



## PLANNING COMMISSION AGENDA

Regular Meeting Date: 10/2/2019

**Lake Stevens Fire Station Admin Bldg**

Planning Commission  
Meeting:

First Wednesday of every  
Month @ 7:00pm

Planning & Community  
Development Department

1812 Main Street  
Lake Stevens, WA 98258  
(425) 622-9430

[www.lakestevenswa.gov](http://www.lakestevenswa.gov)

Municipal Code

Available online:

[www.codepublishing.com/WA/LakeStevens/](http://www.codepublishing.com/WA/LakeStevens/)

- **CALL TO ORDER** 7:00pm  
Pledge of Allegiance
- **ROLL CALL**
- **GUEST BUSINESS**
- **ACTION ITEMS**  
1. Approve minutes from 09/18/2019
- **PUBLIC HEARING**  
1. Design Review Code amendment

**Public hearing presentation will follow the public hearing format listed below:**

### **PUBLIC HEARING FORMAT**

2. PC Chair Opens Public Hearing
3. Staff Presentation
4. Commission's questions for staff
5. Proponent's comments
6. Comments from the audience
7. Proponent rebuttal comments
8. Close public comments portion of hearing by motion
9. Re-open public comment portion of hearing for additional comments (optional)
10. Close Hearing by motion
11. **COMMISSION ACTION BY MOTION—Recommendation to Council**
  - A. Approve
  - B. Deny
  - C. Continue

### **DISCUSSION ITEMS**

1. Land Use Advisory Committee
  - A) Discussion
  - B) Review of Land Use Code updates

Assistant Planner Gassaway  
Director Wright

- **COMMISSIONER REPORTS**
- **PLANNING DIRECTOR'S REPORT**
- **ADJOURN**

### **SPECIAL NEEDS**

*The City of Lake Stevens strives to provide accessible opportunities for individuals with disabilities. Please contact City of Lake Stevens ADA Coordinator, at (425) 622-9419 at least five business days prior to any City meeting or event if any accommodations are needed. For TDD users, please use the state's toll-free relay service.*

\*Items attached

\*\*Items previously  
distributed

# Items to be  
distributed

**PLANNING COMMISSION REGULAR MEETING MINUTES**  
**Lake Stevens School District**  
12309 22<sup>nd</sup> St, Lake Stevens  
Wednesday, September 18, 2019

CALL TO ORDER: 7:00 pm by Chair Janice Huxford

MEMBERS PRESENT: Janice Huxford, Tracey Trout, John Cronin, Steve Ewing and Vicki Oslund, Linda Hoult

MEMBERS ABSENT: Jennifer Davis

STAFF PRESENT: Community Development Director Russ Wright, Planner Dillon Roth and Clerk Jennie Fenrich

OTHERS PRESENT: Councilmember Petershagen

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**Excused Absence:** Commissioner Hoult made a motion to excuse Jennifer Davis and Steve Ewing seconded. Motion passed 6-0-0-1.

**Guest business.** None

**Action Items:**

1. Commissioner Ewing made a motion and Commissioner Cronin seconded to approve minutes form 8/7/2019 with an addition that materials for the Design Review Code Amendment were not available prior to the meeting. Motion passed 6-0-0-1.

**Discussion items:**

Planner Roth gave a second briefing on Design Review Code amendment. He recapped that this is a permanent code to replace the interim procedure currently in place. The Commissioners asked for clarification on public input. There will a noticing process that includes a comment period during which the public may request a public meeting. Language to be added to the noticing documents that explains how to request a public meeting.

Community Development Director Russ Wright gave a briefing on Zoning definitions and an effort to rename designations. There have been citizen requests to address small lot sizes. The City is considering major changes to the zoning codes to line up with community preferences. Planner Roth introduced Planned Residential Development and the proposed changes to current code. PRDs are designed to give developers more flexibility in the code in exchange for higher quality design.

Community Development Director Russ Wright introduced some Zoning Map updates that are be considered. City Council requested an updated study on our current zones and what is being utilized and what could be changed. A consultant team, BERK, did a study on current uses and what is working and some recommendations for the City to consider. Director Wright handed out several maps with potential changes that could be

considered. He asked for feedback from the Commission for their preferences. The Commissioners asked for additional information before making recommendations.

**Commissioner Reports:** Commissioner Ewing announced that September is National Suicide Prevention month and he will be walking on October 12<sup>th</sup> at an awareness event in Everett and invited anyone who wanted to walk join in. Commissioner Cronin reported his family is making a recommendation to the School Board to name the new batting cages at the high school after his dad, Bert Cronin.

**Planning Director Report:** None

**Adjourn.** Motion to adjourn by Commissioner Hoult, seconded by Commissioner Trout. Motion carried 6-0-0-1. Meeting adjourned 8:46 pm.

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Janice Huxford, Chair

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Jennie Fenrich, Clerk, Planning &  
Community Development



Staff Report  
City of Lake Stevens Planning Commission  
Public Hearing  
Date: **October 2, 2019**

**SUBJECT:** Code Amendment to Design Review regulations (LUA2018-0178)

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**CONTACT PERSON/DEPARTMENT:** Dillon Roth, *Planner* / Planning and Community Development

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**SUMMARY:** Code amendment to replace interim regulations with permanent regulations.

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**ACTION REQUESTED OF PLANNING COMMISSION:** Forward a recommendation to City Council on proposed regulations.

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***Background on Code Amendment Process***

The city initiated this code amendment to replace interim regulations adopted under Ordinance 1034 and extended via Ordinance 1055. The interim regulations were adopted to dissolve the Design Review Board (DRB), a board that was historically difficult to fill. These regulations include the details of the design review process and what projects trigger design review.

The Planning Commission was briefed on August 7 and September 18, 2019. During those meetings the Commission and staff discussed the reviewing personnel and decision makers of design review projects, thresholds for triggering design review, flexibility within the design guidelines, application requirements, and noticing procedures.

Code amendments require an environmental determination and a Department of Commerce review. A Determination of Non-Significance (DNS) was issued on September 7, 2019; no comments or appeals were received. The code amendment was sent to the Washington State Department of Commerce for expedited review. Expedited review was granted on September 23, 2019 and no further comments have been received.

If the Planning Commission recommends approval of this code amendment, the amendment will go to City Council in a public hearing on October 22, 2019.

***Major Changes in the Draft Regulations***

The following bullet points highlight some of the changes to the regulations:

- As described above, Ord. 1034 dissolved the DRB. The proposed regulations make the disbanding of the DRB permanent and references to the DRB make up a majority of this code amendment.
  - Thresholds for triggering design review has been adjusted to exclude minor façade changes/upgrades. For example, changing the color scheme, re-roofing, and re-siding do not trigger design review, even if those upgrades cost over \$100,000.
  - Public notices will now be required for all new applicable projects. A public meeting for projects going through design review is optional and will be held upon request from any person submitting a written request for a public meeting during the notice of application comment period.
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## **FINDINGS AND CONCLUSIONS:**

### **1. Compliance with elements of the Comprehensive Plan**

- Land Use Element Policy 2.3.2 – Preserve and promote the character of existing neighborhoods through thoughtful development regulations and design standards.
- Land Use Element Goal 2.2 – Achieve a well balanced and well-organized combination of residential, commercial, industrial, open space, recreation and public uses.
- Land Use Element Policy 2.3.4 – Maintain development regulations to promote compatibility between uses; retain desired neighborhood character; ensure adequate light, air and open space; protect and improve environmental quality; and manage potential impacts on public facilities and services.

**Conclusions** – The proposed code amendments are consistent with Comprehensive Plan goals as they relate to the design review regulatory process.

### **2. Compliance with the State Environmental Policy Act (SEPA) (Chapter 97-11 WAC and Title 16 LSMC)**

- A DNS was issued on September 7, 2019.
- No comments or appeals from agencies or the public were received regarding the SEPA determination.

**Conclusions** – The proposed code amendment has met local and state SEPA requirements.

### **3. Compliance with the Growth Management Act (RCW 36.70A.106)**

- The city requested expedited review from the Department of Commerce on September 6, 2019.
- The Department of Commerce sent granted approval on September 23, 2019.
- Staff will file the final ordinance with the Department of Commerce within 10 days of City Council action.

**Conclusions** – The proposed code amendment has met Growth Management Act requirements.

### **4. Public Notice and Comments**

- The city published a notice of SEPA determination on September 7, 2019.
- The city published a notice of public hearing in the Everett Herald on September 20 and September 25, 2019. The notice was also posted at City Hall and on the city's website.
- No public comments have been received to-date. If comments are received prior to the hearing, the comments will be distributed on the night of the hearing.

**Conclusions** – The city has met public notice requirements per Chapter 14.16B LSMC.

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**RECOMMENDATION:** Forward a recommendation to the City Council to APPROVE the proposed code amendment to update design review regulations.

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## **ATTACHED:**

- 1) Draft Regulations

#### **14.16A.030 Planning Agency Identified.**

The Planning Agency (Chapter 35A.63 RCW) for the City shall be composed of the following:

- (a) The Director of the Department of Planning and Community Development;
- (b) The Building Official;
- (c) The Director of the Department of Public Works;
- ~~(d) Design Review Board;~~
- (e) The Lake Stevens Hearing Examiner;
- (f) The Lake Stevens Planning Commission;
- (g) The Lake Stevens Park Board; and
- (h) The Lake Stevens City Council. (Ord. 1015, Sec. 4 (Exh. C), 2018; Ord. 811, Sec. 2 (Exh. 1), 2010)

#### **14.16A.210 Types of Review.**

(a) The purpose of this section is to provide an overview of the six levels of land use review. Land use and development decisions are classified into six processes based on who makes the decision, the amount of discretion exercised by the decision maker, the level of impact associated with the decision, the amount and type of input sought, and the type of appeal opportunity.

(b) Classification of Permits and Decisions.

(1) Type I Review - Administrative Decisions without Notice. A Type I process is an administrative review and decision by the appropriate department or division. Applications reviewed under the Type I process are minor administrative decisions and are exempt from certain administrative procedures, such as complete application review, noticing, and decision time frames. Appeals of Type I decisions are made to the Hearing Examiner, except shoreline permit appeals are made to the Shoreline Hearings Board. The permits and actions reviewed and decided as Type I are listed in the table in subsection (d) of this section.

(2) Type II Review - Administrative Decisions with Notice. A Type II process is an administrative review and decision with recommendation from staff, City departments or others and requiring public notice at the application and/or decision stages of the review. Appeals of Type II decisions are made to the Hearing Examiner, except shoreline permit appeals are made to the Shoreline Hearings Board. The permits and actions reviewed and decided as Type II are listed in the table in subsection (d) of this section.

