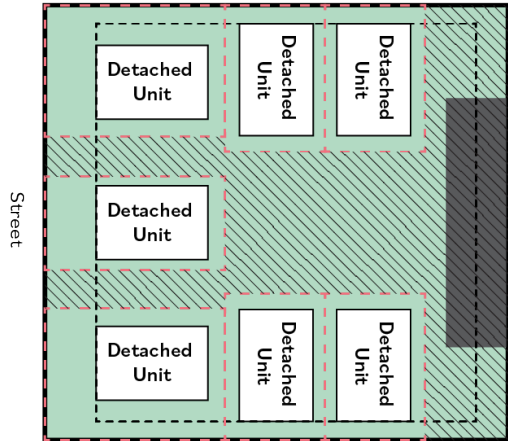
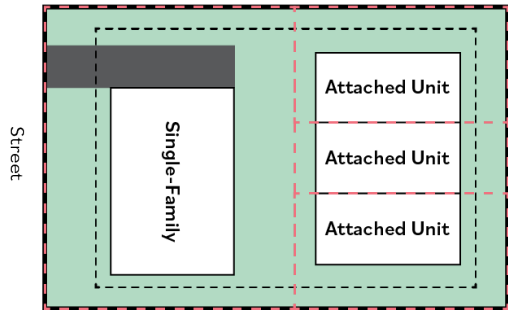
H. Unit Lot Subdivision






A lot may be divided into separately owned unit lots and common areas, provided the following standards are met.

1. No dwelling units are proposed to be stacked on other dwelling units or another use.
2. Unit lot subdivisions must follow the application, review, and approval procedures for a short subdivision or subdivision, depending on the number of lots.
3. Development as a whole on the parent lot, rather than individual unit lots, must comply with applicable unit density and dimensional standards established in SMC 21.04.
4. Notes must be placed on the face of the plat or short plat as recorded with the King County Recorder's Office to state the following:

- a. The title of the plat shall include the phrase "Unit Lot Subdivision."
 - b. Approval of the development on each unit lot was granted by the review of the development, as a whole, on the parent lot.
5. Subsequent platting actions or additions or modifications to structure(s) may not create or increase any nonconformity of the parent lot as per 21.02.060.C.18.
 6. Access easements, joint use and maintenance agreements, and covenants, conditions and restrictions (CC&Rs) identifying the rights and responsibilities of property owners and/or the homeowners' association shall be executed for use and maintenance of common garage, parking, and vehicle access areas; bike parking; solid waste collection areas; underground utilities; common open space; shared interior walls; exterior building facades and roofs; and other similar features must be reviewed by the City prior to being recorded with the county auditor.
 7. Required parking for a dwelling unit may be provided on a different property as long as the right to use the parking is included as a condition on the face of the plat or short plat or formalized by an easement recorded with the county auditor.
 8. Portions of the parent lot not subdivided for individual unit lots must be owned in common by the owners of the individual unit lots, or by a homeowners' association comprised of the owners of the individual unit lots and must not be further subdivided.

9. Unit Lot Division Examples:



-  Parent Lot
-  Unit Lot
-  Owned in Common
-  Parent Lot Setbacks
-  Potential Vehicle Parking/Access

Chapter 21.04 Zoning Districts

21.04.020 Zones, Maps, and Designations

Zones and map designations established

In order to accomplish the purposes of this Chapter the following zoning designations and zoning map symbols are established:

Zoning Map Designations	
Zoning Designation	Map Symbol
Urban Residential	R (base density in dwellings per acre)
Neighborhood Business	NB
Community Business	CB
Office	O
Special Overlay	SO
Middle Housing Overlay 1	MHO-1
Middle Housing Overlay 2	MHO-2
Middle Housing Overlay 3	MHO-3

H. Middle Housing Overlays

1. The purpose of the middle housing overlays is to provide for middle housing typologies through form-based zoning controls. The middle housing overlays apply to the following zones:
 - A. MHO-1 applies to the R-1 district
 - B. MHO-2 applies to the R-4 district
 - C. MHO-3 applies to the R-6 and R-8 districts

21.04.030 District Standards—Density and Dimensions

C. Site Planning Standards—Residential zones

Residential Zones

RESIDENTIAL ZONES						
STANDARDS	R-1	R-4	R-6	R-8	R-12	R-18
DENSITY & LOT DIMENSIONS						
Maximum Density, DU/Acre (8)	1 du/ac	4 du/ac (2)	6 du/ac	8 du/ac	12 du/ac	18 du/ac
Minimum Density (1)(3)				85%	80%	75%
Minimum Lot Width	35'	30'	30'	30'	30'	30'
SITE AND STRUCTURE DESIGN						
Maximum Residential Floor to Area Ratio (FAR) - Detached alley accessed garages are exempt						
Single-Family	50%	50%	50%	50%		
ADU	Exempt	Exempt	Exempt	Exempt		
Middle Housing (9)	See D. Site Planning Standards—Middle Housing Overlay					
Building Footprint Maximum	3,000 square feet (maximum per building)					
Hardscape Coverage Maximum (12)	30%	40%	50%	75%	85%	85%
Front Yard Setback Landscaping Minimum		30%	30%			
DRIVEWAYS (MEASURED AT THE EDGE OF THE STREET RIGHT-OF-WAY, NOT APPLICABLE FOR DRIVEWAYS FROM ALLEYS) AND PARKING						
Driveway Width Maximum	30% of parcel width, up to 20'	30% of parcel width, up to 20'	30% of parcel width, up to 20'	30% of parcel width, up to 20'		
Driveway Width Minimum	12'	12'	12'	12'		
Driveway Length Minimum to Required Spaces from Street Property Line	20'	20'	20'	20'		

RESIDENTIAL ZONES

STANDARDS	R-1	R-4	R-6	R-8	R-12	R-18
BUILDING SETBACKS						
Front Yard Minimum	20' (5)			10'	10'	10'
Side Yard Minimum (1)	25'			10' (6)	5'	5'
Rear Yard Minimum	30'			20'	20'	20'
Buildings Less Than 2,500 Square Feet						
Front Yard Minimum (5)		15'	15'			
Side Yard Minimum		5'	5'			
Rear Yard		15' average, 12' minimum	15' average, 12' minimum			
Buildings Between 2,500 and 4,000 Square Feet						
Front Yard Minimum (5)		20'	15'			
Side Yard		10' average, 8' minimum	10' average, 8' minimum			
Rear Yard		20' average, 15' minimum	20' average, 15' minimum			
Buildings Greater Than 4,000 Square Feet						
Front Yard Minimum (5)		25'	20'			
Side Yard		12' average, 10' minimum	12' average, 10' minimum			
Rear Yard		25' average, 20' minimum	25' average, 20' minimum			
DETACHED ACCESSORY DWELLING SETBACKS (4)(7)						
Side Yard Minimum	5'	5'	5'	5'	5'	5'
Rear Yard Minimum	5'	5'	5'	5'	5'	5'
ACCESSORY STRUCTURE SETBACKS						
Front Yard Minimum	20' (5)	15' (5)	15' (5)	10'	10'	10'

RESIDENTIAL ZONES

STANDARDS	R-1	R-4	R-6	R-8	R-12	R-18
Side Yard Minimum (1)	10'	10'	10'	10'	5'	5'
Rear Yard Minimum	10'	10'	10'	10'	5'	5'
HEIGHT MAXIMUMS						
Structures	35'	35'	35'	35'	60'	60'
Detached Accessory Dwellings	24'	24'	24'	24'	24'	24'

Development Conditions:

- (1) These standards may be modified under the provisions for zero lot line and townhouse developments.
- (2) Mobile home parks shall be allowed a density of up to six dwelling units per acre.
- (3) See SMC 21.04.030I for information on minimum density calculations.
- (4) When constructed in accordance with Accessory Dwelling Unit regulations in SMC 21.05.010C.(5)a.
- (5) The front yard setback along any arterial streets shall be 30 feet.
- (6) Side yard setbacks may be a minimum of five (5) feet when the abutting property is zoned R-8, R-12, or R-18.

(7) Only applies to stand-alone detached accessory dwelling units. Does not apply to detached accessory dwelling units that are combined with other structures or improvements such as pool houses, outdoor kitchens, detached garages, covered patios, etc. Standard minimum structure setbacks apply to detached accessory dwelling units that are combined with other structures and improvements.

(8) Maximum density for R-1, R-4, R-6, and R-8 districts may be exceeded under middle housing development as specified in the site planning standards for middle housing overlays in SMC 21.04.030D.

(9) Maximum floor to area ratios and site planning standards for middle housing are specified in SMC 21.04.030D.

(10) Accessory Dwelling Units are exempt from hardscape coverage and floor area ratio calculations when constructed on a lot with a single-family home and in accordance with the regulations in SMC 21.05.010C.(5)a.

D. Site Planning Standards–Middle Housing Overlays

1. Applicability

All residential development under this subsection must comply with the mandatory affordable housing requirements established in SMC 21.10. When an affordable housing unit is built on-site meeting the requirements of subsection 2 below, the affordable housing requirements of SMC 21.10 have been met.

2. Maximum Density

Allowable density in the Middle Housing Overlays is defined by unit density (the number of units per lot) or net density (the number of units per acre), whichever results in the greater number of units. The maximum number of units in a single structure in any overlay is six.

	MHO-1	MHO-2		MHO-3	
	Units/ Lot	Units/ Lot	Units/ Acre	Units/ Lot	Units/ Acre
All Lots	3*	3	12	3	18
Lots with One (1) Affordable Unit or if Existing Home is Retained**	4*	4	12	4	18
Lots 1/4 Mile walking distance from an existing or planned transit stop	4*	4	12	4	18

* MHO-1 cottage allowance permitted in SMC 21.04.030.E.

** The unit density must not exceed 4 units in MHO-1 unless using the cottage allowance permitted in SMC 21.04.030.E.

3. Density Calculation Example

Three possible lot sizes in R-6 are used below to demonstrate how unit density and net density allowed are calculated to determine which method results in the greatest number of units allowed by MHO-3. Additional calculation standards for allowable dwelling units and rounding of fractions are specified in SMC 21.04.030.G.

- i. 7,260 square-foot lot (net area excluding critical areas)
 - a. Unit density = 3 units
 - b. Net Density $(7,260/43,560) * 18 = 3$ units
- ii. 5,000 square-foot lot (net area excluding critical areas)
 - a. Unit density = 3 units
 - b. Net Density $(5,000/43,560) * 18 = 2.1$ units
- iii. 9,000 square-foot lot (net area excluding critical areas)
 - a. Unit density = 3 units
 - b. Net Density $(9,000/43,560) * 18 = 3.7$ units

4. Floor Area Ratio

Floor Area Ratio limits are based on the underlying district standards established in SMC 21.04.030C with an increase of 0.15 FAR permitted per unit above one unit:

	Floor Area Ratio (FAR)
Two Units	0.65
Three Units	0.80
Four Units	0.95
Five Units	1.10
Six Units	1.25

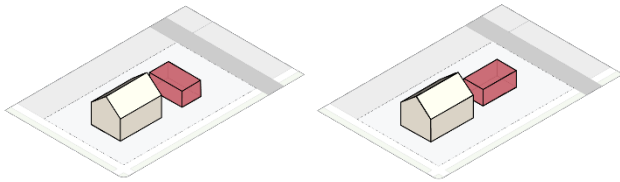
5. Floor Area Ratio Calculation Example

The floor area ratio limitations are used to calculate the maximum allowable gross floor area across one or multiple structures on a site, based on the net lot area. For example, the total allowable gross floor area for 3 units on a 10,000 square-foot lot is 9,500 square-feet (10,000 x 0.95). This area can be distributed in any way across the 3 units provided the buildings comply with the development regulations specified below. Gross square footage for the purpose of calculating FAR includes all gross square footage that is above grade including garages.

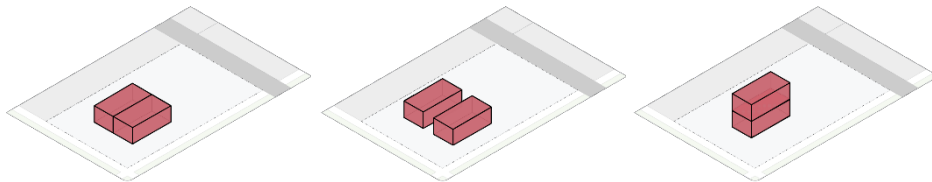
6. Unit Types

Unit types are used to establish general intensity options for each lot within MHO-1 and MHO-2. Possible configurations for each lot type are shown to encourage creative site and building design and to help expand housing options across Sammamish's neighborhoods. The configurations shown are not an exhaustive list; additional configurations that fit within the rules of the overlays are encouraged.

