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**Growth  
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**Comprehensive  
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Orange County, Florida  
**Cohousing  
White Paper**

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## Introduction

Within the next thirty years, Orange County is expected to add more than half a million new residents (Orange County Planning Division, 2003). Not only would Orange County add more residents, but the overall population would be older. In 2030, the County is projected to have more than 200,000 residents over the age of 65. This demographic shift presents the County with a dilemma. Over 60 percent of the local housing inventory consists of single-family detached homes (American Community Survey, 2006). This housing model was originally conceived to fit the needs of a nuclear family consisting of two parents with two or more kids. Today, less than 25 percent of all Orange County households meet these characteristics. In fact, the County's average household size has continued to shrink, reduced from 3.07 persons in 1980 to 2.56 in 2005 (Housing Element, 1988; American Community Survey, 2005). As the County's population ages, household size is expected to continue to shrink. Therefore, the current suburban development pattern would become less efficient in addressing the housing needs of all community members<sup>1</sup>.

These changes have led Orange County to examine ways to diversify the local housing stock and investigate innovative housing models that would accommodate the housing needs of all populations in the County<sup>2</sup>. Recently, the Planning Division was approached by the Central Florida Cohousing Foundation about the creation of two cohousing communities in Orange County<sup>3</sup>. Cohousing developments or intentional communities are common in Europe, and several projects have been developed successfully across the United States. However, this concept remains fairly unknown to the Central Florida region, and it is not clear whether this type of project could be built using the County's Comprehensive Policy Plan policies, Land Development Code, and other regulations.

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<sup>1</sup> Several authors have discussed the disconnection between current demographic trends and the existing housing inventory at the national level (McCamant, 1989, Nelson, 2004, and Myers, 2008).

<sup>2</sup> On June 13, 2006, the Orange County Board of County Commissioners (BCC) appointed a Workforce Housing Task Force to help identify regulatory and financial barriers to the production of workforce housing. The taskforce produced a list of 25 recommendations which were approved by the BCC on May 22, 2007.

<sup>3</sup> In its letter to the Planning Division, the Central Florida Cohousing Foundation expressed interest in creating two cohousing communities in or near Orange County. The first one would be suburban/rural community built from the ground up. The second community would be an urban retrofitted neighborhood. According to them, these two would be the first cohousing communities in the Central Florida region.

The objective of this report is to examine how the local regulations reconcile with or may be adapted to facilitate cohousing developments in Orange County to support its land use, sustainability, and economic development goals. The first part of the paper provides a general overview of the cohousing concept, including its history and general characteristics. The paper then details the main types of cohousing developments constructed in the United States. This section relies on four case studies of cohousing developments across the nation. Finally, Orange County's code is examined to determine specific changes that could foster the establishment of cohousing developments locally.

### **What is Cohousing?**

The cohousing model combines the autonomy of private dwellings with the advantages of community living. In cohousing developments, each household has a private, self-sufficient dwelling, but the community shares extensive common facilities, including a kitchen and dining hall, children's playrooms, workshops, guestrooms and laundry facilities. Although individual dwellings are designed to be self sufficient, and each has its own kitchen, the common facilities, and particularly common dinners, are an important aspect of community life both for social and practical reasons (McCamant and Durret, 1989 p.10). Cohousing developments are also referred to as "intentional communities," because the community members help to design the community and the common facilities.

The cohousing movement was born in Denmark in the early 1970s. Its proponents have several sources of inspiration, including Thomas More's book, *Utopia*, and the Danish Workers movement<sup>4</sup>. The first Danish cohousing development was built in 1972 in the village of Jonstrup, just outside of Copenhagen. By 1980, Denmark had 12 owner-occupied cohousing communities, ranging in size from 6 to 36 households. The cohousing movement spread quickly through Europe. Cohousing inspired projects were built in Norway, Sweden, Germany, and France. The concept was brought to the United States by Kathryn McCamant and Charles Durret, who wrote their book,

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<sup>4</sup> Written in 1516, *Utopia* describes a city of cooperatives, where families share common facilities and meals. The Danish Workers Movement also has a long tradition of involvement in developing better housing alternatives through the Worker's Building Association. An example of this type of project is the Doctors' Association Housing, which was built on Copenhagen in 1853. This project consists of a series of row houses built at an intimate scale that encouraged active community life.

*Cohousing: A Contemporary Approach to Housing Ourselves*, in 1989. Today, about 5,000 people in the United States live in 93 cohousing communities. These developments are located in both small and big cities, but they tend to be concentrated in large metropolitan areas and college towns (Rogers, 2005). Today, California, with 43, is the state with the most cohousing developments, followed by Washington (17) and Massachusetts (16) (Perrigan, 2006). The majority of cohousing developments take the form of one, two, or three-story attached houses, much like clustered or medium density, low rise housing often seen in Orange County and across the United States. In the United States, unit prices can range nationwide from \$89,000 to \$450,000 (Samaniego, 2006).

Who is a cohousing resident? Cohousing developments attract a cross section of household types and age groups<sup>5</sup>. Residents share dissatisfaction with existing housing choices available in their community. They also believe in non-hierarchical decision making, consensus building, non-gender based roles, and community involvement.

The cohousing movement shares several characteristics with other urban development concepts and movements. People who are unfamiliar with cohousing often compare it to the group communes of the 1960s, but several aspects set cohousing apart from this movement. For example, in cohousing developments, each household lives in its own individual unit, and members are free to decide how much they want to participate in community activities. Unlike communes, cohousing developments do not organize around any religious or ideological beliefs. Furthermore, residents do not share their income with the community. The goals of the cohousing movement are similar to those of the New Urbanism and Smart Growth movements. Each movement aspires to avoid the potential isolationism of the suburban development pattern, encourage stronger ties among community members, and strive to protect the environment.

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<sup>5</sup> A recent survey of cohousing residents in North American found the following characteristics: most of them have higher than average levels of education, many are professionals. Many have chosen to work at home, chosen to work at lower paying positions or are working part-time. Many have higher than expected level of financial resources, generally from having owned a home before. A good number of them are debt-free. They are often involved in a number of other organizations and community activities (Scotthanson and Scotthanson, 2005).