(3) Type III Review - Quasi-Judicial Decisions - Hearing Examiner. This Type III process is a quasi-judicial review and decision by the Hearing Examiner. The Hearing Examiner makes a decision based on a staff report ~~and, if required, the Design Review Board. A public meeting may be held prior to the Design Review Board recommendation.~~ The Hearing Examiner considers public testimony received at an open record public hearing. Public notification is provided at the application, public hearing, and decision

stages of application review. Appeals of Hearing Examiner decisions are made to Snohomish County Superior Court, except shoreline permit appeals are made to the Shoreline Hearings Board. The permits and actions reviewed and decided as Type III are listed in the table in subsection (d) of this section.

(4) Type IV Review - Quasi-Judicial Decisions - City Council with Hearing Examiner Recommendation. A Type IV process is a quasi-judicial review and recommendation by the Hearing Examiner and a decision by the City Council. The Hearing Examiner considers ~~the recommendation from the Design Review Board, if required, as well as~~ public testimony received at an open record public hearing. The City Council makes a decision based on a recommendation from the Hearing Examiner during a closed record public meeting. Public notification is provided at the application, public hearing, and decision stages of application review. There is no opportunity for an administrative appeal. Appeals of City Council decisions are made to Snohomish County Superior Court. The permits and actions reviewed and decided as Type IV are listed in the table in subsection (d) of this section.

(5) Type V Review - Quasi-Judicial Decisions - City Council. A Type V process is a quasi-judicial review and decision by the City Council. Public notification is provided at the application, public hearing (if any), and decision stages of application review. There is no opportunity for an administrative appeal. Appeals of City Council decisions are made to Snohomish County Superior Court. The permits and actions reviewed and decided as Type V are listed in the table in subsection (d) of this section.

(6) Type VI Review - Legislative Decisions - City Council with Planning Commission Recommendation. A Type VI review is for legislative and/or non-project decisions by the City Council under its authority to establish policies and regulations regarding future private and public development and management of public lands. The Planning Commission makes a recommendation to the City Council. The Planning Commission will conduct a public hearing to obtain public testimony on the proposed legislation. The City Council may elect to conduct an additional public hearing. The actions reviewed and decided as Type VI are listed in the table in subsection (d) of this section.

(c) Permits and Actions Not Listed. If a permit or land use action is not listed in Table 14.16A-I, the Planning Director shall make the determination as to the appropriate review procedure.

(d) Permit-Issuing Authority and Appeal Authority. The permit-issuing authority and appeal authority for permit applications and legislative actions are established in Table 14.16A-I. A detailed explanation for each review procedure is in Chapter 14.16B under each part for each review type.

**Table 14.16A-I: Classification of Permits and Decisions**

Type of Review	Land Use Actions and Permits	Recommendation By	Public Hearing Prior to Decision	Permit-Issuing Authority	Administrative Appeal Body and Hearing
TYPE I Administrative without Public Notice	<ul style="list-style-type: none"> <li>• Administrative Design Review</li> <li>• Administrative Deviation</li> <li>• Administrative Modifications</li> <li>• Boundary Line Adjustments</li> <li>• Change of Use</li> <li>• Code Interpretations</li> <li>• Events</li> <li>• Floodplain Development Permits</li> <li>• Home Occupations</li> <li>• Master Sign Program</li> <li>• Minor Land Disturbance</li> <li>• Reasonable Use Exceptions</li> <li>• Shoreline Exemptions</li> <li>• Signs</li> <li>• Temporary Uses</li> </ul>	None	None	Department director or designee	Hearing Examiner, except shoreline permits to State Shoreline Hearings Board, and Open Record

**Table 14.16A-I: Classification of Permits and Decisions**

<b>Type of Review</b>	<b>Land Use Actions and Permits</b>	<b>Recommendation By</b>	<b>Public Hearing Prior to Decision</b>	<b>Permit-Issuing Authority</b>	<b>Administrative Appeal Body and Hearing</b>
TYPE II Administrative with Public Notice	<ul style="list-style-type: none"> <li>• Administrative Conditional Use (formerly Special Use)</li> <li>• Administrative Variance</li> <li>• Binding Site Plans</li> <li>• Final Plats (short subdivisions and subdivisions)</li> <li>• Major Land Disturbance</li> <li>• Planned Action Certification</li> <li>• SEPA Review (early or when not combined with another permit or required for a Type I permit)</li> <li>• Shoreline Substantial Developments</li> <li>• Short Plats - Preliminary</li> <li>• Short Plat Alterations</li> </ul>	None	None	Planning Director or designee	Hearing Examiner, except shoreline permits to State Shoreline Hearings Board, and Open Record

**Table 14.16A-I: Classification of Permits and Decisions**

Type of Review	Land Use Actions and Permits	Recommendation By	Public Hearing Prior to Decision	Permit-Issuing Authority	Administrative Appeal Body and Hearing
	<ul style="list-style-type: none"> <li>• Short Plat Vacations</li> <li>• Site Plan Review</li> </ul>				
TYPE III Quasi-Judicial, Hearing Examiner	<ul style="list-style-type: none"> <li>• Conditional Uses</li> <li>• Preliminary Plats</li> <li>• Shoreline Conditional Uses</li> <li>• Shoreline Variances</li> <li>• Variances</li> </ul>	<del>Design Review Board (if required)</del> <u>Planning Director or designee</u>	Open Record	Hearing Examiner	Superior Court, except shoreline permits to State Shoreline Hearings Board, and Closed Record
TYPE IV Quasi-Judicial, City Council with Hearing Examiner Recommendation	<ul style="list-style-type: none"> <li>• Essential Public Facilities</li> <li>• Planned Neighborhood Developments</li> <li>• Rezone - Site-Specific Zoning Map Amendments</li> <li>• Secure Community Transition Facilities</li> </ul>	Hearing Examiner with Open Record Hearing	Closed Record	City Council	None, appeal to Superior Court
TYPE V Quasi-Judicial, City Council	<ul style="list-style-type: none"> <li>• Plat Alterations</li> <li>• Plat Vacations</li> <li>• Right-of-Way Vacations</li> </ul>	<del>Design Review Board (if required)</del> <u>Planning Director or designee</u>	Open Record	City Council	None, appeal to Superior Court

**Table 14.16A-I: Classification of Permits and Decisions**

Type of Review	Land Use Actions and Permits	Recommendation By	Public Hearing Prior to Decision	Permit-Issuing Authority	Administrative Appeal Body and Hearing
TYPE VI Legislative, City Council with Planning Commission Recommendation	<ul style="list-style-type: none"> <li>• Comprehensive Plan Amendments, Map and Text</li> <li>• Development Agreements</li> <li>• Land Use Code Amendments</li> <li>• Rezones - Area-Wide Zoning Map Amendments</li> </ul>	Planning Commission with Open Record Hearing	Open Record	City Council	Growth Management Hearings Board and Closed Record

**14.16A.220 Application Procedures.**

- (a) This section describes the requirements for making application for review, including pre-application conferences, submittal requirements, and fees.
- (b) Applications for development permits and other land use actions shall be made to the Department of Planning and Community Development, except Type I applications shall be made to the department which has the decision making authority (see Section 14.16A.210(d)).
- (c) The property owner or any agent of the owner with authorized proof of agency may apply for a permit or approval under the type of process specified. Consent to the application must be made by the owners or lessees of property or persons who have contracted to purchase property. Signatures by agents of these parties may be accepted, if a letter from the party with ownership interest is submitted which authorizes the agent to sign the application in their name.
- (d) Pre-Application Conferences.
- (1) To achieve efficient and effective application of the requirements of this title, a pre-application conference between the applicant and the City staff is required for projects needing a conditional use permit, planned action certification and planned neighborhood developments.

(2) Pre-application conferences are highly recommended for applications requiring Type III, IV or V reviews, and/or design review. Pre-application conferences are optional for applications requiring Type I, II and VI reviews.

(3) Prior to submitting an application, the applicant may arrange a conference with Planning and Public Works staff to review the proposed action, to become familiar with City policies, plans and development requirements and to coordinate all necessary permits and procedures. Pre-application procedures and submittal requirements shall be determined by the Planning Director and available in the Department of Planning and Community Development.

(4) Since it is impossible for the conference to be an exhaustive review of all potential issues, the discussions at the conference shall not bind or prohibit the City's future application or enforcement of all applicable law.

(5) To request a pre-application conference, an applicant shall submit a set of preliminary plans to the City. The amount and quality of the information submitted is up to the applicant; however, better information provided initially is more likely to result in better feedback and discussion with planning staff. At a minimum, the plans should include a basic layout of the proposal, including circulation, lot patterns and building locations, location of critical areas, and other site constraints.

(e) Submittal Requirements.

(1) The Planning Director shall specify submittal requirements, including type, detail, and number of copies, for an application to be complete. Submittal requirements for each permit application shall be available in the Department of Planning and Community Development. At a minimum the following shall be submitted with new applications:

(i) General application form;

(ii) Applicable fees;

(iii) Environmental checklist (if not exempt);

(iv) Applicable signatures, stamps or certifications;

(v) All required items stated in the applicable development handouts.

(2) The Planning Director may waive in writing specific submittal requirements determined to be unnecessary for review of an application. Alternatively, the Planning Director may require additional material, such as maps, studies, or models, when the Planning Director determines such material is needed to adequately assess the proposed project and submits the request in writing to the applicant.

(3) Applications for shoreline substantial development permits shall include submittal of the supplemental requirements set forth in Chapter 7 of the Shoreline Master Program and shoreline permits application materials.

(f) Determination of Complete Application.

(1) The presumption established by this title is that all of the information set forth in the specified submittal checklists is necessary to satisfy the requirements of this section. However, each development is unique, and therefore the Planning Director may request additional information, if necessary, or may



waive certain items if it is determined they are not necessary to ensure that the project complies with City requirements.

(2) The Planning Director shall make a determination of completeness pursuant to Section 14.16A.230(c).

(g) Consolidated Permit Process.

(1) When applying concurrently for a development that involves two or more related applications, individual permit numbers shall be assigned and separate permit fees shall be paid, but the applications shall be reviewed and processed collectively. A consolidated report setting forth the recommendation and decision shall be issued.

(2) Applications processed in accordance with subsection (g)(1) of this section, which have the same highest numbered procedure but are assigned different hearing bodies, shall be heard collectively by the highest decision maker(s). The City Council is the highest, followed by the Hearing Examiner and then ~~the Design Review Board~~Administrative.

