

# AGENDA ITEM

## BUSINESS OF THE CITY COUNCIL City of Des Moines, WA

SUBJECT: Community Development Code  
Amendments Overview

FOR AGENDA OF: November 6, 2025

DEPT. OF ORIGIN: Community Development

ATTACHMENTS:

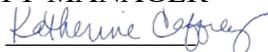
DATE SUBMITTED: October 27, 2025

1. Development Code Amendments Overview  
PowerPoint

CLEARANCES:

- [ ] City Clerk \_\_\_\_\_
- [ ] Community Development 
- [ ] Courts \_\_\_\_\_
- [ ] Finance \_\_\_\_\_
- [ ] Human Resources \_\_\_\_\_
- [ ] Legal /s/ TG \_\_\_\_\_
- [ ] Marina \_\_\_\_\_
- [ ] Police \_\_\_\_\_
- [ ] Parks, Recreation & Senior Services \_\_\_\_\_
- [ ] Public Works \_\_\_\_\_

APPROVED BY CITY MANAGER

FOR SUBMITTAL: 

**Purpose**

The Community Development Department will provide a presentation on the upcoming Development Code Amendments including:

- Application Abandonment
- Co-Living Housing
- Religious Property Housing
- Lot Splitting
- Unit Lot Subdivision
- Conversion of Existing Buildings
- Additional 2026 Code Updates

**Background**

This presentation will provide updates on the Community Development Code Amendments that are expected to go to Council for review through the end of 2025 and 2026. Most of the proposed Ordinances are required by State law to be implemented.

**Discussion**

This item is intended for presentation and informational purposes. Staff is looking to answer any questions Council may have ahead of the upcoming Public Hearings.