In her book, Kathryn McCamant (1989) identified the major characteristics shared by all cohousing projects:

Participatory Processes: Community participation is the most important part of the cohousing movement. Residents are involved in the design and management of their community from the beginning of the process<sup>6</sup>. A development would usually start with recruitment of interested members, most of the time before the site is even purchased. Organized residents work together to develop an overall vision for the community. They also participate actively in the design of the community and have input on any available amenities. Because of the extensive community participation required to develop them, cohousing projects can take as long as eight years to develop (Durrett, 2005). After it is finished, the community is managed by its residents, who make decisions at community meetings. All decisions are made by consensus, and voting is the method of last resort. Residents also participate in community meals, which are prepared and served at the community's common house.

Neighborhood Design: The physical design of the development supports ongoing community interaction through three main design features. The first is the total separation of the car from the main residence. Most developments are pedestrian oriented, and parking lots are placed on the periphery of the project. The second is the designation of pedestrian pathways linking the access to each residence, which can be beautifully landscaped and act as amenities for the entire community (Figure 1). Transitional spaces between buildings contribute to the quality of life as much as the buildings themselves. These outdoor spaces can be used for sitting, walking, spontaneous visits with neighbors, gardening, and socializing (Durrett, 2005). Finally, the fronts of the units face the pedestrian pathways to promote interaction among the community's residents (Scotthanson and Scotthanson, 2005).

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<sup>6</sup> The development of a cohousing community goes through several stages. In the organizational stage a core group meets to define the general goals of the community and start recruiting new members. This is followed by the programming phase, where members create a development program that specifies the environmental, financial, and social goals of the community. Here residents clarify mutual expectations; state their financial commitments, draft legal agreements, and build trust between the participants. Ideally, this process will be completed before the acquisition of a site. In the design and construction phase members hire an architect to translate their goals into a site plan. Residents can be involved in this process through several participatory methods, including questionnaires, models, and visits to other cohousing developments. After this, the project enters into the actual permitting and construction phases of the development.

Extensive Common Facilities: All cohousing developments include a common house, which becomes the central part of community life. This common area is designed for daily use and supplements private living areas. The common house for a typical 30-unit cohousing community averages 5,000 square feet (Durrett, 2005). It usually includes a variety of amenities, including a community kitchen, a large dining room, laundry room, a workshop, and extra bedrooms that can be used by visitors. Most common houses are used to hold community dinners several days of the week. The emphasis and investment in the main house, with amenities that allow residents to meet many daily needs, usually means less square footage in individual dwellings<sup>7</sup>.

**Figure 1: Landscaped pathways between residences in the Westwood Cohousing community, North Carolina**



Source: Westwood Cohousing Community, (n.d.), Retrieved April 22, 2008

In comparison, a condominium clubhouse differs from a cohousing common house in significant ways. The most obvious is the manner and extent that the facility is used by the community. When not rented by individual residents for social activities, a condominium clubhouse remains empty and locked. Most of them also tend to be very

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<sup>7</sup> According to the Census Bureau, the average size of new homes built in the United States at the start of the 21<sup>st</sup> century was 2,324 square feet. In comparison, the average private house in a cohousing community is 1,250 square feet (Durrett, 2005). The building costs for a cohousing unit are comparable to that of an attached unit, but may be five percent higher, depending on the amenities included in the common facility (Rogers, 2005).

small. In contrast, the common house tends to be very large and remains open for the use of the residents. Furthermore, the common house would have specific features that vary, depending on the needs and tastes of the residents.

The cohousing model provides an alternative to the regular subdivision and multifamily development model. Residents are empowered to contribute from the start of the community by helping to design it and deciding which amenities would be included. Contrast this with regular housing developments, where the homeowners buy the facilities designed by the project's developer. Furthermore, the design of cohousing communities encourages resident interaction by promoting public over private space. Most cohousing proponents see the design of regular communities as impersonal and dislike that it promotes isolation. Finally, similar to Home Owner Associations (HOAs), cohousing residents meet frequently to discuss issues affecting the community. These meetings also help to set the chore schedule and organize the community events.

**Figure 2: Common house of the Village in Madison, Wisconsin**



Source: Design Coalition, 2000, Retrieved April 22, 2008

### **Financing and Ownership Structures**

Since cohousing is a fairly new movement in the United States, its proponents have to find innovative ways to finance their communities and establish a legal ownership structure. Financing cohousing communities can be tricky because of the length of time and commitment that is required to develop them. In the United States, banks typically require purchase commitments for at least 70 percent of the units before

they will approve a project. Moreover, they prefer to see twenty to thirty percent of the project's cost invested in equity before committing to provide a loan (Durret 2005).

Risk-averse developers have other things to worry about. "Despite the demand for cohousing, Tucker says few developers are willing to pursue it because of the level of coordination and involvement with end users required" (Rogers, 2005, p.73). When building traditional residential communities, developers save money by making costs predictable, keeping close tabs of all three phases of development: "soft" or variable costs associated with pre-development, such as permit fees, architecture and planning; "hard" costs of land, labor and materials; and operating and reserve costs required to maintain the buildings and other community and household expenses after move-in. The main goal is to ensure a profit that is between ten and twenty five percent of the total unit selling price. In contrast, in cohousing developments, residents exert greater control over financial, design and construction details, which makes it more difficult for an investor to ensure that the development is profitable.

These factors show a fundamental difference between cohousing and traditional developments. The end purpose of traditional housing developments is to meet the demands of the user while turning a good profit for the investor. This investor would then move to create the next community somewhere else. On the other hand, the aim of cohousing is to create a community that showcases the values and desires of a particular group. This creates a strong emotional bond between the residents and the cohousing community that they are planning.

There is an emerging trend led by developers to streamline the cohousing process. Under this model of implementation, the developer takes two roles. The first is the traditional developer role, performing activities such as site selection, feasibility studies, financing, site planning, and construction management. In the second role, the developer assists the participatory process by helping to form groups and facilitate meetings. Communities do not have to use the full gamut of services offered and may choose to use the developer's expertise for land acquisition, but not for design.

Internal strategies used by architects and builders to lower housing costs include methods specific to cohousing, as well as those used in all housing projects. Widely

used examples include choosing smaller unit sizes, building “at scale” with a sufficient number of units to get better prices on labor and materials, designing for energy efficiency in materials, siting homes for passive solar gain, and clustering homes to use less land. Bathrooms and kitchens are the “high ticket” rooms, so having only one bathroom per unit and standard kitchen appliances are other ways to lower per-unit costs.

