

**FIRCREST CITY COUNCIL/PLANNING COMMISSION
SPECIAL MEETING AGENDA**

**TUESDAY, FEBRUARY 1, 2022
6:00 P.M.**

**COUNCIL CHAMBERS
FIRCREST CITY HALL, 115 RAMSDELL STREET**

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Introductions
5. [Through-lots Discussion](#)
6. [Community Engagement Discussion](#)
7. [Housing Affordability Discussion](#)
8. Adjournment

Join the Zoom:

Dial: 1 253 215 8782

Webinar ID: 878 7192 3615

Passcode: 760317

FIRCREST CITY COUNCIL & PLANNING COMMISSION AGENDA SUMMARY

NEW BUSINESS: **Proposed Amendments to Accessory Building Setbacks for Through-Lots**
ITEM: 5

FROM: **Jayne Westman, Administrative Services Director**

HOW DID WE GET HERE? The City was asked by a resident to re-examine FMC 22.58.003, Accessory Buildings as it relates to setbacks for through-lots. The current code mandates a 20- or 25-foot rear yard setback for through-lots versus the standard five-foot rear setback that applies to most of the properties in the City.

These through-lot properties are not allowed to fully use their rear yards as other properties in Fircrest. Since the restriction is due to a code standard and not a uniqueness to the property, they would not qualify for a variance. Most rear yards are along Alameda Avenue, Claremont Street, and 67th Avenue.

- March 2, 2021, Planning Commission was presented with a possible Code issue that does not allow some homeowners to make full use of their yards. At which time the Planning Commission added the item to the work plan
- April 6, 2021, The Planning Commission conducted a study session.
- May 4, 2021, The first Planning Commission public hearing. No public comments were received.
- May 17, 2021, the City Council Study Session staff updated the Council on the proposed code amendments. The Council asked staff to conduct more community outreach and hold another Planning Commission public hearing once more outreach is completed,
- July 6, 2021, The second Planning Commission Public hearing was held. No comments were received.
- September 28, 2021, the City Council held a public hearing on the proposed code amendments. Council directed staff to bring the item to a study session.
- October 18, 2021, the City Council held a study session where it was decided to move the item to the Joint meeting in February.

WHAT ARE ACCESSORY BUILDINGS? Accessory buildings, per FMC 22.98.009, are defined as “Accessory building or structure” means a building or structure, attached, or detached from a principal building located on the same lot, the use of which is incidental, related, and clearly subordinate to the principal use of the land or building. Except for an accessory dwelling unit, an accessory building or structure is used by the occupants of the principal building. In simple terms, accessory buildings are “One or more detached accessory buildings, including, but not limited to, garages, carports, garden sheds, greenhouses, and other similar structures.” (FMC 22.58.003) Accessory dwelling units are also considered accessory buildings.

WHAT HAS BEEN PROPOSED? The proposed code amendments would amend the exceptions section of FMC 22.58.003(b) Accessory Buildings Exceptions by allowing a reduction in through-lot rear setbacks with an administrative use permit(AUP). This would provide an option to property owners of through-lots to reduce the setback, but also requires higher design standards and outreach to the adjacent neighbors so any potential impacts can be addressed before approval.

WHAT ARE ADMINISTRATIVE USE PERMITS? Administrative Use Permits (AUPs) are Type II-A applications as defined in FMC 22.05.003 & 22.70. The purpose of AUPs is to establish decision criteria and procedures for projects that, due to their unique qualities, may require additional regulation or other special degrees of control. An administrative review process is required to ensure that the activity, if established, will be in full compliance with applicable regulations and that such uses are compatible with the comprehensive plan, adjacent uses, and the character of the vicinity. AUPs are approved at the Staff level, and it is the staff's responsibility to determine if the project meets the criteria for approval. There are six criteria that Staff considers before approval:

- (1) The building and its use will not significantly impact adjoining properties.
- (2) The architecture will incorporate exterior finish materials and design elements consistent with, or superior to, that of the principal residential structure on the property.
- (3) The building will fit the character of the neighborhood.
- (4) The architecture complies with the city's design guidelines.
- (5) The building footprint will not exceed 800 square feet, and the building height will not exceed 21 feet at the top of ridge or 12 feet at the top of wall: and
- (6) The combined building footprints of existing and proposed accessory buildings on the same lot will not exceed 1,000 square feet.

ADVANTAGE: The proposed code amendments would give homeowners of through lots an avenue to ask for an exemption to the rear setback requirement. Approval of the AUP would allow homeowners of through-lots to utilize more of their rear yards.

DISADVANTAGES: There would be the potential for greater visual impacts as the code could allow up to an 800-sf accessory building with a 12-foot-high wall and a 21-foot ridge top to be placed within 5 feet of the property line. There could also be parking impacts IF the Accessory building is an ADU AND the owner parks on the street to access the ADU.