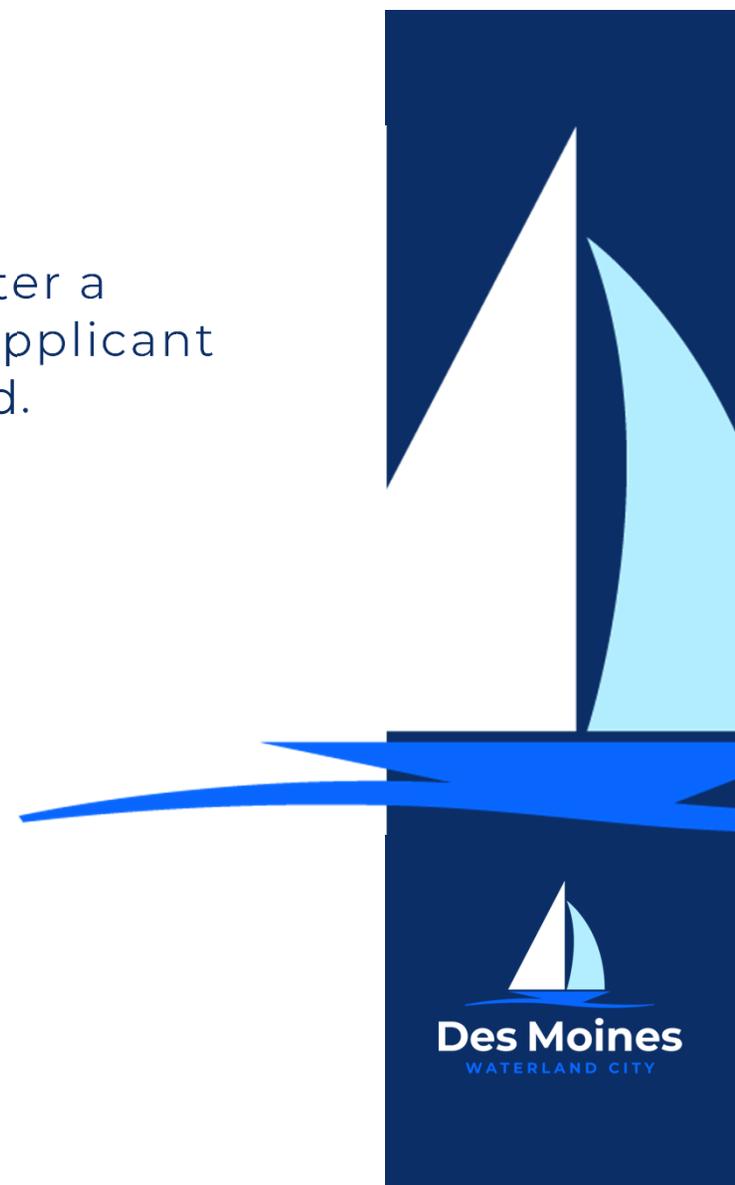
# Development Code Amendments Overview

Committee of the Whole  
11.06.2025

# Application Abandonment

Land use applications will terminate 180 days after a request for more information/correction, if the applicant fails to resubmit. An extension may be requested.

A new application is required if the application terminates.



# Co-Living Housing

A residential development with **sleeping units that are independently rented** and lockable and provide living and sleeping space. Residents share kitchen facilities with other sleeping units in the building.

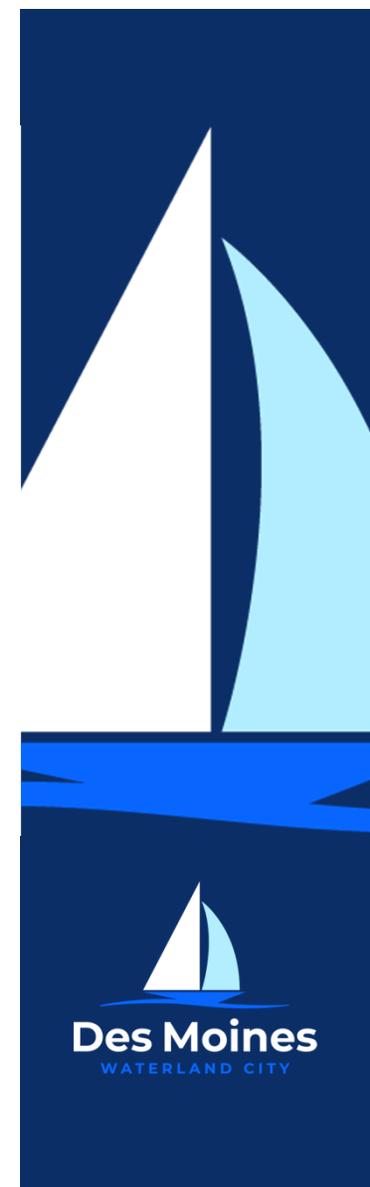
Also called: Single-room occupancy, rooming/boarding house, residential suites

Statute: RCW 36.70A.535



# Co-Living Housing Provisions

- Allow co-living in areas that allow 6 or more residential units. (includes mixed-use zones)
- Requires no more than 0.25 off-street parking spaces per unit. (no parking requirements within ½ mile of major transit stop)
- Treat a sleeping unit as one-quarter of a dwelling unit (or less) when calculating density



# Religious Property Housing

Provisions for affordable housing and temporary shelter that apply to **property owned and controlled by a religious organization.**

Statutes: RCW 36.70A.545 & RCW 35A.21.360

Provisions:

- Must allow a density bonus for affordable housing
- Must allow hosting of the homeless (conditions must protect health and safety)
  - Additional limits regarding
    - Duration
    - Permit fees
    - Insurance
    - Simultaneous organizations



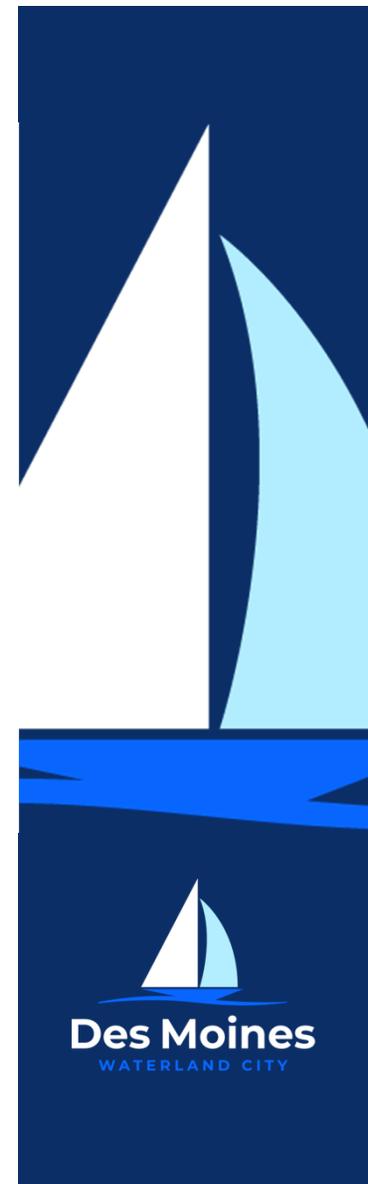
# Lot Splitting

Divide an existing residential lot into two.

