

# CITY OF FIRCREST

City Council Study Session

## **MIDDLE HOUSING POLICY AND CODE UPDATE PROJECT (HB 1110) AND ACCESSORY DWELLING UNITS (HB 1337)**

May 19, 2025



# Briefing Overview

- Legislation Overview
- Community Engagement
- Amendment Process and Code Revisions



# Goals

- To provide the City Council with information on the City's requirements to plan under HB 1110 and HB 1337.
- To discuss the project's findings and proposed amendments to inform a Planning Commission decision on a recommendation to City Council.



# Legislation Overview

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# House Bill 1110 (Middle Housing)

- Passed by legislature in 2023
- Requires the City of Fircrest to adopt housing policies and implementing regulations to allow middle housing in residential zones.
- Must be completed by June 30, 2025, or model code will apply.
- Requirements modified by city population.
- HB 2321 (2024) modified some Tier 3 jurisdiction requirements.

CERTIFICATION OF ENROLLMENT	
ENGROSSED SECOND SUBSTITUTE HOUSE BILL 1110	
Chapter 332, Laws of 2023	
68th Legislature 2023 Regular Session	
GROWTH MANAGEMENT ACT—MINIMUM DEVELOPMENT DENSITIES IN RESIDENTIAL ZONES	
EFFECTIVE DATE: July 23, 2023	
Passed by the House April 18, 2023 Yeas 79 Nays 18	CERTIFICATE
_____ LAURIE JINKINS Speaker of the House of Representatives	I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is ENGROSSED SECOND SUBSTITUTE HOUSE BILL 1110 as passed by the House of Representatives and the Senate on the dates hereon set forth.
Passed by the Senate April 11, 2023 Yeas 35 Nays 14	_____ BERNARD DEAN Chief Clerk
_____ DENNY HECK President of the Senate Approved May 8, 2023 1:11 PM	FILED May 10, 2023
_____ JAY INSLEE Governor of the State of Washington	_____ Secretary of State State of Washington





# House Bill 1337 (ADUs)

- Passed by legislature in 2023.
- Requires jurisdictions to:
  - Allow two ADUs per residential lot.
  - May not require owner occupancy or prohibit sale as independent units.
  - May not charge more than 50% of impact fees for principal unit.
  - Must set consistent parking requirements based on distance from transit and lot size.
- Must be completed by June 30, 2025, or model code will apply.