ALTERNATIVES: The City Council could choose to not explore the through-lots exemption and direct staff to not spend more time on the issue.

ATTACHMENTS: [Proposed code amendment](#)
[Through-lots analysis](#)

Recommended Amendments

22.58.003 Accessory buildings.

(a) One or more detached accessory buildings, including, but not limited to, garages, carports, garden sheds, greenhouses and other similar structures, may be constructed on a parcel containing a principal residential structure, subject to the following standards:

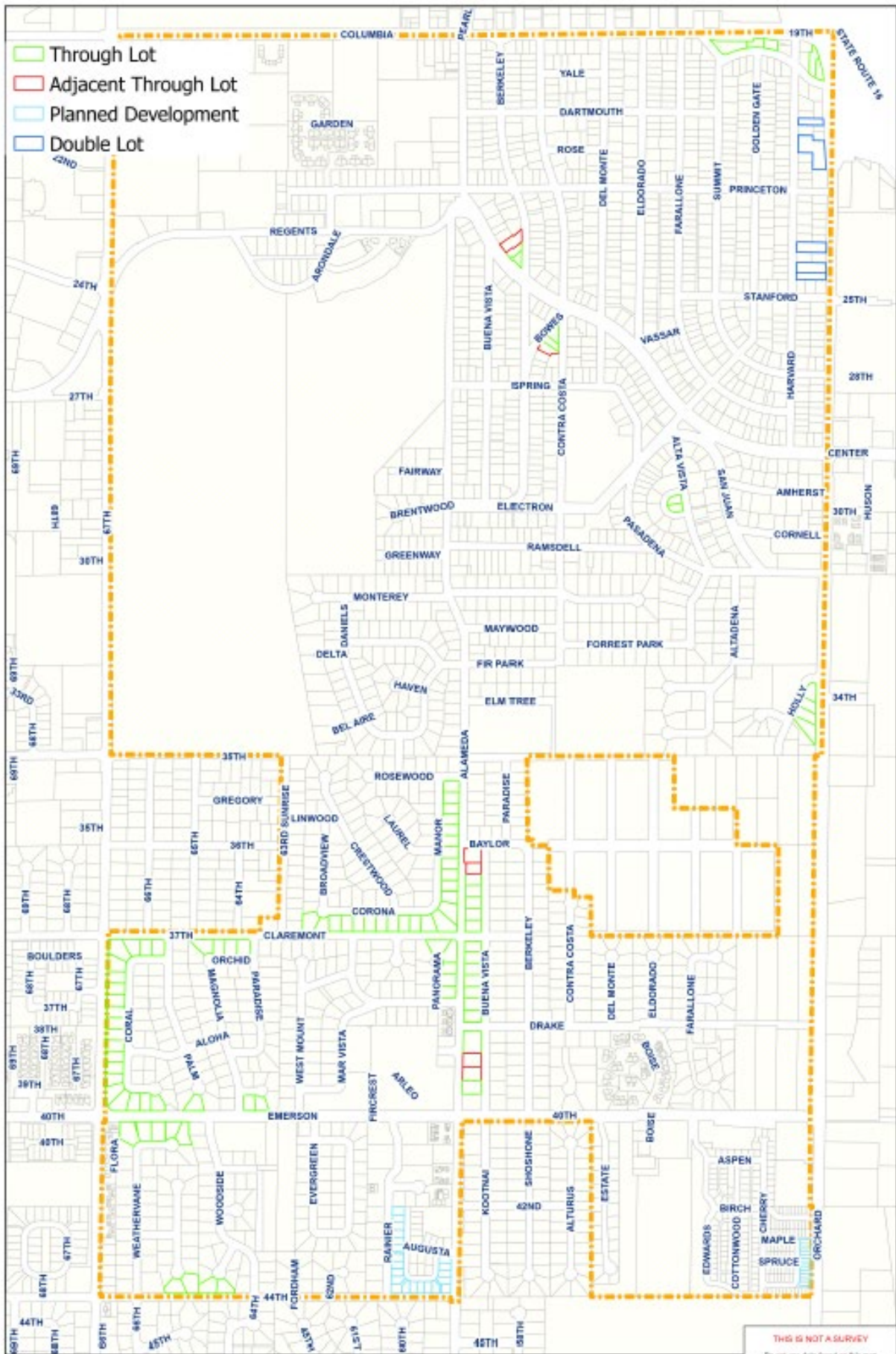
Maximum building footprint area	600 sf.
Maximum lot coverage	10% of the lot area or 1,000 sf, whichever is less, for all accessory buildings combined on a single lot.
Maximum building height	18 feet at top of ridge and 10 feet at top of wall.
Minimum front yard setback	Same as specified for principal residential structure.
Minimum interior side yard setback	5 feet.
Minimum side street side yard setback on a corner lot	Same as specified for principal residential structure if building permit required, otherwise 5 feet.
Minimum rear yard setback	5 feet.
Minimum setback from "rear" lot line of a "through lot"	Same as specified for required front yard for principal residential structure if building permit required, otherwise 5 feet.
Minimum setback from alley	5 feet. Vehicle access points from garages, carports or fenced parking areas shall be set back from the alley property line to provide a straight-line separation of at least 22 feet from the access point to the opposite property line of the alley. No portion of the garage or the door in motion may cross the property line abutting the alley.
Minimum separation from principal residential structure	5 feet. Note: the building code may require additional separation based on construction design.
<i>Calculations resulting in a fraction shall be rounded to the nearest whole number with .50 being rounded up.</i>	