There are other alternatives for groups that are attempting to build a cohousing development on their own. Cohousing developments have been financed through various mechanisms, including privately owned condominiums, limited equity cooperatives, rental properties owned by non-profit organizations, or a combination of private ownership and non-profit owned rental units (Durrett, 2005).“ Prospective cohousing residents often form a Limited Liability Corporation (LLC) that assumes the role of developer, negotiates with the lending institution, acquires the site, and hires the architect. After the project is completed, each member “buys” their house from the LLC and assumes responsibility for their own mortgage. Since, from a legal perspective, the LLC is considered a separate and distinct entity, it helps groups to distinguish individual liability from community liability.

Another important issue with cohousing communities is ownership. Legal ownership in the United States has taken three forms. In many developments, units are owned as single family houses with each resident holding a fee simple deed, while the community spaces are owned by a HOA, similar to single family and multifamily developments. Another ownership form is the cooperative. Here the entire community is owned by all the residents as a cooperative, and each household buys a share of the property. Most communities choose to organize as condominiums instead. In the condominium model, the homes are owned individually, while the land and common areas are owned under a master deed.

Although they can be perceived differently at first, the ownership and financing structures in cohousing developments are similar to those of standard housing developments. The Planned Unit Development organization structure could help to validate the cohousing model locally, as this is a fairly common way of organizing communities in Orange County. However, locally, this is a new idea that may take time

to evolve in the marketplace. It is worth noting, however, that residents of Orange County and Central Florida, in general, were probably somewhat unfamiliar with the new urbanist movement until Celebration and Baldwin Park were developed in the local area. Today, these are two of the well-regarded communities in the region. In time, developers and buyers are expected to become more familiar with the cohousing model, and to consider it as one of the options for “green” and sustainable living likely to become increasingly popular among prospective homeowners and builders.

### **Types of Cohousing Developments**

Much like traditional housing developments, cohousing developments have started to evolve and differentiate themselves from one another. For example, one of the strongest emerging trends is the adaptation of the cohousing model to develop senior communities as an alternative to other elderly housing options. This has led communities to identify themselves as either intergenerational or elderly cohousing. Another way of distinguishing themselves is geographical location. Some communities choose to locate in urban/suburban areas while others locate in rural areas. Urban communities typically are settled on smaller sites and frequently adapt an older building to a modern use. In a similar manner, cohousing proponents have been turning old subdivisions into cohousing communities. A family buys a house and then recruits other families interested in cohousing to buy nearby houses when they are offered for sale. Once a large group of homes has been acquired, the community establishes common areas and builds a common house. These communities are known as retrofit cohousing. Rural communities have generally been organized by members that have a deep concern for the environment and typically contain features such as solar panels, community gardens, water saving devices, and other resource conservation techniques<sup>8</sup>.

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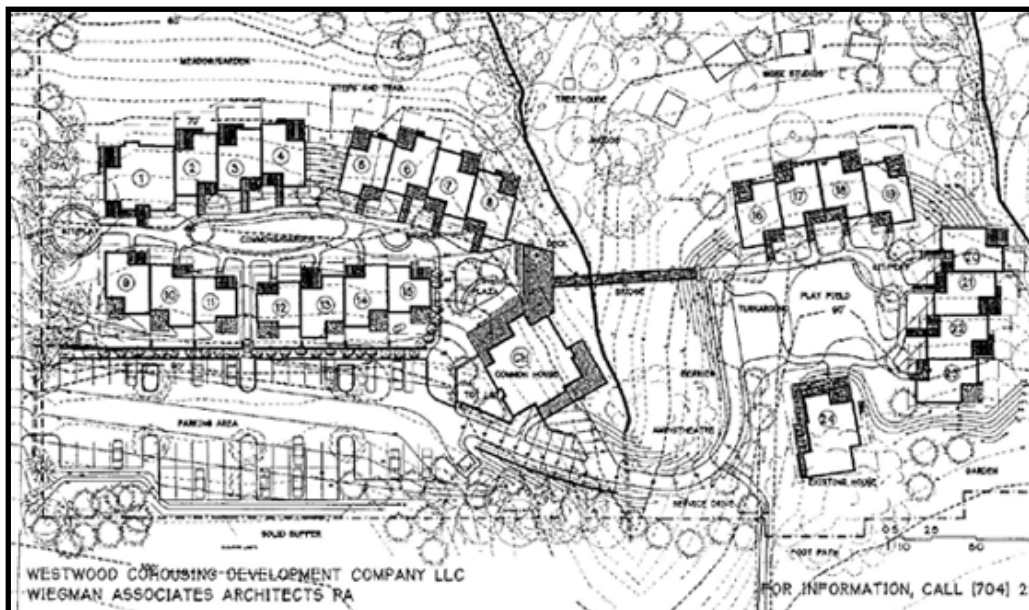
<sup>8</sup> Cohousing advocates like to tout the environmental benefits of the cohousing model versus traditional developments. Since the units are clustered, cohousing communities, on average, occupy less than 50 percent of the land of the average subdivision. This leads to the preservation of more open space when compared to regular subdivisions. When compared with residents of traditional subdivisions, cohousing residents use about 25 percent as much energy. Significantly, cohousing residents use 25 percent as much household energy overall as they did on in their previous house and drive about 25 percent less (Durrett, 2005).

The following analysis includes four cohousing communities from different parts of the United States. They are good examples of the diversity present in the cohousing model.

### *Standard*

Westwood Cohousing is a suburban community located outside the City of Asheville in western North Carolina. The owners of the Westwood property and others became intrigued with the idea of cohousing, and they saw the possibility of a new community in Asheville. The original site of the cohousing community was planned on a dilapidated flower farm that had only a one-bedroom cottage. A group was formed to work with the family that owned the property and plan the community. At public hearings in October 1995, Asheville's Planning and Zoning Commission and the City Council, with the praise of neighbors and several letters of support, gave unanimous approval of Westwood's plans. Construction began in April 1997 and was completed August 1998. Today, the community consists of seven three-story buildings, which contain 24 dwellings, the original farmhouse, and a central common house on a four-acre site (Westwood Cohousing, 2008).