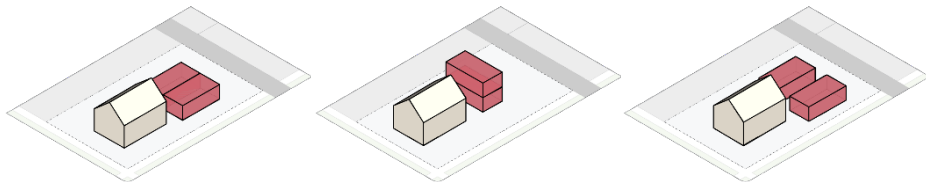
i. Two-Unit Retaining Existing Structure



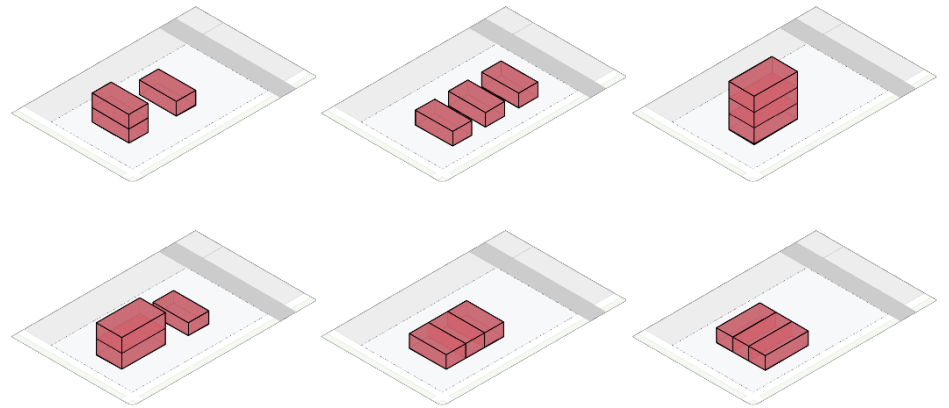
ii. Two-Unit Redevelopment



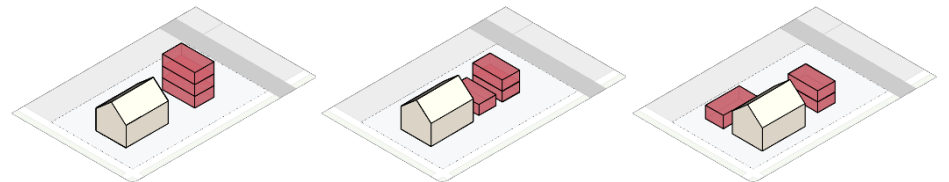
iii. Three-Unit Retaining Existing Structure



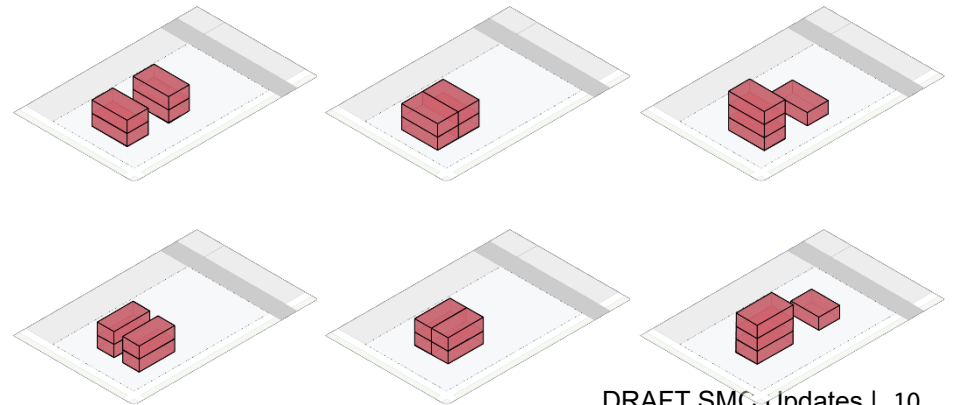
iv. Three-Unit Redevelopment



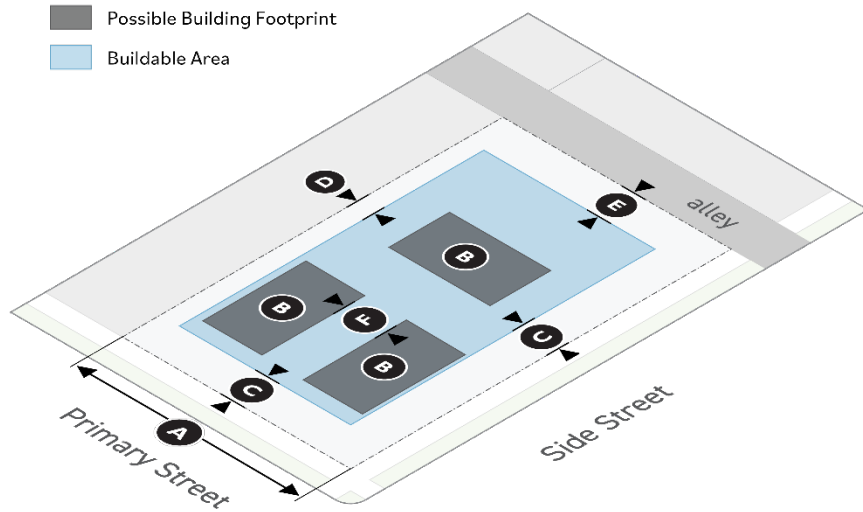
v. Four-Unit Retaining Existing Structure



vi. Four-Unit Redevelopment



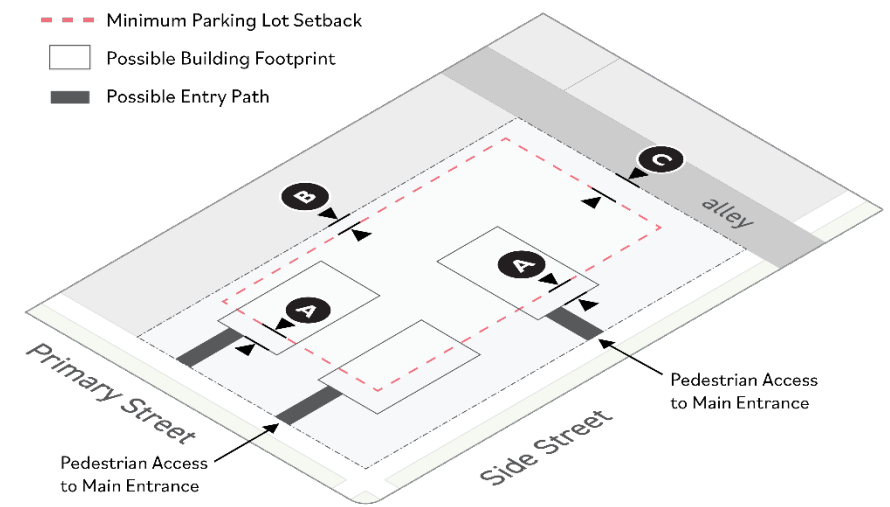
7. Lot – Detached Configuration



Note: Letters in each diagram correspond to letters in the tables below.

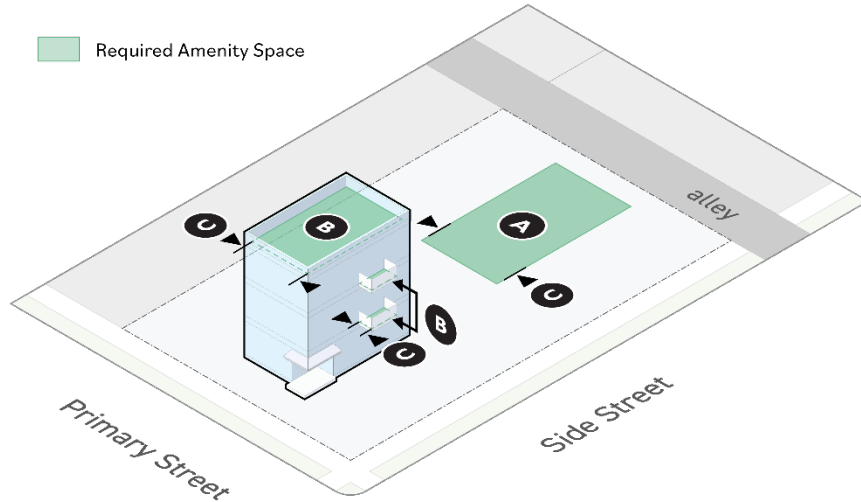
Lot – Detached Configuration			
Frontage		MHO-1	MHO-2 MHO-3
A	Lot Frontage (min) [driveway/no driveway]	50 ft / 30 ft	50 ft / 30 ft
Coverage			
B	Hardscape Coverage (up to 2 units)	40%	60%
	3+ Units (max)	50%	70%
Building Placement			
C	Front Yard Setback (min)	Refer to underlying zone in table SMC 21.04.030C	
D	Side Yard Setback (min)		
E	Rear Yard Setback (min) [alley/no alley]		
F	Space Between Buildings (min)	15 ft	10 ft

8. Parking & Access – Detached Configuration



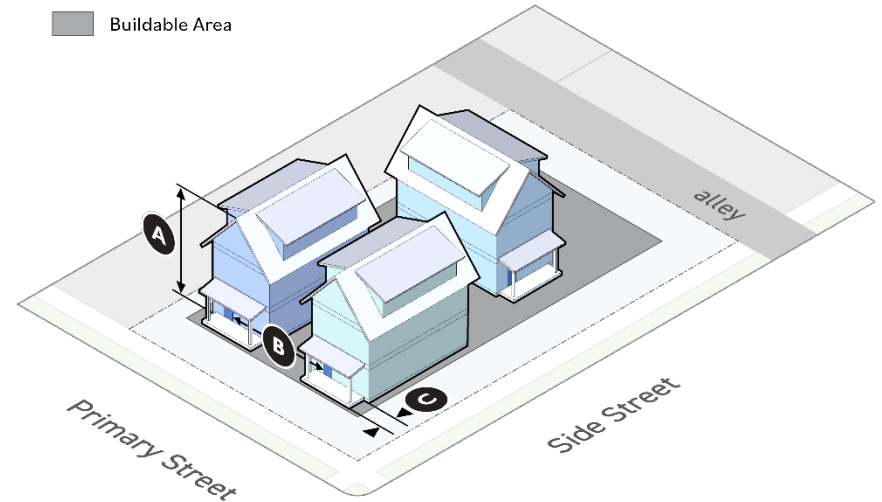
Parking & Access - Detached Configuration		
Pedestrian Access		
A walkway must connect the sidewalk or driveway to the main entrance.		
Vehicle Access		
If access is available from an alley which is open to traffic, there shall be no access allowed from the street. If allowed, a maximum of one curb cut is permitted per street frontage.		
Parking Lot Location		
A	Front Yard Setback (min)	5 ft behind building facade closest to street
B	Side Yard Setback (min)	5 ft
C	Rear Yard Setback (min) [alley/no alley]	5 ft / 10 ft
Required Parking Spaces		
Parking reduction allowed when sufficient street parking is available, as determined by parking study criteria established in 22.06.030.		
Lots within ¼ mile of existing or planned transit stop		No parking req.
All other lots		1 stall per unit

9. Amenity Space – Detached Configuration



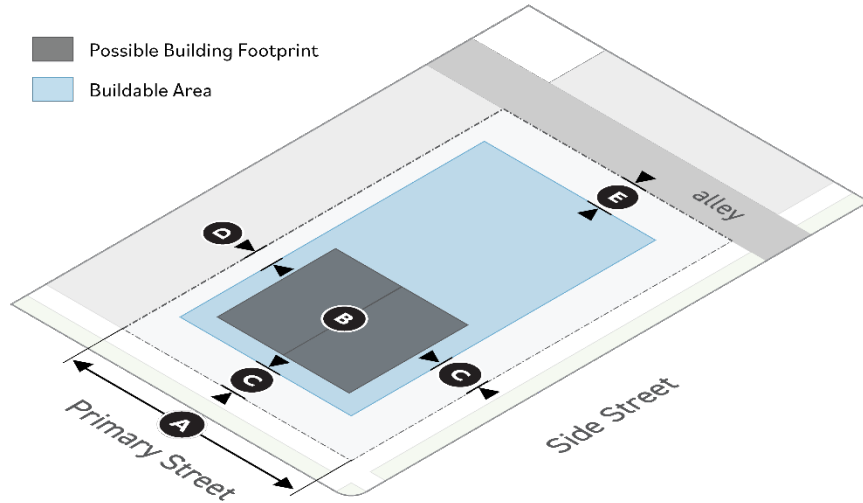
Amenity Space – Detached Configuration			
Amenity Space Required			
Amenity space must be exterior and may be provided either at grade as shared or private space, and/or on the structure as private balconies or roof decks. If a combination of amenity space types is being used, all spaces should add up to the greatest required total.			
		Shared	Private
A	Area – at grade (min)	15% of lot size	150 sf per unit
B	Area – on structure (min)	N/A	30 sf per unit
C	Minimum of Smallest Dimension	10 ft	8 ft at grade / 4 ft on structure
At Grade Amenity Space Location			
Amenity space at grade cannot be located within the front or side yard setbacks.			

