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From: Noelle Lovern <Noelle@biaofclarkcounty.org>
Sent: Friday, August 11, 2023 12:27 PM
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Cc: Susan Ellinger; Eric Golemo; ga@ccrealtors.com; Houston Aho - Aho Construction (houstona@ahoconstruction.com)
Subject: Questions regarding proposed HOSAP code amendments
Attachments: Proposed_HOSAP_questionsFINAL.docx

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Good afternoon, Chair Bowerman, Council Members, and Colleagues.

First, I would like to express appreciation for Council's and staff's commitment to crafting this round of HOSAP code updates with great care and attention to detail. As follow up from the recent Council hearing addressing HOSAP and the associated code updates, we gathered input from the real estate and construction industry to compile the attached list of questions. We believe these questions will help drill down on the final refinements needed to create codes that will be more seamless in implementation.

Please feel free to use this list of questions in part or in its entirety as a resource for finalizing HOSAP codes. We are available to discuss these questions and provide clarification as needed. I am available to answer any questions at your convenience.

Best,

Noelle Lovern | Government Affairs Director
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40.260.155.C.8.a

What affordability goal does restricting garages and driveways achieve?

Can we remove 40.260.155.C.8 from the proposed updates and still advance on our affordability goals?

40.260.155.C.8.b

Can the requirement to group driveways be modified to be a “preference when topography allows it”?

As we seek to optimize vacant buildable land, could we provide more flexibility with this requirement so as not to limit development where topography is challenging?

Have the unintended consequences of grouping driveways including restricting the front door location been weighed against other priorities?

40.260.072.e

How important is guaranteeing street visibility of the Main Entrance in the lens of housing affordability?

Could this code be adjusted to read “the preference is for main entrances to be visible”?

40.260.072.G.1-5

How important is driveway position to housing affordability?

Would removing conditions 1, 4, and 5 negatively impact affordability?

40.220.010

In order to optimize the lot space and provide the most living space possible on smaller lots in low-density residential districts, is it feasible to use setbacks as the guide rather than lot coverage percentage?

If lot coverage percentage is preferred, can that percentage be increased a bit more? Added 5%?

Conflict between 40.260.072.G and 40.260.155.C.8 with 40.350.030.B .4.b.2.

40.350.B.4.b.2 calls out the minimum allowed driveway width as 12 feet and 40.260.072.G and 40.260.155.C.8.a requires a maximum width of 10 feet. Whether these are contradictory or just confusing, is there a way to clarify this language to avoid the need for reviewer interpretation and the need for further amendments?

Needed change for 40.350.030.B .4.b.2

*(2) Driveway Number and Width. A maximum of two (2) driveways may be permitted to a residential lot or individual duplex unit meeting the spacing requirements of Section 40.350.030(B)(4)(b). Joint-use driveways may be allowed and will count as a driveway for each residential lot or duplex unit. For a joint-use driveway, a minimum of a twenty (20) foot wide easement is required. Driveways shall have a minimum width of twelve (12) feet of clear, unobstructed all-weather driving surface and an overhead clearance of thirteen (13) feet, six (6) inches. **The first, or only, driveway shall be twelve (12) feet to thirty-five (35) feet in width.** If a second driveway is allowed, the maximum width of the second driveway will be fifteen (15) feet.*

40.260.020

Can garages, porches, patios, decks, sheds, etc. be excluded from “total gross floor area” and still advance on our affordability goals?

To give more flexibility for more affordable housing stock options, does it make sense to change this language to allow the homeowner to maximize the buildable lot space when building an ADU?

How does the 25ft height limit impact carriage units (ADUs above garage) allowed within the cottage code?

Does setting the ADU height at 25 ft. create challenges when placing an ADU above a garage which is common practice?

Is there any negative impact to HOSAP goals if the height of ADUs is set at 35 ft. which is consistent with other structural height limits?

Cottage Housing Code

Cottage code is a new class of housing stock that has the promise to deliver smaller more affordable homes. This is achieved, in part, by the 200% density bonus allowed within the cottage housing code. Can codes addressing separate parking lots and detached garages be modified to allow attached garages and parking in proximity to each unit to make this type of housing product safer and more marketable?

How can assurances be written into the language so that there is no confusion or bleed over when applying the codes to narrow lots vs. compact lots vs. cottage developments, etc.?

Confusion in codes results in the most restrictive code as guidance. Can language be included to clearly distinguish and delineate these various housing types and their specifications? What alignments and consistencies can be included for all housing types to alleviate confusion?

It appears that attached garages are not allowed within the cottage housing code, is this correct? How can this be clarified in the code?

If attached garages were allowed, how would it impact the affordability of this housing product?

Does it make sense to allow flexibility when it comes to attached garages for cottage housing?

When most structural height limitations are 35 ft., doesn't it make sense to keep that consistency with cottage housing?

Can the 1,600 gross sq ft. limitation on cottage housing units exclude garages, porches, sheds, decks, etc.?

How does the common space requirement add to the affordability of cottage housing?

Does communal parking positively impact the affordability and marketability of cottage housing stock?

Is it possible to keep the parking code for cottage housing flexible? Maybe make it a preference if there is an affordability and marketability advantage?

General

Would it help with the review process and timelines if codes were as consistent as possible? For instance, 35 ft. as a standard height limit? Total gross floor area excludes garages, porches, patios, decks, sheds, etc.?