



CITY OF OTHELLO PLANNING COMMISSION

Regular Meeting 500 E. Main St. July 19, 2021 6:00 PM

For those who would like to attend remotely, see virtual instructions at the end of the agenda

1. Call to Order - Roll Call
2. Approval of the June 21, 2021 Minutes p.3
3. Residential Lot Coverage & Lot Size – Public Hearing & Recommendation to City Council p.6
4. Accessory Dwelling Units (ADUs) – Recommendation to City Council p.28
5. Parks & Recreation Element of Comprehensive Plan – Update p.38
6. June Building & Planning Department Report – Informational p.39
7. Old Business
 - a. Housing Action Plan – Adopted by Council June 28
 - b. Residential Landscaping Installation
 - c. Subdivision Update – OMC Title 16 – Will return to soon, as workload allows
 - d. Underground Utilities/existing pole policy – City Attorney is assigned to work on revisions to the ordinance

Next Regular Meeting is Monday, August 16, 2021 at 6:00 PM

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City of Othello
Planning Commission
June 21, 2021
Anne Henning

CALL TO ORDER

Due to the COVID-19 pandemic, this was a hybrid meeting with a remote component via GoToMeeting. Vice Chair Kevin Gilbert called the meeting to order at 6:09 pm. Newly-appointed Commissioner Daniela Voorhies was introduced.

ROLL CALL

Commissioners Present: Vice Chair Kevin Gilbert, Chris Dorow, Brian Gentry, Daniela Voorhies

Absent: Alma Carmona (ill/quarantined). Motion to excuse M/S Dorow/Gentry

Staff: Community Development Director Anne Henning

Attendees: Bob Carlson, Councilmember John Lallas

ELECTION OF CHAIR & VICE CHAIR

With the resignation of Roger Ensz, the Commission lacks a Chair. Vice Chair Kevin Gilbert took nominations for Chair. Brian Gentry nominated Chris Dorow and requested that Planning Commission meetings be limited to two hours, and only one meeting a month. Kevin Gilbert seconded. No other nominations. Approved.

Vice Chair Gilbert took nominations for Vice Chair. Chris Dorow nominated Kevin Gilbert, Brian Gentry seconded. No other nominations. Approved.

Newly-elected Chair Dorow took over facilitation of the meeting.

MINUTES APPROVAL

May 17, 2021 minutes were approved as written. M/S Gentry/Gilbert

HOUSING ACTION PLAN – PUBLIC HEARING:

In Spring 2020, the City was awarded a grant by the Department of Commerce to prepare a Housing Action Plan, to evaluate existing housing supply and future needs, and determine ways to increase the supply and affordability of housing in Othello. Through a competitive process, the City hired BERK Consulting to prepare the Plan. After much work and multiple meetings, the Plan is close to ready for adoption. BERK has incorporated feedback on the April draft to create the current version, dated June 2021.

Chair Dorow opened the public testimony portion of the hearing at 6:13 PM. There was no one who wished to provide testimony, so he closed the public testimony portion of the hearing at 6:14 PM.

Chair Dorow asked about the process to create the Plan. Community Development Director Anne Henning explained that the consultant gathered the data and prepared the various pieces, such as the Housing Needs Assessment, Policy Review, and Housing Action Plan. Then staff, mostly herself and Mayor Logan, provided feedback as each piece was completed. She let the consultant know that certain topics they had proposed, including parking, street width, and accessory dwelling units, were controversial, but the consultant felt they should be included since they are all standard practice for

increasing housing supply and affordability. Chair Dorow felt it would be important for the Council to understand that these topics came from the consultant, rather than being suggested by staff.

Chair Dorow mentioned that owners of commercial property, especially property zoned C-2, may not be aware of the zoning changes adopted in Feb. 2020 that allowed more multi-family development in commercial areas. He suggested that the City could promote this opportunity and possibly send an informational letter.

Chair Dorow would like to see numbers on how different street widths affect how many lots can be created. He also wondered if it would attract developers, and how it would affect the cost to buyers.

Councilmember John Lallas stated it doesn't matter what size the street is in a neighborhood with limited access, because people who didn't live there wouldn't cut through. He felt the north-south streets in Sand Hill Estates (north of Olympia) could be narrower since they will never extend all the way through due to the Industrial property to the north. He stated he wasn't opposed to 36' streets in a neighborhood.

Motion to recommend the Housing Action Plan to the City Council. M/S Gilbert/Gentry. 4-0 in favor.

RESIDENTIAL LOT COVERAGE

Othello established a maximum lot coverage of 35% for R-1 residential lots in its first zoning ordinance in 1950 (Ord. 103). The minimum lot size in R-1 was 4800 SF. The only other residential zone, R-2, had no lot coverage requirements and no minimum lot size. Since then, the 35% coverage has been applied to all the residential zones. Lot coverage has come up as an issue for multiple projects lately, as well as the Housing Action Plan recommending making a change to allow land to be used more efficiently. Another issue is that as currently written, a larger lot is needed in R-4 than in R-3 to build a triplex or 4-plex, which was a mistake in how the previous regulations were converted to the new format.

Community Development Director Henning provided lot coverage standards for Eastern WA cities, including all cities larger than Othello and smaller than Spokane, and the smaller cities down to 7000 population. Chair Dorow noted that most of the cities allowed 40% to 50% lot coverage, and also allowed more coverage as lot sizes got smaller. He proposed 45% coverage in R-1 and R-2, 50% in R-3, and 50% to 60% in R-4. He would also like to discuss whether the 7000 minimum lot size in R-3 should be reduced.

Commissioner Gilbert questioned the need to have any requirement for lot coverage, when we already regulate setbacks, parking, and landscaping. He proposed eliminating lot coverage in R-3 and R-4, because those zones are expected to be high density. The Commissioners discussed if it was going too far to completely eliminate the standard.

Councilmember John Lallas mentioned that he has seen rowhouses in other cities, and they seem to work well for higher density development.

Chair Dorow mentioned that Othello is an outlier with its low lot coverage standards, and it is detrimental to the housing situation.

The Commissioners will consider the matter further at a public hearing next month, to discuss lot coverage, lot size, and possibly density. The Commissioners would like to see sketches showing a 6000 SF lot with various amounts of lot coverage. Part of the lot size discussion will be whether R-4 could just have

one minimum lot size and eliminate the requirement that changes with the number of units. The Commissioners requested that local developers specifically be invited to provide input on these issues.

MAY BUILDING & PLANNING DEPARTMENT REPORT

Chair Dorow mentioned that the Commission's traffic circle proposal is being discussed but there has been less attention paid to the recommendation of raised crosswalks near parks and schools.

The Commission asked how the rental inspection program is doing. Ms. Henning said there have been about 6 inspections so far, and while most have failed, it is over small things like outlet covers. The Inspector estimates average repair cost for failed units is under \$50. Chair Dorow said he hears from tenants that it is very difficult to get landlords to address small issues.

OLD BUSINESS

Chair Dorow stated he felt the Council is coming to be more receptive to accessory dwelling units in some zones. Commissioner Gentry said he hoped the information from the Housing Action Plan would help make ADUs more acceptable.

The Commissioners discussed whether to drop Residential Landscape Installation Timing from Old Business, but decided it still needed to be addressed since the Mayor had requested it. Given how much time has passed, they may need more input from developers, or at least reminders of the issues.

Since the City Attorney is working on the underground utility ordinance, the Commission will just wait to hear what the attorney says.

ADJOURNMENT

Having no further business, the meeting was adjourned at 7:46 pm. Next regular meeting is Monday, July 19, 2021.

_____ Date: _____
Chair

_____ Date: _____
Anne Henning, Community Development Director

TO: Planning Commission

FROM: Anne Henning, Community Development Director

MEETING: July 19, 2021

SUBJECT: Zoning – OMC 17.20.060—Lot Coverage and Lot Size—Public Hearing and Recommendation to City Council

Othello established a maximum lot coverage of 35% for in the R-1 Zone when it adopted its first zoning ordinance in 1950 (Ord. 103). In that same ordinance, minimum lot size in R-1 was established as 4800 SF. The only other residential zone in the 1950 ordinance was R-2, which had no minimum lot size and no lot coverage requirement. For context, Othello's population in 1950 was 526.

In the 71 years since that first zoning ordinance, Othello has experienced many changes, including growing by almost 8000 people and adding 4 more Residential Zones, all of which now have the 35% lot coverage standard and larger minimum lot sizes (6000 to 8000 SF). People's expectations about the use of their property has changed as well. For instance, median home sizes nationwide increased 60% from 1973 to 2018¹ despite persons per household decreasing over that time span (in other locations at least).

Just this year, lot coverage has come up as an issue on at least 7 permits (2 patio covers, 1 patio cover/family room addition, 4 triplexes). See attached sketches showing lot coverage for various proposals. The Housing Action Plan also pointed out lot coverage as an issue affecting housing supply and affordability and recommended increasing the lot coverage maximum to allow land to be used more efficiently.

Somewhat related changes suggested by the Housing Action Plan were to correct an error in the R-4 zone that caused a larger lot to be needed in R-4 than in R-3 for a triplex or 4-plex, and to look at allowing smaller lots in some circumstances.

The Planning Commission discussed these issues at their June 21, 2021 meeting and were in favor of considering changes to the code.

Lot Coverage

Allowing more coverage of lots can improve the efficiency of how land is used. People could add on to their existing homes to create more space for their families without having to move and find a larger house or one with covered outdoor space. It also allows land to be used more efficiently for building rental units like triplexes and four-plexes. Space between buildings and along the street will still be retained by setbacks and landscaping requirements.

Lot Size

The lot size discussion has 2 parts: Correcting the error in R-4 and considering minimum lot sizes in general.

¹ US Census Bureau: 1525 SF in 1973.

R-4 Lot Size for Multi-Family

In the major Zoning Update adopted in Feb. 2020, the 7-line paragraph setting lot size in R-4 was condensed into 2 entries in the Development Standards Table. In making this change, we were not careful enough with the wording and the end result was that a triplex or 4-plex in R-4 required a larger lot than in R-3, where up to a 4-plex could be built on a 7000 SF lot. As written, the 2020 R-4 Zone requires a 7600 SF lot for a triplex and 9200 SF for a 4-plex. The 1995 standards that had been in place until 2020 required 6000 SF in R-4 for a single family or duplex. For multi-family, the requirement per unit was 900 SF + 300 SF landscaping + parking (assumed 360 SF for 2 spaces at 9'x20'). So under the 1995 standards, a 6000 SF lot in R-4 could accommodate a triplex. A 4-plex would require 6240 SF. (Or 6024 SF using the 1995 parking space standard of 8.5'x18'). The large increase in lot size created by the 2020 update was not intentional. This error should be corrected quickly.

Lot Size Generally

Allowing smaller lot sizes is another way to improve the efficiency of how land is used, which would allow more lots to be developed and decrease the cost for a buyer. This change would likely not affect existing neighborhoods since they are already built out at the existing lot size and will probably redevelop incrementally rather than a whole block or area at a time. Reducing lot size would mostly affect future development of currently vacant or agricultural land. What was discussed at the June 21 meeting was possibly reducing R-3 to 6000 SF. The Commission may also want to consider whether the 6000 SF minimum in R-4 should be reduced.

At the June 28 public hearing on the Housing Action Plan, Councilmember Angel Garza spoke in favor of smaller lots, since he said it didn't make sense to build a small house on a large lot, because it would be difficult to recoup large development costs on a small house. In a previous meeting and at the July 12 introduction of the lot size discussion, Councilmember Corey Everett spoke in favor of allowing smaller lots and smaller houses. He suggested considering reducing lot size in R-2 to 5000 or 6000 SF.