10. Building Form – Detached Configuration



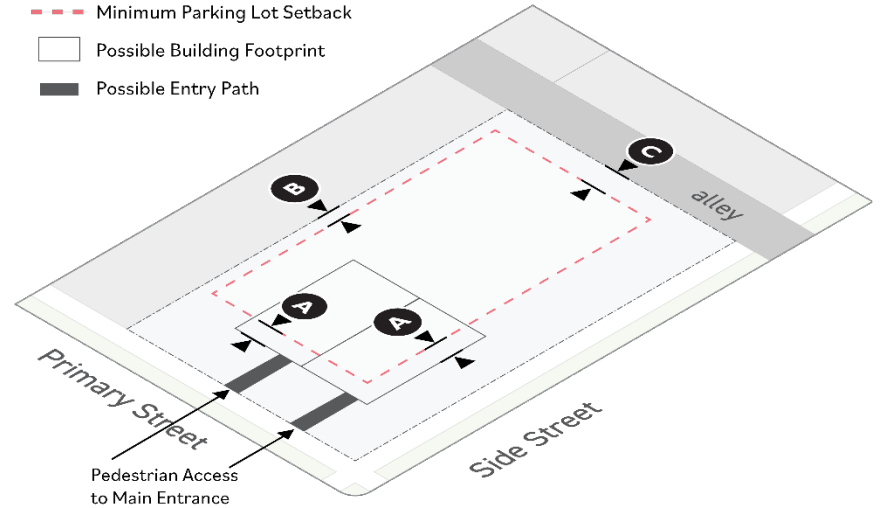
Building Form – Detached Configuration		
Height		
A	Height (max stories/feet)	3 / 35 ft
Massing		
	Building Footprint (max per building)	3,000 SF
Street- or Alley-Facing Entrances Required		
	Up to 2 Units (min)	1
	3-4 Units (min)	2
	5-6 Units (min)	4
B	Street-Facing Entry Spacing (max)	40 ft
C	Active Entry Depth (min)	6 ft

11. Lot – Attached Configuration



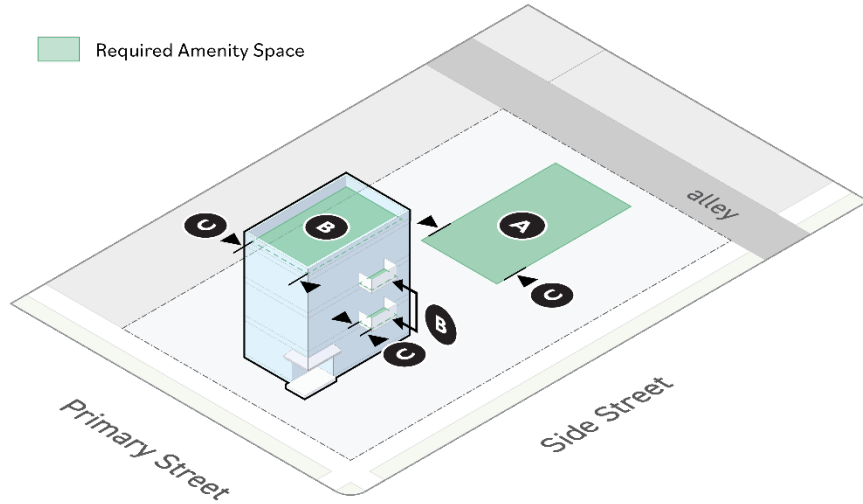
Lot – Attached Configuration			
Frontage		MHO-1	MHO-2 MHO-3
A	Lot Frontage (min) [driveway/no driveway]	50 ft / 30 ft	50 ft / 30 ft
Coverage			
B	Hardscape Coverage (up to 2 units)	40%	60%
	3+ Units (max)	50%	70%
Building Placement			
C	Front Yard Setback (min)	Refer to underlying zone in table 21.04.030C	
D	Side Yard Setback (min)		
E	Rear Yard Setback (min) [alley/no alley]		

12. Parking & Access – Attached Configuration



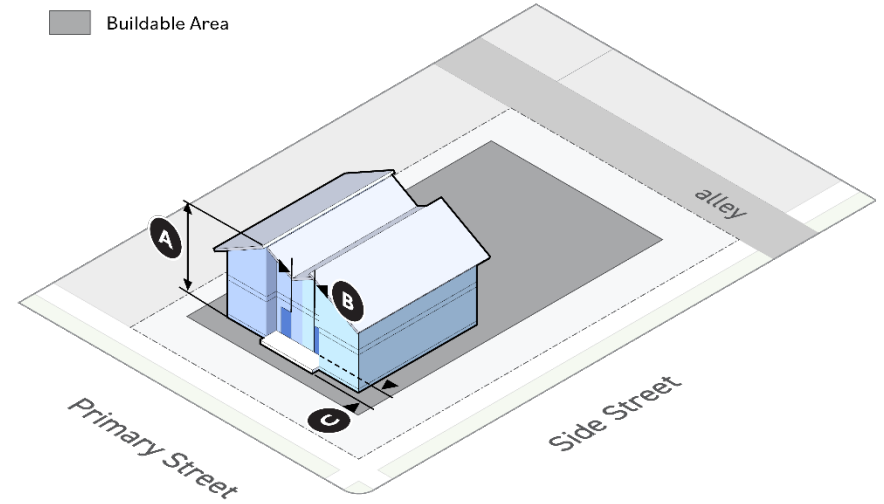
Parking & Access – Attached Configuration		
Pedestrian Access		
A walkway must connect the sidewalk or driveway to the main entrance.		
Vehicle Access		
If access is available from an alley which is open to traffic, there shall be no access allowed from the street. If allowed, a maximum of one curb cut is permitted per street frontage.		
Parking Lot Location		
A	Front Yard Setback (min)	5 ft behind building facade closest to street
B	Side Yard Setback (min)	5 ft
C	Rear Yard Setback (min) [alley/no alley]	5 ft / 10 ft
Required Parking Spaces		
Parking reduction allowed when sufficient street parking is available, as determined by parking study criteria established in 22.06.030.		
Lots within ¼ mile of existing or planned transit stop		No parking req.
All other lots		1 stall per unit

13. Amenity Space – Attached Configuration



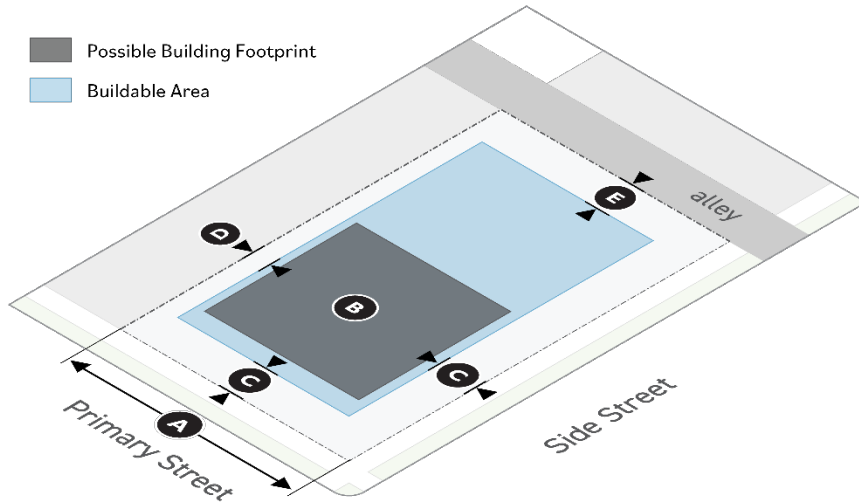
Amenity Space – Attached Configuration			
Amenity Space Required			
Amenity space must be exterior and may be provided either at grade as shared or private space, and/or on the structure as private balconies or roof decks. If a combination of amenity space types is being used, all spaces should add up to the greatest required total.			
		Shared	Private
A	Area – at grade (min)	15% of lot size	150 sf per unit
B	Area – on structure (min)	N/A	30 sf per unit
C	Minimum of Smallest Dimension	10 ft	8 ft at grade / 4 ft on structure
At Grade Amenity Space Location			
Amenity space at grade cannot be located within the front or side yard setbacks.			

14. Building Form – Attached Configuration

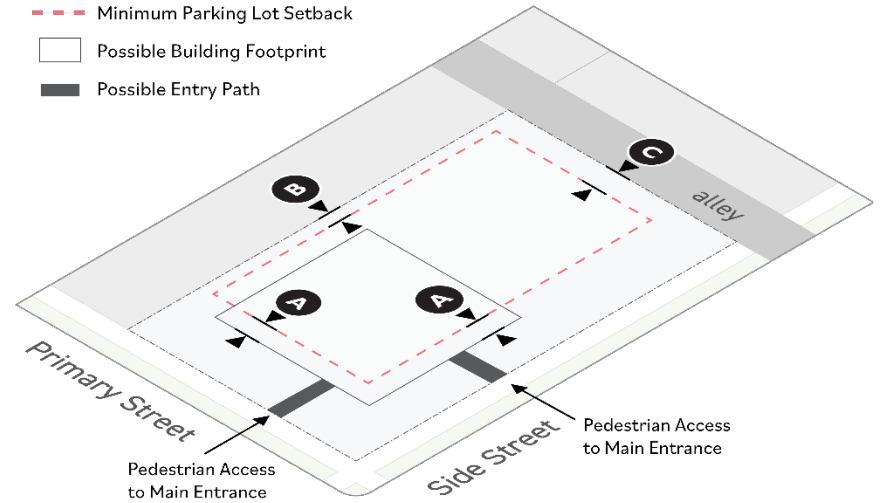


Building Form – Attached Configuration		
Height		
A	Height (max stories/feet)	3 / 35 ft
Massing		
	Building Footprint (max per building)	3,000 SF
	Primary Street Width (up to 4 Units)	60 ft
	5+ Units (max)	15 ft add'l per unit
Street- or Alley-Facing Entrances Required		
	Up to 2 Units (min)	1
	3-4 Units (min)	2
	5-6 Units (min)	4
B	Street-Facing Entry Spacing (max)	20 ft
C	Active Entry Depth (min)	6 ft

15. Lot – Stacked Configuration



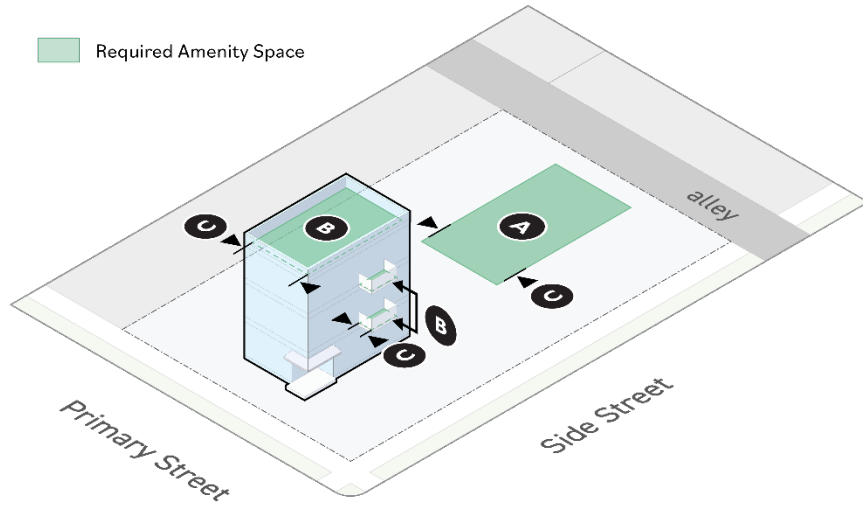
16. Parking & Access – Stacked Configuration



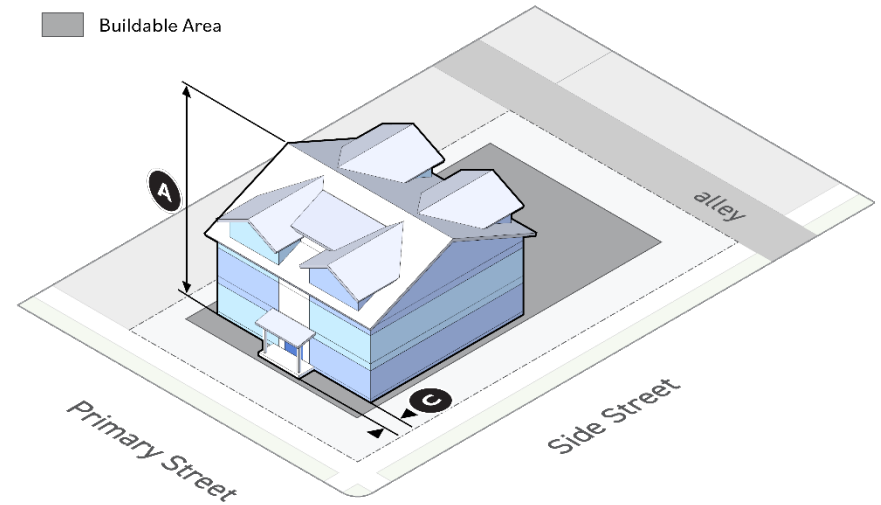
Lot – Stacked Configuration			
Frontage		MHO-1	MHO-2 MHO-3
A	Lot Frontage (min) [driveway/no driveway]	50 ft / 30 ft	50 ft / 30 ft
Coverage			
B	Hardscape Coverage (up to 2 units)	40%	60%
	3+ Units (max)	50%	70%
Building Placement			
C	Front Yard Setback (min)	Refer to underlying zone in table SMC 21.04.030C	
D	Side Yard Setback (min)		
E	Rear Yard Setback (min) [alley/no alley]		

Parking & Access - Stacked Configuration		
Pedestrian Access		
A walkway must connect the sidewalk or driveway to the main entrance.		
Vehicle Access		
If access is available from an alley which is open to traffic, there shall be no access allowed from the street. If allowed, a maximum of one curb cut is permitted per street frontage.		
Parking Lot Location		
A	Front Yard Setback (min)	5 ft behind building facade closest to street
B	Side Yard Setback (min)	5 ft
C	Rear Yard Setback (min) [alley/no alley]	5 ft / 10 ft
Required Parking Spaces		
Parking reduction allowed when sufficient street parking is available, as determined by parking study criteria established in 22.06.030.		
Lots within ¼ mile of existing or planned transit stop		No parking req.
All other lots		1 stall per unit

17. Amenity Space – Stacked Configuration



18. Building Form – Stacked Configuration



Amenity Space – Stacked Configuration			
Amenity Space Required			
Amenity space must be exterior and may be provided either at grade as shared or private space, and/or on the structure as private balconies or roof decks. If a combination of amenity space types is being used, all spaces should add up to the greatest required total.			
		Shared	Private
A	Area – at grade (min)	15% of lot size	150 sf per unit
B	Area – on structure (min)	N/A	30 sf per unit
C	Minimum of Smallest Dimension	10 ft	8 ft at grade / 4 ft on structure
At Grade Amenity Space Location			
Amenity space at grade cannot be located within the front or side yard setbacks.			