Legislation: SB 1096

Provisions:

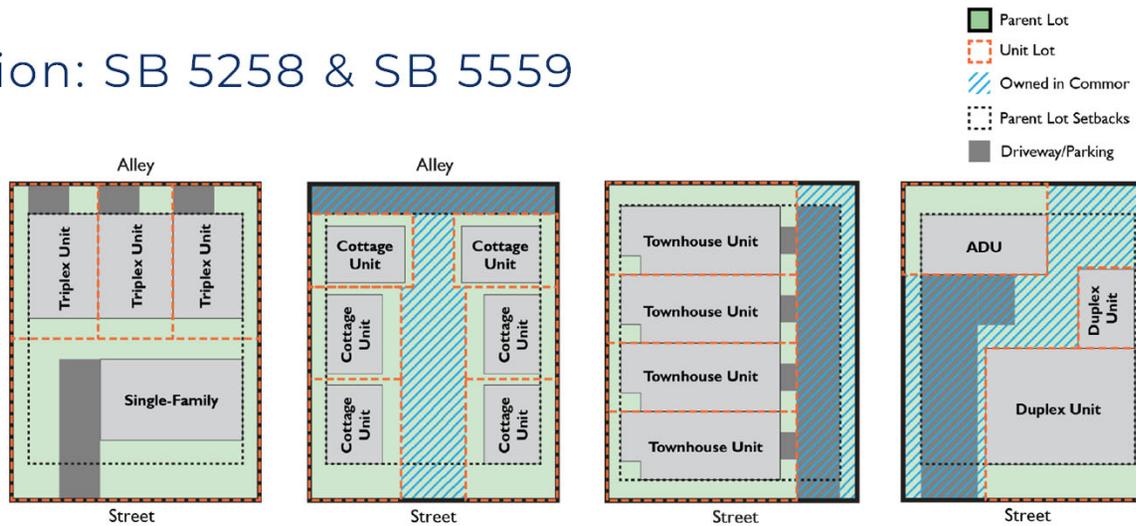
- No more than one newly created lot is created through the administrative lot split.
- Lots meet the minimum lot size allowed under applicable development regulations.
- The parent lot was not created through the splitting of a residential lot authorized by this section.
- The parent lot be located in a residential zone



# Unit Lot Subdivision

All cities, towns, and counties shall include in their short plat regulations procedures for unit lot subdivisions allowing **division of a parent lot into separately owned unit lots**.

Legislation: SB 5258 & SB 5559



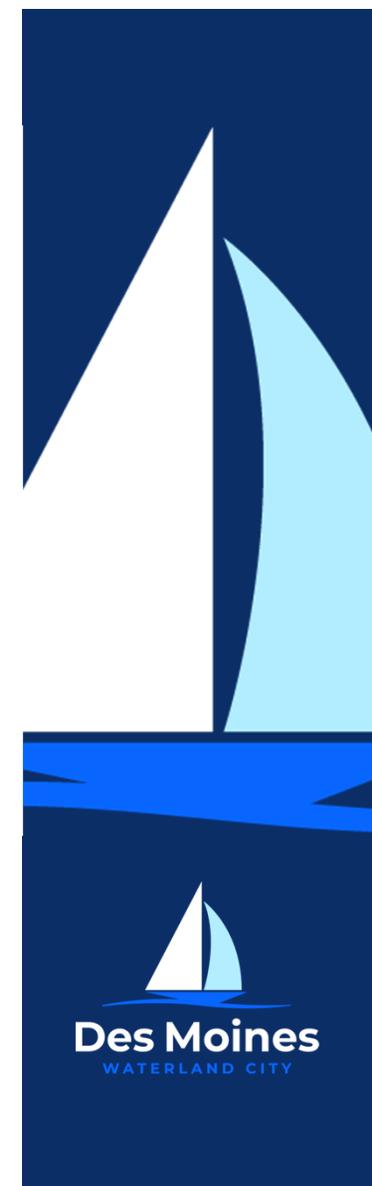
# Unit Lot Subdivision Provisions

- Limitation on local review procedures
  - Administrative review
  - No public meeting
- Notice to community and property owners within 250 feet