The Commission may also want to consider, either now or in a future refinement of the code, whether to set a reduced lot size for townhouse lots, as is done in some cities, since townhouses can use land more efficiently so don't need as large of lots as individual houses.

Procedural actions

Action	Date
Planning Commission discussion	6-21-21
DNS issued (SEPA review)	6-30-21
Introduced to City Council	Brief discussion during adoption of Housing Action Plan 6-28-21 Formal introduction as a specific agenda item 7-12-21
Planning Commission public hearing	Scheduled for 7-19-21
City Council public hearing	Scheduled for 8-2-21

Attachments

- Examples of lot coverage – Single Family & Triplex
- Compilation of Residential lot coverage and lot size requirements across Eastern Washington

Public Hearing: Notice of a public hearing was published and posted for July 19. The Planning Commission should hold a public hearing and take testimony on the proposed ordinances.

Action: The Planning Commission should discuss lot coverage and lot sizes and make recommendations to City Council.

Single Family Lot Coverage Examples

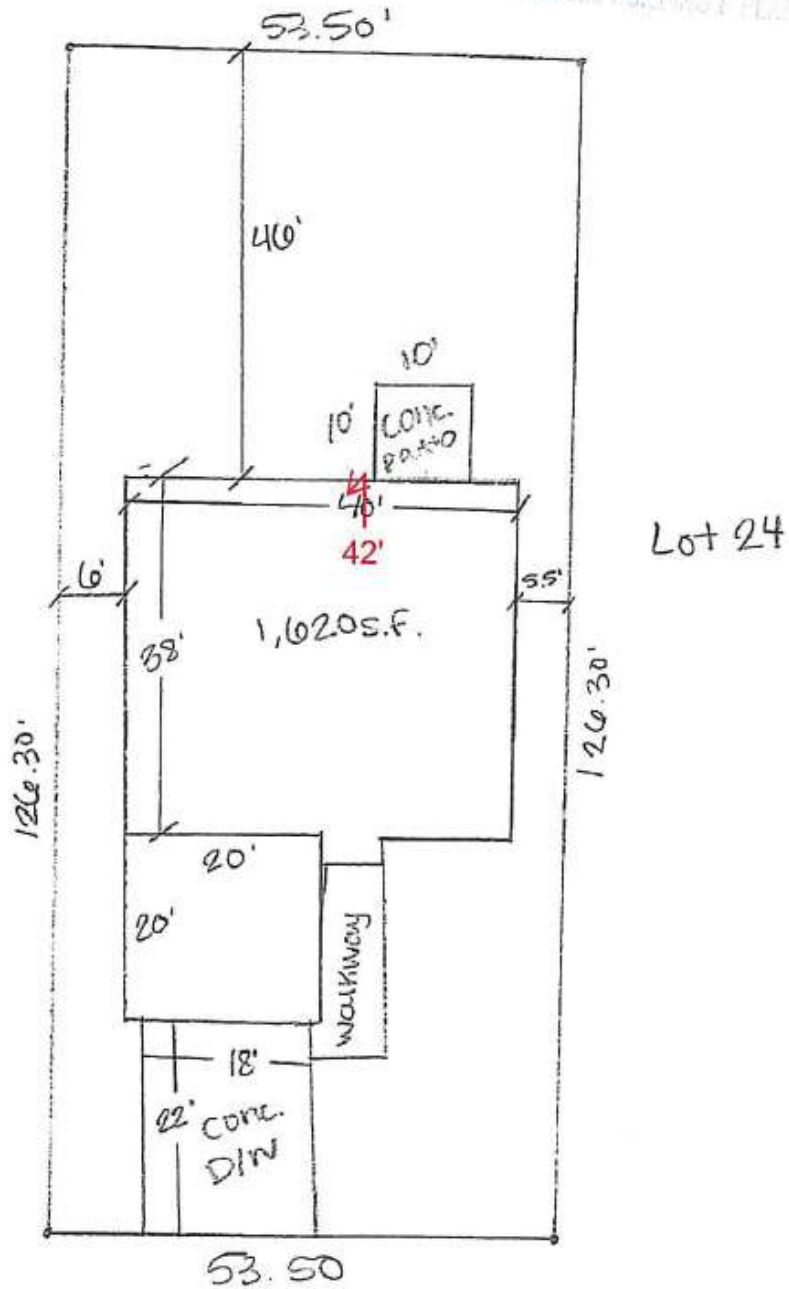
31% lot coverage

995 Sandstone

6757 SF lot

1620 SF living space. 440 SF garage. 44 SF covered entry.

Additional 260 SF of lot could be covered.



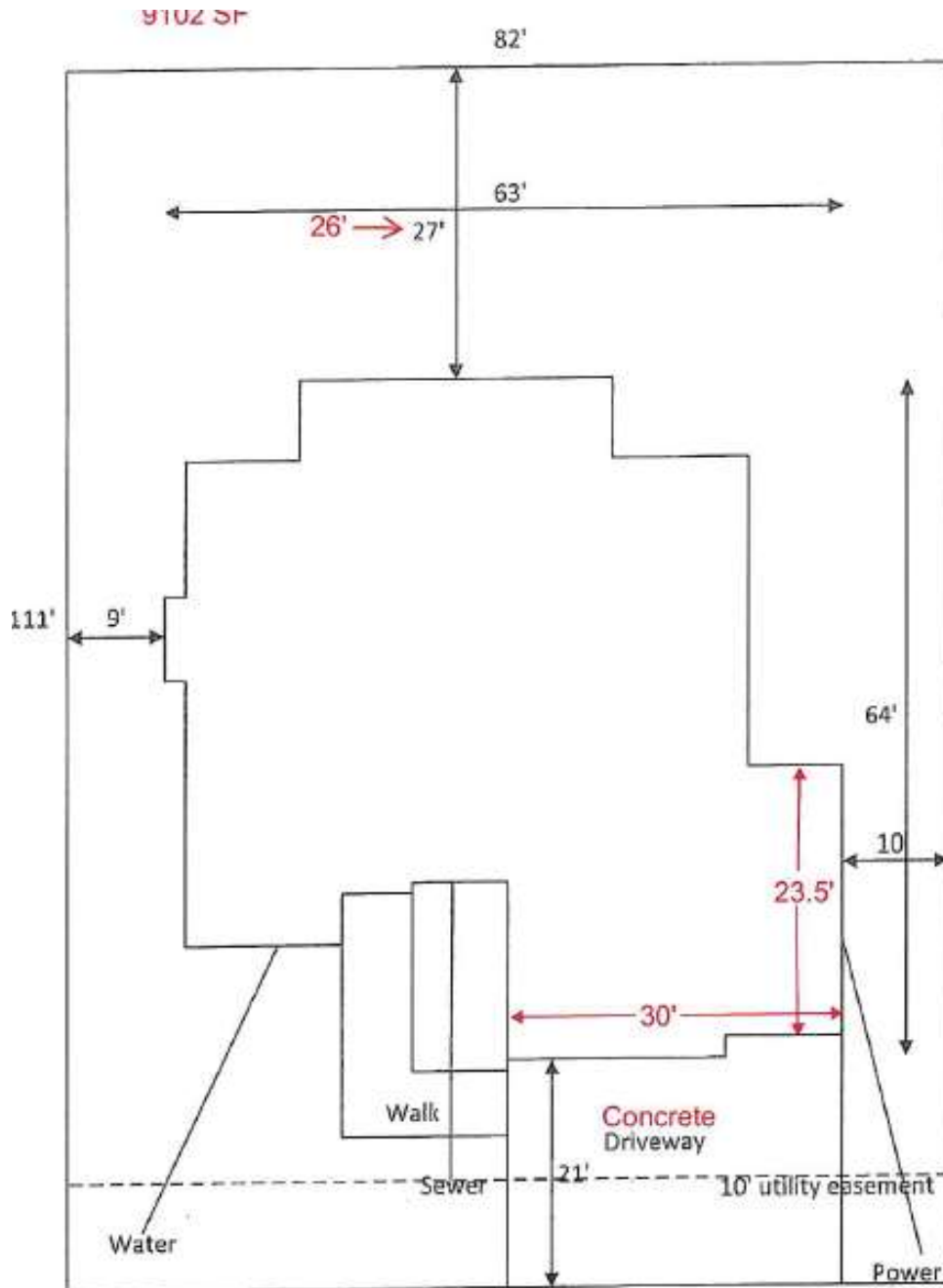
31% lot coverage

1205 E. Mt. Adams

9102 SF lot

1744 SF living space. 731 SF garage. 341 covered patio & front entrance.

Additional 370 SF could be covered.



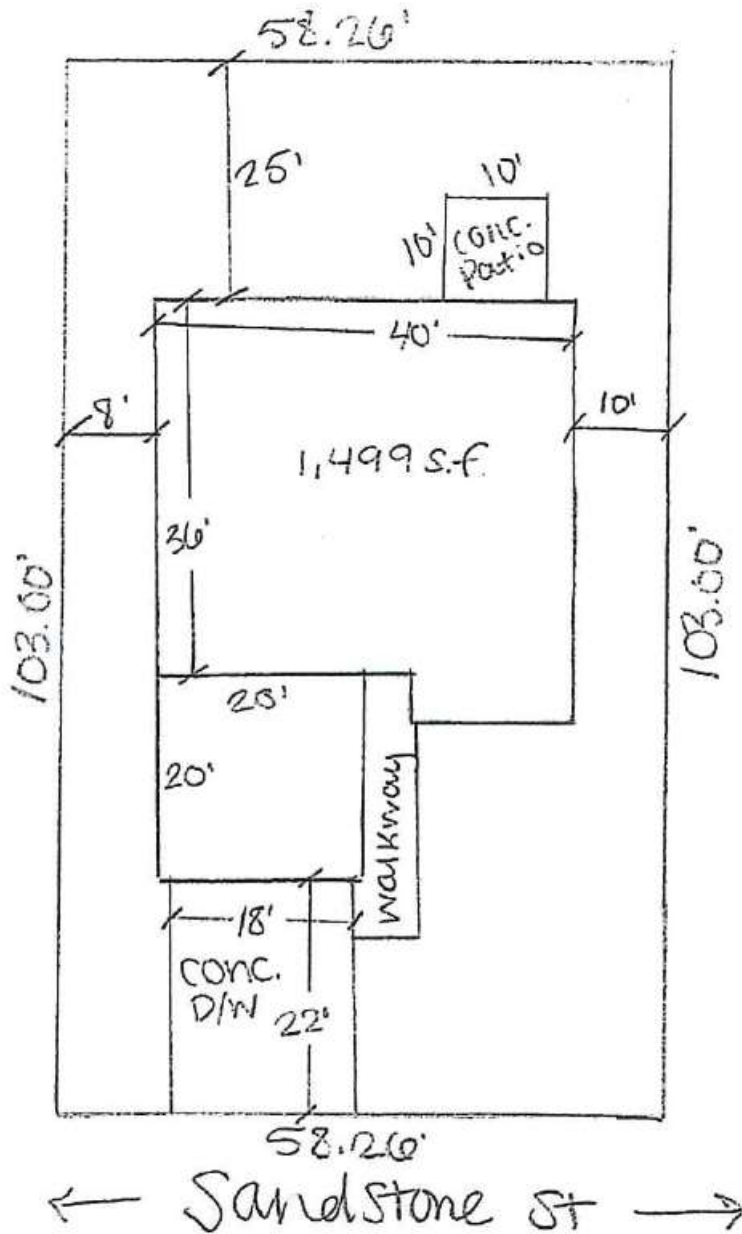
32% lot coverage

1105 Sandstone

6001 SF lot

1499 SF living space. 400 SF garage. 20 SF covered entry.

Only 181 SF of additional covered area would be allowed.