(3) No hearing or deliberation upon an application for a conditional use permit, subdivision, variance, planned neighborhood development, site plan review, administrative conditional use permit, shoreline permit, or similar quasi-judicial or administrative action, which is inconsistent with the existing Zoning Map, shall be scheduled for the same meeting at which the required Zoning Map amendment will be considered by the Hearing Examiner or the City Council. This section is intended to be a procedural requirement applicable to such actions as noted in RCW 58.17.070.

(h) Application and Inspection Fees. Fees are set forth in a separate fees resolution adopted by the City Council. (Ord. 1015, Sec. 4 (Exh. C), 2018; Ord. 898, Sec. 2, 2013; Ord. 876, Sec. 10, 2012; Ord. 811, Sec. 2 (Exh. 1), 2010)

#### **14.16A.320 Planning Director.**

(a) The Planning Director enforces the municipal code unless otherwise specified. As specified in this title, the Planning Director shall be the City's Planning and Community Development Director or designated representative.

(b) Authority and Duties. The Planning Director or designee shall have the authority to enter and inspect buildings and land during reasonable hours with permission of the occupant or owner or by court order, to issue abatement orders and citations and to cause the termination and abatement of violations of this title unless otherwise specified. The duties of the Planning Director shall include, but not be limited to, the following: enforce and administer this title unless otherwise specified; investigate complaints and initiate appropriate action; render decisions or make recommendations as specified in this title; and keep adequate records of land use applications, enforcement actions, and appeals. The Planning Director may also review administrative modifications pursuant to Section 14.16C.025 to items previously approved by the ~~Design Review Board~~, Planning Commission, and/or City Council.

(c) Appeals. Appeals of final decisions of the Planning Director made in the course of interpretation or administration of this title shall be governed by Section 14.16A.265, Appeals. Code enforcement actions pursuant to Section 14.16A.040, Compliance with Title 14 Required, are not "final decisions" for the

purpose of this section, except as otherwise provided in this title. (Ord. 1015, Sec. 4 (Exh. C), 2018; Ord. 811, Sec. 2 (Exh. 1), 2010)

**~~14.16A.340 Design Review Board.~~**

~~(a) The Design Review Board is created independent from~~

~~the legislative functions of the City Council to review and make urban design decisions that will promote visual quality throughout the City. The purpose of the Design Review Board and their procedure includes but is not limited to the following:~~

~~(1) To encourage and promote aesthetically pleasing and functional neighborhood and commercial developments for the citizens of Lake Stevens by establishing design review standards including site layout, landscaping, parking and preferred architectural features;~~

~~(2) To implement the City's Comprehensive Plan policies and supplement land use regulation: promote high quality urban design and development, promote a coordinated development of the unbuilt areas, lessen traffic congestion and accidents, secure safety from fire, provide light and air, prevent the overcrowding of land, and conserve and restore natural beauty and other natural resources;~~

~~(3) To encourage originality, flexibility, and innovation in site planning and development, including the architecture, landscaping and graphic design of proposed developments in relation to the City or design area as a whole;~~

~~(4) To encourage low impact development (LID) by conservation and use of existing natural site features to integrate small scale stormwater controls, and to prevent measurable harm to natural aquatic systems from commercial, residential or industrial development sites by maintaining a more hydrologically functional landscape;~~

~~(5) To encourage green building practices to reduce the use of natural resources, create healthier living environments and minimize the negative impacts of development on local, regional, and global ecosystems;~~

~~(6) To encourage creative, attractive harmonious developments and to promote the orderliness of community growth, the protection and enhancement of property values for the community as a whole and as they relate to each other, the minimization of discordant and unsightly surroundings, the need for harmonious and high quality of design and other environmental and aesthetic considerations which generally enhance rather than detract from community standards and values for the comfort and prosperity of the community and the preservation of its natural beauty and other natural resources which are of proper and necessary concern of local government, and to promote and enhance construction and maintenance practices that will tend to prevent visual impairment and enhance environmental and aesthetic quality for the community as a whole;~~

~~(7) To aid in assuring that structures, signs and other improvements are properly related to their sites and the surrounding sites and structures, with due regard to the aesthetic qualities of the natural terrain and landscaping and that proper attention is given to exterior appearances of structures, signs and other improvements;~~

~~(8) To protect and enhance the City's pleasant environments for living and working and thus support and stimulate business and industry and promote the desirability of investment and occupancy in business and other properties;~~

~~(9) To stabilize and improve property values and prevent blight areas to help provide an adequate tax base to the City to enable it to provide required services to its citizens;~~

~~(10) To foster civic pride and community spirit by reason of the City's favorable environment and thus promote and protect the peace, health and welfare of the City and its citizens;~~

~~(11) To ensure compatibility between new and existing developments.~~

~~(b) Appointments and Qualifications.~~

~~(1) The Design Review Board shall consist of five individuals, of which at least three are City residents, from the following representatives selected by the City Council and shall include staff as a resource:~~

~~(i) At least one member and a designated alternate of the Lake Stevens Planning Commission;~~

~~(ii) At least one member and a designated alternate who work as urban design professionals experienced in the disciplines of architecture, landscape architecture, urban design, graphic design or similar disciplines and need not be residents of the City; and~~

~~(iii) At least one member and a designated alternate who is a city resident that has expressed an interest in urban design.~~

~~(2) The term of each professional and resident position is three years and shall expire on December 31st in the final year of each term. When establishing the Design Review Board, one professional shall have a term of three years and the second, if required, shall have a term of two years to start. The Planning Commission representatives shall be voted on by the Planning Commission yearly.~~

~~(c) Authority and Duties. The Design Review Board shall review all structures and site features in specific zones and for specific regulations listed in Section 14.16C.050.~~

~~(d) Meetings. The Design Review Board shall meet on an as-needed basis.~~

~~(e) Rules. The Design Review Board may adopt rules for the transaction of its business. The rules shall be consistent with the development code and may provide for but are not limited to:~~

~~(1) Date, time, place and format of public meetings;~~

~~(2) Record of proceedings, reports, studies, findings, conclusions and decisions;~~

~~(3) Election of a chairman and vice chairman of the Design Review Board for a one-year term.~~

~~(f) Approval Required. No design review approval shall be granted, no building permit shall be issued, and no construction shall begin until the Design Review Board has completed the review specified in this section and determined that the requested action is consistent with the adopted design criteria.~~

~~(g) Appeals of Design Review Board Decisions. Applicants and any interested party may appeal decisions of the Design Review Board. Only those issues under the authority of the Design Review Board~~

~~as established by this section are subject to appeal. Appeals of the decisions of the Design Review Board will be heard as follows:~~

~~(1) If a related land use permit does not require an open record public hearing, then the appeal shall be heard by the permit-issuing or review body.~~

~~(2) If a related development permit requires an open record public hearing, then the appeal shall be heard at that hearing and decided upon by the hearing body or officer hearing the related development permit. (Ord. 1015, Sec. 4 (Exh. C), 2018; Ord. 811, Sec. 2 (Exh. 1), 2010)~~

#### 14.16B.010 Classification.

Land use actions, permits and decisions shall be classified according to which procedures apply. In the following table, a symbol in a cell means the specified procedure (row) pertains to the specified permit type (column). Section [14.16A.210](#)(d) Table 14.16A-I, Classification of Permits and Decisions, lists all land use actions, permits and decisions for each type of review.

Procedure Category	Permit Types					
	I	II	III	IV	V	VI
Unique permit submittal requirements & decision criteria apply	X	X	X	X	X	X
Public notice required		X	X	X	X	X
SEPA threshold determination required		*	*	X	*	*
Public meeting may be required	*	*	*	*	*	
Public hearing required			X	X	X	X
Design Review Board required	*	*	*	*	*	
Pre-application conference recommended	O	O	H	H	H	O

X - required; \* - may be required depending on the project; O - optional; H - highly recommended

(Ord. 811, Sec. 3 (Exh. 2), 2010)

#### 14.16B.305 Purpose.

A Type III process is a quasi-judicial review and decision made by the Hearing Examiner. The Hearing Examiner makes a decision based on a recommendation from staff ~~and, if required, the Design Review Board~~. A public meeting (e.g., scoping, neighborhood, etc.) may be held prior to a staff ~~or Design Review Board~~ recommendation. The Hearing Examiner considers public testimony received at an open record public hearing. Public notification is provided at the application, public hearing and decision stages of

application review. The administrative appeal body is the Superior Court, except shoreline permits are appealed to the State Shoreline Hearings Board. The purpose of this part is to provide the necessary steps for permit approvals requiring Type III review. (Ord. 811, Sec. 3 (Exh. 2), 2010)

#### **14.16B.310 Overview of Type III Review.**

(a) This section contains the procedures the City will use in processing Type III applications. This process begins with a complete application, followed by notice to the public of the application and a public comment period, during which time an informational meeting may be held. The permit-issuing authority and designated appeal body for each application reviewed as a Type III are indicated in Table 14.16A-I.

(b) If required by the State Environmental Policy Act, a threshold determination will be issued by the SEPA Responsible Official. The threshold determination shall be issued prior to the issuance of staff's ~~or Design Review Board's~~ recommendation on the application.

~~(c) Following issuance of the Design Review Board recommendation, if applicable, a public hearing will be held before the city Hearing Examiner.~~

~~(c)~~ The decision of the Hearing Examiner on a Type III application is appealable to the Superior Court, except shoreline permit appeals are made to the State Shoreline Hearings Board. The Hearing Examiner action deciding the appeal and approving, approving with modifications, or denying a project is the final City decision on a Type III application. A final appeal may be made to the Snohomish County Superior Court. (Ord. 811, Sec. 3 (Exh. 2), 2010)

#### **14.16B.340 Notice of Public Hearing.**

(a) Public notice of the date of the Hearing Examiner public hearing for the application shall be published in a newspaper of general circulation. The public notice shall also include a notice of availability of the staff ~~or Design Review Board~~ recommendation. If a determination of significance was issued by the SEPA responsible official, the notice of staff ~~or Design Review Board~~ recommendation shall state whether an EIS or supplemental EIS was prepared or whether existing environmental documents were adopted. The public hearing shall be scheduled no sooner than 10 days following the date of publication of the notice.

(b) The Planning Director shall mail notice of the public hearing and the availability of the recommendation to each owner of real property within 300 feet of the project site.