**Figure 3: Site Plan for Westwood Cohousing Community in Asheville, NC**



Source: Westwood Cohousing Community. (n.d.). Retrieved April 22, 2008

The group used a commercial lender and private funding to finance the building of the Westwood Cohousing Community. Relative to operations, the group has not identified a leader, and all decisions are made by consensus. All members have independent finances, and each is expected to contribute at least four hours of volunteer labor monthly and a monthly assessment of \$218 in support of the community (Holstrom, 2000).

The community was guided by environmental principles. The homes use solar heat and radiant heating (UNC, 2008). Westwood's 24 dwellings share one water meter and one meter charge, rather than 24 separate monthly charges (Westwood Cohousing, 2008). In addition to the systems in the Westwood buildings, there is an energy-efficient irrigation system with several underground cisterns to collect the water from storm drains in the parking lot and across the campus. These cisterns hook up to pumps, which can be used for irrigation.

*Retrofit Housing (urban/infill):*

Urban infill and redevelopment projects now make up a bulk of the urban cohousing model. One example is the North Oakland Cohousing community, located in a retrofitted five-story building in the Temescal neighborhood. This urban location makes it convenient to transit, parks, a farmer's market and downtown Berkeley, as well as Oakland's Chinatown. Another example is a community called "The Village," located in Madison, Wisconsin. Like North Oakland Cohousing, this community is located in an urban environment and features retrofitted buildings adapted to cohousing.

The Village community began with a series of meetings held by Design Coalition, a non-profit design firm with a mission to increase access to "quality design and construction expertise" (The Design Coalition, 2008). In 1997, the community began to acquire land and work with architects to design the buildings. It became the first local cohousing neighborhood upon completion in 1999 (Thompson, n.d.). Today, The Village is an urban cohousing community with 18 units on 0.7 acres. The project was financed internally by the community's 24 adult members and 5 non-member residents. The community structure is democratic with consensus decisions and a steering committee. Community members contribute between 8 and 12 hours of volunteer labor monthly and maintenance fees similar to those of homeowner and condominium associations.

For its site layout and design, the community put its parking on the periphery with the primary vehicle access on an alley-like city street called St. James Court. There is also a drop-off parking area, off the main quad, that is made with a porous paving material (Thompson, n.d). The units range in size from 700 square-foot one bedroom units to 1,600 square-foot two bedroom townhouses with a loft. This diversity allows the community to appeal to a variety of urban dwellers. According to Art Lloyd, a developer and current resident of Village Cohousing, “People get tired of the sort of alienation of apartments, condos, even single-family houses where you don’t know your neighbors. People really like this idea. We had no trouble at all selling [residents that have left] units” (Thompson, n.d.).

Figure 4: Site Plan for The Village Complex



Source: Design Coalition, 1998, Retrieved April 22, 2008

### *Ecoliving (rural)*

Ecohousing is the term used to describe cohousing developments that emphasize sustainable and green living. Cohousing often is seen as an ingredient of the

general ecovillage and ecoliving concept, because it addresses some of the same social issues of community (Scotthanson and Schotthanson, 2005). The ecovillage concept is a little more complex, as it tries to create self-sustainable communities that tend to include agriculture, commercial activity and renewable energy sources. Most of these communities are built in rural areas and feature community gardens, renewable energy infrastructure, and composting programs.

The Ecovillage at Ithaca, located in the Finger Lakes region of upstate New York, is a cohousing community and non-profit educational organization. It has a cooperative ownership structure under an umbrella organization, which differs from the usual condominium or homeowner association arrangement. The development includes two 30-home cohousing neighborhoods. A third neighborhood is in the planning stages. There is also an organic Community Supported Agriculture (CSA) vegetable farm, an organic CSA/U-Pick berry farm, office spaces for cottage industry, a neighborhood root cellar, community gardens and varied natural areas.

**Figure 5: The EcoVillage's community vegetable garden**



Source: Bosjolie, (n.d.), Retrieved April 22, 2008

Over 80 percent of the 175-acre site is planned to remain green space, including 55 acres in a conservation easement held by the Finger Lakes Land Trust. The current community is developed on three acres, with housing units that range between 922 and

1,642 square feet. In addition to keeping home sizes modest, the residents and architects incorporated ambitious environmental elements into the design. For example, underground pipes allow eight-unit clusters to share a hot-water heating system, which reduces the natural gas use. Village residents have the opportunity to share common dinners several times per week in the two common houses, and they volunteer about 2 to 3 hours per week on various work teams. Since they often use the common kitchen, residents opted for smaller, energy-saving appliances in their individual kitchens.

The Ecovillage represents the ideal of the eco-conscious rural community and, although ambitious, their cohousing model demonstrates a tightly knit, highly organized network of volunteers ready to plan and implement an eco-friendly lifestyle. The Ecovillage is an ongoing experiment in eco-living and cohousing that will contribute to the cohousing and environmental communities for years to come.

#### *Elderly/Assisted Living*

According to the Census Bureau, Orange County had 131,198 residents over the age of 60 in 2006. This number is expected to jump to more than 300,000 people in 2030. The county will need to find creative ways to house this elderly population. Because of its focus on community participation and resident choice in the design of the community, cohousing is a good alternative to house senior residents. Senior cohousing takes the principles of cohousing and modifies them according to the needs of older residents (Durrett, 2005). The main goal of a senior-cohousing development is to let residents “age in place” with security and accessibility. Senior cohousing has become an alternative to assisted living facilities because senior citizens are better able to assist each other in this setting. The first Danish senior cohousing community, Midgården, was built in 1987. Since then, several projects have emerged, with one allowing studio apartments within individual units, so residents can have live-in aides. Some of the residents may even share their aides with neighbors to lower costs. Senior cohousing communities are similar to their intergenerational counterparts, but with certain modifications. There is a general agreement among residents about the limits of co-

care<sup>9</sup>, and the size of the community tends to be more limited than other cohousing communities, with a maximum of 30 living units.