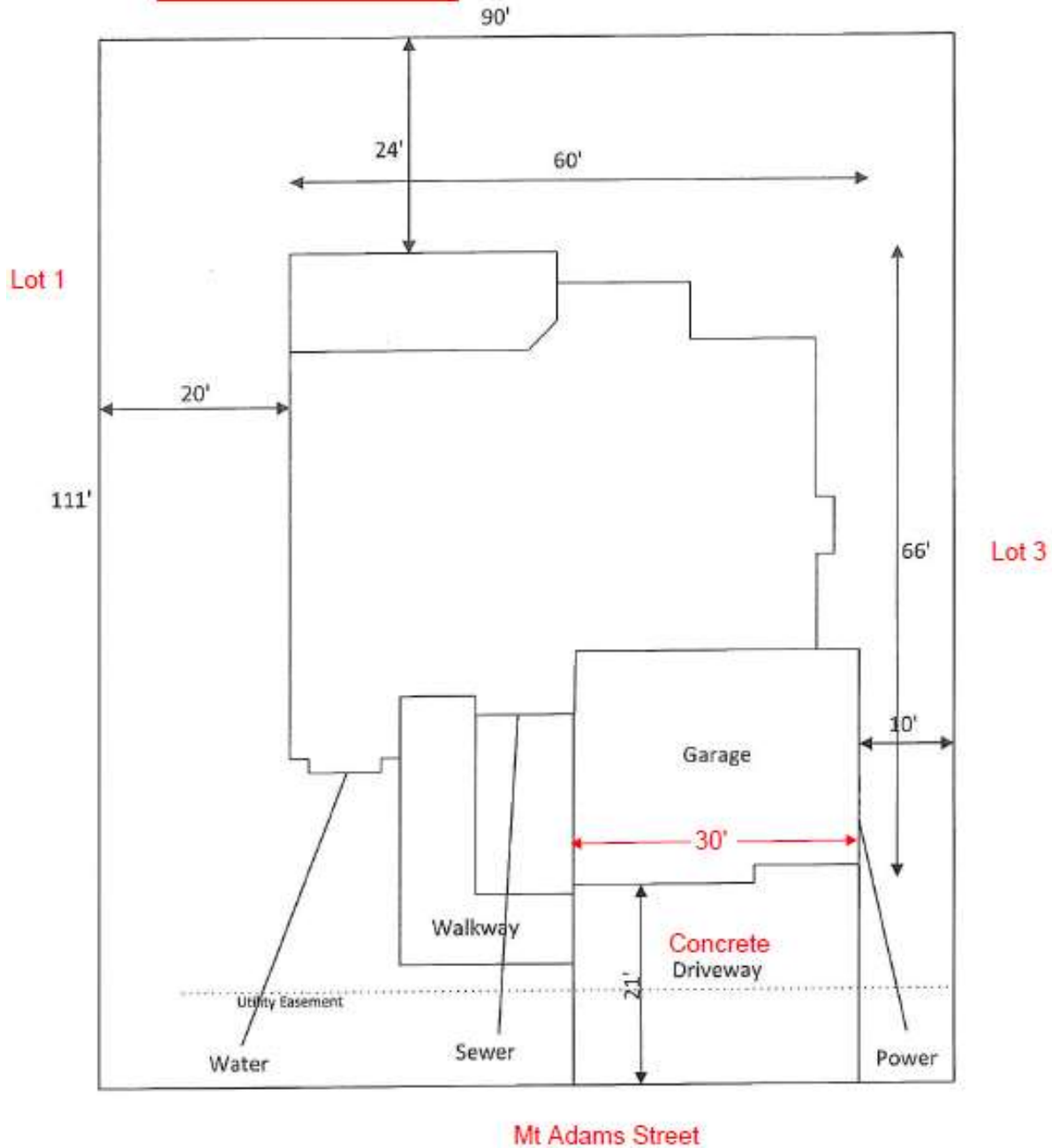
33% coverage

1320 E. Mt. Adams

9990 SF lot

2134 SF living space, 727 SF garage, 318 SF covered patio, 123 SF front covered entry.

Only 194.5 SF of additional covered area would be allowed.

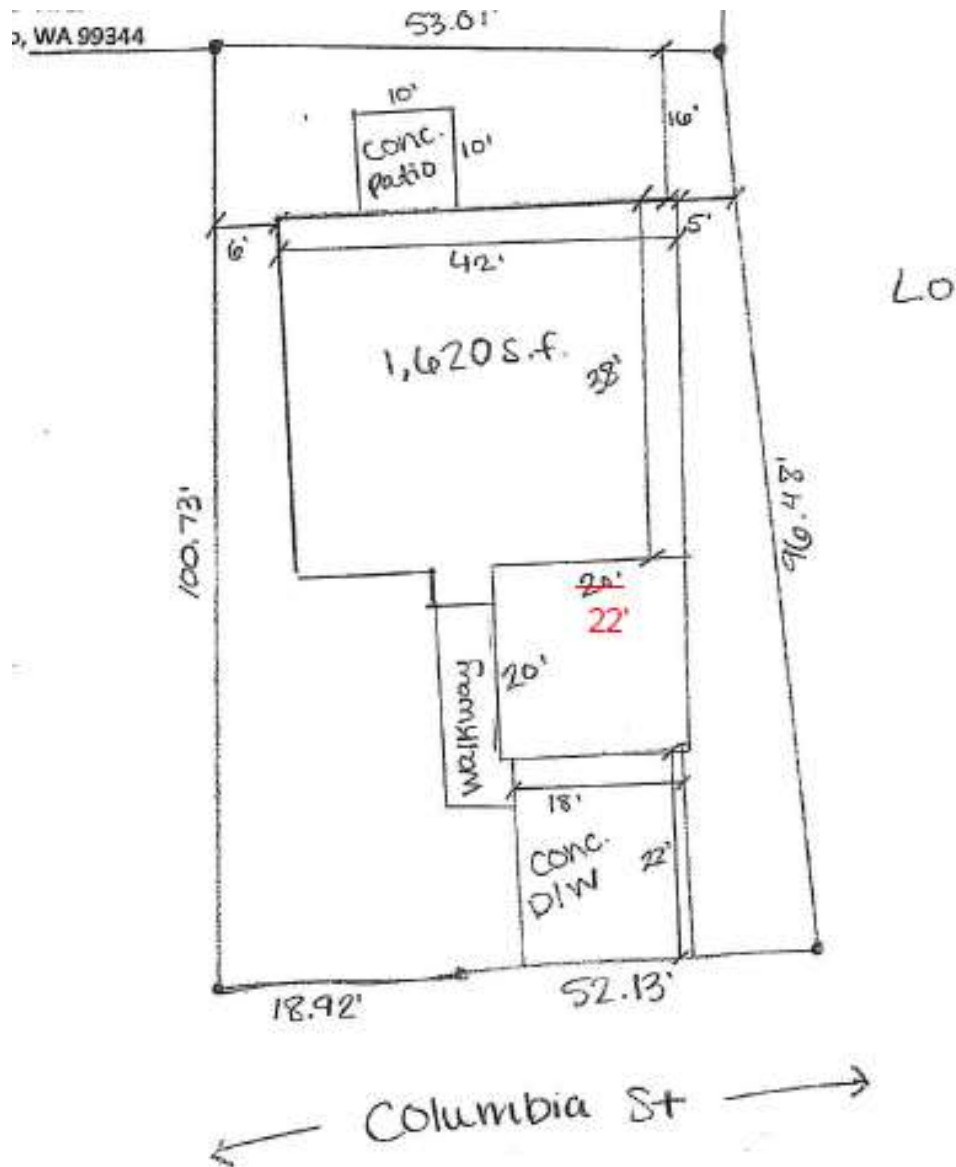


35% coverage

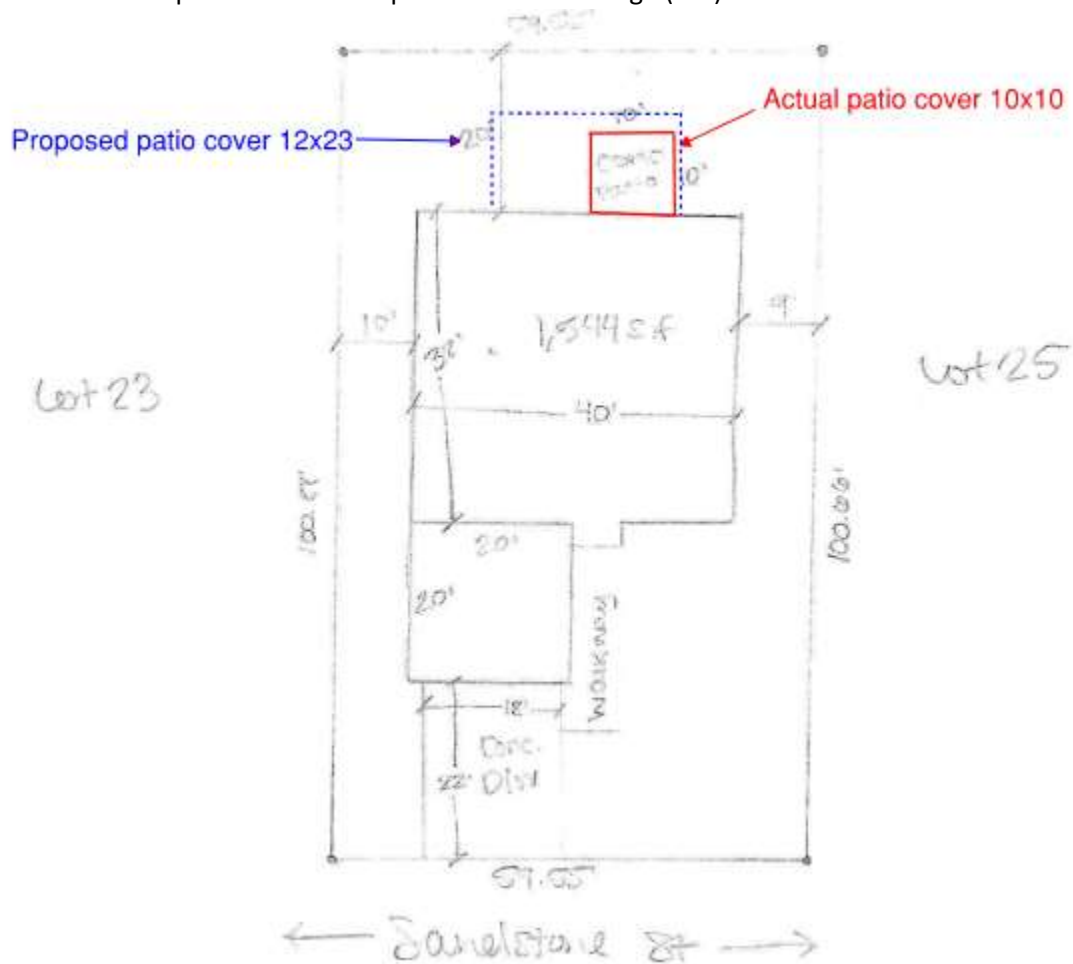
880 Columbia

6022 SF lot. 1620 SF living area, 440 SF garage, 44 SF covered entry.

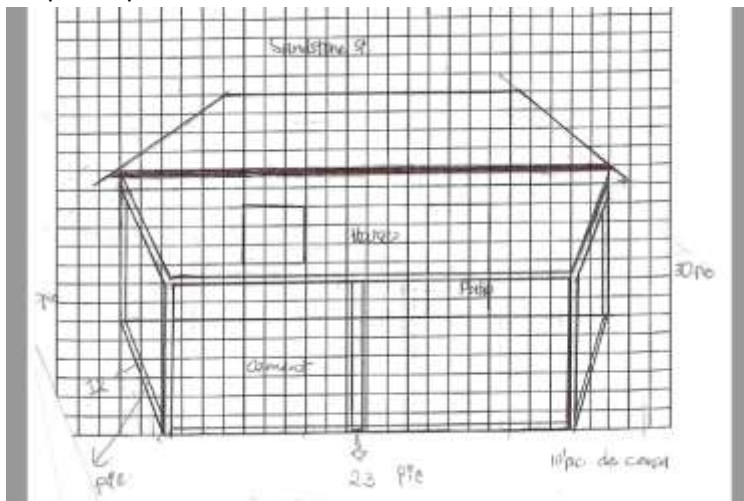
Covering the back patio would increase coverage to 36.6%.



