



Annual Comprehensive Plan Amendment Process for 2018

Review of the Kingston Urban Village Center (UVC) Zone Regulatory Barriers & Preliminary Draft Alternatives (Part 1)



Over the course of our meetings, the Workgroup has narrowed in on the following regulatory barriers (not listed in priority order).

Regulatory Barriers Currently Included in this Document

- Maximum building height: different height limits affect potential density; view corridor issues (consider 45 feet height in strategic locations)
- Residential use restrictions:
 - Detached SFR prohibited
 - Accessory dwellings prohibited
 - Unconventional housing options (i.e. boarding houses, bedrooms for rent)
- Remodels/additions and changing the use of existing structures (e.g. from residential to business) requires the entire property to meet current design standards (instead of proportionally)

Regulatory Barriers to be Added to this Document for Subsequent Meeting

- Parking requirements:
 - On-site parking (located on the development site)
 - Off-site parking (located on a different property than the use it is serving)
- Non-residential use restrictions (particularly for a downtown commercial)
- Redundant and conflicting design criteria
- Minimum dwelling size (square feet of livable area)

1. Maximum Building Height

Background

- Maximum building heights are set by the underlying zoning and may be modified by an overlaying design district (see Maximum Building Height Map; new handout).
 - The UVC zone sets the underlying height limit at 45-feet (no minimum number of stories).
 - The Old Town/Waterfront design district overlays a portion of the UVC zone and reduces the height limit there to 35-feet (2-story minimum).
 - The Village Green design district overlays a portion of the UVC zone and has a height limit of 45-feet (2-story minimum).
 - The portion of the UVC zone on the NE hillside does not have an overlaying design district, so the height limit remains at 45-feet (no minimum number of stories).
- In all other commercial zones (but specifically not allowed in the UVC), building height limits may be increased by an additional 10-feet if consistent with recommendations from the fire marshal/fire district and compatible with surrounding uses/zones. The increase must result in a decrease in building coverage, increase in public amenities, and/or more creative or efficient use of land. [see KCC 17.420.060.A.17 in Binder item 4.5]
- Building height is the only difference between the Old Town/Waterfront and Village Green design districts and is the biggest difference between those two design districts and the

Lindvog design district (see Kingston Design Districts – Summary of Differences; handout from 3/29/2018).

- Building heights can influence the ability of a development to achieve target densities and provide public amenities (e.g. landscaping, public spaces, etc), especially on small lots, infill development, and redevelopment.

Preliminary Draft Alternatives

The following alternatives have been drafted by staff based on prior group discussions and our professional input. These are still preliminary and subject to revision by the Workgroup.

1. No change to the maximum building height in the Old Town/Waterfront design district.
 - The UVC zone would continue to have mixed heights:
 - NE Hillside would be 45-feet (no minimum number of stories).
 - Old Town/Waterfront design district would be 35-feet (2-story minimum).
 - Village Green design district would be 45-feet (2-story minimum).
2. Change the maximum building height in the Old Town/Waterfront design district to 45-feet (2-story minimum), consistent with the underlying UVC zone.
3. Remove height limits from the Kingston Design Standards and let the underlying zoning govern building heights.
 - The height limit would be 45-feet across the entire UVC zone.
 - The height limit would drop from 45-feet to 35-feet where the Village Green design district overlays the Neighborhood Commercial zone (i.e. Village Green Community Center/Park property and adjacent senior housing).
 - There would be no minimum number of stories.
4. Remove height limits from the Kingston Design Standards and let the underlying zoning govern building heights AND make footnote 17 (KCC 17.420.060.A.17) applicable to the UVC zone like other commercial zones.
 - The height limit would be 45-feet across the entire UVC zone
 - The height limit could be increased by 10-feet if consistent with recommendations from the fire marshal/fire district and compatible with surrounding uses/zones. The increase must result in a decrease in building coverage, increase in public amenities, and/or more creative or efficient use of land.
 - There would be no minimum number of stories.

Group Discussions/Consensus

- The Workgroup has already decided it supports increasing density in the UVC, and selected a preferred policy alternative that would make maximum density unlimited (i.e. maximum density would be determined by site/building requirements and market demand).
- Discussion, so far, seems to suggest mixed opinions about increasing building heights in the Old Town/Waterfront design district.

Staff Recommendation

- None at this time.

Staff Comments

- What questions do Workgroup members have?

2. Residential Use Restrictions

Background

- The types of residential uses allowed in the UVC zone are provided in KCC 17.410.044, the Commercial, Industrial, Parks, and Public Facility Zones Use Table (see Binder item 4.4). KCC 17.110 defines most of the “uses” listed in the table – these definitions can be important (see Binder item 4.2).
- A comparison of uses allowed in the UVC with other selected commercial zones in Kitsap County and comparable communities is provided in the Comparison of Allowed uses by Community (see Binder item 2.3.2; last update 3/29/2018). Unadopted recommendations from the “Kingston Master Plan” effort are also included in this comparison document.
- The UVC zone, like most other commercial zones, emphasizes residential development in the form of multi-family and mixed-use development and prohibits detached single-family development. Detached single-family development is allowed in the Urban Low (UL) and Urban Medium (UM) Residential zones, such as those that surround the commercial core of the Kingston UGA.
- Notably different than other commercial zones, “cottage housing” is allowed in the UVC zone, which is a type of residential development with single-family detached structures on commonly owned property and some shared amenities.
- Row-type houses can be considered attached single-family development (when they have individual yard area) or as multi-family development (when they have no yard area, such as the proposed “Seaside” development on Lindvog Rd).
- Single-family residential development (attached or detached) is not currently required to comply with the Kingston Design Standards.