Building Form – Stacked Configuration		
Height		
A	Height (max stories/feet)	3 / 35 ft
Massing		
	Building Footprint (max per building)	3,000 SF
Street- or Alley-Facing Entrances Required		
	Up to 2 Units (min)	1
	3-6 Units (min)	2
	Street-Facing Entry Spacing (max)	20 ft
C	Active Entry Depth (min)	8 ft

E. MHO-1 Cottage Allowance

1. Purpose

The purpose of this section is to provide additional density for cottage housing beyond the middle housing densities specified in SMC 21.04.030.D. Cottage housing enhances the existing development pattern in the R-1 zone and is appropriate for an additional density allowance compared to other middle housing types. The MHO-1 Cottage Allowance only applies to Cottage housing projects exceeding middle housing densities proposed within the MHO-1 overlay.

More extensive design standards are established for cottage housing to accommodate the increased density allowance. Unless specified below, all other development standards in the Sammamish Development Code apply.

2. Intent

Cottage housing is intended to be a more community-minded, smaller scale alternative to typical R1 development. Smaller buildings create opportunities for higher densities while also allowing for a more sensitive response to vegetation, topography, and drainage. Ideally, cottage housing will take the form of compact homes clustered in pockets around shared yards, scattered through the lush forest environment that defines the city. Unit clustering promotes a sense of community while providing flexibility to preserve site topography by minimizing grading, maintaining natural drainage patterns, and retaining existing vegetation. New landscaping should blend with or reinstate existing forest ecosystems. The presence of vehicles should be minimized. Opportunities to walk and bike around the site should be prioritized, and connections to existing trail systems within the neighborhood are encouraged.

See SMC 21.02.030 Neighborhood Design Standards for further site design standards.

3. Application Requirements

In addition to the application requirements established in SMC 21.09.010, a tree retention and root zone protection plan is required as part of the preapplication process for cottage housing developments. The plan must include:

- i. Location and size of all existing trees.
- ii. Approximate proposed building footprint locations demonstrating how the cottage cluster layout has been optimized using design flexibility to retain meaningful clusters of significant trees and associated middle and understory vegetation.
- iii. Clear indication of trees intended to be removed and retained, including replanting plans demonstrating compliance with the City's tree preservation requirements in SMC 21.03.060.

4. Site Design Principals

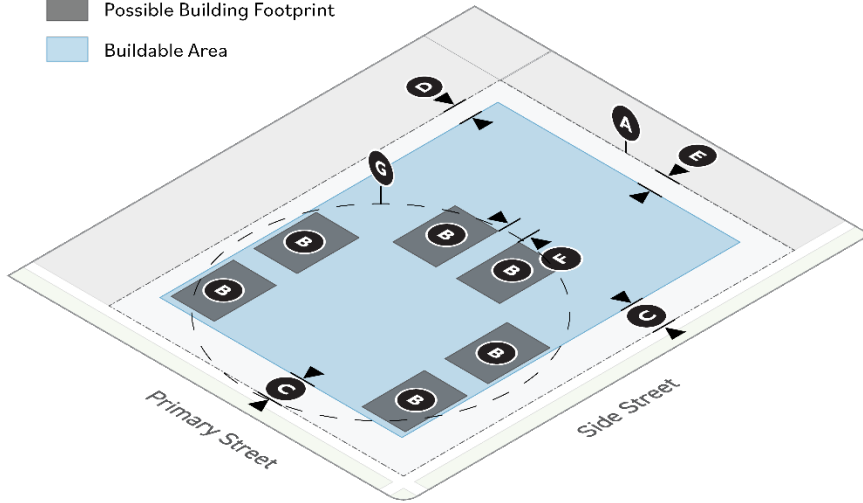
- i. **Site Entry:** Cottage developments should have welcoming pedestrian entrances facing the ROW. Pedestrian entrances may incorporate gates, trellises, landscaping, benches, stacked stones, pillars, or other inviting ornamental features.
- ii. **Private Yards:** Private yards help to ensure the ongoing maintenance and sense of ownership within the site. Each unit must have an associated private yard that is clearly defined through the use of low fences, low stone walls, plantings, paving, or similar features. Private yards should encompass a series of spaces around the perimeter of a unit, creating a transitional buffer zone between the unit and the rest of the development. Providing private yard space with several different exposures, and access to sunlight at different times of

year, is encouraged. Private yards may encroach into setbacks.
Private yards may be forested.

- iii. **Roofs:** Gables, dormers, shed roofs, shed dormers, and upper level decks are all permitted as long as all roofs conform to the minimum pitch standards.
- iv. **Community Buildings:** Community buildings are intended to provide an indoor gathering place for residents, allowing for a variety of uses and serving as a location for events that individual units may not be able to accommodate. Community buildings are optional but strongly encouraged.

5. Lot – MHO-1 Cottage Allowance

- Possible Building Footprint
- Buildable Area



Lot – MHO-1 Cottage Allowance

Unit Density per Cluster

Developments may have multiple clusters.

	Minimum Units per Cluster	4 units
	Maximum Units per Cluster	12 units

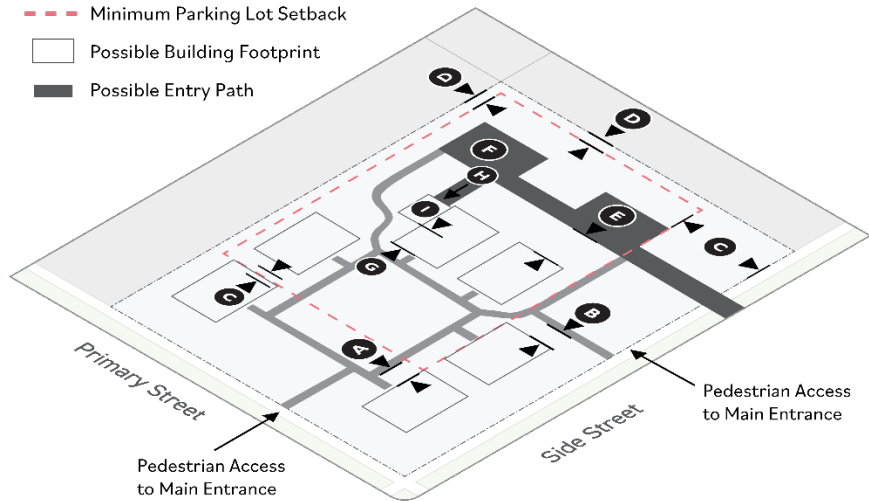
Coverage

B	Hardscape Coverage (max)	40%
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Building Placement

C	Front Yard Setback (min)	20 ft
D	Side Yard Setback (min)	25 ft
E	Rear Yard Setback (min) [alley/no alley]	20 ft / 30 ft
F	Space Between Buildings (min)	10 ft
G	Unit Clustering (min)	75% of all units must be included in a cluster

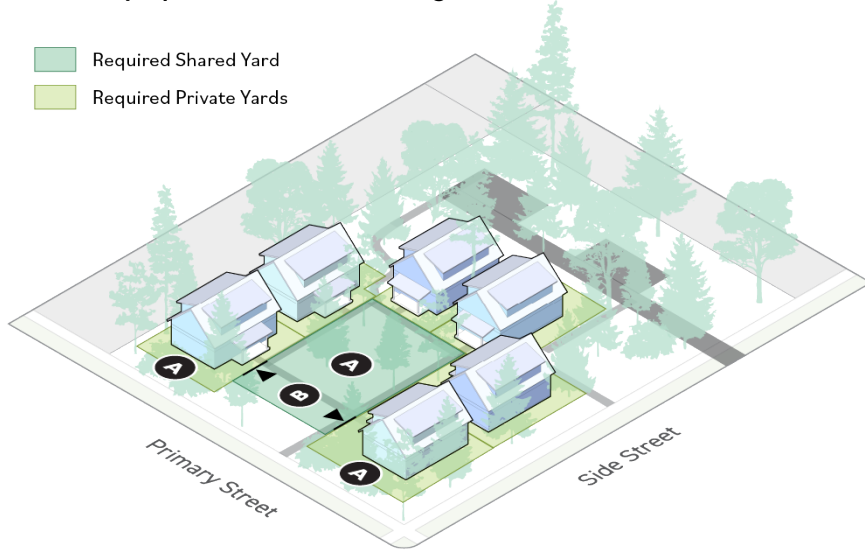
6. Parking & Access - MHO-1 Cottage Allowance



Parking & Access - MHO-1 Cottage Allowance		
Pedestrian Access & Walkway Setbacks		
A walkway must connect the sidewalk or driveway to the main entrance. The first 80sf of each walkway connecting to an existing trail will not be included in hard scape calculations.		
A	Walkway Setback from Primary Entrance Facade (min)	10 ft
B	Walkway Setback from Sides of Buildings (min)	4 ft with landscaped privacy buffer or 8 ft of open space
Vehicle Access		
If access is available from an alley which is open to traffic, there shall be no access allowed from the street. If allowed, a maximum of two curb cuts are permitted per street frontage with a minimum spacing of 100 ft.		
Parking Lot Location		
C	Front Yard Setback (min)	set behind at least 1 building OR screened with min. 15 ft. landscape buffer so as not to be visible from the street. Buffer may be in setback.

D	Side & Rear Yard Setback (min)	5 ft
E	Setback from Building (min)	4 ft with landscaped privacy buffer or 8 ft of open space
Required Parking Spaces		
Parking should be located and designed to preserve trees wherever possible.		
Minimum Off-Street Parking Required		1 stall per unit
F	Parking Clusters Required (max)	4 stalls per parking cluster OR 5' wide landscaped buffers every 3 stalls
Garages		
G	Setback (min)	10 ft from front of dwelling unit
H	Orientation and access	Vehicle access to the garage is not permitted from the front of the unit.
I	Footprint (max.)	1 stall per unit / 240 sf
	Building footprint/area calculations	Garages count toward hardscape coverage, but do not count towards building footprint or area calculations.

7. Amenity Space - MHO-1 Cottage Allowance



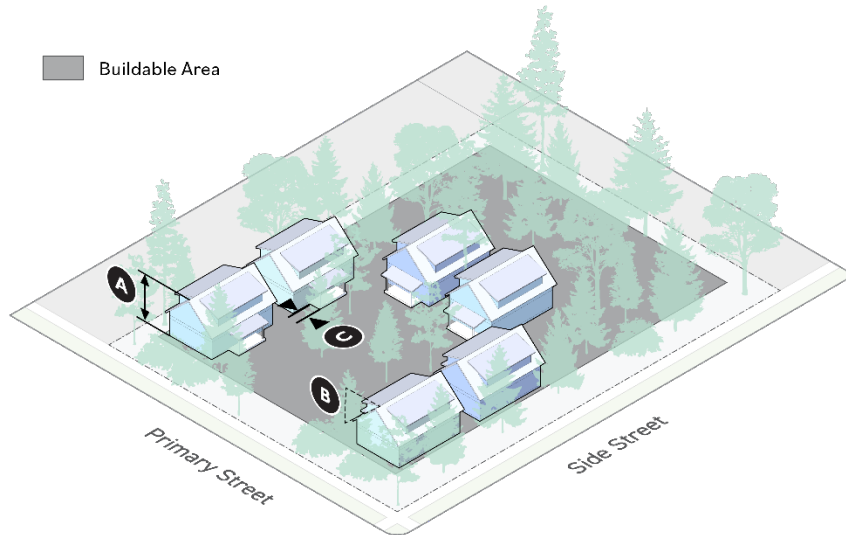
Amenity Space – MHO-1 Cottage Allowance			
Shared & Private Amenity Space Required			
Required amenity space must take the form of a shared yard as well as private yards for each unit.			
Porches, decks, vehicular access, and parking areas cannot encroach into shared yards. Each shared yard must be contiguous. Required shared yard space may be divided into no more than 2 separate areas per cluster of dwelling units. The shared yard must be located so that it will be surrounded by cottages on at least 2 sides. All cottages must have access to the shared yard. Walking distance between cottages and shared yards may not exceed 85 feet.			
Each unit must have an associated Private Yard that conforms to the site design standards.			
Shared and Private yards may be forested.			
		Shared Yards	Private Yards
A	Area – at grade (min)	300sf per unit, 3,000 sf total minimum	800sf per unit
B	Minimum of Smallest Dimension	25 ft	none

Community Buildings

Community buildings must be located on the same site as the cottage housing development and be commonly owned by the residents. Community buildings must be enclosed structures and must contain at a minimum bathroom and kitchen facilities. Community buildings may also include event space, guest rooms, laundry facilities, or any other community-oriented amenity.

	Shared Yard Calculations	Community building floor area may be counted towards the shared yard calculation, provided the total minimum shared yard is still achieved.
	Density & Coverage Calculations	Community buildings count towards hardscape coverage calculations.
	Building Dimensional Standards	Community buildings must conform to the same dimensional standards as Type A Cottages, with the exception of the building footprint. Upper levels must be 0.5 stories and will still conform to the upper-level ratio standard for Type A Cottages.
	Footprint (min/max)	500sf minimum / 80 sf. per cottage maximum. Footprint area may be split into up to 2 separate structures if desired.