The case study in this analysis is the Silver Sage community in Boulder, Colorado. This community began ten years after completion of the Nyland cohousing community. Confronted with an aging population, Nyland cohousing began asking the question, “How can we accommodate the needs of our elder residents?” After a series of community meetings in 2003 and with the help of Wonderland Hill Developers, a group of interested seniors developed a one-acre site in the new-urban Holiday neighborhood across the street from Wild Sage, a multigenerational cohousing project. Completed in 2007, the common house facility is 5,000 square feet and contains a dining room, gourmet kitchen, central garden and patio area. The development contains 16 condo units, six of which are permanently affordable through the City of Boulder’s affordable housing program. There is also a living room, guest room, adult-oriented crafts room, exercise room, yoga room, and elevator service.

**Figure 6: Silver Sage Cohousing**



Source: Tremper, B. (n.d.), Retrieved on April 22, 2008

In a sense, the cohousing model fosters the independence and relationships that are often lost when seniors move to an assisted living facility or nursing home. In senior

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<sup>9</sup> Durrett (2005) recommends senior cohousing members to agree on rules regarding the age and health issues of potential residents. In the beginning, members should set limits as to how far they are willing to go to assist a neighbor in need. Specifically, they should differentiate between everyday aid tasks like picking prescriptions or bringing a meal to sick neighbor and nursing care tasks such as bathing or feeding.

cohousing, the group makes its own decisions collectively, such as planning their meals and activities together. The relationships between the seniors give them a sense of purpose and belonging aside from the common bonds of age, experience, and needs. After Margaret Porter and her husband came to realize that they weren't going to find the kind of community they wanted in an apartment building, they decided to join the Silver Sage community. Porter explains, "We wanted a community where we felt like we had the opportunity to age gracefully, with other people, in friendship and support" (Morgan, 2006).

### **Fitting Cohousing in Orange County**

Local jurisdictions play an important role in the cohousing process, in terms of evaluating the project against zoning regulations and public service availability. Notwithstanding the success stories discussed in the previous section, there is a higher level of difficulty in developing and financing cohousing communities, as opposed to traditional subdivisions. Cohousing communities are planned in specific context, and a key feature of this model is its flexibility and adaptability to the needs and values of its residents and the characteristics of the site. Cohousing can be urban, suburban or rural. The physical form is typically compact, but varies from low-rise apartments, to townhouses, to detached houses. Cars are kept to the periphery, and green space is shared.

A crucial component of cohousing communities is clustering. Structures are usually clustered closely together, leaving as much of the land as possible open for shared use. In other jurisdictions, cohousing neighborhoods are often treated as typical condominium or townhouse developments from a regulatory perspective. Some are also site-planned as single-family homes with homeowner associations. This enables a development to be built without the need for changes or variances to ordinances governing land use and development. Is it possible for interested parties to build a cohousing community in Orange County without adjusting or augmenting zoning regulations? The short answer is yes.

To serve as a resource for groups considering cohousing options in Orange County, this section describes future land use designations, zoning districts, subdivision regulations, parking standards, and impact fee provisions relevant to cohousing. In

addition, this section reviews a previously-mentioned cohousing community to demonstrate how these provisions may apply to a cohousing development.

### *Future Land Use*

Growth in Orange County is directed by policies of the Orange County 2000-2020 Comprehensive Policy Plan (CPP). The Future Land Use Element helps to implement the vision of the CPP by defining the appropriate use of land, through the property's future land use designation. Future land use designations help to set the County's general urban growth pattern by designating the allowable density and intensity of development. Density refers to the total number of units divided by the developable land (Orange County Comprehensive Policy Plan Future Land Use Element Policy 1.1.11). Another important feature of the CPP is the Urban Service Area (USA) boundary concept. This is the area where Orange County has the primary responsibility for providing the infrastructure and services to support urban development (Orange County Comprehensive Plan Future Land Use Element Objective 1.1). The area outside the USA is known as the Rural Service Area. The lack of potable water and sewer services precludes urban development in the RSA. The highest density allowed in most of this area is one dwelling unit per 10 acres.

Within the USA, a regular cohousing development would be allowed in the Medium Density Residential (20 dwelling units per acre) and High Density Residential (50 dwelling units per acre) future land use designations<sup>10</sup>. Parcels with these future land uses are the best fit for standard urban cohousing developments. They both allow multifamily developments, which is desirable because most cohousing developments are comprised of attached units. Clustering of units would also be easier within these land uses. Cohousing developments could also be a good fit with the Neighborhood Residential future land use designation, because it allows more than 20 units per acre. This land use is permitted within the Holden Heights district, an older urban neighborhood that could benefit from new investment and revitalization efforts.

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<sup>10</sup> At the time this paper was being prepared, staff from the Planning Division was in the process of revising the policies of the Orange County's Comprehensive Policy Plan. Proposed changes include increasing the allowable density in several of the urban future land use designations and including minimum density requirements.

Outside the county’s USA boundary, it would be extremely difficult to develop a cohousing community. Residential development in the rural areas is limited to one dwelling unit per ten acres. Moreover, clustering is not permitted in the Rural Service Area, except in Rural Settlements. The highest density allowed within a Rural Settlement is 1 dwelling unit per acre. Therefore, a clustered community, such as cohousing, would probably need to be developed as a Planned Development (PD). This is because the regular cohousing development does not meet the development standards of Orange County’s rural zoning districts. However, the biggest obstacle to develop a cohousing community would be the potential for neighborhood opposition. The residents of some rural settlements have expressed concerns in the past relative to clustering and the resulting lot sizes and may oppose any project that promotes clustering.

Ultimately, finding the right site is the greatest challenge for a new cohousing project. Properly zoned multifamily property tends to be highly valued by developers for apartments, townhouses or condominiums. While this increases infill development, it also creates an opportunistic market and higher land prices per acre. Groups interested in cohousing need to become familiar with the multifamily zoning districts, research the general development patterns of the area, have flexible location and size requirements, and consult appropriate real estate and appraisal professionals in the site selection process.

*Zoning*

The appropriate zoning districts for a cohousing project would vary depending on whether the proposed development would be in a rural or urban context. One important caveat for our analysis is that “*cohousing*” is not a recognized land use in Orange County’s zoning use table (Sec. 38-77, OCC). As such, this analysis includes zoning districts that allow unit clustering and multifamily development. Table 1 lists the zoning districts that might be considered appropriate for cohousing and summarizes the development standards of each district.