Preliminary Draft Alternatives

The following alternatives have been drafted by staff based on prior group discussions and our professional input. These are still preliminary and subject to revision by the Workgroup.

1. No change to the allowed residential uses in the UVC zone.
2. Allow additional residential uses (**TBD based on additional Workgroup discussions**) on the NE hillside outside the Old Town/Waterfront design district.
 - This could add residential uses on the NE hillside that are comparable with the adjacent Urban Medium (UM) Residential zones.
 - Another alternative would be to rezone the NE hillside to Urban Medium (UM) Residential, which has already been discussed.
 - Any changes in the types of permits required are **TBD** based on additional Workgroup discussions.
3. Allow additional residential uses (**TBD based on additional Workgroup discussions**) throughout the UVC zone.
 - Unless commercial street frontages are designated in the Kingston Design Standards, this alternative would allow any of the new residential uses (e.g. single-

- family detached residential) to be built along any street, including Main Street and Washington Boulevard.
 - Any changes in the types of permits required are **TBD** based on additional Workgroup discussions.
- 4. Allow additional residential uses (**TBD based on additional Workgroup discussions**) throughout the UVC zone AND designate commercial street frontages in the Kingston Design Standards.
 - This alternative would ensure that certain designated street frontages are preserved for future commercial use and restrict certain new residential uses (e.g. single-family detached residential) from being built along commercial streets.
 - Any changes in the types of permits required are **TBD** based on additional Workgroup discussions.

Group Discussions/Consensus

- The group has had limited discussion of this issue.

Staff Recommendation

- None at this time.

Staff Comments

- What questions do Workgroup members have?
- Consider whether the design standards should apply to single-family development. Seaside had to comply because it technically is “multi-family”, but another project of attached single-family dwellings (regardless of # of units) would not be required to “look” like the rest of the design district.
- The UVC zone is intended to be the downtown of the Kingston UGA. Designating commercial street frontages (and allowing initial residential occupation) would provide some certainty that core commercial areas are preserved (at least for easy future conversion to commercial).
- Allowing detached single-family everywhere in the UVC seems inconsistent with the vision of developing a downtown for the Kingston UGA.
- Allowing detached single-family development on the NE hillside seems consistent with the pattern of development in the Kingston UGA. Rezoning the NE hillside to Urban Medium (UM) Residential still seems like the clearest way to distinguish where the “downtown” should be (in the Old Town/Waterfront design district) and where some of the new residential uses desired by the Workgroup can be located (in the new UM zone).
- Some ideas regarding allowed uses that could support the transition (as opposed to assuming an unrealistic overnight transformation) of the Old Town/Waterfront district to a downtown include:
 - Allow “accessory dwelling units” and “accessory living quarters” to allow a small increase in density and more housing options in downtown until the market supports more significant redevelopment.
 - Allow changes in use (i.e. residential to commercial) and remodels/additions with proportional compliance with the design standards – see next regulatory barrier)

3. Remodels/Additions & Changes of Use - Conformance with Design Standards

Background

- The Kingston Design Standards currently say (Introduction; page i) *“any existing structure or facility that does not conform to these standards is exempt from compliance unless the use or the structure is modified, upgraded, remodeled, or otherwise improved. All single-family residential structures are exempt from these design standards.”* (emphasis added)
Therefore:
 - Changing the use of an existing structure (e.g. changing a home from a residential use to an office) currently requires the entire property to come into compliance with all design standards (parking, landscaping, frontage improvements, etc).
 - Remodeling or expanding the exterior of an existing structure currently requires the entire structure to come into compliance with all design standards.
- The [Silverdale Design Standards](#) (Section 1.4.1; page 4) has the following language addressing the issue of remodels/additions that could be adapted for the Kingston Design Standards.
 - *The design guidelines are specific to physical elements and contexts within downtown Silverdale and its districts and apply to all new construction or substantial reconstruction within the Silverdale Design Districts.*
 - A. *For all existing structures in the design districts with exterior improvements or additions or both valued at less than 50 percent of the replacement value of the structure, only the new portion(s) of the structure and associated site improvements are subject to the design guidelines*
 - B. *For all existing structures in the design districts with exterior remodels greater than 50 percent of the replacement value of the structure in any three-year period, then the standards apply to the entire structure and associated site improvements.*
- The Silverdale provisions above do not apply to a change in use.

Preliminary Draft Alternatives

The following alternatives have been drafted by staff based on prior group discussions and our professional input. These are still preliminary and subject to revision by the Workgroup.

1. No change to how the Kingston Design Standards apply to remodels/additions or changes in use.
2. Amend the Kingston Design Standards with language comparable to the Silverdale Design Standards (Section 1.4.1; page 4).
 - This would address the issue of exterior remodels/additions, but not changes in use.
3. Amend the Kingston Design Standards with language comparable to the Silverdale Design Standards (Section 1.4.1; page 4) AND develop new language (TBD) applicable to changes in use.
 - This would address the issues of exterior remodels/additions and changes in use.

Group Discussions/Consensus

- The group has not substantially discussed this issue.

Staff recommendation

- Alternative 3

Staff Comments

- What questions do Workgroup members have?
- Alternative 2 or 3 would align with best practices.