8. Building Form – MHO-1 Cottage Allowance



Building Form – MHO-1 Cottage Allowance			
Two types of cottages are permitted to maximize flexibility in building placement and lot coverage while retaining existing site features. Projects are encouraged to mix cottage types to provide increased housing diversity.			
Building form must conform to the standards in either Type A or B Cottages. Standards for Type A and B cannot be mixed within the same unit but may be mixed within the same development. Alternative building configurations will be considered through administrative review if warranted by significant site features such as dense forest, large trees, steep hills, or other sensitive areas.			
		Type A Cottages	Type B Cottages
Height			
A	Height (max stories/feet)	1.5 / 26 ft	2 / 28 ft
Massing			
	Building Footprint / Floor Area (max per building)	900 sf building footprint	1,000 sf total floor area

	Partially bellow grade floor area: the floor area of portions of a cottage that are no more than 4' above grade will not be counted towards footprint or area calculations. This includes upper level ratio calculations, so that bellow grade floor area will not increase the potential size of an upper level.		
	Upper-Level Habitable Space Ratio	Cannot exceed 80% of lower level gross floor area	Cannot exceed 100% of lower level floor area
B	Roof Pitch (min)	primary roof: 6:12 dormer roof: 4:12	primary roof: 6:12 dormer roof: 4:12
Attached units: duplexes (no more than two attached units) are allowed. Attached units must each, individually, conform to the requirements of Column A or B. For example two attached cottages could have a combined footprint of up to 1,800sf.			
Street- or Shared Yard-Facing Entrances Required			
Front Porches: Every unit must have a covered entry porch oriented toward common space or street. The porch must be open on at least two sides, and not be enclosed. Each porch must have a minimum area of 70sf and a minimum dimension of 6 feet on all sides. Porches must be associated with primary point of entry. Porches may encroach into Primary and Side Street setbacks.			
Orientation: at least 75% of interior-unit entries must face a shared yard. Street-adjacent-units must be oriented so that: <ul style="list-style-type: none"> 1. an entrance faces the public ROW, or 2. so that the primary entrance facade is set within 90 degrees to and visible from the public ROW, or 3. they are oriented towards a shared yard and screened with a min. 15 ft. landscape buffer so as not to be visible from the ROW. The landscape buffer may be in the setback. 			
C	Active Entry Depth (min)	6 ft	6 ft

21.04.040 Technical Terms and Land Use

Definitions

B. Definitions

Accessory Dwelling Unit: an attached, detached, or stacked dwelling unit located on the same lot as a single-family or multi-family dwelling unit.

Affordable Housing: “Affordable housing” and “affordable unit” mean a dwelling unit(s) reserved for occupancy by eligible households and having monthly housing expenses to the occupant no greater than 30 percent of a given monthly household income, adjusted for household size, as follows:

- i. Low Income. Eighty percent of the area median income.
- ii. Very Low Income. Fifty percent of area median income.
- iii. Extremely Low Income. Thirty percent of the area median income.
- iv. Pursuant to the authority of RCW 36.70A.540, the city finds that the higher income levels specified in the definition of “affordable housing” in this chapter, rather than those stated in the definition of “low-income households” in RCW 36.70A.540, are needed to address local housing market conditions in the city.

Amenity Space: a designated space intended for recreational and social use, and the enjoyment and benefit of on-site residents and their guests. Shared amenity spaces are shared among all the units and must include some combination of seating, open lawn,

barbeques, plantings, gardens for the use of residents, water features, or other recreational facilities. Private amenity spaces are for the exclusive use of one unit and may include some combination of the shared amenity space features.

Attached Housing: Horizontal residential building configuration in which individual dwelling units share at least one wall. Examples include fee-simple or condominium townhomes or side-by-side duplexes, triplexes, or fourplexes. Accessory dwelling units attached to a principal residence are also considered attached housing.

Co-living Housing: a residential development with sleeping units that are independently rented and lockable and provide living and sleeping space, and residents share kitchen facilities with other sleeping units in the building. Co-living housing includes, but is not limited to, congregate living facilities, single room occupancy, rooming house, boarding house, lodging house, and residential suites.

Cottage Cluster: A cottage cluster, or “cluster” when referred to in the context of cottage housing, refers to all units oriented towards, and within 25’ of a shared yard.

Courtyard Apartment: means up to four attached dwelling units arranged on two or three sides of a yard or court.

Detached Housing: Standalone dwelling units in which individual units are contained within discrete structures. Examples include but are not limited to traditional single-family homes, detached

accessory dwelling units, manufactured homes, and cottage housing.

Dormitory. A residential building that provides sleeping for residents such as students or those belonging to a religious organization, ~~but~~. The building does not contain separate dwelling units, except for those create for resident administrator habitation, and may include common dining, cooking recreation, or bathing facilities.

Duplex: a residential building with two attached or stacked dwelling units.

Dwelling unit: One or more rooms designed for occupancy by a person or persons ~~family~~ for living and sleeping purposes, containing kitchen facilities and rooms with internal accessibility, for use solely by the dwelling's occupants.

Emergency Housing: temporary indoor accommodations for individuals or families who are homeless or at imminent risk of becoming homeless that is intended to address the basic health, food, clothing, and personal hygiene needs of individuals or families. Emergency housing may or may not require occupants to enter into a lease or an occupancy agreement.

Emergency Shelter: a facility that provides a temporary shelter for individuals or families who are currently homeless. Emergency shelters may not require occupants to enter into a lease or an occupancy agreement. Emergency shelter facilities may include day and warming centers that do not provide overnight accommodations.

Family. One or more persons, either related or unrelated, living together as a single housekeeping unit.

Fourplex: a residential building with four attached or stacked dwelling units.

Habitable Space: Space in a structure for human activity including living, sleeping, eating, cooking, working, shopping, or bathroom facilities. Habitable space excludes parking garages, self-service storage facilities, warehouses, display windows separated from retail activity, closets, halls, storage, or utility spaces, and similar areas.

Lot, Parent: a lot which is subdivided into unit lots through the unit lot subdivision process.

Lot, Unit: a subdivided lot, that allows up to one dwelling unit, created from a parent lot and approved through the unit lot subdivision process.

Middle Housing: dwelling units that are compatible in scale, form, and character with single-family houses and contain two or more attached, stacked, or clustered homes including duplexes, triplexes, fourplexes, townhouses, stacked flats, courtyard apartments, and cottage housing.

Organic Materials Management Facility: a facility that manages organic materials through composting, anaerobic digestion, vermiculture, black soldier fly, or similar technologies

Permanent Supportive Housing: is subsidized, leased housing with no limit on length of stay that prioritizes people who need comprehensive support services to retain tenancy and utilizes admissions practices designed to use lower barriers to entry than would be typical for other subsidized or unsubsidized rental housing, especially related to rental history, criminal history, and personal behaviors. Permanent supportive housing is paired with on-site or off-site voluntary services designed to support a person living with a complex and disabling behavioral health or physical health condition who was experiencing homelessness or was at imminent risk of homelessness prior to moving into housing to retain their housing and be a successful tenant in a housing arrangement, improve the resident's health status, and connect the resident of the housing with community-based health care, treatment, or employment services.

Senior assisted housing. Housing in a building consisting of two or more dwelling units or sleeping units restricted to occupancy by at least one senior per unit, and including the following support services:

- a. Food preparation and dining areas;
- b. Group activity areas;
- c. Medical supervision; and
- d. Similar activities.

Senior-oriented housing without these services is considered a type of co-housing.

Religious Organization: means the federally protected practice of a recognized religious assembly, school, or institution that owns or controls real property.

Stacked Flat: means dwelling units in a residential building in which each floor may be separately rented or owned.

Stacked Housing: Means vertical residential building configuration with two or more dwelling units in which each floor may be separately rented or owned. Examples include vertically stacked duplexes, triplexes, fourplexes, sixplexes, or other multi-plex structures with at least one unit per floor.

STEP Housing: collectively refers to Emergency Shelter, Transitional Housing, Emergency Housing, and Permanent Supportive Housing.

Tiny houses: including tiny houses on wheels, are defined as dwellings to be used as permanent housing with permanent provisions for living, sleeping, eating, cooking, and sanitation built in accordance with the state building code.

Townhouses: buildings that contain three or more attached single-family dwelling units that extend from foundation to roof and that have a yard or public way on not less than two sides.

Transit Stop, Existing: means an existing public transit stop identified in the City's Transportation Master Plan or Citywide Transit Plan.

Transit Stop, Planned: means a planned public transit stop identified in the City's Transportation Master Plan or Citywide Transit Plan.

Transitional Housing: means a project that provides housing and supportive services to homeless persons or families and that has as its purpose facilitating the movement of homeless persons and families into independent living, generally in less than two years.

Triplex: a residential building with three attached or stacked dwelling units.

Unit Density: means the number of dwelling units allowed on a lot, regardless of lot size.

Unit lot subdivision: means a subdivision process by which boundary lines and use areas are defined within a larger “parent” lot to establish individual sellable lots, allowing for the creation of fee simple lots

1.5 story: a building with an uppermost story containing space completely within a sloping roof, with rafters meeting the exterior wall not more than 2' from the top plate of the story below, and broken only by dormers.

21.04.050 Rules for Zoning Districts

A. Purpose

The purpose of this chapter is to provide a set of general terms and designations, including definitions and standards, for terminology primarily used in SMC 21.04. Definitions and standards for terms used more broadly throughout the Code are found in SMC 21.04.040.

B. Street Designation

1. Primary Street, Side Street, and Alley Designations

- a. All streets abutting a lot must be designated as either a primary street, side street, or alley.
- b. When a lot abuts only one street, the street is considered a primary street.
- c. A lot abutting multiple streets must designate at least one as a primary street but may abut more than one primary street.
- d. For lots that abut multiple streets, the Director will determine the primary street using the following criteria, which is listed from most important to least important:
 - i. The street or streets with the highest classification according to the Street Typology Map (SMC 21.02.030G);
 - ii. The established orientation of the block;
 - iii. The street abutting the longest face of the block; and
 - iv. The street parallel to an alley within the block.

- e. Any street not designated as a primary street is designated as a side street.

Chapter 21.05. Uses

21.05.010 Principal Uses

C. Residential land uses

Table of Residential Land Uses.

KEY: P Permitted Use C Conditional Use S Special Use X Prohibited Use

RESIDENTIAL LAND USES						
SIC #	Zones SPECIFIC LAND USE	Residential		Neighborhood Business NB	Commercial Community Business CB	Office O
		Urban Residential R-1 TO R-8	R-12 TO R-18			
	Dwelling Units, Types					
*	Single detached	P, C9	P, C9	X	X	X
*	Apartment	P17	P	P2	P2	P2
*	Mobile home park	C6	P	X	X	X
*	Middle Housing	P17	P	P	P	P
*	Affordable Housing 18.	P	P	P	P	P
*	Permanent Supportive Housing, Transitional Housing	P	P	P	P	P
	Group Residences					
	Co-living housing 20.	P	P	P	P	P
*	Dormitory	C4	P	X	X	X
*	Senior assisted housing	X	P	P2	P2	P2
	Accessory Uses					
*	Residential accessory uses	P5	P5	X	X	X
*	Home business, Type I	P	P	P	P	P
*	Home business, Type II	C	C	C	C	C
*	EV charging station (11, 12)	P13	P13	P	P	P
*	Rapid charging station 14.	P15	P15	P	P	P
*	Cooperative 16.	X	X	X	X	X
*	Collective garden 16.	X	X	X	X	X
	Temporary Lodging					
7011	Hotel / motel 1.	X	X	X	P	P

RESIDENTIAL LAND USES						
SIC #	Zones	Residential		Commercial		
		Urban Residential		Neighborhood Business	Community Business	Office
	SPECIFIC LAND USE	R-1 TO R-8	R-12 TO R-18	NB	CB	O
*	Bed and breakfast guesthouse	P7	P7	P7	P8	X
7041	Organization hotel / lodging houses	X	X	X	X	X
*	Emergency Shelters, Emergency Housing 19.	X	X	X	P	P

Development Conditions:

(1) Except bed and breakfast guesthouses.

(2) Only as part of a mixed use development subject to the conditions of SMC 21.07.060, stand-alone townhouse developments are permitted subject to the provisions of SMC 21.04.030D., SMC 21.02.030D., SMC 21.05.010D. and SMC 21.02.030I.

(3) Only in a building listed on the National Register as an historic site or designated as a landmark subject to the provisions of SMC 21.05.030.

(4) Only as an accessory to a school, college/university, or church.

(5) Residential accessory uses:

a. Accessory dwelling units:

- i. Only two accessory dwelling units permitted per lot with one single-family detached residence.
- ii. Allowable configurations:
 1. Two attached ADUs such as unit in a basement, attic, garage, or home expansion;
 2. Two detached ADUs, which may be comprised of either one or two detached structures;
 3. One attached ADU and one detached ADU;

4. A conversion of an existing structure into an accessory dwelling unit, such as a detached garage.

- iii. The ADU must not exceed a floor area of 1,000 square feet. When one of the ADUs is wholly contained within the existing residence, then the floor area shall not exceed 50 percent of the floor area of the existing unit, or 1,000 square feet, whichever is larger.
- iv. No additional off-street parking space shall be required when the parcel contains four or more parking spaces;
- v. For the purposes of calculating residential density, accessory dwelling units count as one dwelling unit.