**Table 1: Site Development Standards for Recommended Residential Zoning Districts**

<i>Zoning District</i>	<i>Min. Lot Area</i>	<i>Min. Floor Area per Dwelling</i>	<i>Min. Lot Width (ft)</i>	<i>Minimum Setbacks(ft)</i>		
				<i>Front</i>	<i>Rear</i>	<i>Side</i>

	<i>(sq ft.)</i>	<i>Unit (sq ft)</i>				
R-CE Cluster	21,780	1,500	100	30	25	15/10
R-3	15,000*	500	85	20	30	15/10
NR	1,000 + 2,000 per du	500	20	20	20	10
PD	Varies	Varies	Varies	Varies		

Source: Orange County Code of Ordinances, Chapter 38  
 \*Required only when building four or more units.

In rural settings, the R-CE Cluster District may be suitable for cohousing. This district intends “to encourage the dedication of public lands which serve and benefit the community,” by providing “flexibility in lot size, housing styles and building placement for variety in development design compatible with abutting development” (Section 38-551, OCC, 2006). Cluster developments are designed to preserve open space, protect critical ecological habitat and preserve agricultural land.

In urban and suburban settings, cohousing communities could potentially be developed in the Multiple Family Dwelling District (R-3) and Neighborhood Residential (NR) zoning districts. Both zoning districts permit multifamily developments with accessory uses (Section 38-77, OCC). These two zoning districts do not impose restrictions on the number of attached units allowed within a development. The site development standards for the NR zoning district would be more suitable for cohousing developments because of lower minimum requirements for lot area, floor area, and lot width. Setback requirements, however, might be a problem for some cohousing developments because the units are clustered.

The majority of the cohousing communities surveyed in other jurisdictions rezoned their project to the equivalent of Orange County’s Planned Development (PD) zoning district. This district is intended “to provide for planned residential communities containing a variety of residential structures and diversity of building arrangements and open spaces” (Section 38-1201(1), OCC). The PD zoning district provides some of the

flexibility needed by cohousing developments to overcome the site requirements imposed by traditional zoning districts; however, this flexibility would probably add some costs and time to the project. First, the applicant would need to have a pre-application conference with the Zoning Division to review the concept plan for the community and relevant Orange County development standards and code requirements. The applicant would then submit a rezoning application to the Planning Division and a PD land use plan to the Development Engineering Division. The land use plan depicts the community's proposed land uses and characteristics, such as maximum gross density, total number of units, type of unit, minimum net lot size, minimum net living floor area, building height, open space and recreation areas. In addition to these site requirements, the plan must address the proposed methods to provide water, sewage, storm water, transportation, and school services to the members of the community (Section 38-12-5, OCC). The Development Review Committee (DRC), a committee composed of staff from several divisions including Planning, Utilities, Fire Rescue, and Zoning, among others, reviews the land use plan and recommends its approval/denial.

When compared to regular zoning districts, the PD Zoning District provides a degree of flexibility that would probably make it easier to develop a cohousing project in Orange County. However, it is important to provide an opportunity to develop these communities in a standard zoning district, if the scope of some cohousing projects would not warrant the PD approval process.

#### *Subdivision and Site Development Regulations*

If the land use plan is approved by the Orange County Board of County Commissioners, then a project can proceed with later stages of the development review process for the property. All subdivision and multifamily development is governed by Orange County's Subdivision Regulations (Ch. 34, OCC). This ordinance regulates subdivision design standards, potable water and fire protection, wastewater, and storm water management. It does not appear that cohousing communities would have any major problems developing under these standards.

#### *Impact Fee Calculations*

Impact fees are one-time charges applied to offset the additional public-service costs of new development. In Orange County, fees are applied at the time a building

permit is issued and are assessed for transportation, law enforcement, fire, parks, and school facilities made necessary by the presence of new residents in the area. The total impact fee assessment depends upon the size and type of the new development, as the proposed new use is multiplied by a set unit rate determined by specific uses, less any deductions for existing square footage. When a development contains a mix of uses, the applicant must separately calculate the impact fee due for each use.

**Table 2: Impact Fees for Single Family Detached and Multi-Family Dwellings**

<i>Impact Fee Category</i>	<i>Costs per Dwelling Type</i>	
	<i>Single Family-Detached Dwelling</i>	<i>Multi-Family Dwelling</i>
Road	\$3,713.00	\$2,603
Fire	\$215.16	\$188.57
School	\$11,829.00	\$6,647
Law	\$202.78	\$64.09
Park	\$1,295.22	\$933.66
Total	\$17,147.16	\$10,436

Source: Orange County Concurrency Management Office, 2008

Effective July 10, 2008, the estimated total impact fee in unincorporated Orange County is \$17,147.16 for a single-family detached dwelling and \$10,436 for a multi-family dwelling (Table 2). These impact fees are indexed to increase between 2 and 7 percent per year, depending on the impact fee.

One of the most important features of cohousing developments is the common house. Although this building is mainly used to hold community dinners, it can also include a variety of amenities, such as play rooms, laundry facilities, and extra bedrooms. This could present a concern in calculation of corresponding impact fees. In Orange County, the primary use of a new structure is determined by the Commercial Plans Reviewer in the Division of Building Safety. Once the Plans Reviewer has determined the occupancy, usage, and estimated value of the development, a commercial plans review fees worksheet is submitted to a Senior Permit Analyst in the Concurrency Management Office. Most likely, the common house would be classified as a place of assembly for impact fee purposes<sup>11</sup>. The typical impact fee cost for public assembly place is \$3,566.79 per 1,000 square feet (Table 3).

<sup>11</sup> One of the featured case studies of this report was the Westwood Cohousing development. The Westwood site plan was given to a Commercial Plans Reviewer for assessment to illustrate how a

**Table 3: Impact Fee Costs for a Place of Assembly**

<i>Impact Fee Category</i>	<i>Cost</i>
Road	\$3,290.00
Fire	\$195.89
Law	\$80.90
Total	\$3,566.79

Source: Orange County Concurrency Management Office, 2008

Because of the uniqueness of each cohousing community, it is difficult to provide a straightforward answer about the impact fee assessment that would be paid by the members of the community. As an example, the impact fee assessment for a 30-unit cohousing community with a 5,000 square-foot common house would be about \$532,198.75. These costs would vary, depending on the type of housing unit developed and the amenities that would be included in the community.