(c) The Planning Director shall mail or email notice of the availability of the recommendation and the date of the public hearing to each person who submitted oral or written comments during the public comment period or at any time prior to the publication of the notice of recommendation.

(d) The Planning Director shall post the notice of the date of the public hearing and the availability of the recommendation on site and at City Hall. The Planning Director shall establish standards for size, color, layout, design, wording and placement of the notice boards. (Ord. 811, Sec. 3 (Exh. 2), 2010)

#### **14.16B.405 Purpose.**

A Type IV process is a quasi-judicial review and recommendation made by the Hearing Examiner and a decision made by the City Council. At an open record public hearing, the Hearing Examiner considers the

recommendation from staff ~~and, if required, the Design Review Board~~, as well as public testimony received at the public hearing. The City Council makes a decision, based on a recommendation from the Hearing Examiner, during a closed record public meeting. Public notification is provided at the application, public hearing, and decision stages of application review. There is no opportunity for an administrative appeal. Appeals of City Council decisions are made to Snohomish County Superior Court. The purpose of this part is to provide the necessary steps for permit approvals requiring Type IV review. (Ord. 811, Sec. 3 (Exh. 2), 2010)

#### **14.16B.410 Overview of Type IV Review.**

- (a) This section contains the procedures the City will use in processing Type IV applications. This process begins with a complete application, followed by notice to the public of the application and a public comment period, during which time an informational meeting may be held. The permit-issuing authority and designated appeal body for each application reviewed as a Type IV are indicated in Table 14.16A-I.
- (b) If required by the State Environmental Policy Act, a threshold determination will be issued by the SEPA responsible official. The threshold determination shall be issued prior to the issuance of staff ~~or Design Review Board's~~ recommendation on the application.
- (c) Following issuance of staff ~~or Design Review Board~~ recommendation, a public hearing will be held before the City Hearing Examiner.
- (d) The recommendation of the Hearing Examiner on a Type IV application is forwarded to the City Council. The City Council action approving, approving with modifications, or denying a Type IV application is the final City decision. (Ord. 811, Sec. 3 (Exh. 2), 2010)

#### **14.16B.440 Notice of Public Hearing.**

- (a) Public notice of the date of the Hearing Examiner public hearing for the application shall be published in a newspaper of general circulation. The public notice shall also include a notice of the availability of the staff ~~or Design Review Board~~ recommendation. If a determination of significance was issued by the SEPA responsible official, the notice of staff ~~or Design Review Board~~ recommendation shall state whether an EIS or supplemental EIS was prepared or whether existing environmental documents were adopted. The public hearing shall be scheduled no sooner than 10 days following the date of publication of the notice.
- (b) The Planning Director shall mail or email notice of the availability of the recommendation and the date of the public hearing to each person who submitted comments during the public comment period or at any time prior to the publication of the notice of recommendation.
- (c) The Planning Director shall mail notice of the public hearing and the availability of the recommendation to each owner of real property within 300 feet of the project site.
- (d) The Planning Director shall post the notice of the date of the public hearing and the availability of the recommendation on site and at City Hall. The Planning Director shall establish standards for size, color, layout, design, wording and placement of the notice boards. (Ord. 811, Sec. 3 (Exh. 2), 2010)

#### **~~14.16C.020 Administrative Design Review.~~**

- ~~(a) The purpose of this section is to allow administrative review and approval of design for small development by establishing the criteria the Planning Director will use in making a decision upon an application for administrative design review in all zones. All other design review must be reviewed by the Design Review Board pursuant to Section 14.16C.050.~~
- ~~(b) Procedure. Applications that seek administrative design review shall follow the procedures established in Chapter 14.16B for a Type I permit process.~~
- ~~(c) The Planning Director will make a determination if the project can be reviewed administratively or is required to go through the Design Review Board.~~
- ~~(d) Limitations. Administrative review is limited to small projects with minimal impacts to exterior design elements, including changes to existing structures, facades, landscaping, or site design with a construction value less than \$100,000. The Planning Director will make a determination if the project can be reviewed administratively or is required to go through the Design Review Board.~~
- ~~(e) Decision Criteria. The Planning Director's decision shall be based on the extent to which the proposed project meets applicable design guidelines adopted by Council. (Ord. 811, Sec. 4 (Exh. 3), 2010)~~

#### **14.16C.025 Administrative Modifications.**

- (a) This section governs requests to modify any final approval granted pursuant to this title, excluding all approvals granted by passage of an ordinance or resolution of the City Council and requests to revise a recorded plat governed by Chapter 14.18.
- (b) Procedure. Applications that seek administrative modification that meet the criteria below shall follow the procedures established in Chapter 14.16B for a Type I permit process.
- (c) Decision Criteria.
  - (1) The Planning Director may determine that an addition or modification to a previously approved project or decision will require review as a new application rather than an administrative modification, if it exceeds the criteria in subsection (c)(2) of this section. If reviewed as a new application rather than an administrative modification, the modification shall be reviewed by the same body that reviewed the original application. ~~If the application resulting in the approval which is the subject of the request for modification was reviewed by the Design Review Board and the modification would have minimal impacts to design, then the Planning Director shall review the request and make a final decision.~~ The criteria for approval of such a modification shall be those criteria governing original approval of the permit which is the subject of the proposed modification.
  - (2) A proposed modification or addition will be decided as an administrative modification, if the modification meets the following criteria:
    - (i) No new land use is proposed;

- (ii) No increase in density, number of dwelling units or lots is proposed;
- (iii) No changes in location or number of access points are proposed;
- (iv) Minimal reduction in the amount of landscaping is proposed;
- (v) Minimal reduction in the amount of parking is proposed;
- (vi) The total square footage of structures to be developed is the lesser of 10 percent or 6,000 gross square footage; and
- (vii) Minimal increase in height of structures is proposed to the extent that additional usable floor space will not be added exceeding the amount established in subsection (c)(2)(vi) of this section. (Ord. 811, Sec. 4 (Exh. 3), 2010)

#### **14.16C.050 Design Review.**

(a) ~~The~~ Design Review ~~Board~~ is created required to review and make urban design decisions that will promote visual quality throughout the City. The purpose of design review includes but is not limited to the following:

- (1) To encourage and promote aesthetically pleasing and functional neighborhood and commercial developments for the citizens of Lake Stevens by establishing design review standards and guidelines including site layout, landscaping, parking and preferred architectural features;
- (2) To implement the City's Comprehensive Plan policies and supplement the City's land use regulations, promote high-quality urban design and development, supplement land use regulation, promote a coordinated development of the unbuilt areas, improve walkability, lessen traffic congestion, provide light and air, prevent the overcrowding of land, and conserve and restore natural beauty and other natural resources;
- (3) To encourage originality, flexibility, and innovation in site planning and development, including the architecture, landscaping and graphic design of proposed developments in relation to the City or subarea as a whole;
- (4) To encourage low impact development (LID) by conservation and use of existing natural site features in order to integrate small-scale stormwater controls and to prevent measurable harm to natural aquatic systems from commercial, residential or industrial development sites by maintaining a more hydrologically functional landscape;
- (5) To encourage green building practices in order to reduce the use of natural resources, create healthier living environments, and minimize the negative impacts of development on local, regional, and global ecosystems;
- (6) To encourage creative, attractive and harmonious developments and to promote the orderliness of community growth, the protection and enhancement of property values for the community as a whole and as they relate to each other, the minimization of discordant and



unsightly surroundings, the need for harmonious and high quality of design and other environmental and aesthetic considerations which generally enhance rather than detract from community standards and values for the comfort and prosperity of the community and the preservation of its natural beauty and other natural resources which are of proper and necessary concern of local government, and to promote and enhance construction and maintenance practices that will tend to prevent visual impairment and enhance environmental and aesthetic quality for the community as a whole;

(7) To aid in assuring that structures, signs and other improvements are properly related to their sites and the surrounding sites and structures, with due regard to the aesthetic qualities of the natural terrain and landscaping, and that proper attention is given to exterior appearances of structures, signs and other improvements;

(8) To protect and enhance the City's community vision for living and working and thus support and stimulate business and industry and promote the desirability of investment and occupancy in business and other properties;

(9) To stabilize and improve property values to help provide an adequate tax base to the City to enable it to provide required services to its citizens;

(10) To foster civic pride and community spirit by reason of the City's favorable environment and thus promote and protect the health, safety and welfare of the City and its citizens; and

(11) To ensure compatibility between new and existing developments.

(b) The City Council shall adopt design guidelines or standards by ordinance. If design guidelines appear to conflict with other provisions of this title, the design guidelines shall prevail.

~~.(1) City of Lake Stevens Design Guidelines (Residential Development Handbook for Snohomish County Communities) were readopted on April 17, 1995, for use within City limits, excluding subareas.~~

~~(2) The Subarea Design Guidelines apply to the Downtown Lake Stevens Subarea Plan as presently adopted and as hereafter may be amended, Lake Stevens Center Subarea Plan and 20th Street SE Corridor Subarea Plan. To assure an attractive, pedestrian-friendly environment, all development occurring within either subarea shall comply with these design guidelines which are attached to the subarea plans. If design guidelines appear to conflict with another provision of this title, the design guidelines shall prevail.~~

~~(c) Design Review Board. Review of permit applications for conformance with the development design guidelines shall be done by the Design Review Board in public meetings, as set forth in Section 14.16A.260.~~

~~(d) Projects requiring design review that meet the limitations in Section 14.16C.020(d) shall follow the procedures established in Chapter 14.16B for a Type I permit process as an administrative design review. All other projects requiring design review shall follow the procedures in subsection (e) of this section.~~

~~(e) Procedure. Applicants that seek design review shall follow the procedures established in Chapter 14.16B for a Type I permit process and as follows:~~

(1) Pre-Application Meeting. If design review is required, a pre-application meeting with the City is highly recommended prior to submittal of a formal application.

(2) Design Review Submittal Requirements. ~~Seven-Two~~ color, hard copies and one electronic copy are required for each submittal for review ~~by the Design Review Board.~~

(i) Buildings and Site Development Plans. The following information and materials shall be submitted to the City for review under this chapter:

- a. A completed application.
- b. Site plan at an engineering scale from one inch equals 20 feet to one inch equals 50 feet, showing:
  1. Location of all proposed structures and any existing structures to be retained or incorporated into the development.
  2. Location of building setback lines.
  3. Proposed pedestrian and vehicular circulation including driveways, access points, sidewalks and pedestrian pathways.
  4. Parking lot layout, design and, if applicable, loading areas.
  5. Public improvements including sidewalks, curbs, gutters, etc.
  6. Location of existing trees and vegetation to be retained.
- c. Building material samples and color chips.
- d. Plans and section drawings depicting the relationship of the proposed project to abutting properties and buildings.
- e. Building elevations and/or perspective renderings drawn to scale and indicating the exterior color and material composition (including mechanical equipment and screening).
- f. Roof plan including the location of mechanical equipment.
- g. A lighting plan, if required, adequate to determine the location, character, height and style of fixtures and the amount and impacts of spillover on adjacent properties.

h. A brief narrative description of the design elements or objectives of the proposal and discussion of the project's relationship to surrounding properties.