# Unit Lot Subdivision vs Condo

	Unit Lot Subdivision	Condominium
Options for ownership of underlying land	<ul style="list-style-type: none"> <li>• Individual</li> <li>• Combination of individual and common interest</li> </ul>	<ul style="list-style-type: none"> <li>• Common interest</li> </ul>
Options for management of common area(s)	<ul style="list-style-type: none"> <li>• HOA</li> <li>• Other formal common agreement, including plat notes</li> </ul>	<ul style="list-style-type: none"> <li>• HOA</li> </ul>
Allows separate ownership of stacked unit(s)	No	Yes
Allows separate ownership of ADUs	Yes	Yes
Warranty	Not required	Four-year implied warranty of quality
Processing	Short plat through jurisdiction	State process with notice to county auditor May require jurisdiction process*
Typical Processing Steps	City/county platting process: <ul style="list-style-type: none"> <li>• Application</li> <li>• Notice, if applicable</li> <li>• Preliminary approval</li> <li>• Final approval</li> <li>• Recording</li> </ul>	<ul style="list-style-type: none"> <li>• Check with local jurisdiction for any processing requirements</li> <li>• Housing code inspection</li> <li>• Issuance of a Notice of Condominium Conversion</li> <li>• Public offering statement</li> <li>• Selling units to individual buyers</li> <li>• Filing a declaration with the local government</li> </ul>



# 2026

- Conversion of Existing Buildings
- Critical Area Ordinance
- Tree Mitigation/Tree Replacement
- Sound Code
- Vacant Commercial Space Registration



# Conversion of Existing buildings

Re-use of **existing non-residential buildings for housing**, in areas that allow multifamily residential uses.

Statutes: RCW 35.21.990, RCW 35W.21.440

Provisions:

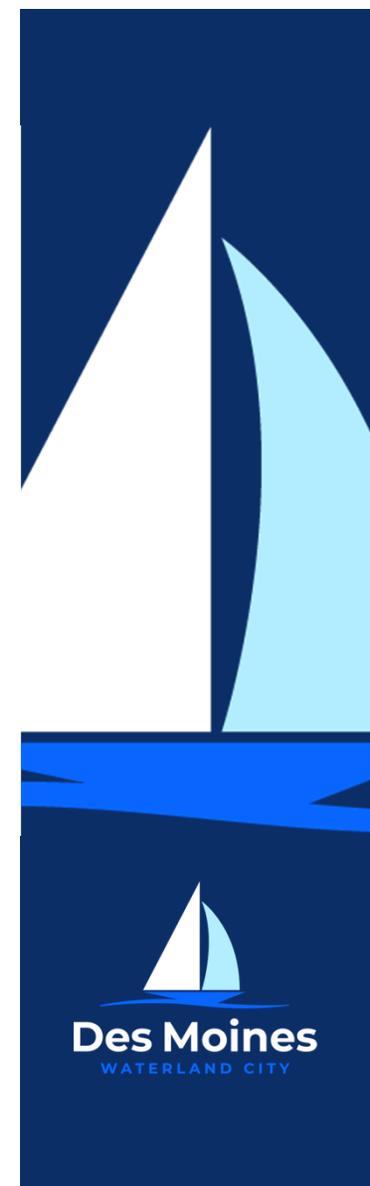
- Allow housing units entirely within the envelope of an existing building at a density 50% greater than allowed by the underlying zone.
- No additional Parking required
- May not deny permit within existing building due to nonconformance with parking, height, setbacks, or modulation.



# Discussion

Any Council questions ahead of a Public Hearing?

Any specific information/data need when items are brought back to Council for hearing?





**Des Moines**  
WATERLAND CITY