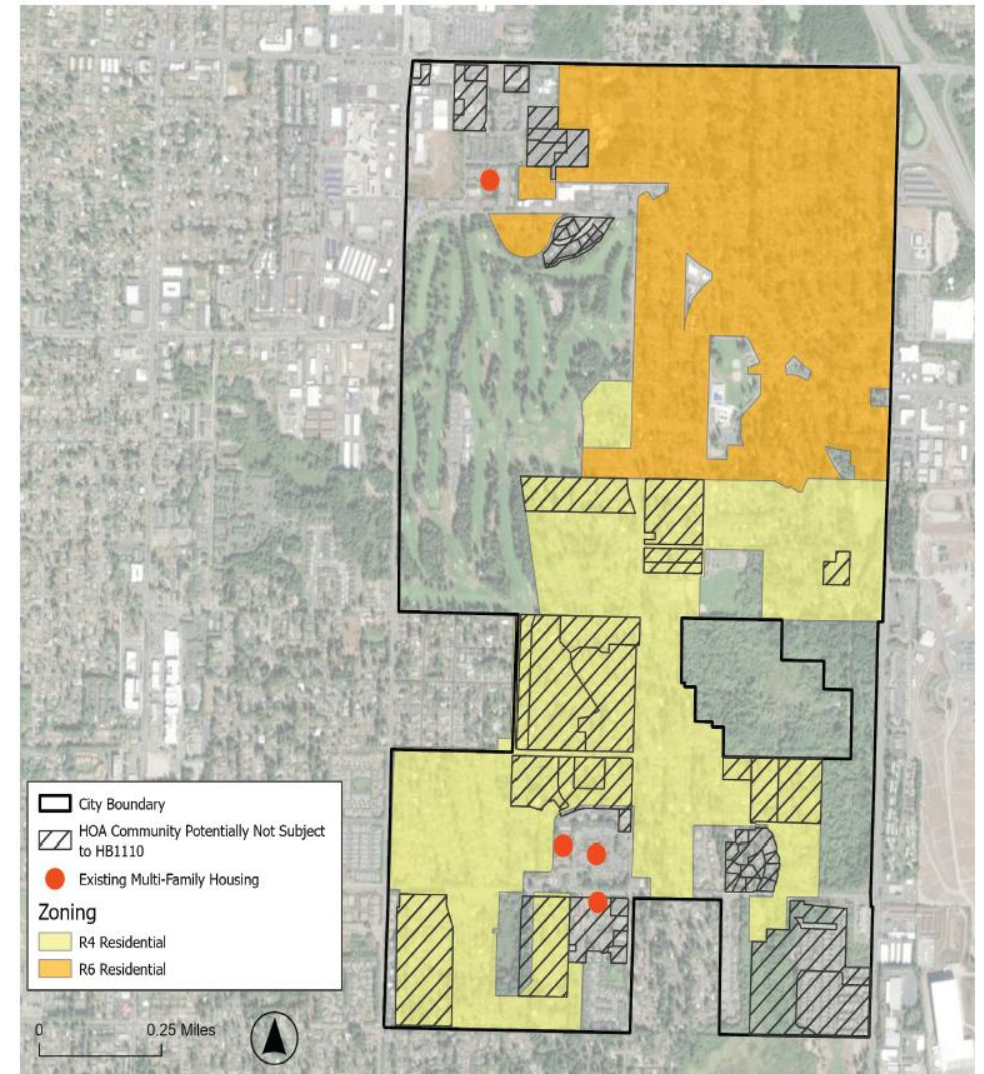
# Relationship Between Housing Bills

- Early discussions across the region on how middle housing (HB 1110) and ADU (HB 1337) requirements interact with each other
- If the density requirements per HB 1110 have been met, a city would **not be required** to allow the ADUs.
- For example, if a lot has two units on it, like a duplex, the city would not be required to allow an ADU, **as the density requirement would be satisfied.**



# High Level Applicability

- Applies to R-4 and R-6 zones (61% of residentially designated areas within the City).
- Must allow four housing types: duplexes, stacked flats, cottage housing, and courtyard apartments.
- Standards cannot be more restrictive than for single-family housing.
- Design review must be administrative.
- Limits parking requirements.





# Bill Requirements Overview

- 2023 City of Fircrest population estimate – 7,235. (WA OFM)
- Allowing these four middle housing types does not mean they will be able to be permitted everywhere.
- “Units per lot” standard changes how density is calculated.

Requirements	Tier 3 – under 25,000 population
Middle Housing Types	Must allow four housing types: duplexes, stacked flats, cottage housing, and courtyard apartments
Base Unit Density	2 units per lot
Increased Unit Density	No additional density increase



# Four Middle Housing Types



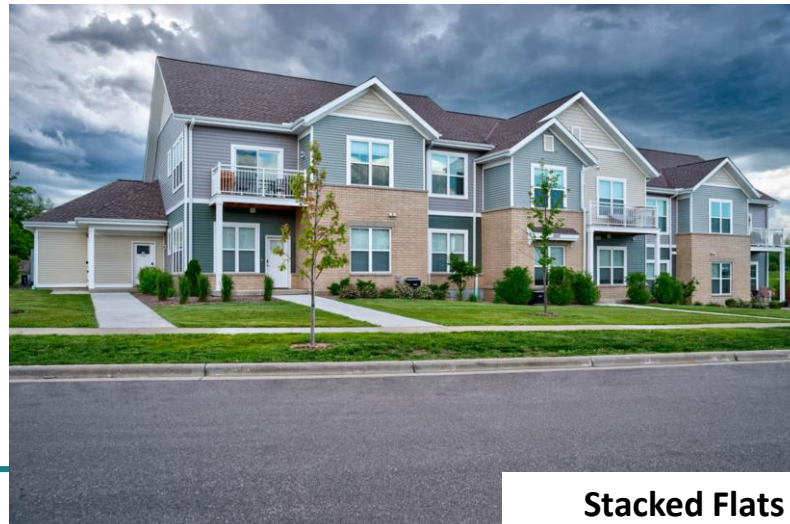
**Duplex**



**Courtyard Apartments**



**Cottages**



**Stacked Flats**



# Community Engagement

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# Engagement Events and Response

## Events and engagement means included:

- Project Website
- Fircrest Fun Days
- Middle Housing Open House
- Community Input Survey
  - Online
  - Postcard (two distributions)

MEETINGS AND AGENDAS

City Council

June 17, 2024 Study Session – Middle Housing Presentation by Kimley-Horn & Associates

March 26, 2024 Regular Meeting – Resolution: Middle Housing Consultant Agreement (Item 13.A)

February 20, 2024 Study Session – 2023 Housing Legislative Updates (Item 6)

January 9, 2024 Regular Meeting – Resolution: Approval of Department of Commerce Missing Middle Housing Grant Agreement (Item 13.C)

**Middle housing** is housing that falls between single-family houses and larger apartment buildings.



**Single-family housing**

- Larger units
- Low density
- More expensive to build on a per-unit basis



**MIDDLE HOUSING**



**Multifamily housing**

- Smaller units
- High density
- Less expensive to build on a per-unit basis





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**Response:** Throughout the engagement process, the community voiced concern over the ability of infrastructure to support middle housing as well as the desire to retain the City's residential character.