(ii) Landscape Plans. The following information and materials shall be submitted to the City for review under this chapter:

- a. A completed application.
- b. Site plan at an engineering scale from one inch equals 20 feet to one inch equals 50 feet, showing:
  1. Location of all proposed structures and any existing structures to be retained or incorporated into the development.
  2. Proposed pedestrian and vehicular circulation including driveways, access points, sidewalks and pedestrian pathways.
  3. Parking lot layout, design and loading areas if applicable.
  4. Public improvements including sidewalks, curbs, gutters, etc.
  5. Location and size of existing trees and vegetation to be retained.
  6. Plans and section drawings depicting the relationship of the proposed project to abutting properties and buildings.
  7. Landscape plan showing the location of proposed plant materials, including a plant schedule identifying plants by common and scientific names, spacing, size at time of planting, size at maturity, location of any existing vegetation and trees to be retained, and special notes.
  8. Photographs of proposed plant material.
  9. Plans showing proposed grading/topography, drawn to the same scale as the landscape plan.

(iii) Sign Plans. Applicants shall submit conceptual sign plans for design review of a new multi-tenant structure and if off-site signage is proposed. All signs associated with a project undergoing design review are subject to the design guidelines and sign permit regulations in Chapters 14.38 and/or 14.68 LSMC. The following information and materials shall be submitted to the City for review under this chapter:

- a. A completed application.
- b. A site plan, drawn to scale, showing the location of the building upon which the sign will be installed, surrounding buildings, and adjacent streets.

~~c.— A drawing showing the size, shape and exact location of the proposed sign(s). For wall or building-mounted signs, the drawing shall portray the proposed sign's relationship to any existing or proposed signs located on the same facade or common building wall. Drawings must be to scale or contain dimensions indicating the size of the sign and the length and height of the appropriate building surface.~~

~~d.— Dimensions, area (in square feet), and style of letters/symbols of the proposed signs.~~

~~e.— A colored illustration of the proposed signs.~~

~~f.— Sign materials (wood, plastic, metal, etc.) and color samples.~~

(iv) The Director may require the submission of such other information determined to be appropriate and necessary for a proper review of the requested action.

(3) Public Notice and Optional Public Meeting. A notice of application shall be completed pursuant to Section 14.16B.225 for new structures, as described in subsection (d) of this section. A design review public meeting is not required unless requested by a person within 14 days of issuance of the notice of application. The request for a public meeting shall be made in writing and submitted to the Planning and Community Development Department. The notice of application materials shall include a statement that a public meeting may be requested.

(4) Recommendation. A staff report of findings, conclusions and recommendations shall be forwarded to the Design Review Board Director or designee before a public meeting. The conclusions and recommendations shall indicate how the recommendations carry out the goals, policies, plans and requirements of the development design guidelines. The findings shall be referenced to contested issues of fact, and the conclusions shall be referenced to specific provisions of the development design guidelines and review criteria incorporated therein, together with reasons and precedents relied upon to support the same. The conclusions shall make reference to the effect of the decision upon the Comprehensive Plan, as well as the effect of both approval and denial on property in the vicinity, on business or commercial aspects, if relevant, and on the general public. The decision shall be based upon a consideration of the whole record of the application.

(d) Applicability~~Conformance with Design Guidelines or Standards.~~

(1) All new commercial, industrial, multi-family, civic and institutional structures, and large public assembly buildings like including but not limited to places of worship, auditoriums and similar buildings, must comply with the design guidelines or standards adopted per subsection (b) of this section. Existing structures with exterior facade changes, that are not exempt by subsection (4), must also comply with the adopted design guidelines to the greatest extent possible.

(1) Structures within the following zones are subject to the design guidelines or standards adopted per subsection (b) of this section, except when the project meets the limitations in Section

~~14.16C.020(d) or when the development is located within an adopted subarea plan and is required to meet the adopted subarea design guidelines:~~

- ~~(i) Central Business District (except Class 1.100 or 1.200 uses);~~
- ~~(ii) Mixed Use (except Class 1.100 or 1.200 uses);~~
- ~~(iii) Neighborhood Commercial (except Class 1.100 or 1.200 uses);~~
- ~~(iv) Local Business (except Class 1.100 or 1.200 uses);~~
- ~~(v) Planned Business District;~~
- ~~(vi) Sub-Regional Commercial;~~
- ~~(vii) High Urban Residential;~~
- ~~(viii) Multi-Family Residential (multifamily developments);~~
- ~~(ix) Light Industrial;~~
- ~~(x) General Industrial; or~~
- ~~(xi) Public/Semi-Public.~~

(2) Structures are subject to the design guidelines or standards adopted per subsection (b) of this section when developed under specified regulations listed below, except when the project meets the limitations in Section [14.16C.020\(d\)](#):

- (i) Planned neighborhood developments (Section [14.16C.080](#));
- (ii) Planned residential developments (Section [14.44.020](#)); and
- (iii) Innovative Housing Options Program (Chapter [14.46](#)).

(3) No building or land use permit shall be issued for structures or uses which do not conform to the applicable guidelines or standards, except as allowed under subsection (f)(4) of this section.

(4) A building or land use permit may be issued for a structure ~~or use that does not comply with subsection (f)(1), (2) or (3) of this section~~ without a design review permit, if any one of the following findings can be made by the permit-issuing authority:

- (i) The structure is of a temporary nature which, in all likelihood, will be replaced by a permanent structure within a reasonable time frame.
- (ii) The structure is minor to the overall use of the property and will not be noticeably visible from a public right-of-way.

- (iii) The structure will not be visible from an existing, planned, or proposed public right-of-way.
- (iv) The structure is pre-existing with proposed changes to portions of the facade that are not visible from public rights-of-way or are considered minor by the Planning Community Development Director. For example, minor facade changes that do not trigger design review include a change to the facade color scheme, re-siding, re-roofing, replacement of doors and windows of the same size, or similar minor improvements that do not change the form or shape of the building. (Ord. 1027, Sec. 3, 2018; Ord. 903, Sec. 19, 2013; Ord. 876, Sec. 12, 2012; Ord. 811, Sec. 4 (Exh. 3), 2010)

#### **14.44.020 Planned Residential Developments.**

It is intended that a PRD will: result in a residential environment of higher quality than traditional lot-by-lot development by being held to higher standards of design of buildings, parks, open space, landscaping, roadways, entrance and other project features; provide flexibility to the property owners; protect critical areas and significant stands of trees; encourage a variety or mixture of housing types; and encourage compatibility of the development with the surrounding neighborhood. In addition to meeting the other relevant requirements of this title, planned residential developments (PRDs) must comply with the following:

- (a) The PRD may only be located on tracts of at least five acres within a Suburban Residential, Urban Residential, High Urban Residential, or Multi-Family Residential zoning district.
- (b) The gross density of a PRD shall not exceed the allowable density specified in Section [14.48.010](#).
- (c) Permissible types of residential uses within a PRD include single-family detached dwellings (use classification 1.111), single-family attached (1.130), two-family residences (1.200), and multifamily residences (1.300) regardless of the underlying zone.
- (d) In the SR and UR zones the developer may create lots and construct buildings with reduced lot size, width, or setback restrictions, except that:
  - (1) In the SR zone, perimeter lots must have a minimum area of 7,500 square feet and width of 60 feet, and in the UR zone, perimeter lots must have a minimum area of 6,000 square feet and width of 45 feet.
  - (2) At least 50 percent of the total number of dwelling units must be single-family detached residences on lots of at least 6,000 square feet in all zones except for the Multi-Family Residential.
  - (3) Comply with the fire protection requirements of the International Building Code (IBC) and the International Fire Code (IFC). Additional fire protection is required by these rules when setbacks are reduced below the standard five feet.

- (4) Setback requirements of the underlying zone shall apply for all property lines located on the perimeter of the PRD.
  - (5) Each lot must be of a size and shape to contain the proposed improvements.
  - (6) The lots are designed so that homes can be constructed at least 15 feet from any environmentally critical area buffer.
  - (7) In providing additional amenity pursuant to subsection (h) of this section, priority shall be given to maintaining native areas in a natural condition.
  - (8) Homes shall be designed so as to minimize the visual impact of garages and automobiles from the streets and sidewalks through either:
    - (i) Providing alleys which provide access to the garage at the rear of the lot; or
    - (ii) Locate the garage at least 20 feet behind the front of the house; or
    - (iii) Locate the garage at least five feet behind the front of the house, with the combined width of garage doors no wider than 18 feet or 50 percent of the width of the front of the house (including garage), whichever is less.
- (e) The design of a PRD, including site layout, landscaping, public facilities (e.g., storm drainage, parks, streets, etc.) and building design shall be subject to Design Review ~~Board (DRB) approval~~ and shall meet the City's adopted ~~Development~~ Design Guidelines. ~~In lieu of the DRB approving each SFR structure, the applicant may propose project-specific design guidelines, in which case the DRB may approve the guidelines, to be implemented administratively by the Department of Planning and Community Development. Where authority is granted by the DRB to staff to review individual single-family residential structures, the DRB shall be the arbiter between the applicant and staff.~~
- (f) When located in the SR, UR or HUR zone, multifamily portions of a PRD shall be developed more toward the interior rather than the periphery of the tract so that only single-family detached residences border adjacent properties and roads.
- (g) Type A screening (Chapter [14.76](#)) shall apply to the exterior boundaries of the PRD, but are not required between uses within the PRD.
- (h) When creating a PRD, the applicant must improve 10 percent of the site with common amenities, in addition to the open space requirements. The amenities can include, but are not limited to, additional usable open space area, landscaped entries into the project (in addition to the standard roadway dedication and landscaping requirements), landscape islands in the center of roads, special treatment of roads (such as concrete pavers), protection of significant clusters of trees, or other amenities as may be appropriate. Common amenities do not include protected critical areas and their buffers, unless passive recreation is provided within the buffer areas. In such case, credit for trails will be given at a rate of 10 square feet for each lineal foot of trail, 10 square feet for each park bench and five square feet for each

interpretive sign. Park space will be given credit towards meeting this requirement only when it meets the criteria for dedication contained in Chapter [14.120](#).