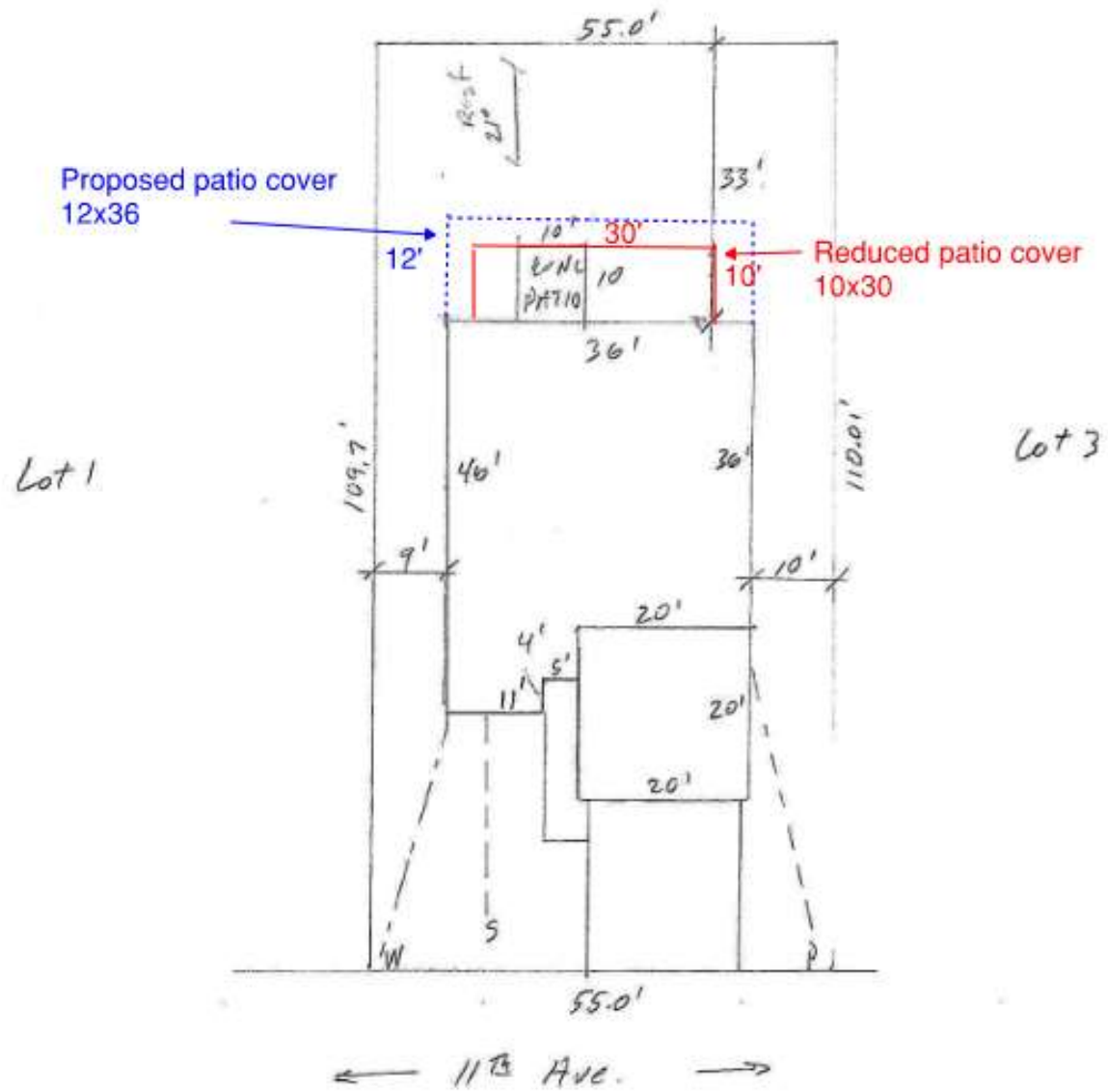
36% lot coverage as proposed adding 12'x23' patio. 960 Sandstone. 6002 SF lot.
 1544 living space. 400 SF garage. 276 SF proposed patio cover (blue).
 Reduced to 100 SF patio cover to keep below 35% coverage (red).



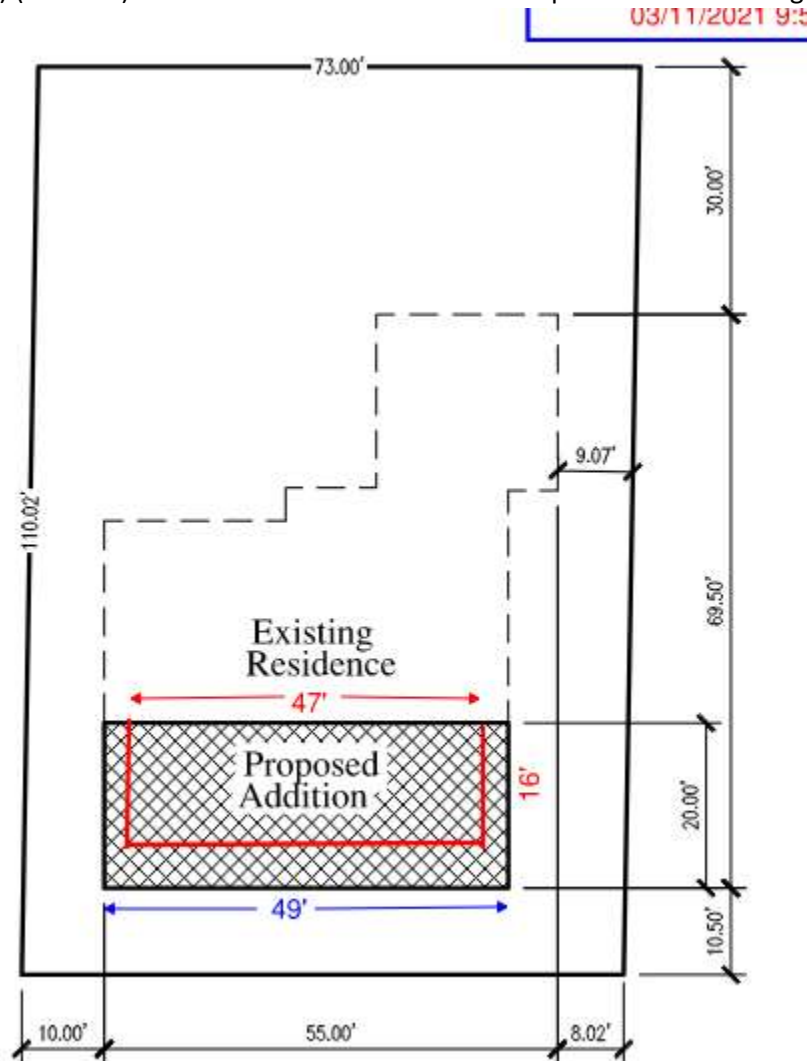
Proposed patio cover:



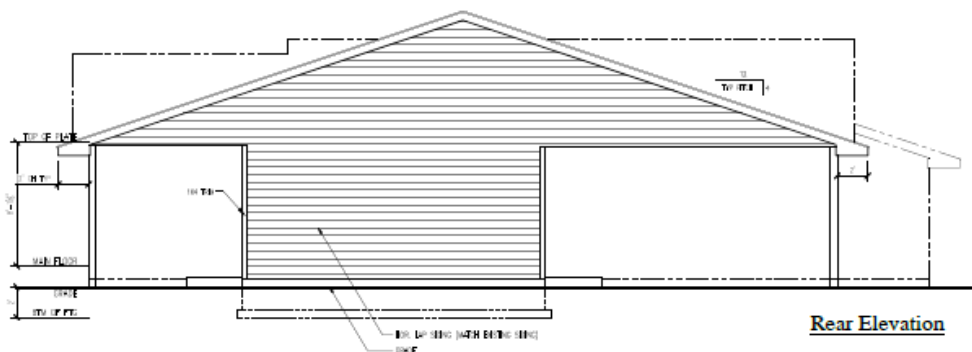
37% lot coverage proposed by adding 12' x 36' patio cover (whole width of house). 1055 S. 11th Ave.
 6042 SF lot. 1820 SF house and garage. 432 SF proposed patio cover. Reduced to 10' x 30' to keep below
 35% coverage.



38% lot coverage as proposed by adding 20' x 49' addition (whole width of house). 1610 Catalpa. 8074 SF lot. 1642 living space. 462 SF garage. 980 SF proposed family room (middle) and patio covers (each side) (hatched). Reduced to 752 SF addition to keep below 35% coverage (red).

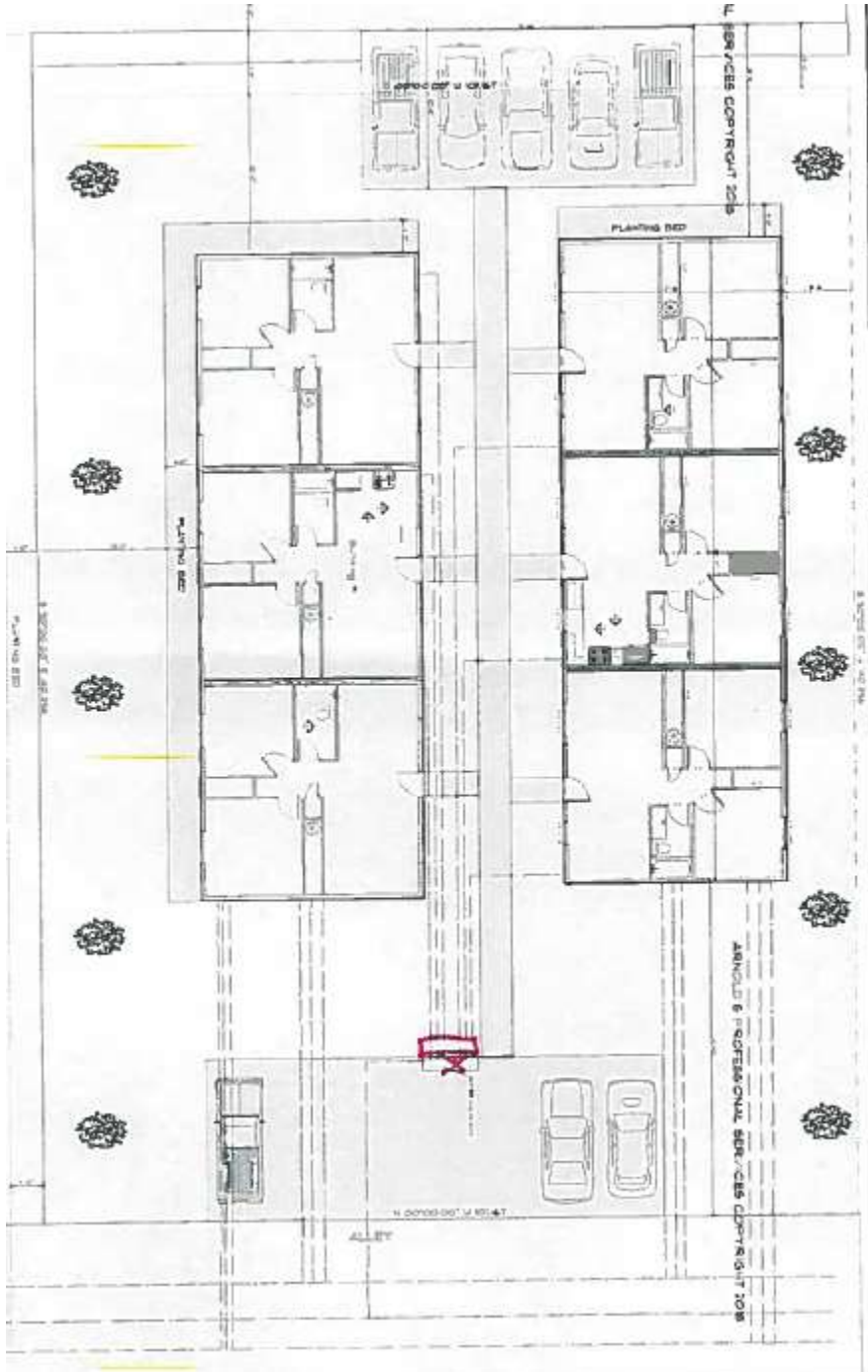


Proposed family room with covered patios on each side:

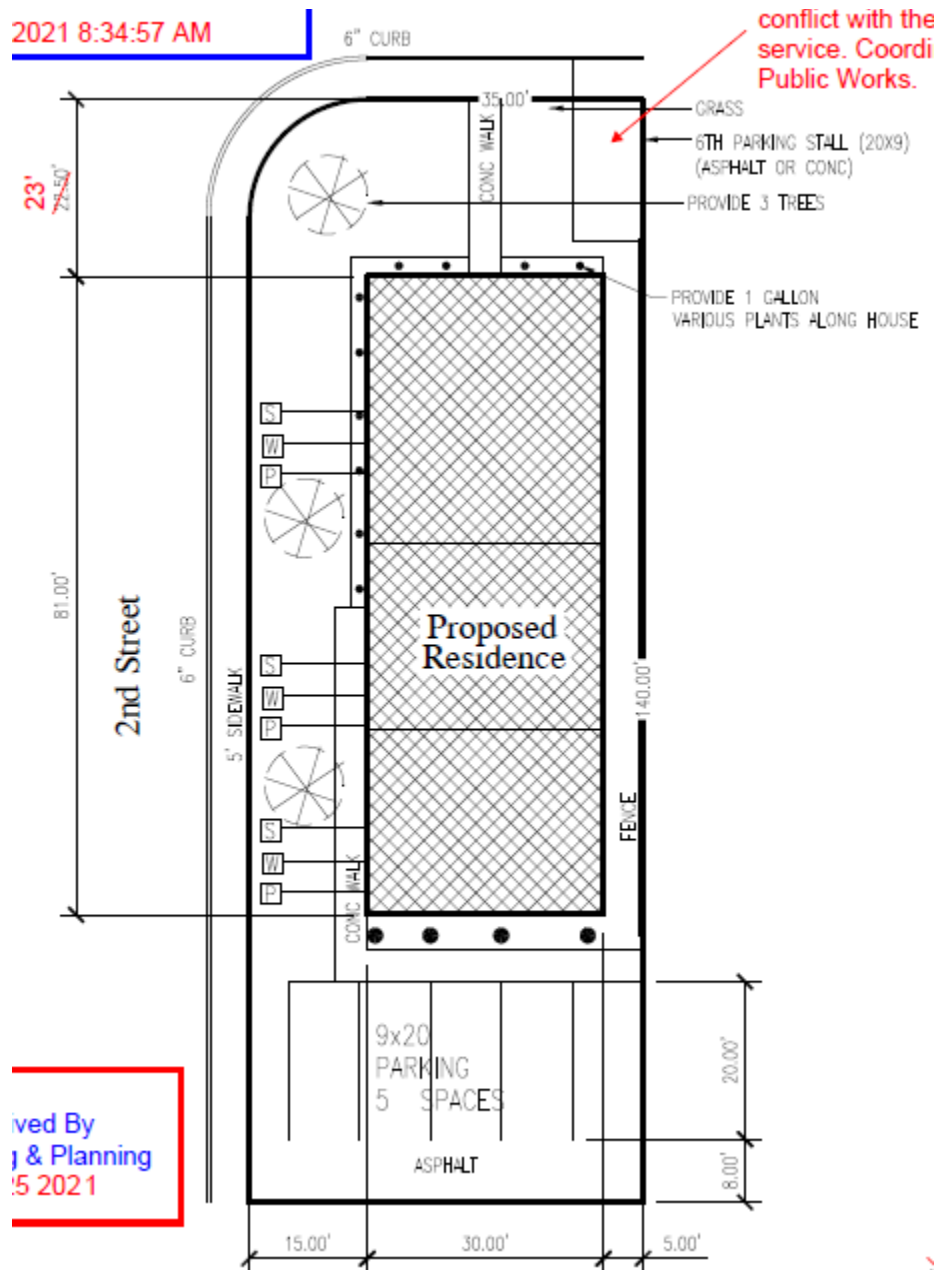


Triplex Lot Coverage Examples

31.5% coverage (triplex: 361-363-365-371-373-375 E. Pine, 7000 SF lots)



2021 8:34:57 AM

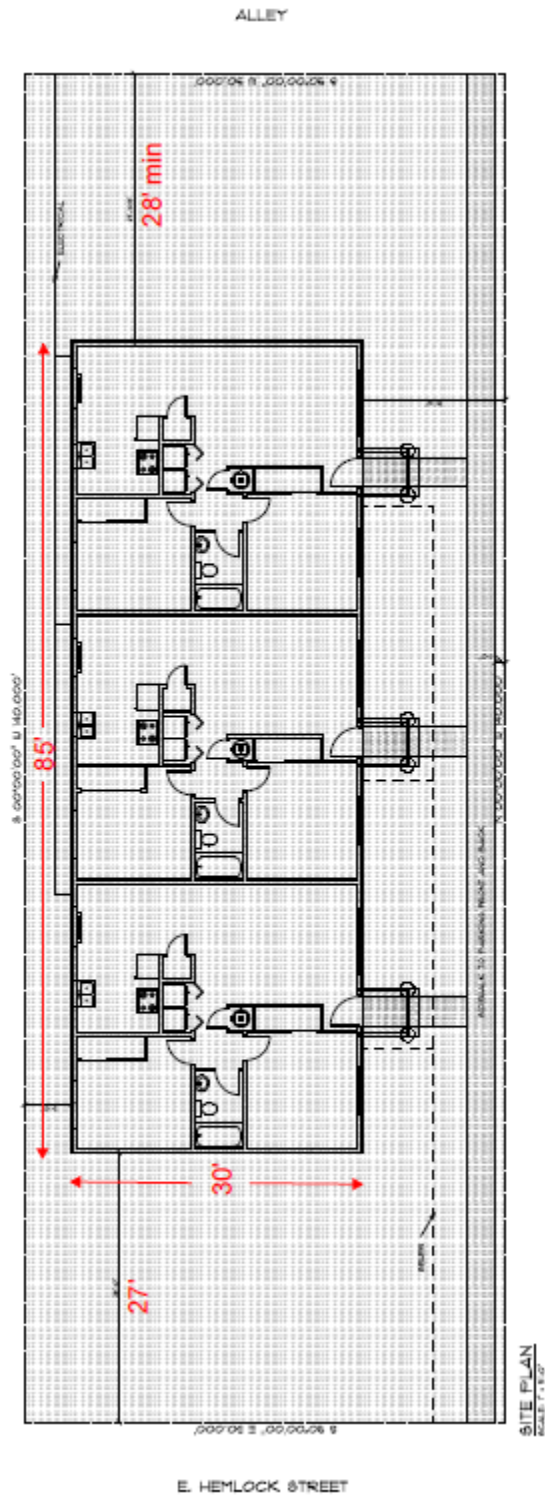


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Inscription

0.4 0.1

37% lot coverage (triplex: 225 E. Hemlock, not approved due to exceeding lot coverage)



206 E Larch

15.00'

102.00'

23.00'

2nd Street

CONC WALK

35.00'

140.00'

Proposed Residence

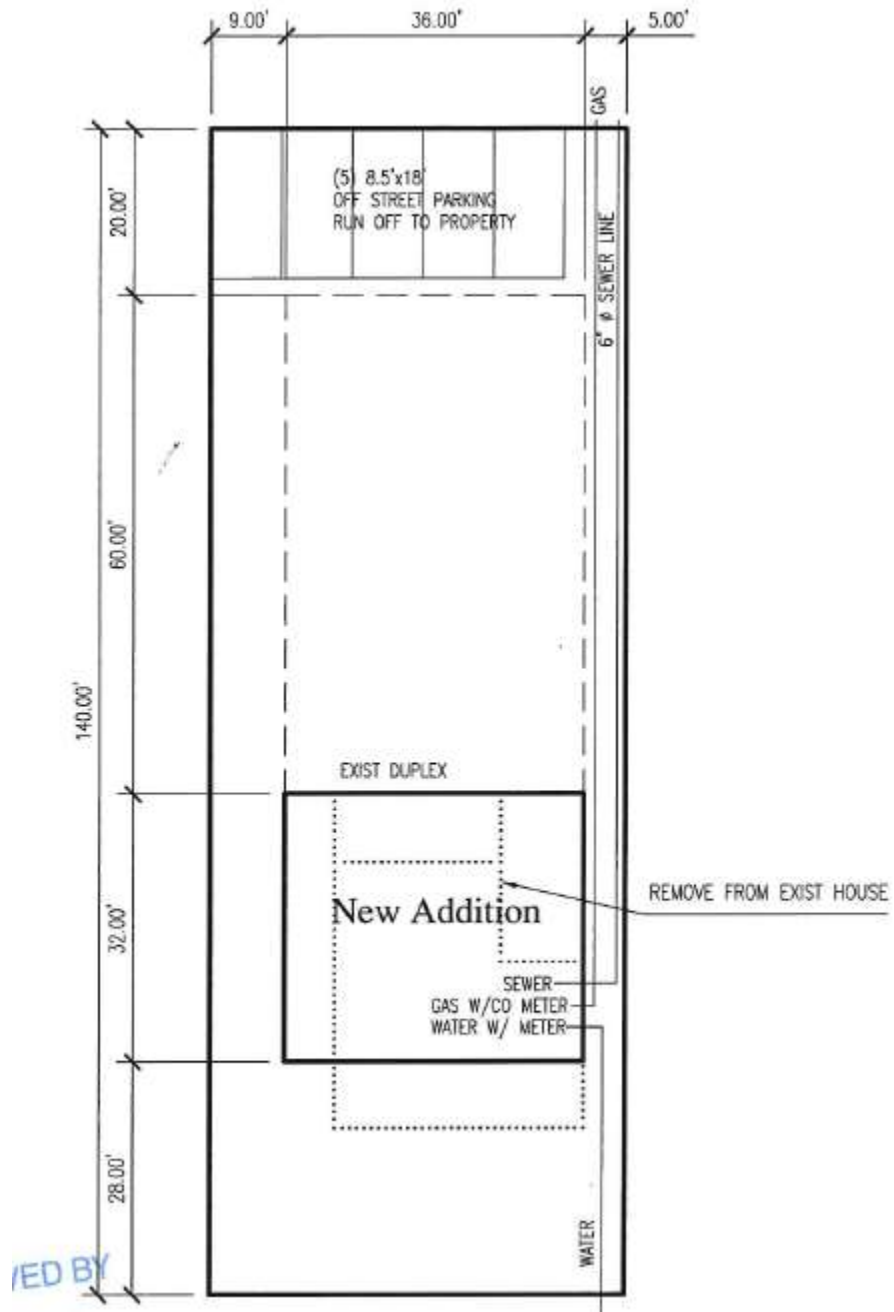
8.5X18' PARKING 6 SPACES

15.00'