- b. One single or twin engine, noncommercial aircraft shall be permitted only on lots that abut, or have a legal access that is not a City right-of-way, to a waterbody or landing field, provided:
- i. No aircraft sales, service, repair, charter, or rental; and
 - ii. No storage of aviation fuel except that contained in the tank or tanks of the aircraft.

(6) Mobile home parks shall not be permitted in the R-1 zones.

- (7) Only as an accessory to the permanent residence of the operator, provided:
- i. Serving meals to paying guests shall be limited to breakfast; and
 - ii. The number of persons accommodated per night shall not exceed five, except that a structure which satisfies the standards of the Uniform Building Code as adopted by the City of Sammamish for R-1 occupancies may accommodate up to 10 persons per night.

(8) Only when part of a mixed use development.

(9) Required prior to approving more than one dwelling on individual lots, except on lots in subdivisions, short subdivisions, or binding site plans approved for multiple unit lots, and except as provided for accessory dwelling units in subsection (C)5. of this section.

(10) Only when done in accordance with the low impact development standards in SMC 21.02.030D. and SMC 21.06.070.

(11) Level 1 and Level 2 charging only.

(12) Level 1 and Level 2 charging are permitted in critical aquifer recharge areas and in other critical areas when serving an existing use.

(13) Allowed only as accessory to a primary permitted use or permitted conditional use.

(14) The term “rapid” is used interchangeably with “Level 3” and “fast charging.”

(15) Only as an “electric vehicle charging station – restricted.”

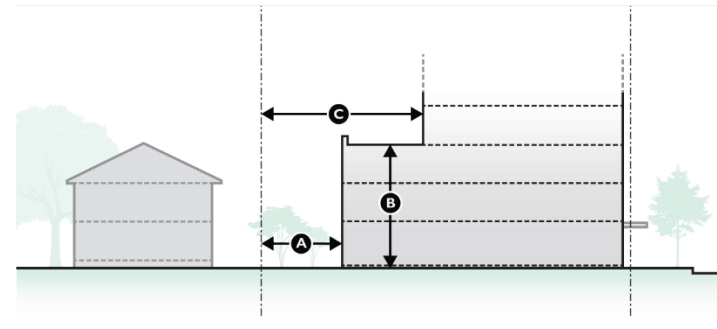
(16) All marijuana related uses both medical and recreational, including marijuana collective gardens, marijuana cooperatives, marijuana producers, marijuana processors, marijuana distributors, and marijuana retailers, are prohibited in all zones in the City of Sammamish.

(17) Middle Housing

- a. Permitted in R-1 to R-8 zones under middle housing overlays in SMC 21.04.030D.

(18) Affordable Housing

- a. Includes Permanent Supportive and Transitional Housing (see SMC 21.05.010.Y) and other affordable housing in single-family and multi-family dwellings.
- b. Density bonuses by way of increased building envelope are provided for lots owned by religious organizations and public entities:
 - i. Hardscape Coverage Maximum: 65%
 - ii. Setbacks from property line:
 1. Front Yard (min): 20'
 2. Side Yard (min): 15'
 3. Rear Yard (min): 20'
 4. Rear Yard with Alley (min): 10'
 - iii. Building Height: 6 stories or 70', whichever is less
 - iv. Spacing from Existing Buildings or Structures: 15'
- c. If the subject property abuts a property zoned R-1, R-4, R-6, or R-8, a Type II Landscaping Screen is required as specified in SMC 21.06.020
- d. Buffering Required: If the subject property abuts a property zoned R-1, R-4, R-6, or R-8, one 30-foot step back is required for any portion of the building over 3 stories.



A. Building Placement: based on underlying zone

B. First 3 stories, or 35 feet, whichever is less, allowed at building placement line.

C. Upper-floor step-back must be 30 feet from lot line.

- e. Supportive Non-Residential Uses including daycares, community rooms, and offices are permitted depending on the nature of the project, as determined by the Director:

(19) Emergency Shelters and Emergency Housing:

- a. See additional provisions in SMC 21.05.010.Z.
- b. No parking is required. If provided, it must meet the parking lot design standards in SMC 21.06.010.

(20) Co-Living Housing:

- a) Permitted on all lots allowing at least 6 dwelling units, including in mixed-use zones.
- b) For density calculations: 1 co-living sleeping unit = .25 dwelling units.

D. Attached dwellings and group residences—Building façade modulation

Apartment and townhouse developments and all group residences shall provide building facade modulation on facades exceeding 60 feet and facing abutting streets or properties zoned R-1 through R-4. The following standards shall apply:

1. The maximum wall length without modulation shall be 30 feet; and
2. The sum of the modulation depth and the modulation width shall be no less than eight feet. Neither the modulation depth nor the modulation width shall be less than two feet;
3. Any other technique approved by the director that achieves the intent of this section.

Y. Permanent Supportive and Transitional Housing Requirements

Permanent supportive housing (PSH) and transitional housing (TH) facilities are permitted uses in any zoning district allowing single-family dwelling subject to the following criteria:

1. Facilities are limited to the general capacity of the facility but in no case more than a maximum of 10 persons at any one time.
2. Must be a 24-hour-per-day facility, that is ADA-compliant, where rooms or units are assigned to specific residents for the duration of their stay and attached-unit buildings must have structure entrances with individual units only accessible through interior corridors.

3. On-site services such as laundry, hygiene, meals, case management, and social programs are limited to the assigned residents and shall not be available for drop in or other use by nonresidents.
4. No permanent supportive housing or transitional housing facility may be located within a mile of another property that contains a permanent supportive housing, transitional housing facility, emergency shelter, or emergency housing, calculated as a radius from the property lines of the site.
5. Permanent supportive and transitional housing facilities shall be located within one-half-mile walking distance of a bus transit stop.
6. Permanent supportive and transitional housing facility operators shall obtain a City of Sammamish business license.
7. Permanent supportive housing facility operators shall obtain a conditional use permit.
8. Prior to the start of operation for a permanent supportive housing or transitional housing facility, an occupancy agreement shall be submitted to the city meeting the following requirements. The city shall review and determine that the occupancy agreement meets the following requirements to the city's satisfaction before approving the occupancy agreement:
 - a. Property owners and/or facility operators shall use and enforce the occupancy agreement approved by the city.

- b. The occupancy agreement shall include but is not limited to the following:
 - i. Names and contact information for on-site staff. The facility operator shall notify the city of each staff change(s) within 72 hours.
 - ii. Description of the services to be provided on site.
 - iii. Description of the staffing plan including the following:
 - 1. Number, function, and general schedule of staff supporting residents and operations.
 - 2. Staff certification requirements.
 - 3. Staff training programs.
 - 4. Staff to resident ratios.
 - 5. Roles and responsibilities of all staff.
 - 6. The name and contact information for at least one organization member located off site.
 - iv. Rules and/or code of conduct describing resident expectations and consequences for failing to comply. At minimum, the code of conduct shall be consistent with state law prohibitions and restrictions concerning the following:
 - 1. Possession and use of illegal drugs on site.
 - 2. Threatening or unsafe behavior.
 - 3. Possession and use of weapons.
- v. A fire safety plan reviewed and approved by the Eastside Fire and Rescue confirming fire department access.
- vi. A safety and security plan reviewed and approved by the Sammamish police department including protocols for response to the facility and to facility residents throughout the city. The safety and security plan shall establish a maximum number of permitted Sammamish police department response calls to the facility. Any Sammamish police department call(s) to the facility exceeding the maximum threshold established in the safety and security plan shall be considered a violation of this subsection and the facility operator's Sammamish business license may be revoked.
- vii. A plan for avoiding potential impacts on nearby residences including a proposed mitigation approach (for example, a good neighbor agreement plan) that addresses items such as noise, smoking areas, parking, security procedures, and litter.
- viii. Description of eligibility for residency and resident referral process

Z. Emergency Shelters and Emergency Housing Requirements

Emergency shelters and emergency housing facilities are permitted uses in any zoning district allowing hotels subject to the following criteria:

1. Facilities are limited to the general capacity of the facility but in no case more than a maximum of 50 persons at any one time.
2. Facilities must be a 24-hour-per-day facility, that is ADA-compliant, where rooms or units are assigned to specific residents for the duration of their stay and attached-unit buildings must have structure entrances with individual units only accessible through interior corridors.
3. On-site services such as laundry, hygiene, meals, case management, and social programs are limited to the assigned residents and shall not be available for drop in or other use by nonresidents.
4. No emergency shelters and emergency housing facility may be located within one-half mile of another property that contains an emergency shelter, or emergency housing, calculated as a radius from the property lines of the site.
5. Facilities shall be located within one-half-mile walking distance of a bus transit stop.
6. Facility operators shall obtain a city of Sarmamish business license.
7. Facility operators shall obtain a conditional use permit.
8. Prior to the start of operation for an emergency shelter and emergency housing facility, an occupancy agreement shall be submitted to the city meeting the requirements.

established in SMC 21.05.010.Y.8. The city shall review and determine that the occupancy agreement meets the following requirements to the city's satisfaction before approving the occupancy agreement.

V. Regional land uses

Table of Regional Land Uses.

KEY: P Permitted Use C Conditional Use S Special Use X Prohibited Use

REGIONAL LAND USES						
SIC #	Zones	Residential		Neighborhood Business	Commercial	
		Urban Residential			Community Business	Office
SIC #	SPECIFIC LAND USE	R-1 TO R-8	R-12 TO R-18	NB	CB	O
*	Jail	S	S	S	S	S
*	Work release facility	S	S	S	S	S
*	Public agency training facility	X	X	X	S1	S1
*	Hydroelectric generation facility	C9, S	X	X	X	X
*	Non-hydroelectric generation facility	C8, S	C8, S	C8, S	C8, S	C8, S
*	Wireless communication facility	Refer to SDC 21.06.060G for wireless communication facility uses.				
*	Earth station	C4a, S	C4a, S	P4b, C	P	P
13	Oil and gas extraction	S	S	S	S	S
*	Energy resource recovery facility	S	S	S	S	S
*	Landfill	S	S	S	S	S
*	Organic material management facility	X	X	X	C	X
*	Transfer station	S	S	S	S	X
*	Waste treatment facility	S	S	S	S	S
*	Municipal water production	S	S	S	S	S
*	Airport / heliport	S	S	S	S	S
*	Transit bus base	S	S	S	S	S
*	School bus base	C, P3, S	C3, S	S	S	S
7948	Racetrack	S5	S5	S5	S	S5
*	Fairground	X	X	X	S	X
8422	Zoo / wildlife exhibit	S	S	X	S	X
7941	Stadium / arena	X	X	X	X	X
8221-8222	College / university	P6, C7, S	P6, C7, S	P6, C7, S	P	P

21.05.030 Temporary Uses

K. Temporary homeless encampment use permit

1. **Purpose.** The purpose of this section is to regulate homeless encampments within the city of Sammamish. The standards and requirements in this section are the minimum necessary to protect the public health and safety and do not substantially burden the decisions or actions of religious organizations regarding the location of housing or shelter for homeless persons on property owned by such religious organizations.
 2. **Definition.** Temporary homeless encampment means a temporary encampment, including tiny houses and safe parking areas, for homeless persons on property owned or controlled by a religious organization, whether within buildings located on the property or elsewhere on the property outside of buildings.
 3. **Neighborhood Meeting.** The applicant shall conduct a neighborhood meeting to inform nearby residents and the public about the proposed homeless encampment prior to submittal of an application.
 - a. The applicant must provide written notice of the meeting to the city or town legislative authority at least one week if possible but no later than ninety-six hours prior to the meeting. The notice must specify the time, place, and purpose of the meeting.
- b. The City must provide notice of the meeting by: (i) posting the notice on the City's website and (ii) prominently displaying the notice at the meeting site.
 - i. Prior to the neighborhood meeting, the applicant shall meet and confer with the following entities regarding the neighborhood meeting and any proposed security measures for the temporary homeless encampment: the Sammamish police department; the administration of any public or private elementary, middle, junior high, or high school; and the operators of any properly licensed child care service, within 500 feet of the boundaries of the proposed site, and unaffiliated with the sponsor.
 - ii. At the neighborhood meeting, the applicant shall present in writing and verbally the proposed temporary homeless encampment location, timing, site plan, code of conduct, encampment concerns, and a security management plan. The presentation shall also include copies of all previously submitted comments received on the proposed homeless encampment, including comments from the Sammamish police department, schools, and child care services. Copies of the agenda and the other specified comments and materials shall be provided by the

applicant at the meeting. The meeting shall be conducted on the proposed temporary homeless encampment site whenever feasible.