(i) Protected critical areas and significant stands of trees will be used as an amenity to the project through such techniques as providing pervious trails and benches in buffers and significant stands of trees, orienting buildings to create views, and any other technique to provide visual and physical access. (Ord. 903, Sec. 31, 2013; Ord. 746, Sec. 5, 2007; Ord. 741, Sec. 6, 2007; Ord. 639, Sec. 3, 2001; Ord. 579, 1998; Ord. 501, Sec. 9, 1995; Ord. 468, 1995)

#### **14.46.015 Review and Processing.**

Innovative housing projects shall be reviewed and processed according to the requirements of Sections [14.16C.015](#), [14.16C.045](#) and [14.40.020](#)(b), with the additional requirements below:

- (a) A pre-application conference per Section [14.16A.220](#)(d) is required to exchange general and preliminary information and to identify potential issues.
- (b) After the pre-application conference, the applicant shall schedule and host a neighborhood meeting before submitting an application to the City. The purpose of the neighborhood meeting is to provide residents who live adjacent and nearby to the proposed cottage housing development an opportunity to obtain information about the proposal and provide comment on the overall project before an applicant expends significant time and resources in developing the specific site and development features of the proposal.
  - (1) The meeting shall be located in the general area of the proposed project.
  - (2) Notice of the neighborhood meeting shall be mailed to all property owners located within 300 feet of the proposed project or 20 property owners (whichever results in more property owners being noticed) and shall provide details of the proposed project, including a description of any modification or flexibility in site design standards that will be requested.
  - (3) Comprehensive notes describing the meeting shall be submitted with the project application.
  - (4) Following the neighborhood meeting, the applicant shall consider public input received during the neighborhood meeting and shall consider recommendations, if any, for revising the proposed innovative housing project to respond to neighborhood concerns.

(c) ~~The Design Review Board shall consider project proposals at one meeting with staff and provide a recommendation for design approval of~~ is required for projects in accordance with this chapter.

~~Duties and authority are as follows:~~

~~(1) The Design Review Board is required to meet with the Director and City staff at a meeting to discuss proposed innovative housing development site plans and recommend modifications.~~

~~(2) Prior to a final decision by the Director or the Hearing Examiner, the Design Review Board shall make a recommendation based on a staff report including findings of fact must be provided~~



demonstrating whether the proposed project meets the specific design requirements provided in this chapter for the specific type of innovative housing option and may propose allowable modifications. (Ord. 872, Sec. 5, 2012; Ord. 811, Sec. 54, 2010; Ord. 798, Sec. 7 (Exh. 2), 2009)

**14.46.035 Modifications to the Provisions in this Chapter.**

(a) An applicant may request modifications to the provisions of this chapter or other provisions of this title related specifically to this chapter, to the extent that such modifications are consistent with the purpose, intent and requirements of this chapter.

(b) The applicant must describe each requested modification and document in writing how the modifications are consistent with the purpose, intent and requirements of this chapter.

(c) The Director or Hearing Examiner may approve modifications after:

(1) Considering the Design Review ~~Board's recommendations~~staff report and findings of fact; and

(2) Documenting in writing that the modifications are consistent with the purpose and requirements of this chapter and do not threaten the public health, safety, or welfare.

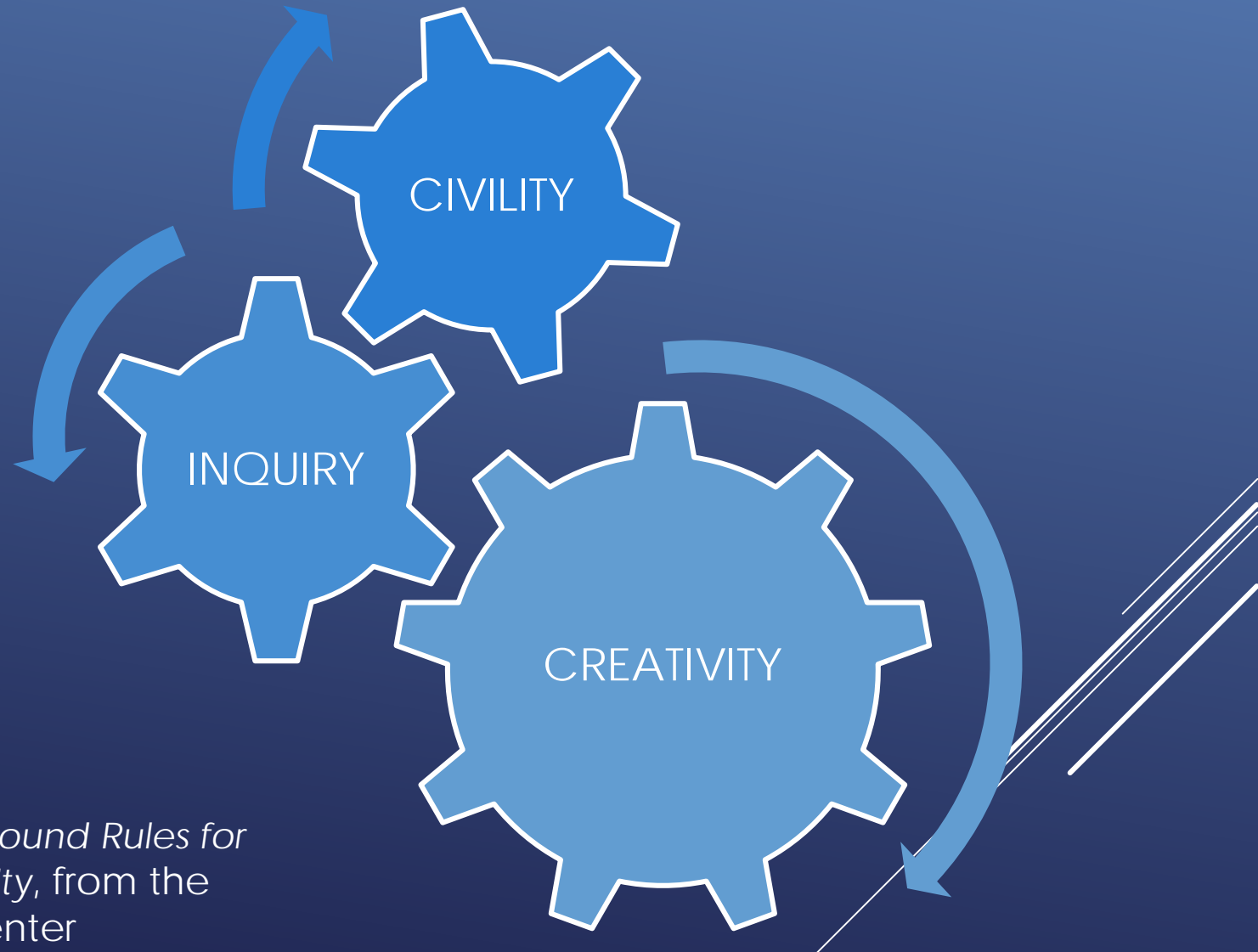
(d) Minor changes to a site plan or design elements approved under this chapter may be approved by the Director. Changes that increase the intensity of development, e.g., trips generated or number of residential units; alter the character of the development or balance of mixed uses; increase the floor area in one building by more than 10 percent; change access points; move buildings around on the site; reduce the acreage of common open area or buffering areas; or diminish the effectiveness of perimeter buffers, are major and shall be subject to the requirements of this chapter. Major modifications may be approved by the original decision body and ~~shall~~may be subject to design review approval. (Ord. 872, Sec. 6, 2012; Ord. 798, Sec. 7 (Exh. 2), 2009)



# LAND USE & ZONING OVERVIEW

Introduction  
January 16, 2018

# GROUND RULES



Adapted from *Ground Rules for Collective Creativity*, from the Pomegranate Center

# GROUND RULES

## CIVILITY

- ▶ **EVERYONE PARTICIPATES**
- ▶ **TOGETHER WE KNOW MORE**
- ▶ **DON'T PLACE BLAME**
- ▶ **PUT YOURSELF IN SOMEONE ELSE'S SHOES**

# INQUIRY

## GROUND RULES

- ▶ **OPEN YOUR EARS & MIND** –  
Listening is not waiting to speak
- ▶ **DO YOUR HOMEWORK** –  
Understand the problem
- ▶ **LOOK FOR COMMON SOLUTIONS** – Commit to them
- ▶ **SEEK THE HIGHEST GOOD** –  
Present & future

# GROUND RULES

## CREATIVITY

- ▶ **FORGE MULTIPLE VICTORIES** – Good ideas solve more than one problem
- ▶ **EXPLORE ORIGINAL APPROACHES** – New conditions demand new solutions
- ▶ **TRANSFORM DIFFERENCES** – Exchange ideas to find creative solutions
- ▶ **CHANGE YOUR MIND IN LIGHT OF NEW INFORMATION** – Focus on discovery & collaboration
- ▶ **MAINTAIN BALANCE** – Balance heart, knowledge, intuition, expertise & passion

# GROWTH MANAGEMENT ACT

The WA Legislature adopted the  
Growth Management Act in 1990

Several white lines of varying lengths and slopes are positioned in the bottom right corner of the slide, creating a modern, abstract graphic element.