30.00'

5.00'

47% lot coverage (triplex: 355 E. Spruce, 7000 SF lot)



~50% lot coverage (4 or 5 units: 352 thru 360 S. 2nd Ave, built 1961)



Lot Coverage & Lot Size Standards
All Eastern Washington Cities Larger than 7000 population, excluding Spokane

City/Zones	Minimum Lot Size	Maximum Lot Coverage
Spokane Valley (pop. 97,490)		
R-1 Residential Estate	40,000	30%
R-2 Suburban	10,000	50%
R-3 Single Family	5000 14,500 duplex	50%
R-4 Single Family Urban	4300	60%
MFR Multi-family Residential	2000	60%
Yakima (pop. 95,490)		
R-1	6000 detached dwelling 4000 townhouse 8000 duplex Multifamily density may not exceed max # DU/net residential acre	60% (landscaping may be required)
R-2	6000 detached dwelling 3500 townhouse 7000 duplex Multifamily density may not exceed max # DU/net residential acre	60% (landscaping may be required)
R-3	6000 detached dwelling 3500 townhouse 7000 duplex Multifamily density may not exceed max # DU/net residential acre	80% (landscaping may be required)
Kennewick (pop. 84,960)		
RS Suburban	10,500	No requirement
RL Low Density	7500	No requirement
RM Medium Density	4000. 1800 per townhouse	No requirement
RH High Density	4000. 1600 per townhouse	No requirement
Pasco (pop. 77,100)		
R-1 Low Density (single family with smaller lots and useful yard spaces), R-1-A1, R-1-A2	7200	40%
R-2 Medium Density (single family, duplex, multi-family)	5000	40%
R-3 Medium Density (single family, duplex, multi-family)	4500	60%
R-4 High Density (single family, duplex, multi-family)	4500 (density of 1 DU/1500 SF for MF)	60%

City/Zones	Minimum Lot Size	Maximum Lot Coverage
Richland (pop. 58,550)		
R-1-12 Single Family	10,000	40%
R-1-10 Single Family	8,000	40%
R-2 Medium Density	6000	40%
R-2S Medium Density Small Lot	4000	50%
R-3 Multi-family	4000	33%. One-family attached may cover 45%
Wenatchee (pop. 35,140)		
RS Single Family	7250 (4000 in cluster subdivision) 10,000 duplex	40% single family 50% duplex, townhouse, multi-family 55% cluster lots
RL Low Density	5500 (3000 in cluster subdivision) 8000 duplex	45% single family 55% duplex, townhouse, multi-family 55% cluster lots
RM Medium Density	3000 4500 duplex	55%
RH High Density	3000 4000 duplex	55% (75% if 80% of required parking is in a structure)
Pullman (pop. 34,850)		
R1 Single Family	6000	35%
RT Residential Transitional	6000 (4500/DU)	35%
R2 Low Density Multi-Family	6000 (3000/DU)	40%
R3 Medium Density MF	5000 (1500 min & 6000 max/DU)	50%
R4 High Density MF	5000 (1000 min & 4500 max/DU)	60%
Walla Walla (pop. 34,400)		
RN Residential Neighborhood (single family up to 4-plex)	Minimum net density 4 DU/acre	50%
RM Multi-Family (mix of multi-family uses)	Minimum density 20 DU/acre Maximum density 75 DU/acre	65%
Moses Lake (pop. 24,620)		
R-1 SF	7000 (7700 corner)	No requirement
R-2 One & 2-Family	7000 (7700 corner) 8000 duplex	No requirement
R-3 MF	6000 (6600 corner) +1200 per dwelling unit after 2	50% for MF
Ellensburg (pop. 20,640)		
R-S Suburban	No min lot size.	

City/Zones	Minimum Lot Size	Maximum Lot Coverage
	No min density. Max density 6 du/ac (12 with bonus)	No lot coverage requirements, except detached ADU and accessory buildings limited to 40% of rear yard area.
R-L Low Density	No min lot size. Min density 6 du/ac. Max density 8 du/ac (16 with bonus)	
R-M Medium Density	No min lot size. Min density 8 du/ac. No max density.	
R- High Density	No min lot size. Min density 15 du/ac. No max density.	
Sunnyside (pop. 17,250)		
R-1 Low Density	6500 interior, 7500 corner	35% total 30% dwelling
R-2 Medium Density (single family & duplex	4300	35%
R-3 High Density	4300	40%
West Richland (pop. 15,710)		
RL-20 Low Density	20,000	50%
RM-10 Medium Density	10,000	50%
RM-6 Medium Density	6000 (7500 corner)	40%
MR Multi-family	3000. 1800 for townhouses. 8000 duplex. 2000 per unit for multi-family	60%
East Wenatchee (pop. 13,740)		
R-L Low Density (duplexes allowed adjacent to commercial and on corners when compatible and each unit faces a different street. Triplex allowed when adjacent to commercial and/or(?) on a corner.	5000 single family 8000 SF duplex 10,000 triplex	40% single family 45% duplex/triplex
R-M Medium Density	4000	50%
R-H High Density	3200	60%
Cheney (pop. 12,640)		
R-1 Single Family	5000 (Max 11,000) (Max net density 1 unit/7000)	45% (Min private open space 10%)
R-2 One-Family or Duplex	4500 (Max 10,000) (Max net density 1 unit/5000, can be increased by 1 unit with duplexes on conforming lots)	45% (Min private open space 10%)
R-3 Multi-Family (21 du/ac)	3500 detached or attached houses (2500 if parking accessed off alley) 6000 duplex	45%

City/Zones	Minimum Lot Size	Maximum Lot Coverage
	5000 multi-dwelling Max net density 1 unit/3111 SF of site (14 du/ac). Min net density 1 unit/5750 SF of site (8 du/ac)	
R-3H High Density (32 du/ac)	3500 detached or attached houses (2000 if parking accessed off alley) 5000 duplex 5000 multi-dwelling No max net density. Min net density 1 unit/2900 SF of site (15 du/ac)	50%
Liberty Lake (pop. 11,500)		
R-1 Single Family	None (Min net density: 4 DU/ac, Max net density 6 DU/ac)	60%
R-2 Mixed Residential	None (Min net density: 6 DU/ac, Max net density 12 DU/ac)	60% SF 70% Duplex, townhouse, clustered, or apartment
R-3 Multi-Family	None (Min net density: 12 DU/ac, no maximum density)	60% SF 70% duplex, townhouse, apartment
Grandview (pop. 11,230)		
R-1 Low Density (SF)	7500	40%
R-2 Medium Density (SF & duplex)	7500 8000 Duplex	40%
R-3 High Density (SF, duplex, MF)	7500 8000 Duplex 3000/DU for 1 st 4, then 6000 per each DU	60%
Airway Heights (pop. 10,010)		
R-1 Single Family	7200 (5500 if clustered)	50% total, 35% for house
R-2 Duplex (SF also allowed)	6000 (5000 if clustered)	50% total, 35% for dwellings
R-3 Multi-Family	6000 for duplex, no requirement for multi-family	50%
College Place (pop. 9780)		
SFR Single Family	6000 7500 Duplex	35% 45% Duplex
MFR Multi-Family	No minimum	35%
Toppenish (pop. 9130)		
R-1 (single family & duplex)	7200 single family 8200 duplex	40% single family 60% duplex
R-2 (single family, duplex, multi-family)	7200 single family 8200 duplex	50% SF 60% duplex

City/Zones	Minimum Lot Size	Maximum Lot Coverage
	9200 multi-family (2000 per dwelling)	60% MF
Othello (pop. 8515)		
R-1 (single family)	8000	35%
R-2 (single family & duplex)	7000	35%
R-3 (single family thru 4-plex)	7000	35%
R-4 (single family thru multi-family)	6000. For MF: Also 900 site area + 300 landscaping + 400 parking per unit after first 2	35%
Ephrata (pop. 8210)		
R-1 SF	6000	40%
R-2 Attached Housing Residential	5000	55% SF 50% duplex or MF
R-3 Small Lot SF	6000	
R-4 Small Lot SF & MF	5000	55% SF 50% duplex or MF
R-5 MF Townhouse	4000	55% SF 50% duplex or MF
Selah (pop. 8035)		
R-1 (single family, but may designate 10% of lots for duplex in new subdivisions if "harmoniously compatible")	8000 (larger for slopes >10%)	35%
R-2 (single family & duplex)	9000 (larger for slopes >10%)	50%
R-3 (single family through multi-family)	9000 (including 1800 per dwelling unit) 4000 attached single family	80% (includes structures & parking area. 20% of lot must be landscaping & greenery)
Quincy (pop. 7930)		
R-1 Single Family (duplex allowed)	7200 single family 8640 duplex or less if corner lot	35% interior lot 40% corner lot Rear yard open space minimum 1000 SF
RM Residential Multi-family (single family thru multi-family)	6000 single family 7200 duplex 8640 for the 1 st 2 units + 1000 for each additional unit	35% interior lot 40% corner lot
Clarkston (pop. 7220)		
R-1 Low Density	5000 (+3500 for an additional unit)	40%
R-2 Medium Density	5000 (+2000 for additional units, max 4	50%
R-3 High Density	5000	50%

TO: Planning Commission

FROM: Anne Henning, Community Development Director

MEETING: July 19, 2021

SUBJECT: Accessory Dwelling Units – Recommendation to City Council

The Planning Commission has been working for several years to create an Accessory Dwelling Unit (ADU) ordinance that the City Council finds acceptable. Now with the adoption of the Housing Action Plan and establishment of a rental housing licensing and safety inspection program, the Mayor would like the Council to discuss an ADU ordinance again. Given the amount of time that has passed and various changes in circumstances, the Planning Commission should review their recommendation before it is forwarded to Council.

Staff Comments

1. Last fall, we did a short survey of the Council to get at the main issues they felt needed to be addressed for ADUs. Full results were included in the [Nov. 16, 2020](#) packet. Highlights:

When asked about conditions that should be required, there was some amount of interest in every restriction suggested, but only one received more than 80% support (2 parking spaces), and only 3 received more than 60% support (Minimum building size, sidewalk from street to entrance, and separate water meter).