4. **Application.** A temporary homeless encampment is an allowed use only on property owned or controlled by a religious organization that is acting as either the host agency or the sponsoring agency, or both, for the temporary homeless encampment. An application for a temporary homeless encampment permit shall be submitted to the City on a form approved by the Director and accompanied by an application fee established by City Council.
 - a. An application for a temporary homeless encampment permit must be filed at least 30 days before the date on which the temporary homeless encampment is proposed to move onto the proposed location; provided, that the director may agree to a shorter period in the case of an emergency beyond the control of the applicant.
 - b. An application for a temporary homeless encampment permit shall be processed as a Type I temporary use permit under chapter SMC 21.09.
 - c. The applicant shall include a transportation plan in compliance with SMC 21.05.030.K.6.E.ii
 - d. The Director shall coordinate review of the temporary homeless encampment permit with appropriate city staff and with other appropriate public agencies, including, but not limited to, King County Department

of Public Health, and the Building Official. The Director may issue the temporary homeless encampment permit if the application demonstrates that:

- i. All of the criteria of SMC 21.05.030.K.6 are met; and
 - ii. The temporary homeless encampment will not be materially injurious to the public health, safety, and welfare or materially injurious to the property or improvements in the immediate vicinity.
5. **Warrant and Sex Offender Checks.** Managing agencies shall obtain warrant and sex offender checks from the King County sheriff's office ("warrant check") for all temporary homeless encampment adult residents. For temporary homeless encampment residents initially moving onto the site with the temporary homeless encampment, the warrant check must be completed at least seven days prior to the temporary homeless encampment moving onto the site. For residents moving into the homeless encampment during the permit period, the warrant check must be completed on or before the date that the new resident moves on site. If a warrant check reveals a homeless encampment resident or prospective resident is or is required to be a registered sex offender or has an active warrant, the managing agency or sponsor shall immediately contact and so advise the City or Sammamish police department. The applicant shall be responsible for verifying that the warrant checks occur.
 6. **Operational Requirements**

- a. Duration and Frequency.
 - i. No temporary homeless encampment shall operate within the City of Sammamish for more than four consecutive calendar months, or six months total during any calendar year, except that the Director may allow up to five additional days to accommodate moving onto or off a site.
 - ii. No temporary homeless encampment shall be located on a site that contained a homeless encampment within the last 3 calendar months. For the purposes of this subsection, the 3 months shall be calculated from the last day of the prior homeless encampment’s occupancy.
 - iii. No more than one homeless encampment within the City limits shall be allowed in any period of 365 consecutive days.
- b. Licenses and Approvals. All temporary homeless encampments shall obtain, prior to occupancy, all applicable City of Sammamish and other agency permits, licenses and approvals.
- c. Siting and Occupancy Requirements.
 - i. Temporary homeless encampments must be located a minimum of 20 feet from the property line of abutting properties, unless the director finds that a reduced buffer width will provide adequate separation between the

- parking area and adjoining uses due to changes in elevation, intervening buildings or other physical characteristics of the site.
- ii. Temporary homeless encampments must not be located within a critical area or its buffer as defined by SMC 21.03.020.
- iii. No more than one space may be devoted to safe parking per ten on-site parking spaces.
- iv. The maximum number of people allowed at one time in a temporary homeless encampment must not be greater than 100 people. In determining the maximum number of people allowed at each individual encampment, the Director must consider factors such as the size and location of the site, the surrounding land uses, and other contextual factors. The Director may reduce the number of people allowed at each site based on the characteristics of the population served and necessary services to be provided.
- d. Supportive Facility Requirements.
 - i. Restroom access must be provided either within buildings on the property or through the use of portable facilities.
 - ii. Proper waste disposal mechanisms and protocol must be followed if recreational vehicles are hosted.
- e. Parking, Transportation, and Security.

- i. Parking.
 - 1. Each lot occupied by a temporary homeless encampment must provide or have available a parking and vehicular maneuvering area.
 - 2. A temporary homeless encampment and the parking of any vehicles associated with a homeless encampment shall not displace the sponsor site's parking lot in such a way that the sponsor site no longer meets the minimum or required parking of the principal use as required by code or previous approvals unless an alternative parking plan has first been approved by the Director.
- ii. Transportation Plan.
 - 1. The transportation plan must demonstrate the ability for residents to obtain access to methods of communication and services such as grocery, supplies, and medical care.
 - 2. The transportation plan must provide for a means of transportation to an appropriate public transportation stop and include any proposed alternative means of transportation such as private or volunteer shuttle service and/or reasonable bicycle/pedestrian paths.
- b. Temporary tiny home villages must include the following safety measures for the tiny homes:
 - i. Each unit must not exceed 120 square-feet.
 - ii. Spacing between units must be a minimum of six feet.
 - iii. Each unit must have a working battery-powered smoke and carbon monoxide alarm and fire extinguisher.
 - iv. No fuel gas appliances or equipment, smoking, lighted candles, or other type of flames are allowed inside the tiny homes.
 - v. Lockable doors and windows.
 - vi. Electricity and heat, if provided, must be inspected by City Building Division.
 - vii. Space heaters, if provided, must be approved by Eastside Fire and Rescue.

Chapter 21.06. Development Standards

21.06.030 Development Standards —Parking and Circulation

OFF-STREET PARKING MINIMUMS	
Land Use	Minimum Parking Spaces Required
Residential	
Single detached	2.0 per DU
Apartment:	
Studio units	1.2 per DU
One bedroom units	1.5 per DU
Two bedroom units	1.7 per DU
Three bedroom units or larger	2.0 per DU
Mobile home park	2.0 per DU
Co-living housing	1 per 4 sleeping units
Senior assisted housing	1 per 4 dwellings or sleeping units
Dormitory	1 per 4 bedrooms
Hotel / motel, including organizational hotel / lodging	1 per bedroom
Bed and breakfast guesthouse	1 per guest room, plus 2 per facility
Exceptions:	
Middle Housing Overlay District	See MHO District Standards for parking
STEP Housing	No parking required
Affordable Housing Developments for 50% AMI and below	No parking required
Affordable Housing Developments for above 50% AMI to 100% AMI	1.0 per DU
Recreational / Cultural	

OFF-STREET PARKING MINIMUMS	
Land Use	Minimum Parking Spaces Required
Recreation / culture uses	1 per 300 square feet
Exceptions:	
Bowling center	5 per lane
Golf course	3 per hole, plus 1 per 300 square feet of clubhouse facilities
Tennis club	4 per tennis court, plus 1 per 300 square feet of clubhouse facility
Golf driving range	1 per tee
Park / playfield	(Director)
Theater	1 per 3 fixed seats
Conference center	1 per 3 fixed seats, plus 1 per 50 square feet used for assembly purposes without fixed seats, or 1 per bedroom, whichever results in the greater number of spaces
General Services	
General service uses	1 per 300 square feet
Exceptions:	
Funeral home / crematory	1 per 50 square feet of chapel area
Daycare I	2 per facility
Daycare II	2 per facility, plus 1 space for each 20 children
Churches, synagogue, temple	1 per 5 fixed seats, plus 1 per 50 square feet of gross floor area without fixed seats used for assembly purposes

3. No minimum parking required for transit-adjacent sites

- a) Single-Family, ADUs, and Middle Housing within 1/4 mile of an existing or planned transit stop.
- b) Co-Living, Dormitory, and Senior Assisted Housing within 1/4 mile of an existing or planned transit stop.

E. Attached dwellings and group residences—Vehicular access and parking location

- 1. On sites abutting an alley constructed to a width of at least 20 feet, apartment and middle housing development, STEP housing, and all group residences must have parking areas placed to the rear of buildings with primary vehicular access via the alley, except when waived by the director due to physical site limitations.

F. Exceptions for senior assisted housing

- 1. The minimum requirement of one off-street parking space per four senior assisted housing units or sleeping units may be reduced by up to 50 percent, as determined by the director based on the following considerations:
 - a. Availability of private, convenient transportation services to meet the needs of the residents;
 - b. Accessibility to and frequency of public transportation; and
 - c. Pedestrian access to health, medical, and shopping facilities.

- 2. If a senior assisted housing facility is no longer used for such purposes, additional off-street parking spaces shall be required in compliance with this chapter prior to the issuance of a new certificate of occupancy.

G. Parking for new lots created under SMC 21.02.060

All new residential lots, created pursuant to the provisions of SMC 21.02.060 and located within the R-4 and R-6 zones, shall provide one on-street parking space along the street frontage of each lot within the project's public or private streets. If, through demonstration of design alternatives considered by the applicant, on-street parking is proven infeasible, required parking may be permitted in alternative locations in the following order of preference: within a common shared space to be managed by the homeowners' association; or within the driveway that services each new lot. All new residential lots are also eligible for an off-street parking relief provided the parking study requirements are met in SMC 21.06.030.S.

M. Off-street parking plan design standards

- 1. Off-street parking areas shall not be located more than 600 feet from the building they are required to serve for all uses except those specified below; where the off-street parking areas do not abut the buildings they serve, the required maximum distance shall be measured from the nearest building entrance that the parking area serves:

- a. For all single detached dwellings the parking spaces shall be located on the same lot they are required to serve;
 - b. For all other residential dwellings at least a portion of off-street parking areas must be located within 150 feet from the building(s) they are required to serve. On-street parking stalls must be located within 600 feet from the building(s) they are required to serve;
 - c. For all nonresidential uses permitted in residential zones, at least a portion of off-street parking areas must be located within 150 feet from the nearest building entrance they are required to serve. On-street parking stalls must be located within 600 feet from the nearest building entrance they are required to serve;
 - d. In designated activity, community business, and neighborhood business centers, parking lots should be located to the rear or sides of buildings, when feasible;
 - e. Parking lots must be so arranged as to permit the internal circulation of vehicles between parking aisles without re-entering adjoining public streets; and
 - f. Parking for people with disabilities must be provided in accordance with SMC 21.06.030H.
2. The minimum parking space and aisle dimensions for the most common parking angles are shown on the chart below. For parking angles other than those shown on the chart, the minimum parking space and aisle dimensions must be

determined by the director. Regardless of the parking angle, one-way aisles ~~shall~~ must be at least 10 feet wide, and two-way aisles ~~shall~~ must be at least 20 feet wide. If dead-end aisles are used in the parking layout, they must be constructed as two-way aisles. Parking plans for angle parking shall use space widths no less than eight feet for a standard or compact car parking space design.

MINIMUM PARKING STALL AND AISLE DIMENSIONS

A PARKING ANGLE	B STALL WIDTH	C CURB LENGTH	D CURB DEPTH	E	
				AISLE ONE-WAY	AISLE TWO-WAY
0	8.0	20.0	8.0	12.0	20.0
30	8.0	16.0	15.0	10.0	20.0
45	8.0	11.5	17.0	12.0	20.0
60	8.0	9.6	18.0	18.0	20.0
90	8.0	8.0	16.0	24.0	24.0

8. Tandem or end-to-end parking is allowed in residential developments at a rate of one space for every 20 linear feet. Apartment and middle housing developments may have tandem parking areas for each dwelling unit but shall not combine parking for separate dwelling units in tandem parking areas.

9. All vehicle parking and storage for residential dwellings may be provided unenclosed on an approved surface in SMC 21.06.030.O. A garage or carport is not required. Any impervious surface used for vehicle parking or storage must have direct and unobstructed driveway access.

10. The total number of vehicles parked or stored outside of a building on a single-family lot in the R-4 through R-8 zones, excluding recreational vehicles and trailers, shall not exceed six vehicles on lots 12,500 square feet or less and eight vehicles on lots greater than 12,500 square feet.

O. Off-street parking construction standards

1. Off-street parking areas shall have dust-free, all-weather surfacing. Typical approved sections are illustrated below. Frequently used (at least five days a week) off-street parking areas shall conform to the standards shown in A below or an approved equivalent. If the parking area is to be used more than 30 days per year but less than five days a week, then the standards to be used shall conform to the standards shown in B below or an approved equivalent. An exception to these surfacing requirements may be made for gravel, grass

block pavers, or permeable pavement, when constructed to the design specifications in the Surface Water Design Manual and Low Impact Design standards in SMC 21.03.030. Any surface treatment other than these exceptions and those graphically illustrated below must be approved by the director.

2. Grading work for parking areas shall meet the requirements of SMC 21.03.070. Drainage and erosion/sedimentation control facilities shall be provided in accordance with Chapter 9.04 KCC as adopted by SMC 21.03.050.
3. Asphalt or concrete surfaced parking areas shall have parking spaces marked by surface paint lines or suitable substitute traffic marking material in accordance with the Washington State Department of Transportation Standards. Wheel stops are required where a parked vehicle would encroach on adjacent property, pedestrian access or circulation areas, right-of-way or landscaped areas. Typically approved markings and wheel stop locations are illustrated below.

S. Off-street parking relief with parking study

A parking study, subject to review by a qualified professional, is required for any off-street parking reduction. The criteria below must be met for on-street parking to count toward minimum off-street parking requirements.

1. Sufficient availability of legal on-street parking stalls within 600 feet of the subject project between the hours of 6pm and 4am on two consecutive weekdays excluding Monday and Friday.
2. If off-street parking would otherwise result in non-compliance with tree retention standards in SMC 21.03.060.

Chapter 21.07. Town Center

21.07.100 Affordable Housing

F. Definitions

1. **Affordable Housing:** “Affordable housing” and “affordable unit” mean a dwelling unit(s) reserved for occupancy by eligible households and having monthly housing expenses to the occupant no greater than 30 percent of a given monthly household income, adjusted for household size, as follows:

- v. Low Income. Eighty percent of the area median income.
- vi. Very Low Income. Fifty percent of area median income.
- vii. Extremely Low Income. Thirty percent of the area median income.
- viii. Pursuant to the authority of RCW 36.70A.540, the city finds that the higher income levels specified in the definition of “affordable housing” in this chapter, rather than those stated in the definition of “low-income households” in RCW 36.70A.540, are needed to address local housing market conditions in the city.

2. **Area Median income.** The area median income for the Seattle-Bellevue WA Metro Fair Market Rent (FMR) Area as most recently determined by the Housing and Urban Development (HUD). In the event that HUD no longer publishes area median income figures for the Seattle- Bellevue FMR Area or King County, the City may use any other method for determining the median income.