(b) Exceptions ~~to Building Footprint Area, Height and Lot Coverage Limits~~. The director may grant an administrative use permit for a building that exceeds the building footprint, height, or lot coverage standards, or reduces the rear setback of a through lot listed in subsection (a) of this section if it finds that:

- (1) The building and its use will not significantly impact adjoining properties;
- (2) The architecture will incorporate exterior finish materials and design elements consistent with, or superior to, that of the principal residential structure on the property;
- (3) The building will fit the character of the neighborhood;
- (4) The architecture complies with the city's design guidelines;
- (5) The building footprint will not exceed 800 square feet, and the building height will not exceed 21 feet at the top of ridge or 12 feet at the top of wall; and
- (6) The combined building footprints of existing and proposed accessory buildings on the same lot will not exceed 1,000 square feet.

(7) The building will maintain a minimum setback of 5 feet and not encroach into a clear vision triangle. If the building is in a rear yard of a through lot that is adjacent to a front yard, it shall maintain a minimum of a 15-foot setback.

(c) Determination of Attached Versus Detached Status for Garages. A garage that is connected to a principal residential structure by an architecturally integrated, covered breezeway is classified as an attached garage if the separation between the parallel walls of the garage and principal structure does not exceed eight feet. For purposes of determining allowable setbacks, height and lot coverage, an attached garage is treated as if it were part of the principal structure. If the separation between the parallel walls of a garage and principal structure exceeds eight feet, the garage is classified as a detached building subject to the accessory building standards listed in this section.



Through-lot Analysis

THIS IS NOT A SURVEY
 Do not use data found on this map.
 The City of Fircrest assumes no liability
 for variations as recorded by actual survey.
 For informational use only.
 Map produced: 4/9/2021

FIRCREST CITY COUNCIL & PLANNING COMMISSION AGENDA SUMMARY

NEW BUSINESS: **Community Engagement Discussion**

ITEM: 6

FROM: **Jayne Westman, Administrative Services Director**

HOW DID WE GET HERE? The Planning Commission would like to explore ways to better understand the community they represent.

Some ideas that were discussed were:

- Open house sessions regarding a specific topic
- Meet & greets
- Door knocking
- Community meetings in the park

There are advantages and disadvantages to the ideas.

ADVANTAGES: Gaining a better understanding of what community members want Fircrest to be and look like in the future. It would provide a way for the public to better understand the relationship between the Council and the Commission. Lastly, it may help the public better understand the processes that take place to change our municipal code and regulations that affect the City.

DISADVANTAGES: Depending on the course of action, staff time can be impacted. It may be difficult to interpret the many opinions and ideas that result from a meeting. Another disadvantage may be that if only like-minded people attend, it could skew the results.

Due to COVID, community engagement looks different these days. The 2019 Charettes with Kaizer Rangwala may be difficult to host indoors. The Commission is looking for ways to engage community members and is hoping to have a discussion with the Council about what that may look like.

FIRCREST CITY COUNCIL & PLANNING COMMISSION AGENDA SUMMARY

NEW BUSINESS: **Housing Affordability Discussion**

ITEM: 7

FROM: **Jayne Westman, Administrative Services Director**

HOW DID WE GET HERE? The Planning Commission recognizes that Housing Affordability is a massive issue that cannot be solved in one two-hour meeting. The Commission would like to host a brainstorming session with the Council. The leading question was **What can we do locally to support housing affordability in the City of Fircrest?**

Here are some broad ideas that were thrown out:

- Reducing permit requirements for detached ADUs?
- Streamlining permit fees?
- Upzone certain areas of the city that are currently residential?
- Preapproved plans for ADUs that meet our design and building standards?

As members of SSHAP and PSRC, we have the resources to dive deeper into how would a certain policy change support housing affordability for the City of Fircrest. Before we invest much time in digging through data and processes, the Commission would like to get a temperature check from the Council. The goal is to keep the conversation brief and concise.