# Amendment Process

1. Code Analysis
2. Municipal Code Title 22 Amendments
3. Comprehensive Plan Consistency



# 1. Code Analysis

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# HB 1110 & 1337 Code Review

- Checked Fircrest's Municipal Code (FMC) against the Revised Code of Washington (RCW) for inconsistencies
- Areas of inconsistency resulted in amendments to the code to provide conformance
- Following amended changes, the updated code was checked against the requirements of HB 1110 and HB 1337 and submitted to the Department of Commerce for Review
- The proposed Development Regulation amendments represent the **minimum revisions necessary** to meet the City's requirements
- Presented to Planning Commission on May 6<sup>th</sup> and incorporated feedback



# Analysis within the Staff Report

- The staff report contains:
  - The Amended Development Regulation analysis
  - Page references for all amendments proposed in the FMC Title 22 (Land Development)
  - Small amendments required to address HB 1337 (ADUs) – Fircrest is largely compliant with this bill
- No additional Titles within the FMC were proposed to be modified
- No processes were modified as Fircrest's Design Review process is currently administrative (FMC 22.66)





# Proposed Revisions versus Model Ordinance

Below is a summary of the additional provisions included within the Tier 3 Model Ordinance which go beyond strict compliance with House Bill 1110.

- Additional land use definitions for terms either not in the City's current code or which may conflict with the City's current definitions
- Accessory dwelling units do not count as units for the purposes of calculating unit density. As currently proposed, ADUs do count towards unit density.
- A maximum building height limit for middle housing of less than 35 feet is invalid. Current height limits for single-family residential uses range from 27 to 30 feet in the R-4 and R-6 areas.



# Proposed Revisions versus Model Ordinance

- Minimum required setbacks would be established for middle housing units as follows:
  - Street or front: 15 feet (existing proposed to remain is 20 feet)
  - Interior yard setback: 5 feet (existing proposed to remain is 5 feet, 8 feet for second story)
  - Side street: 5 feet (existing proposed to remain is 15 feet)
  - Rear yard: 20 feet (existing proposed to remain is 20 feet)
  - Maximum lot coverage would remain the same at 40%, but would remove the exemption for a covered, unenclosed 200 square feet front porch
- Implement a range of design standards relating to cottage housing, common open space, yard or court requirements, pedestrian and vehicular access, carports, landscaping, and building design elements.
- Implement additional infrastructure standards relating to private driveway access which may differ from the City's current standards.



# Proposed Municipal Code Title 22 Amendments

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# Middle Housing Amendments (HB 1110)

- Add Fee Simple Unit Lot Subdivisions
- Add duplexes, stacked flats, courtyard apartments, and cottage housing as allowed uses in R-4, R-4C, and R-6 zones.
- Allow 2 units per lot
- Parking maximum of one or two spaces per du depending on lot size
- Adding definitions for middle housing types (cottage housing already exists)
- Middle housing exemptions for critical areas





# ADU Amendments (HB 1337)

- Increase ADU building footprint maximum from 600 to 1,000 sf
- Increase height limit to 24'
- ADUs must have the same standards as principal units
- ADUs are allowed on single family and middle housing lots
- Up to two ADUs can be created per lot
- Remove requirement owner must occupy principal unit or ADU and cannot rent out the ADU.
- Clarified code language between “Accessory Buildings” and ADUs



# Comprehensive Plan Analysis

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# Comprehensive Plan Consistency with Code Amendments

## **Consistency with of Land Use and Housing Goals in Fircrest's 2024 Comprehensive Plan**

- Aligns with stated principle of creating housing choice for all
- Allowing middle housing types will help Fircrest to meet its housing goals
- Introduces a mix of housing types and choices pursuant to Land Use policies LU 5, 1-2 and Housing Goal 2
- Fulfills Land Use and Housing policies seeking to encourage the development of ADUs



# Question/Discussion

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