

Joyce Phillips

From: Nibler-keoghs <nibler-keogh@comcast.net>
Sent: Tuesday, January 09, 2018 1:35 PM
To: missingmiddle
Subject: Missing middle comments

I did not expect to speak last evening at the Planning Commission meeting on this topic and three minutes is a short period of time to address some of the concerns I have about the details of the missing middle proposal, so I would like to expand upon my comments of last evening.

First of all, I agree with the general goals of the missing middle proposal. I recognize that increased city density is necessary to avoid sprawl and encourage efficient use of transit and other public infrastructure. I also have two young adult sons, one of whom is going to be looking for affordable housing in a few months when he gets his Master's degree.

However, the devil is in the details. There are several aspects of the missing middle proposal where I am concerned that either critical details are being overlooked or insufficient weight is being given to necessary supportive spending to make the proposal work as intended. My key concerns are in the areas of adequate physical and program infrastructure, inequitable impact, unintended potentials for density above the declared densities in the zoning code, the conversion of housing to short term rentals, and parking:

- A) Physical infrastructure. I'm most familiar with the Eastside (upper and lower) because my wife and I walk this area regularly. These neighborhoods (likely to be the most highly impacted by this proposal) suffer from inadequate or crumbling sidewalks, crowded to overcrowded schools, insufficient park space (especially the lower Eastside), and older water systems (it took several efforts by the city to upgrade our water pressure to near normal due to the weakened state of the water pipes in the area—and there's a leak in the city right of way in front of our home that's being investigated right now).

While the city can hope to save money by increasing density in areas currently served by public infrastructure, it should not increase density in areas with inadequate infrastructure without also incorporating a spending plan to improve the physical infrastructure in the intended higher density areas. I have not seen any specific discussion of such necessary spending. The city and school district have recently invested significant monies in schools, parks and traffic infrastructure in the SE portion of the city—but the missing middle proposal appears highly unlikely to take advantage of that new investment to increase density. Instead, as a result of the park investment the planned density in that area will be lowered—which was the intent of its proponents.

- B) Program infrastructure. This proposal does not address the necessary investments needed for code enforcement and landlord tenant training/negotiations. Increased code enforcement will be necessary to make sure that the hoped for conversions of structures to duplexes and ADUs will be safe and meet code (and not just done on the "weekend permit" basis). If the intent is to encourage existing owning residents to develop rentable units, then those residents must be trained in screening tenants, developing leases, setting procedures for both rent collection and making repairs, and handling problem tenants. One of our neighbors who does own a duplex has ceased to rent out his extra space because of the problem tenants he has had.

If these investments are not made then such conversions of single family homes will either be few and far between or poorly done. Relying on absentee owners to make such conversions will significantly reduce the both the level of local ownership in areas like the Eastside neighborhoods and will increase the potential for short term rentals.

- C) Inequitable impact. By using the bus lines as the primary basis for such zoning adjustments this proposal will result in potentially better use of Intercity Transit. The downside is that this primary focus on bus transit will result in almost all such increased density falling in the lower to lower middle income neighborhoods along the bus lines. Last night's discussion further amplified this—the less dense, higher income neighborhoods with fewer bus lines will be even less affected due to their HOA provisions and covenants. I'll add one further consideration, to be addressed in greater depth next, which is that the greatest increase in density will occur in older developed areas zoned 4-8 where the lots are not evenly split and in similarly zoned but undeveloped areas where the lot splits can be gamed to increase actual development.
- D) Unintended potentials for higher than projected density. As it is currently constructed, the proposal for duplexes and triplexes has the potential to produce densities that are higher than the nominal zoning limits.

In a 4-8 unit/acre zone, if the allowable number of units is determined on a lot by lot basis, then one can split an acre into two 0.188 acre lots (8200 sq. ft.) and six 0.104 acre (4500 sq. ft.) lots and the result is an allowable 10 units. This is because the two 8200 sq. ft. lots would each, by rounding, qualify for a duplex development. While this may seem theoretical, I've reviewed the lot splits shown by the assessor's office for some of the blocks my wife and I regularly walk and several would produce at least 9 units per acre—precisely because the blocks have a mix of small parcels and larger parcels. Even without counting ADUs this represents a potential 22-50% increase in the current actual housing density on a block by block basis.

Similarly in an 8-12 zone, if you split an acre into 8 lots of 5445 sq. ft., you could place 8 duplexes and thereby get to 16 units in that zone. I haven't looked at the assessor's website for a similar evaluation of the actual impact in the neighborhood just north of our home but, given these calculations and my walking observations I suspect that the proposed changes currently on the city website could readily result in densities of 13-15 units per acre if all allowed conversions were made.

I understand from the discussion last night that this portion of the proposal may be changed but it is worth recognizing how such proposals can be gamed.

- E) Conversion of housing to short term rentals. By looking at both short term rental websites and talking with our neighbors we easily have identified 4 short term rentals of homes (and one rental RV on city right of way) in an 8 block stretch of Central Street SE that we walk regularly. These all represent houses taken out of "missing middle" housing stock. We know that further such conversions are under consideration.
- F) Parking. Our home is located right in between two bus stops—each a block away. Our observation of the neighborhood, including those rental homes closest to us, is that there are approximately 0.9 cars for each adult in those homes. The only thing lowering this ratio from 1.0+ to 0.9 is not young adults; it is seniors who no longer drive. The point of this comment is that you cannot assume less parking will be needed as density increases—the Eastside is already one of the most densely developed neighborhoods in the city and parking is already at a premium. Businesses located on the arterials add significantly to this load during the day (we typically have 3-4 cars parked in front of our home during the day on weekdays). Rentals increase the parking load per unit because each person (typically a young adult) comes with a car. As the state government has diversified its office locations to Lacey and Tumwater (and moves staff between locations) it has increasingly become harder for state employees to rely on bus transportation. And our neighborhood has a significant number of college students who rent in it (due to affordability) and then travel by car to the colleges (which are not centrally located). A major part of the problem with parking (and lack of use of the public transportation) is the structural location of the offices and colleges in this vicinity; although based on bus line availability, this proposal will not significantly change the per person ownership of cars and the related need for adequate parking.

Joyce Phillips

From: Karen Messmer <karen@karenmessmer.com>
Sent: Tuesday, January 09, 2018 9:29 AM
To: missingmiddle
Subject: code language that could be confusing 'trailer camp'

Under the lodging tax section of the municipal code (see below) the phrase 'trailer camp' is used. I don't think I recall seeing this phrase used in the zoning part of the code. This could be a clean up that is needed to clarify definitions and application of code.

Karen Messmer

Chapter 3.40 LODGING TAX

3.40.000 Chapter Contents

Sections:

3.40.010 Levied.

3.40.020 Definitions.

3.40.030 Tax imposed additional to others.

3.40.040 Special fund created.

3.40.050 Contract with The Washington Center.

3.40.060 Administration and collection.

3.40.070 Penalty for violation or noncompliance.

3.40.010 Levied

There is levied a special excise tax of four percent (4%) on the sale of or charge made for the furnishing of lodging that is subject to tax under Chapter 82.08 RCW. The tax imposed under Chapter 82.08 RCW applies to the sale of or charge made for the furnishing of lodging by a hotel, rooming house, tourist court, motel, **or trailer camp**, and the granting of any similar license to use real property, as distinguished from the renting or leasing of real property. It shall be presumed that the occupancy of real property for a continuous period of one month or more constitutes a rental or lease of real property and not a mere license to use or enjoy the sam

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'It has been said that democracy is the worst form of government

except all the others that have been tried.' ~ Sir Winston Churchill ~