### **Conclusion and Recommendations**

Originally started in the 1970s in Denmark, the cohousing model has become a viable alternative for those who are not satisfied with the regular housing options provided by the real estate market. Today, about 5,000 people live in 93 cohousing communities throughout the United States. The expected decrease in household size and the aging of the local population provide good opportunities to adopt the cohousing model in Orange County. The cohousing movement is based on the principles of community participation and consensus, a community layout that promotes interaction between neighbors, and the inclusion of a common house that serves as the central part of the community.

Cohousing developments are now being diversified depending on where they are located and the needs and values of their residents. Westwood Cohousing community in Asheville North Carolina is an example of a standard cohousing development being built in urban and suburban areas. In the inner core, residents have been able to create cohousing through infill development in older urban areas. An example here is “The Village” development in Madison, Wisconsin. In this project, residents created a new

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cohousing proposal may be handled in Orange County. The reviewer found that it would fall within existing categories: the residential units would be classified as residential and the common house as place of assembly. This use is classified as an office/ institutional use for the calculation of fire and law enforcement impact fees.

community by refurbishing two of the houses and building three more buildings on the site. In rural areas, cohousing communities stress sustainability and low impact development, such as the Ithaca EcoVillage in Ithaca, New York. This community preserved most of the site and has a vegetable garden and other environmental amenities. Finally, the cohousing model has been used to provide alternative housing to seniors. The Silver Sage development in Boulder, Colorado is an example of this type of elderly cohousing community. These developments are excellent examples of the type of cohousing communities that are being built across the United States.

The objective of this paper was to facilitate the development of cohousing communities in Orange County as a way to diversify the local housing stock and provide ways to accommodate the housing needs of all our residents. Although this housing model “is not for everyone,” there is a sector of the population that would be interested in developing this type of housing. Moreover, the cohousing model could also serve to further other County goals such as infill and redevelopment, “green” development, and smart growth.

The cohousing model is not a well known concept in Central Florida, but cohousing would be allowed in the Medium Density, High Density, and Neighborhood Residential future land use designations and may be an option in the RCE-Cluster district. While it is feasible to fit cohousing into the adopted provisions of Orange County’s Land Development Code, there may be issues to resolve in the development review process. For example, there has been resistance from current residents to the smaller lot sizes proposed by R-CE-Cluster District. Also, if a proposed development is located within a multifamily district, the common house kitchen will have to be built to commercial standards.

**Table 4: Cohousing Site Development Requirements, Bellingham, WA**

<i>Zoning</i>	<i>Housing Type</i>	<i>Minimum Lot Size (square ft)</i>	<i>Special Conditions</i>	<i>Prerequisite Considerations</i>
Residential Single	Detached	6,875 detached	Clearing, view.	None
Residential Multi	Duplex	Single family - 4,000 detached	Shoreline; Roeder right-of-way	Improved access

Residential Multi	Multiple	1,500 per unit.	View, clearing, historic.	None
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Source: Section 2010048, City of Bellingham Municipal Code (2007)

To avoid these types of problems, some jurisdictions have chosen to draft zoning ordinances to specifically address the needs of a cohousing community. The City of Bellingham, Washington, drafted a cohousing ordinance that allows development of cohousing projects within their Residential Single, Residential Multi Duplex or Residential Multi Multiple use districts, as described in Table 4. The Bellingham ordinance addresses height, usable space setbacks, parking and landscaping, open space and design guidelines. This ordinance is included as an Appendix at the end of the report.

Based on the previous discussion and in the interest of allowing a variety of housing choices in Orange County, staff recommends the following revisions to Chapter 38, Orange County Code:

- Add *Cohousing* as a land use to the residential section of the Orange County Zoning Use Table (Sec. 38-77, Orange County Code). Having a clear definition in the table would recognize cohousing as a viable housing alternative and facilitate the development of compatible cohousing communities. For definition purposes, a definition of cohousing also should be added to Sec. 38-1, OCC. Cohousing could be defined as “any residential development, with attached or detached units, designed by and developed for members of an existing cohousing organization with at least 4 residential dwelling units and one or more common structures, which would include a shared kitchen and other amenities for the residents’ use only”.
- Make Cohousing a permitted use in the Multiple Family Dwelling District (R-3) and Neighborhood Residential (NR) zoning districts. The development standards for a cohousing development would vary, depending on the type of dwelling unit (townhouse, clustered housing). However, no zoning or land development code revisions are recommended to accommodate cohousing, as cohousing’s development

standards should remain similar to those of regular residential developments.

- Consider allowing cohousing in the RCE-Cluster zoning district, with the condition that the project conforms to the density provided by the future land use designation and that the applicant goes through the special exception process. This also would require an amendment to Orange County Zoning Use Table (Sec. 38-77, Orange County Code) to designate cohousing as a use allowable by special exception. A code amendment also presents the opportunity to specify development conditions that facilitate compatibility with existing communities as part of the special exception criteria in Sec. 38-78, OCC.

Cohousing could become a viable and compatible alternative for Orange County residents who are not satisfied with the current housing options. This research is intended to provide an overview of the cohousing concept and show examples of similar communities across the United States for the benefit of residents and community groups interested in cohousing development. Furthermore, as Orange County works to rethink its development pattern, the cohousing model stands out as a viable alternative to the current suburban model and a way to help the County achieve its goals of going greener and fostering smart growth, while promoting more housing choices.

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Appendix 2

City of Bellingham Municipal Code

Title 20 LAND USE DEVELOPMENT

20.10.048 - CO-HOUSING

A. Co-housing developments may be allowed in use districts where listed as a permitted use if they comply with the following requirements listed in this subsection. Co-housing projects that comply with the standard residential development regulations within a use district are exempt from this subsection.

B. Approval Process. Co-housing projects opting to develop under this subsection and located in the Residential Single, Residential Multi Duplex or Residential Multi Multiple use district shall be processed following the procedures in BMC 21.10.

E. Special requirements. The Hearing Examiner may approve an application for a co-housing project if it is found to comply with the following criteria:

1. The project applicant must be a legal entity created for the purpose of developing a co-housing project. The organization shall be transformed into a residential owners' association upon completion of the development and subsequent occupation of the dwelling units. Membership of the association shall be open only to owners of the dwelling units in the development. It is intended that co-housing projects be primarily owner occupied. Commercially owned rental projects are not permitted.