# GMA PLANNING GOALS

- ▶ Concentrate Urban Growth / Reduce Sprawl
  - ▶ Encourage Multi-modal Transportation
  - ▶ Encourage Affordable Housing
  - ▶ Promote Economic Development
  - ▶ Protect Property Rights
  - ▶ Provide Predictable Permit Processing
  - ▶ Maintain Natural Resource Industries
  - ▶ Retain Open Space & Recreation
  - ▶ Protect the Environment
  - ▶ Encourage Public Participation
  - ▶ Provide Public Facilities & Services
  - ▶ Historic Preservation
  - ▶ Shoreline Management
- 





**MANDATORY  
ELEMENTS**



LAND USE



HOUSING



CAPITAL  
FACILITIES



UTILITIES



TRANSPORTATION



ECONOMIC  
DEVELOPMENT



PARKS &  
RECREATION

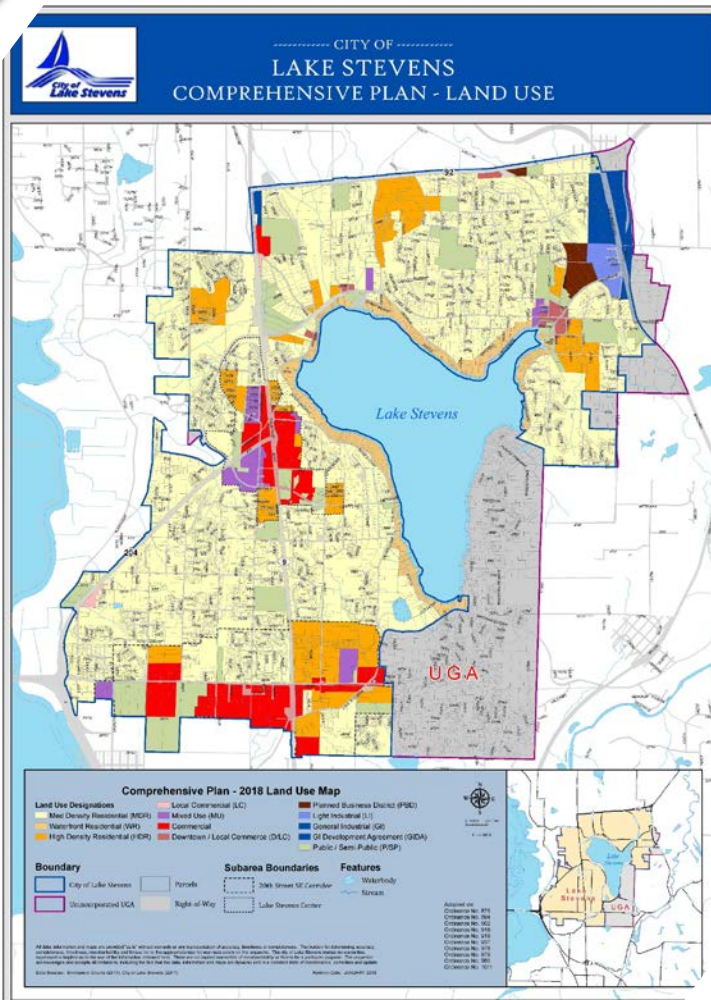
# COMPREHENSIVE PLAN ELEMENTS

## Local Plans must be consistent with:

- ▶ Countywide Planning Policies
- ▶ Regional Plans – Puget Sound Regional Council Vision
- ▶ Other state laws

## REGIONAL PLANNING

Several white lines of varying lengths and slopes are positioned in the bottom right corner of the slide, creating a modern, abstract graphic element.



- ▶ Lake Stevens adopted its first plan in 1994
- ▶ Major updates have occurred in 2006 & 2015
- ▶ Lake Stevens' Plan focuses on developing Growth Centers
- ▶ Subarea Plans were adopted in 2012 & 2018
- ▶ Plans can be updated annually

# LAKE STEVENS COMPREHENSIVE PLAN

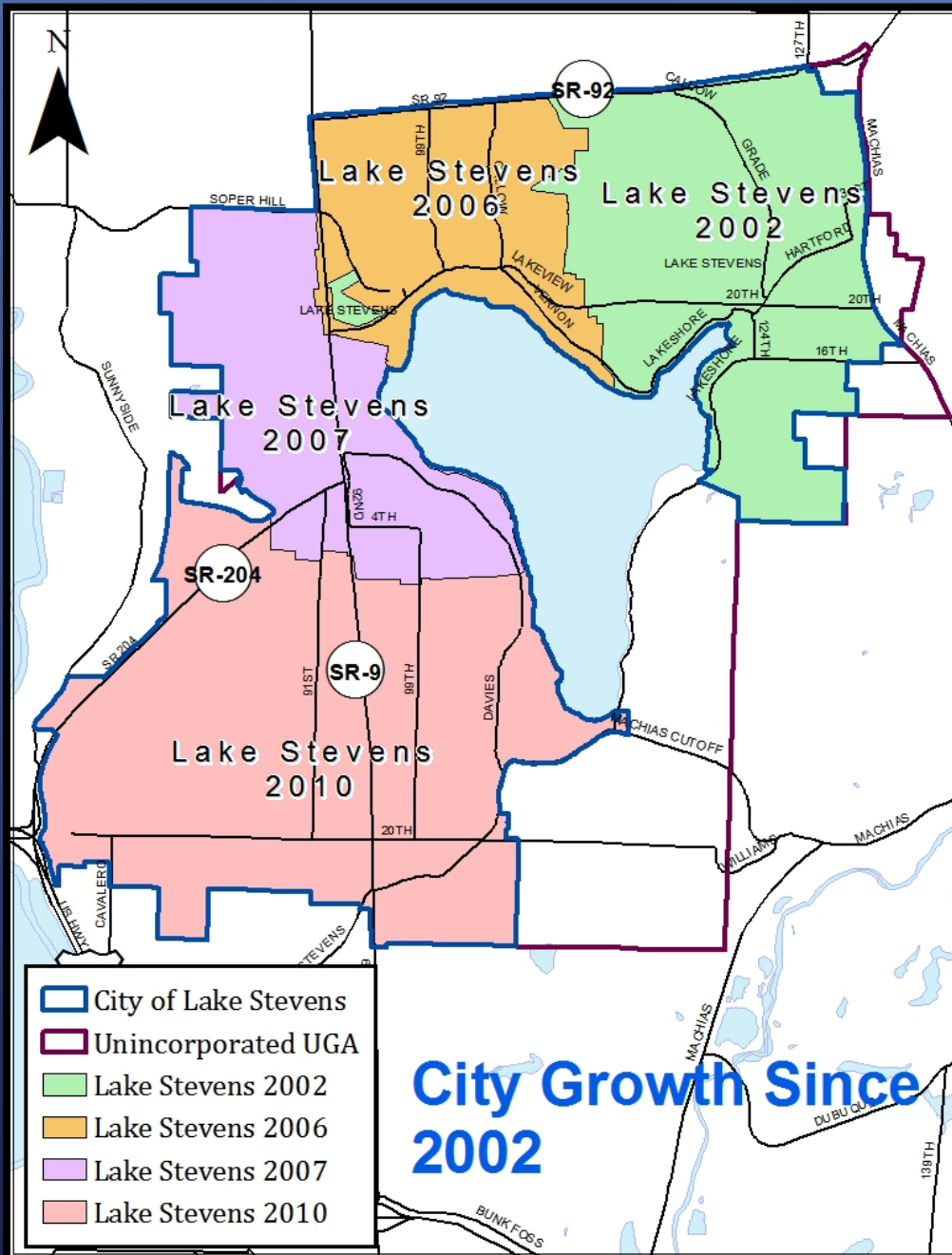
- ▶ The 2015 update provided a time to reflect on the state of the city:
  - Where did the city start
  - What has the city accomplished
  - How has the city changed
  - Where is the city going
  - What changes need to be made to the plan

## 2015 COMPREHENSIVE PLAN UPDATE

# BUILDABLE LANDS & GROWTH TARGETS



# CHANGING CITY



Population 2000	Population 2018	Growth 2000 - 2018	% Change
6,361	32,570	[26,209]	412%

City Area 2002	City Area 2006	City Area 2007	City Area 2010
1,500 acres	2,350 acres	3,345 acres	5,760 acres

➤ Lake Stevens & UGA total area – 7,950 acres

A small annexation occurred in 2018, others are underway

# GROWTH TARGETS

## ► Population

► City – 39,340

► UGA – 7,040

## ► Jobs

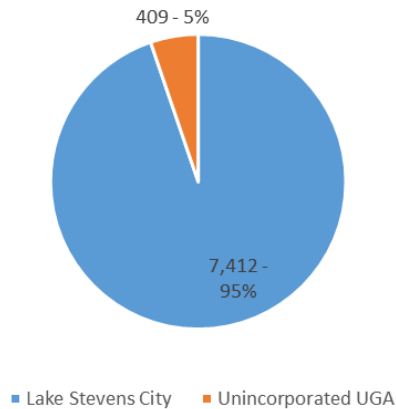
► City – 7,412

► UGA – 576

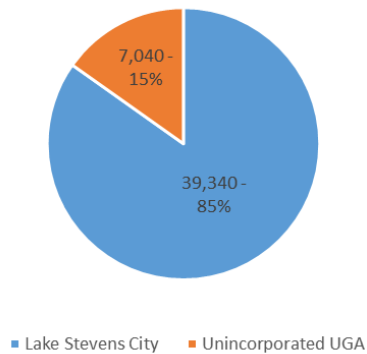
► 2544 units created or are in process since 2012