Requirement	Percent in favor
2 parking spaces	83%
Minimum building size	66%
Separate water meter	
Sidewalk from street to entrance	
No more than 1 bedroom	50%
Limit the number of occupants	
Design standards (regulate the appearance, such as roof pitch, window trim, etc)	
Property owner must live in ADU or main house	
Separate electrical meter	
Limit to one story	
Parking in back/access from alley	33%
Maximum building size	
No more than 2 bedrooms	
Limit the number of ADUs per block	
Not allow ADU to be built above a garage	17%
One parking space	

2. See attached article about a program in Charleston, SC offering a \$20,000 grant to each of the first 10 ADUs, to help with the estimated \$170,000 to build an 850 SF unit. Charleston had previously changed their code to allow ADUs, but no ADUs were being built. They are hoping the incentive program will create some ADUs to help with their housing affordability problems.
3. Some cities provide ADU plans for interested owners, including Lacey and Seattle in Washington and Los Angeles and Clovis, CA. In Clovis, the city paid an architect to create ADU plans. An applicant pays a fee (less than the cost of having their own plans drawn up), and the city knows what they will get, in terms of size and appearance. There are 3 plans (378-448 SF), each with a few options for layout and exterior finish. All are studio or one bedroom. This could be a way to alleviate some of the opposition to ADUs, by ensuring a predictable outcome. However, it would require the City to pay a designer to create plans, which may never be used if the various restrictions prove too much of a barrier to constructing units.
4. It has been discussed to regulate the minimum and maximum size of ADUs. Minimums can be adequately controlled by building codes, which have requirements for minimum room sizes and living area per person. Maximum size might be adequately controlled by available space on a lot and parking requirements, but it seems likely ADUs could be built out of scale to the neighborhood and not subordinate to the main house as intended. It is common for cities to set a maximum square footage (700-900 SF is common) and/or a percentage of the existing home, and/or limit them to 1 or 2 bedrooms. Earlier versions of the Othello ADU draft had a limit of 2 bedrooms, but over the years, that provision has been removed. A limit of 2 bedrooms and maximum size of 900 SF has been added to the current draft for discussion.
5. Given the amount of time that has passed, a summary of past actions on ADUs is provided¹:

Timeline: Accessory Dwelling Unit Discussions & Action			
#	Date	Meeting Type	Action
1	6-18-18	Planning Commission	Topic introduced because City received an application to convert a shop into a dwelling unit. PC gave direction on types of issues to address in an ordinance.
2	6-25-18	Planning Commission Special Mtg	Discussed initial draft and provided direction: At least 2 parking spaces, no more than 2 bedrooms, limit on # of occupants, 5' access from street for EMS, fee for alley maintenance. Extensive discussion on owner occupancy, with all in favor of not requiring in R-3 & 4, but mixed feelings on R-2. Eventual direction was to initially propose ordinance without owner occupancy but add it back in for R-2 if Council opposed to ordinance without

¹ Note that prior to formal Planning Commission action on permitting new ADUs, there had been several years of work, including Code Enforcement and a Council Committee, on addressing unpermitted dwelling units, resulting in provisions in the Nonconforming Use chapter, OMC 17.79, allowing these existing units to continue.

Timeline: Accessory Dwelling Unit Discussions & Action			
#	Date	Meeting Type	Action
			it. Also discussed requiring owner occupancy for first owner without tracking what happens after first sale. Set public hearing for next meeting.
3	7-16-18	Planning Commission Public Hearing	Discussion of minimum lot size (determined not needed because of 35% lot coverage requirement), owner occupancy in R-2. Ordinance recommended to City Council.
4	7-23-18	Council	Topic introduced to Council, public hearing set for 8-13-18.
5	8-13-18	Council Public Hearing	Most Council members spoke in opposition to the proposed ordinance. No action taken.
6	11-19-18	Planning Commission	PC asked to discuss again at a future meeting.
--	1-19-19	Planning Commission	On agenda, but ran out of time before getting to it.
7	2-19-19	Planning Commission	Discussion of requiring all the new standards for existing unpermitted units, owner occupancy in R-2, non-conforming provisions for units not currently owner-occupied, yearly verification of owner occupancy vs. covenant, changing some R-2 Zones to R-3, requiring the whole lot to come up to current standards when an ADU is added, emergency signage, snow removal in alleys (ADU access)
8	2-25-19	Council	2 Planning Commissioners presented the issues to Council for discussion. Council set a public hearing for 4-8-19.
9	4-8-19	Council Public Hearing	2 Planning Commissioners and one resident testified in favor of the ordinance. 3 residents that were neutral testified. There was no public testimony in opposition. Tabled to 4-16-19 because several Council members were absent.
10	4-16-19	Council continued Public Hearing	1 resident testified in opposition. Tabled to 5-6-19 for additional information.
11	5-6-19	Council continued Public Hearing	Ordinance adopted with amendments: Remove "Maintain the single family appearance of existing neighborhoods" from the Purpose section, add owner occupancy in R-3 in addition to R-2. Ordinance later determined void due to tie vote by Council members present.
12	7-15-19	Planning Commission	Because Council's 5-6-19 ordinance was determined void, PC wanted to offer additional recommendations for when Council considered the ordinance again. In addition, the City Attorney provided recommendations: Purpose statement reworded to reflect local conditions

Timeline: Accessory Dwelling Unit Discussions & Action			
#	Date	Meeting Type	Action
			and needs, parking requirements clarified and increased beyond the previous 4 (2 + 1/bedroom after 1 st), allows some on-street spaces to be counted toward the requirement, alley maintenance fee needs to be a set amount, allows attached unit to use the existing water, power, and gas meters; allow 2-story units (over garage), International Property Maintenance Code standard for number of occupants based on the size of the rooms rather than the same limit no matter the size, delete owner occupancy requirement (difficult to enforce, overturned in several states, cities moving away from this requirement, potential for legal challenge, the maintenance and code enforcement problems this requirement attempts to address can be handled through the code enforcement process); process to legalize nonconforming units has been referred back to NCU chapter (17.79) because there are too many legal issues with trying to make existing units comply with new standards. PC adopted draft as recommended by City Attorney, would like to have a study session with Council.
13	8-19-19	Planning Commission	Rescinded 7-15-19 recommendation to Council. Scheduled special meeting 8-27-19 to discuss.
14	8-27-19	Planning Commission Special Mtg	Discussed 7-15-19 ordinance and directed changes: Only off-street parking spaces should be counted, separate water meters even if ADU is inside the main house, owner occupancy required in R-2. The updated ordinance would be presented to Council at a future study session.
15	9-16-19	Planning Commission	Directed staff to wait until after major zoning update adopted before bringing this to Council.
16	2-18-20	Planning Commission	Directed staff to wait for outcome of legislative session before bringing this issue to the Council, since there were ADUs bills again this year. Even though proposal wouldn't have affected non-GMA counties, it could set the tone for the state.
17	6-15-20	Planning Commission	Discussed, but decided to continue to wait before bringing recommendation to Council. Commission would like to hold in-person study session with Council, as well as have at least preliminary results from the housing study underway by BERK Consulting.
18	8-24-20	Council	At the direction of the State Auditor, Council adopted Ord. 1553, formally repealing Ord. 1529, which was the ADU ordinance voted on by Council in May 2019 but later determined to be void due to the tie vote.

Timeline: Accessory Dwelling Unit Discussions & Action			
#	Date	Meeting Type	Action
			The Council was interested in receiving a new ADU recommendation from the Commission.
--	9-21-20	Planning Commission	On agenda but other items took precedence.
--	Oct/Nov 2020	--	Survey of City Council about ADU regulations.
19	11-16-20	Planning Commission	Based on Council direction and survey, discussed limiting to 2 bedrooms without other size restrictions, waiting until the housing study was completed, and clear distinction between new ADUs and old non-conforming units. The rental licensing and inspection program was introduced at this meeting and the consensus was this program would help address concerns about maintenance.
20	7-12-21	City Council	Mayor said the Council should discuss ADUs within the next few months.

6. Procedural Actions. Due to the various twists and turns of the ADU ordinance, the procedural requirements were completed in the past and do not necessarily need to be repeated.

Procedural actions	
Action	Date
DNS issued (SEPA review)	3-13-19
Planning Commission public hearing	7-16-18
City Council public hearing	8-13-18 4-8-19, continued to 4-16-19, then 5-6-19

Attachments

- “Charleston Will Pay People to Build Backyard Homes” (Next City, 6-22-21)
- 7-15-21 Draft of ADU ordinance (6-10-20 draft with modifications directed by the Planning Commission 8-27-19, and with a few further changes proposed in underline/~~strikeout~~ format)

Action: The Planning Commission should review the ADU draft and determine whether to make any changes before recommending to the City Council.

**BACKYARD**

NEXT CITY ON HOUSING EQUITY

Charleston Will Pay People to Build Backyard Homes

**JARED BREY** JUNE 22, 2021

Charleston City Hall (Photo by [Warren LeMay](#) / Public domain)

Last summer, the Charleston, South Carolina City Council approved an [ordinance](#) permitting homeowners in every area of the city to construct backyard cottages and garage apartments, formally known as accessory dwelling units (ADUs), on their property. The law was part of a series of efforts to bring more affordable housing to the city, where, according to [a 2020 report](#), half of renters and a third of homeowners are cost-burdened, home prices are rising faster than wages, and new supply falls well behind demand.

Permitting ADUs wouldn't solve the problem, says Geona Shaw Johnson, director of the city's Department of Housing and Community Development, but it could help. Still, Johnson says, the city

knew from looking at other cities' experiences that relaxing the rules alone wouldn't generate a glut of new backyard apartments.

"As we have looked at this across the country, most ADU initiatives get out of the gate pretty slowly," she says. "It's not likely people are running to local governments and raising their hand and saying, 'I want to sign up right away.'"

So to complement the new zoning rules, Charleston is planning to launch a small program aimed at helping homeowners finance the construction of accessory dwelling units, as the [Post and Courier first reported](#). The city is planning to spend around \$200,000 to help up to 10 homeowners pay for the construction of new units, according to Johnson.

Under the new rules, which limit occupancy to two adults at most, the units can be used to house friends or family for free or leased to anyone earning up to 80 percent of the [area median income](#), which would mean a single tenant who earns up to \$45,400 or a couple earning up to \$51,850.

Johnson says the city is planning to finalize the program and begin accepting applications sometime this summer.

"Charleston is doing this because we have identified ADUs as one additional opportunity ... to effectuate change," she says. "Our goal is to increase the availability of housing, and we see this as an opportunity to do it."

Cities and states have struggled to find ways to increase their inventory of low-cost housing over the last decade, and many have pursued policies that they hope will add density to areas zoned for single-family dwelling. Minneapolis [made headlines](#) in 2019 by approving rules to allow duplexes and triplexes in single-family districts around the city. Oregon passed a [similar law](#) in 2019. The same year, the California legislature passed a [series of laws](#) making it easier for homeowners to build backyard apartments and convert garages to residences. In general, laws that allow homeowners to add units to their own property have proven to be less politically challenging than laws that allow for multifamily development in areas previously zoned for single-family use. But a proposal to allow ADUs has recently proven to be controversial in the Connecticut legislature, passing only after "huge concessions" from proponents, as [the Connecticut Mirror reported](#).

California has [seen](#) a significant uptick in ADU applications as it has [loosened](#) restrictions over the last several years. But permitting ADUs is only half the battle, as Laurie Goodman, vice president for housing finance policy at the Urban Institute, [has argued](#). The other critical component is helping homeowners, particularly those with limited incomes, to finance construction. In 2019, the United Planning Organization in Washington, D.C., launched a pilot program to help homeowners finance ADUs, financed by Citi Community Development, but the program was only big enough to help two homeowners, as [Next City reported](#). Other cities like [Boston](#) have created larger programs to help homeowners add new units to their properties. But programs that are subsidized by local funding are impossible to bring to a large enough scale to make a real impact, Goodman says.

"You have to not only have zoning relaxed, but you can't have other hiccups," Goodman says. "And with ADUs the other hiccups are the cost and the lack of standardization and know-how."

Existing financing tools are inadequate, Goodman says. For one thing, existing options for many homeowners to borrow against the value of their house aren't enough to pay for an accessory dwelling

unit. Banks will make renovation loans that take into account the market value of a property after it's improved, Goodman says, but won't often consider the future rental earnings in that calculation.

"You need an instrument that is geared toward ADU financing that gives you credit for both the improved value and the future value of the rents," she says.