2. The housing type may consist of any housing type (e.g., townhouses, flats, etc.). Individual lots are not required for each unit. The project density shall not exceed the allowed density, regardless of the type of housing, specified in the applicable Neighborhood Plan sub-area based on the number of proposed dwelling units. For example, in Residential Single zones that specify an overall cluster density, or in Residential Multi zones that require different amounts of land area per unit for single family versus multi-family development, the highest listed density for any housing type in the subject sub-area shall be considered the maximum potential density for co-housing. The maximum number of units which may be approved for a particular project may be less than the maximum potential if the site is within an environmentally sensitive area of the Lake Whatcom watershed or if it cannot meet the criteria for approval at the proposed density. Any proposal for division of the property shall comply with City codes regarding subdivision.

3. Uses within the co-housing project shall be limited to those permitted uses listed in the Residential Single use district and those allowed under the provisions of this subsection. Any request for a conditional use on the co-housing site may be considered through the appropriate permit review procedures for conditional uses as prescribed by City code. The co-housing contract shall specify the uses approved for the specific site.

4. Height. The height limit of the underlying zone shall apply. Common buildings may be considered main buildings for the purposes of determining height limits.

5. Usable Space. At a minimum, usable space in an amount equal to that required for a proposal of the same number of units under Section 20.32.040 F of the Residential Multi chapter shall be required.

6. Yards. In Residential Single zones, the minimum setback from the perimeter of the site shall be 15' from all property lines except from arterial streets. The setback from arterial street sides shall be as provided in Chapter 20.30.050 F. (1)(a) and (b); provided the minimum required setback under this provision shall not be greater than 20' from the edge of the right-of-way.

7. Parking. Co-housing developments shall satisfy all parking regulations contained in Chapter 20.12, provided that the Hearing Examiner may increase or decrease the required number in order to mitigate expected impacts based on the proposed development design and/or occupancy or based on proposed use and occupancy restrictions. Open parking areas shall not be located within 15' of any property line unless the Hearing Examiner determines that a reduced setback will provide adequate buffering to protect adjacent properties and uses. In no case shall the setback be reduced below 5' without variance approval.

8. Landscaping. Co-housing developments shall satisfy all landscaping requirements for similar uses contained in Section 20.12.030. Additionally, open parking areas shall be screened from adjacent property lines by a minimum 3' to 4' high hedge or fence. Refuse and recycling bins shall be screened from view of adjacent properties by fencing and landscaping.

9. Open space. In Residential Single zones, at least 15% of the project site area shall be maintained as common open space. For the purposes of this provision, common open space shall be any undeveloped area designated, dedicated or otherwise reserved for public and/or private use and benefit as a natural area, greenway corridor or for recreational purposes as may be specified on the approved site plan.

In other zones, the open space requirements of the underlying use district shall apply.

10. Common buildings for uses consistent with the definition of co-housing may be permitted provided no common building shall exceed 5,000 square feet in floor area.

11. A sidewalk shall be constructed within all abutting City street rights of way. A local improvement district commitment or other method of obtaining a financial contribution to sidewalk construction may be accepted in place of construction if the City does not desire immediate construction.

12. Walkways shall be required to link building entrances, streets, recreational areas and parking.

13. Streets and utilities shall be designed to fulfill reasonably anticipated future need and be located to enable the continued orderly and reasonable use of adjacent property. Streets and utilities shall be extended across the full width of the property unless it is clearly demonstrated that the extension will not be needed for development of adjacent property.

14. Abutting streets shall be improved to a three-quarter standard, based on the specified street standard in BMC 13.04 or the street standard specified in the Neighborhood Plan.

15. Activities that are part of a home occupation may take place in a portion of a common building if specifically approved through a home occupation permit. All other rules and limitations regarding home occupations shall apply. Common buildings shall not be designed for commercial uses. Common buildings or groups of residences are not to be used to conduct business activities that exceed the magnitude of activity normally associated with home occupations that are conducted within single family residence. Business activities shall not be the primary function of a common building and in no case shall more than 50% of the area of a common building be used for home occupations. The number of home occupations and the area used for each may be regulated in order to limit cumulative impacts. The co-housing contract may provide for additional home occupation limitations.

16. Design guidelines:

a. The development, from the viewpoint of the public street, shall present a view that is residential in nature and similar to, or compatible with, other residential uses on that street. For example, views of residences and landscaping rather than views of blank walls or parking lots.

b. Large parking lots shall be avoided. Parking areas shall be broken up with landscaping and placed along the sides and rear of the site whenever possible.

c. Existing wetlands, streams, significant trees, topographical features and other natural features shall be saved, preserved and enhanced to the greatest extent possible consistent with reasonable and appropriate use of the subject site. Links between open spaces and pedestrian routes shall be facilitated whenever possible.

d. The design shall provide outdoor play area for children in individual yard and/or common areas unless occupancy of the project is limited to adults.

e. Group play areas, recreational areas or other areas intended for concentrated outdoor activity for group functions should be located away from project boundaries and adequately screened to minimize impacts on adjacent properties.

f. In single family residential districts, the project should encourage a diversity of construction styles in order to maintain a character more in keeping with that of single family residential developments in contrast to that of multi-family developments.

17. The proposed development must also be found to:

a. Address any special conditions, prerequisite considerations or significant environmental elements identified in the Neighborhood Plan.

b. Be consistent with the goals and policies of the Comprehensive Plan.

c. Make adequate provisions for drainage, vehicular and pedestrian access (including emergency vehicle access), water, sewer, recreational areas and any other relevant features necessary to serve the public interest, and

d. Be designed to promote the residential quality of the neighborhood and to avoid detrimental impacts on adjacent properties.

18. The standards herein are minimum standards and may be increased for a particular co-housing proposal where more stringent standards are necessary to protect neighboring properties, conform with existing development in the area, preserve natural resources or sensitive environments, provide for orderly development or conform with the Comprehensive Plan.

D. Any exceptions to the standards in Section 20.10.048 (D) must be approved by the Hearing Examiner only after written submittal by the applicant detailing the reasons why the standards cannot be met. Grounds for exceptions shall be limited to those justifications for variances contained within Chapter 20.18. Exceptions to allowed uses or density may not be granted.

[Ord. 2004-09-065; Ord. 2002-10-069 §44; Ord. 1998-08-062 §5]