Chapter 21.09. Administration

21.09.050 Commercial Site Development Permits

B. Applicability

1. An application for commercial site development permit may be submitted for commercial development projects on sites consisting of one or more contiguous lots legally created and zoned to permit the proposed uses.
 - a. A commercial site development permit is separate from and does not replace other required permits such as conditional use permits or shoreline substantial development permits. A commercial site development permit may be combined and reviewed concurrently with other permits.
 - b. Prior to the issuance of a building permit, all applications for apartment, townhouse, commercial, or office projects must apply for and receive a commercial site development permit. In the event of any question, the City manager or his or her designee shall be responsible for determining the applicability of a commercial site development permit, and how the commercial site development permit shall be processed in conjunction with other applicable permits.
 - c. If any of the following scenarios apply to a multifamily, commercial or office proposal, then the applicant must apply for and obtain a CSDP first, prior to issuance of any other permit. In the event of any question, the City

manager or his/her designee shall be responsible for determining the applicability of a CSDP.

- i. If four or more residential units will be located on a single parent parcel. This includes individual single-family dwelling units, townhouse units, apartment units or a combination of dwelling types. Note: Accessory dwelling units are not counted as a residential unit for purposes of this calculation.

E. Approval

1. The director may approve, deny, or approve with conditions an application for a commercial site development. The decision shall be based on the following factors:
 - a. Conformity with adopted City and state rules and regulations in effect on the date the complete application was filed, including but not limited to those listed in SMC 21.09.050D.
 - b. Consideration of the recommendations or comments of parties of record and those agencies or departments having pertinent expertise or jurisdiction, consistent with the requirements of this Title.
2. Subsequent permits for the subject site shall be issued only in compliance with the approved commercial site development permit. Additional site development conditions and site review will not be required for subsequent permits provided the approved plan is not altered.

21.09.100 Decision Criteria

G. Quasi-Judicial Rezoning

1. Applicability

The City's future land use map (FLUM) includes a variety of land use designations, each of which allow one or more implementing zoning districts. A property owner, or their representative, may request rezoning to a higher intensity zone within the zoning hierarchy that is allowed in the current Future Land Use category for their property - subject to the criteria below. This specific type of rezoning is a Type 3 action by the Hearing Examiner and is considered a quasi-judicial rezoning. Areawide rezones are subject to the requirements specified in SMC 24A.10.010.3.

2. Criteria

A quasi-judicial rezoning pursuant to this section may only be approved if the following criteria are demonstrated:

1. The requested rezone is the next highest intensity zone in the zoning hierarchy that is allowed in the current Future Land Use category for the subject property.
2. The subject property abuts a parcel in a higher intensity zone in the zoning hierarchy as allowed in the current future land use designation or equivalent for an adjoining jurisdiction, for their property. As used herein, the term 'abuts' includes properties separated by rights-of-way, private streets, or access tracts.
3. The subject property is not encumbered by a wetland, stream, landslide hazard areas, or their associated

buffers as established in SMC 21.03.020 by more than 50% and has a buildable area equal to the standard minimum lot size in the zone which is requested as provide in the table below.

Zoning District	Standard Lot Size
R-1	43,560
R-4	10,890
R-6	7,260
R-8	5,445

4. The subject parcel has sufficient water and sewer capacity available for development allowed under the proposed zoning district as demonstrated by service levels specified in water and sewer plans.

Chapter 21. 10. Mandatory Affordable Housing Program

21.10.010 Purpose

The incentives and regulations offered in this chapter are intended to be used by the City as one means of meeting its commitment to encourage housing affordable to all economic groups, and to meet its regional share of affordable housing requirements. The purpose of this chapter is to:

1. Help achieve comprehensive plan goals of affordable housing,
2. Help address the shortage of housing in the City for persons of low- and moderate-income,
3. Preserve and create opportunities for affordable housing as the City continues to grow,
4. Promote development of housing that would not otherwise be built in the City,
5. Create affordable housing opportunities as a result of increased development capacity across Sammamish neighborhoods,
6. Offer additional incentives to encourage construction of affordable housing units across Sammamish; and
7. Encourage developments that include affordable housing and that combine local incentives provided by the City with resources available from other public and private sources.

21.10.020 Applicability

This chapter applies to:

1. All new residential projects located in R-1, R-4, R-6, R-8, MHO-1, MHO-2, and MHO-3 zones.
2. Within the Town Center pursuant to SMC 21.07.100.

21.10.025 Definitions

The following definitions shall apply to the administration of this chapter. In addition, except as otherwise provided in this section, those definitions set forth in SMC chapter 21.04 are adopted and incorporated into this section by reference.

- A. "Bonus Market-Rate Unit" means an additional dwelling unit beyond the density limitations of a particular lot in exchange for an affordable housing unit or other public benefit determined by the City.
- B. "Eligible household" means one or more adults and their dependents who certify that their annual household income does not exceed the applicable percent of the area median income, adjusted for household size, and who certify that they meet all qualifications for eligibility, including any requirements for recertification on income eligibility.
- C. "Housing expense" means, in the case of renter-occupied housing, rent, tenant-paid utilities, one parking space, and other tenant expenses required for the dwelling unit; and in the case of owner-occupied housing, mortgage, mortgage insurance, property taxes, property insurance, and homeowner's dues.

21.10.030 General Requirements

1. At least 10 percent of the units in new housing developments in the areas specified in SMC 21.10.020 must be affordable to households earning up to 80 percent AMI, adjusted for household size.
2. Each 50 percent AMI affordable housing unit provided counts as two 80 percent AMI affordable housing units for the purpose of satisfying the requirement under SMC 21.10.030(1).
3. The number of required affordable housing units is determined by rounding fractional numbers up to the nearest whole number from 0.5.
4. If applicable, any bonus market-rate units shall not be included in the total number of the housing units when determining the number of required affordable housing units.
5. Measurement in square feet of floor area of all affordable units shall be defined by the net floor area within the unit.

21.10.050 Implementation Requirements

The following requirements must be met for all affordable housing units created through this chapter:

1. Affordable housing units that are provided under this section must remain as affordable housing for a minimum of 50 years from the date of initial owner occupancy for ownership affordable housing units and for the life of the project for rental affordable housing units. At the sole discretion of the Director, a shorter affordability time period, not to be less

than 30 years, may be approved by the City for ownership affordable housing units, in order to meet federal financial underwriting guidelines. The property owner and City shall sign an Affordability Agreement pursuant to SMC 21.10.070 reflecting the requirements of this chapter.

2. Prior to the issuance of any permit(s), the Director shall review and approve the location and unit mix of the affordable housing units consistent with the following standards:
 - a. The location of the affordable housing units must be approved by the Director, with the intent that they generally be interspersed with all other dwelling units in the development.
 - b. The tenure (ownership or rental) of the affordable housing units must be the same as the tenure for the rest of the housing units in the development.
 - c. The affordable housing units must contain a mix of number of bedrooms that is generally proportionate to the bedroom mix of units in the overall development.
 - d. The affordable housing units must consist of a mix of housing structure types that is generally proportionate to the mix of housing structure types in the overall development. However, the Director has the discretion to approve proposals for the use of cottages, duplexes, triplexes, and other housing structure types, to meet the requirements of this section.

- e. The size of the affordable housing units must be provided in a range of sizes comparable to those units that are available to other residents. Affordable housing units that are smaller than the other units with the same number of bedrooms in the development must be approved by the Director. In no case may the affordable housing units be more than 10 percent smaller than the comparable dwelling units in the development.
 - f. The exterior materials and design of the affordable housing units must be comparable with the other dwelling units in the development, with similarity in building finishes, rooflines and landscaping. The interior finish, durability, and quality of construction of the affordable housing units must at a minimum be comparable to entry level rental or ownership housing in the City.
 - g. The affordable housing units must include water and energy saving fixtures and support potential electrification hook-ups if the other dwelling units in the development contain those fixtures and potential hook ups.
3. Construction of the affordable housing units must be delivered as the same time as the construction of market-rate dwelling units unless the requirements of this section are met through SMC 21.10.060. This is measured at the time of final inspection and occupancy. The City may withhold

occupancy of market-rate units if affordable units are not delivered consistent with this section.

- 4. Fractional numbers of required affordable housing units may be satisfied through cash payments in lieu of providing a full on-site affordable housing unit; provided that developments retain the option to satisfy this fractional number of required affordable housing units by providing a full onsite affordable housing unit.

21.10.060 Alternative Compliance

- 1. While it is the City's priority to provide affordable housing on the site of the lot generating the affordable housing requirement, the Director may approve a request for satisfying the affordable housing requirements with alternative compliance methods proposed by the applicant, if they meet the intent of this section.
- 2. One or more of the following alternatives may be proposed by the applicant provided they can demonstrate that any alternative is more economically viable than providing affordable housing on-site. Housing units provided through an alternative compliance method must be based on providing the same type and tenure of units as the units in the project that give rise to the requirement.
 - a. **Off-site construction of affordable housing units may be provided** if the location chosen does not lead to undue concentration of affordable housing in any particular area of the City. Preference will be given to sites in within a 1/4 mile of the project area.

- b. **Cash payments in lieu** of constructing affordable housing units may be provided and will be used only for the subsequent provision of affordable housing units by the City or other housing provider approved by the Director.
 - i. The cash payment amount is specified in the City's development fee schedule.
 - ii. The payment obligation will be calculated prior to the issuance of building permits, or if a land division is proposed, then prior to the issuance of the preliminary plat approval for the project.
 - iii. The payment obligation is due upon sale of the subject parcel or occupancy, which ever occurs first.
 - c. **Land dedication** in lieu of constructing affordable housing units may be provided where the City is actively negotiating a development agreement with the applicant of the subject parcel for the construction of affordable housing unit(s) development.
3. **Timing.**
- a. Excluding the alternative compliance for land dedication (SMC 21.10.060.2(C)), application for and approval by the Director for alternative compliance must be granted prior to issuing a building permit for the project, unless otherwise permitted by the Director.

- b. Application for off-site alternative compliance must document the timing that off-site affordable housing units will be made available within six months of delivery of the last market-rate unit within the development, and provide assurances to ensure completion of the off-site affordable housing units. The intent is for affordable housing units to be provided before or at the same time as the on-site market rate housing.
- c. Timing of land dedication proposals must follow the requirements of the development agreement and must be adopted by the City Council prior to the issuance of any of market-rate building permits for the parcel generating the affordable housing requirement.

21.10.065 In-Lieu Fees

The following requirements apply to the collection and use of the cash payments received pursuant to SMC 21.10.050.4 or the SMC 21.10.060.2.b.:

- 1. **Deposit of Fees.** All in-lieu fees collected hereunder shall be deposited in a housing trust fund. The fund shall be administered by the City and shall be used only for the purpose of providing funding assistance for the provision of affordable housing units and the reasonable costs of administration consistent with the policies and programs contained in the housing element of the comprehensive plan.

2. Use of Fees. The location of affordable housing funded wholly or in part with the in-lieu fees must be supported by a policy maintained by the City Council. Exact use of fees will be adopted in the City fee resolution.

21.10.070 Affordability Agreement

Prior to issuing any building permit, an agreement in a form approved by the director that addresses price restrictions, homebuyer or tenant qualifications, phasing of construction, marketing, monitoring of affordability, duration of affordability, and any other applicable topics of the affordable housing units shall be recorded with the King County department of records and elections. This agreement shall be a covenant running with the land and shall be binding on the assigns, heirs and successors of the applicant. The City may agree, at its sole discretion, to subordinate any affordable housing regulatory agreement for the purpose of enabling the owner to obtain financing for development of the property.

21.10.080 Monitoring and Fee

The City reserves the right to establish in the affordability agreement authorized pursuant SMC 21.10.070, monitoring fees to recover the City's administrative cost of monitor and enforcing compliance with the affordability agreement t, which can be adjusted over time to account for inflation. The purpose of any monitoring fee is for the review and processing of documents to

maintain compliance with income and affordability restrictions of the affordability agreement.

21.10.090 Administrative Official

The Director shall be responsible for administration and enforcement of this chapter and is authorized to adopt administrative procedures, policies, rules, or guidance for implementation of this section, and prepare forms and applications necessary to carry out the purposes of this chapter.

21.10.100 Supplemental Requirements

A. Residential Zones and Middle Housing Overlays

1. Requirements in this subsection apply to all new development in R-1, R-4, R-6, and R-8, MHO-1, MHO-2, and MHO-3 zones.
2. At least 10 percent of units in new development projects must be affordable to households earning up to 80 percent AMI, adjusted for household size.
3. **Rounding.** Fractional numbers of required affordable housing units will not be rounded and the associated affordability requirement must be satisfied through cash payments in lieu of providing a full on-site affordable housing unit. Developments retain the option to satisfy this fractional number of required affordable housing units with a full on-site affordable housing unit.
 - a. The payment in lieu amount must be based on the price per square-foot established in the City's Development Fee Schedule.
 - b. The square-footage used to calculate the payment in lieu must be equal to the average net floor area of all dwelling units to be constructed on site of the subject project.
4. **Exemptions.** The following are exempt from the unit count when calculating affordability requirements for projects of 10 units or less:
 - a. Units with a gross floor area of 1,000 square-feet or less, including ADUs
 - b. Units resulting from internal subdivision of existing structures.
 - c. Garage conversions
 - d. Bonus units generated from affordability, existing homes, or transit proximity specified in SMC 21.04.030D.