City policies can make it easier to build ADUs, but banks, along with federal mortgage companies Fannie Mae and Freddie Mac, should step in to create the necessary financing tools, Goodman says. Though she admits it's tricky to design a solution, especially for cash-limited homeowners who would most benefit from having an extra unit on their property. What's needed, she says, is a construction loan that can then be turned into a mortgage product. In Charleston, for example, even a \$20,000 grant would cover only a fraction of the estimated \$170,000 cost to build an 850-square-foot unit, according to Johnson.

"If it were easy, it would have already been done," Goodman says.

Los Angeles has developed a successful financing and design program for ADU builders called the Backyard Homes Project, as [Next City has reported](#). In Charleston, the Department of Housing and Community Development is trying to follow suit. The ADU financing program will be funded partly by the city, and partly through a grant from the AARP that the Department is hoping to receive. The Department is also trying to line up other tools to help homeowners create accessory dwelling units, like providing architectural drawings that homeowners can work from to create simple, low-cost units, Johnson says, similar to [a program in San Diego](#). The financing program is small, but Johnson says she hopes it demonstrates the value and feasibility of ADU construction for homeowners.

"Anything and everything we've seen that might be an obstacle to getting housing built, we're trying to remove those obstacles," she says.

This article is part of Backyard, a newsletter exploring scalable solutions to make housing fairer, more affordable and more environmentally sustainable. [Subscribe to our twice-weekly Backyard newsletter.](#)

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SIGN UP

Jared Brey is Next City's housing correspondent, based in Philadelphia. He is a former staff writer at Philadelphia magazine and PlanPhilly, and his work has appeared in Columbia Journalism Review, Landscape Architecture Magazine, U.S. News & World Report, Philadelphia Weekly, and other publications.

Chapter 17.63

ACCESSORY DWELLING UNITS (“ADUs”)

17.63.010 Purpose.

This Chapter provides for accessory dwelling units (“ADUs”) on lots developed or to be developed with single-family dwellings to contribute to the community’s housing stock consistent with the Comprehensive Plan objectives and zoning regulations and to enhance the community’s housing opportunities.

17.63.020 Applicability.

An ADU that meets the requirements of this chapter may be allowed in the R-2, R-3, and R-4 Residential Districts. Accessory dwelling units are not allowed in the R-1 Residential District.

17.63.030 Development standards.

- (a) No more than one ADU per development site is allowed. The ADU must be accessory to a single-family residence, and only one ADU is allowed per single-family residence.
- (b) Maximum lot coverage for all buildings on the lot, including the ADU, the single-family house, and any garages, sheds, shops, or other accessory buildings, shall be the same as allowed in the zone ~~or 35% of the lot, whichever is less.~~
- (c) To promote the visibility and accessibility of the ADU for emergency services providers, the ADU must be connected to a public street with a concrete or asphalt walkway with a minimum four-foot width. The walkway must be kept clear of obstructions.
- (d) The ADU and the primary residence associated with the ADU must conform to Chapter 17.61 off street parking requirements. In addition, two off-street parking spaces shall be provided for the first bedroom of the ADU and one additional off-street parking space shall be provided for each additional bedroom of the ADU.
- (e) If parking spaces are accessed from an alley, an annual assessment for alley maintenance is required in the amount of _____.
- (f) Whether the ADU is entirely contained within the primary residence or is a detached building, the ADU shall have a connection to the public water main in the right-of-way and meters for water, electricity and natural gas utilities that are independent of the water main connection and utility meters for the primary residence.
- (g) The ADU shall have a numerical street address that is distinct from that of its primary residence, which distinction shall be made with whole numbers and not with letters, fractions or other symbols. If the ADU’s street address cannot be read by a person standing at the curbside of

the street on which it is located, the ADU's street address shall be posted at the street with signage that meets the requirements of emergency services providers.

(h) Unless specifically provided for otherwise by this chapter, an ADU shall comply with all requirements of applicable zoning codes, building codes, electrical codes, fire codes, and energy codes, including but not limited to the International Residential Code, International Fire Code and the Washington State Energy Code.

(i) The minimum setback of an ADU from an alley shall be five feet.

(j) The ADU shall not be sold separately from the primary residence, unless all requirements of a subdivision are met prior to the sale closing.

(k) An ADU shall comply with all bedroom and living room requirements of the International Property Maintenance Code section 404.4.

(l) An ADU shall have no more than two bedrooms. Maximum size of the ADU shall be 900 square feet.

17.63.040 Owner Occupancy

For new units established in the R-2 Zone after *(adoption date of this ordinance)*, owner occupancy of either the main house or the accessory dwelling unit is required. Prior to issuance of a building permit for an accessory dwelling unit, the applicant shall record as a deed restriction in the county auditor's office certification by the owner under oath that:

- (a) One of the dwelling units will be occupied by the owner of the property as the owner's principal and permanent residence for as long as the other unit is being rented or otherwise occupied. The owner shall maintain residency for at least six months out of the year, and at no time receive rent for, or otherwise allow to be occupied, the owner-occupied unit if the owner is absent for the remainder of the year;
- (b) The owner will notify any prospective purchaser of the property of the limitations and requirements of this chapter; and
- (c) The owner understands that the permit will be revoked if the accessory dwelling unit at any time fails to meet the requirements of this chapter.

The document shall run with the land and bind all current and future property owners, and the owner's assigns, beneficiaries, and heirs. The applicant shall submit a copy of the recorded document before the permit will be issued.

17.63.050 Conditions for legalizing pre-existing accessory dwelling units.

A nonconforming residence in existence prior to *(adoption date of this ordinance)* may be brought into compliance pursuant to OMC 17.79. A nonconforming residence in existence prior to *(adoption date of this ordinance)*, whether (i) before building permits were required, or (ii) when building permits were required but were not obtained for the residence, may be designated as a legal non-conforming residence by complying with current life safety standards.

TO: Planning Commission

FROM: Anne Henning, Community Development Director

MEETING: July 19, 2021

SUBJECT: Parks & Recreation Element of Comprehensive Plan—Update

The City Council adopted the 2015 Comprehensive Plan on March 28, 2016, with some updates to the maps since then. While it would be beneficial to update the whole plan now, that is a substantial undertaking and is not required by the state until 2027. The immediate need is to update the Parks & Recreation Element, which serves as the Park Plan that qualifies us for grant funding for projects such as the Lions Park ballfields, playground, and basketball courts. Park Plans must be updated every 6 years, so the update is due April 2022. To allow sufficient time for the public process and to prepare the various required aspects, we should start soon, preferably at the next Commission meeting.

The Parks & Rec Element starts on p.77 of the [2015 Comprehensive Plan](#), available on the website.

Action: None needed. The Planning Commission should be prepared to start discussing this update at the next meeting.

City of Othello
Building and Planning Department
June 2021

Building Permits			
	Applied	Issued	Final
Residential	25 ¹	15 ⁴	14 ⁷
Commercial	7 ²	8 ⁵	2 ⁸
Industrial	1 ³	1 ⁶	0
Total	33	24	16

¹ 3 new residence, 2 triplex, 10 re-roof, 6 HVAC, 1 patio cover, 1 bedroom/bathroom remodel, 1 carport, 1 shed
² Remodel for future restaurant, breakroom at 728 Main, shade structure at Mar-Jon Labor, HVAC at Brunswick, HVAC at Columbia Physical Therapy, 1 Portable at the High School, reroof at 1156 S. Broadway
³ Mechanical at Simplot
⁴ 10 re-roof, 4 HVAC, 1 bedroom/bathroom remodel
⁵ Remodel for future restaurant, breakroom at 728 Main, HVAC at Brunswick, HVAC at Columbia Physical Therapy, 2 Portables at the High School, reroof at 1156 S. Broadway, fire alarm system update at Taqueria Ramirez
⁶ Mechanical at Simplot
⁷ 5 new residences, 4 re-roof, 1 bedroom/bathroom remodel, 1 HVAC, 1 covered patio, 1 replace deck, 1 siding
⁸ Gas station demo, fire alarm system update at Taqueria Ramirez

Inspections

- The Inspector completed 72 inspections in June. The busiest day was June 23 with 12 inspections.

Land Use Permits & Development Projects		
Project	Actions in June	Status as of June 30
USA Gas Station demo environmental review	SEPA comment period ended June 1. Issued MDNS.	Project complete.
Housing Action Plan environmental review	Routed for environmental review. Issued DNS.	Project complete.
McCain Foods Short Plat	No change. (Final plat approved 7/2/20).	Recording the plat will wait until McCain finishes & takes over the utilities.
Ochoa Short Plat	No change. (Provided comments on draft in April, had been expecting revised proposal in May)	Waiting for revised proposal.
Sand Hill Estates #3	Street & utility construction continuing.	City cannot accept final plat for review until improvements finished and accepted, or bonded for.

Land Use Permits & Development Projects		
Project	Actions in June	Status as of June 30
Wahitis Short Plat	No change (Plat approved in May 2019. Scootney street/utility improvement plans approved by City Dec. 2019. 5/26/20 USBR notified School District that it will be about a year before they have time to review it.)	No change: Street improvements must be completed or bonded before accepting mylars for recording. USBR issues must be resolved before street improvements can proceed.
Water Hole 17 substantial building expansion	No change. (Notice of Incomplete sent in Feb: Site is not platted; have discussed with proponent multiple times. In April, representative asked for refresher on platting process.)	Waiting for plat submittal.

Municipal Code Updates/Long Range Planning

- Planning Commission presented a recommendation to Council on street safety.
- Planning Commission discussed possible changes to residential lot coverage limitations and lot sizes in some zones.

Housing

- Worked with consultant on updates to Housing Action Plan for Council and Commission review.
- Housing Action Plan public hearings, Planning Commission recommendation, City Council adoption.
- Grant amendment approved, all deliverables provided, and reimbursement paperwork filed with Commerce.
- Presented Housing Action Plan to Rotary, as part of larger presentation by Mayor on City projects.

Rental Licensing & Inspection Program

- Starting with voluntary compliance. 12 rental applications so far.
- 6 inspections completed in June. Two passed and 4 failed. The failures were all related to water heaters and/or smoke/CO detectors and should be easy for the owners to fix.
- Getting ready to mail notices and information packets to all known landlords.
- Created Rental Licensing page on website to have all the information available in one place.
- Clerk's Office posted information on Facebook about the Rental Licensing program.

Parks/Recreation

- Participated in Farmers Market Food Incubator project meetings and consultant 3-day site visit.
- June open house at City Hall to take public input on various upcoming parks projects (playground, basketball courts, Farmers Market/Food Incubator).

Transportation

- Participated in Water/Sewer/Street Committee meeting about Planning Commission's Street Safety Plan.

- Provided input into Complete Streets presentation to TIB and participated in site visit.

Staffing/Technology

- We are continuing cross-training and compiling notes about procedures, to prepare for Permit Tech's maternity leave this summer.
- Building and Planning staff is pretty comfortable with the new Permit Trax software. We are continuing to work on getting other departments on board.

Website

- Updated [Housing Action Plan page](#) on website with public hearing information and the June version of the [Plan](#).
- Created [Rental Housing Licensing & Safety Inspection page](#) on website.
- Created [Street Safety page](#) on website, with input from Mayor, Police Chief, and City Engineer, to provide information about why street safety, speeding, and pedestrian improvements have been such an issue lately.
- Posted Ash Street Safety Improvement rebid on the [Bid page](#) of the website.

Other

- Department heads are continuing their review of the city personnel policies.
- Met with Adams County Water District #1 and Othello Housing Authority about extending water to new development outside city limits and prepared it for Council action. Ultimately, the Water District decided they would provide service to the proposed development so it did not go to Council.