► City has achieved 83% of its population target

2035 Employment Target



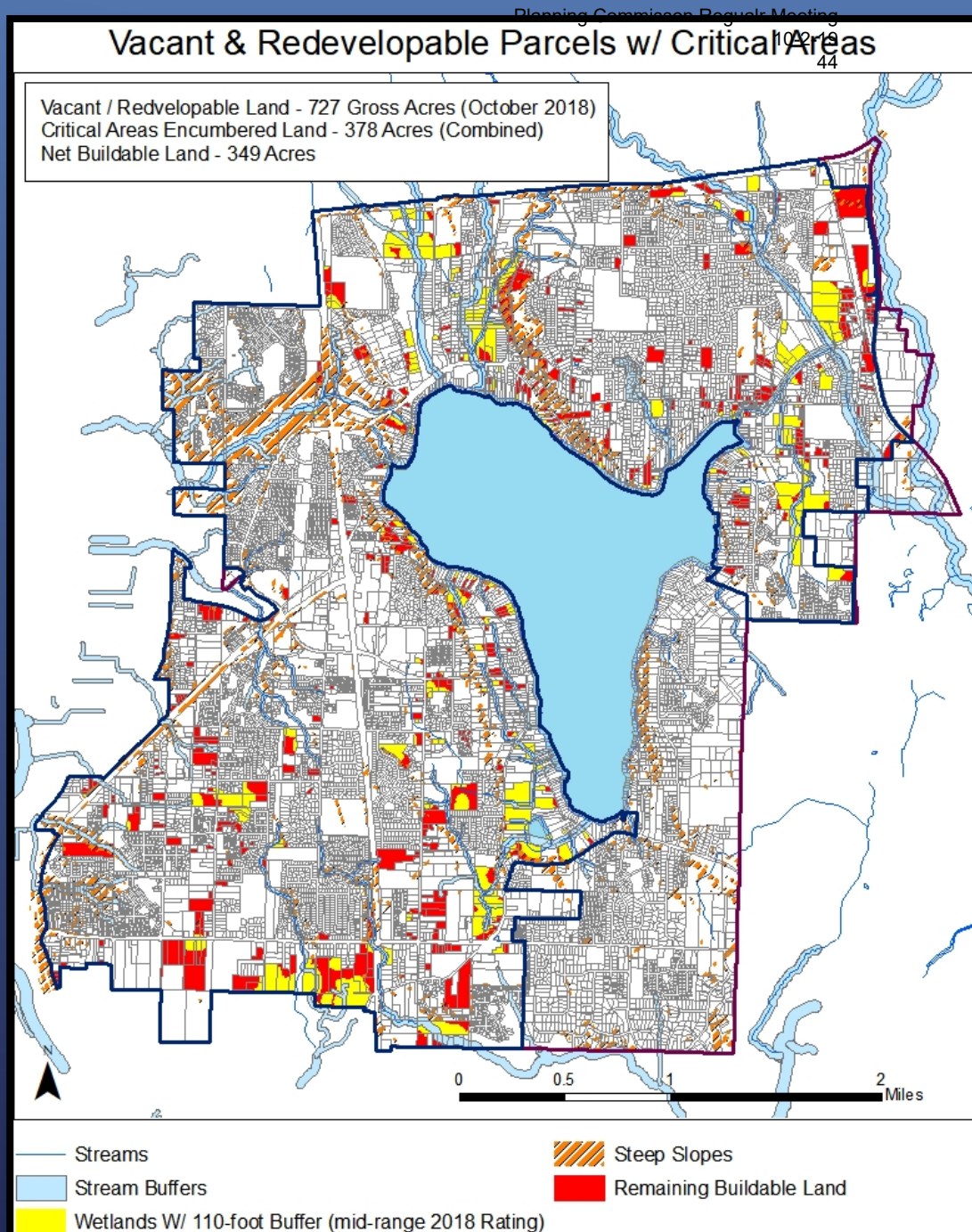
2035 Population Target





# 2018 CITY BLR STATUS

- ▶ Remaining Vacant / Re-developable – 727 acres
- ▶ Critical Areas Encumbered – 370 acres
- ▶ Net Buildable Acres – 349 acres



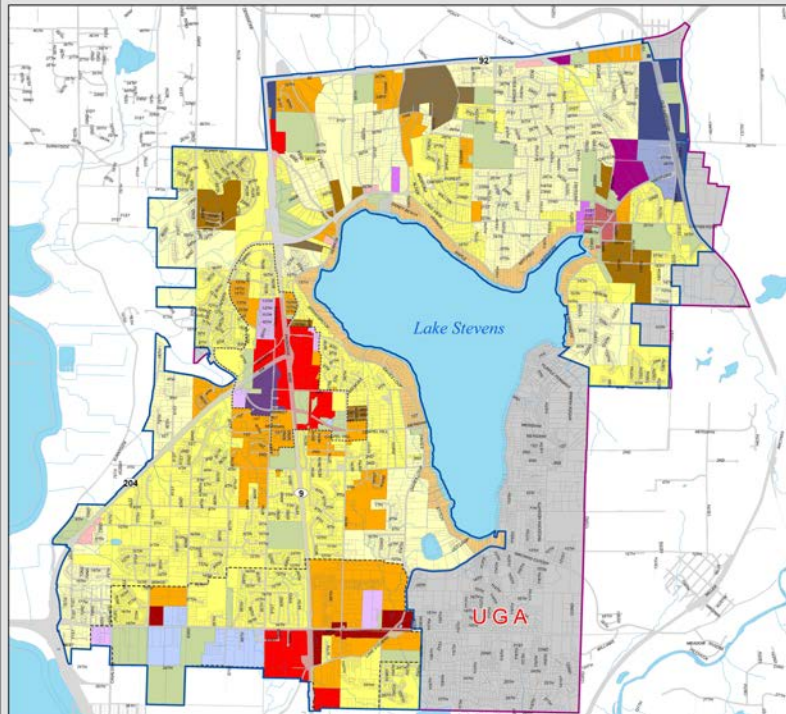


# LAKE STEVENS LAND USE & ZONING

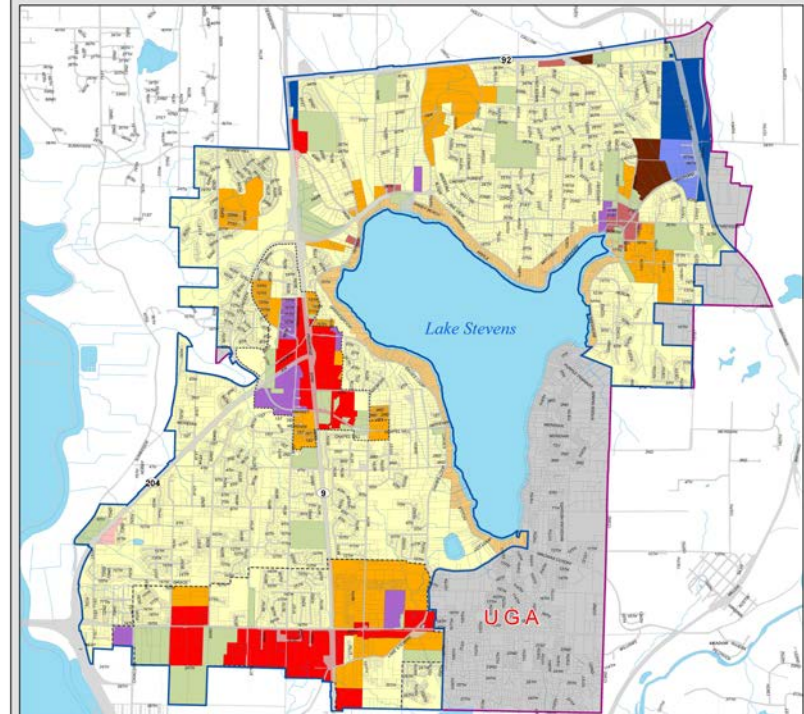




# CITY OF LAKE STEVENS ZONING MAP



# CITY OF LAKE STEVENS COMPREHENSIVE PLAN - LAND USE



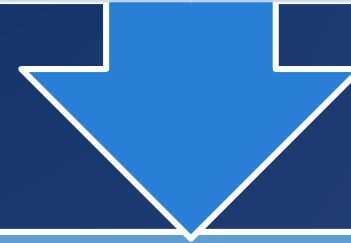
# 2018 CITY MAPS

# LAKE STEVENS ZONING

Lake Stevens has two major land use designations for residential development

High-Density Residential

Medium Density Residential



Lake Stevens has several zoning districts for residential development

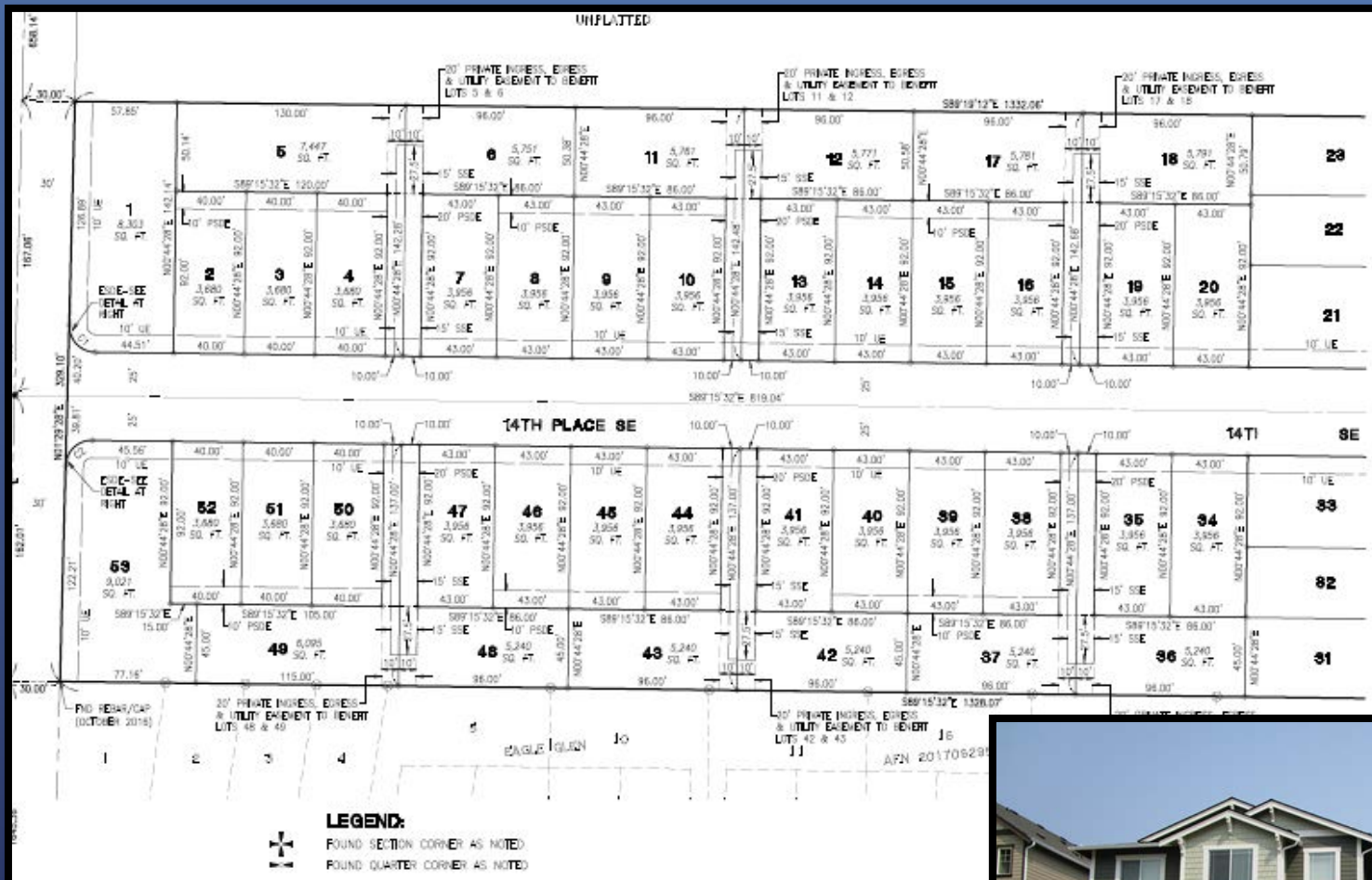
Suburban  
Residential

Urban  
Residential

Waterfront  
Residential

High Urban  
Residential

Multifamily  
Residential

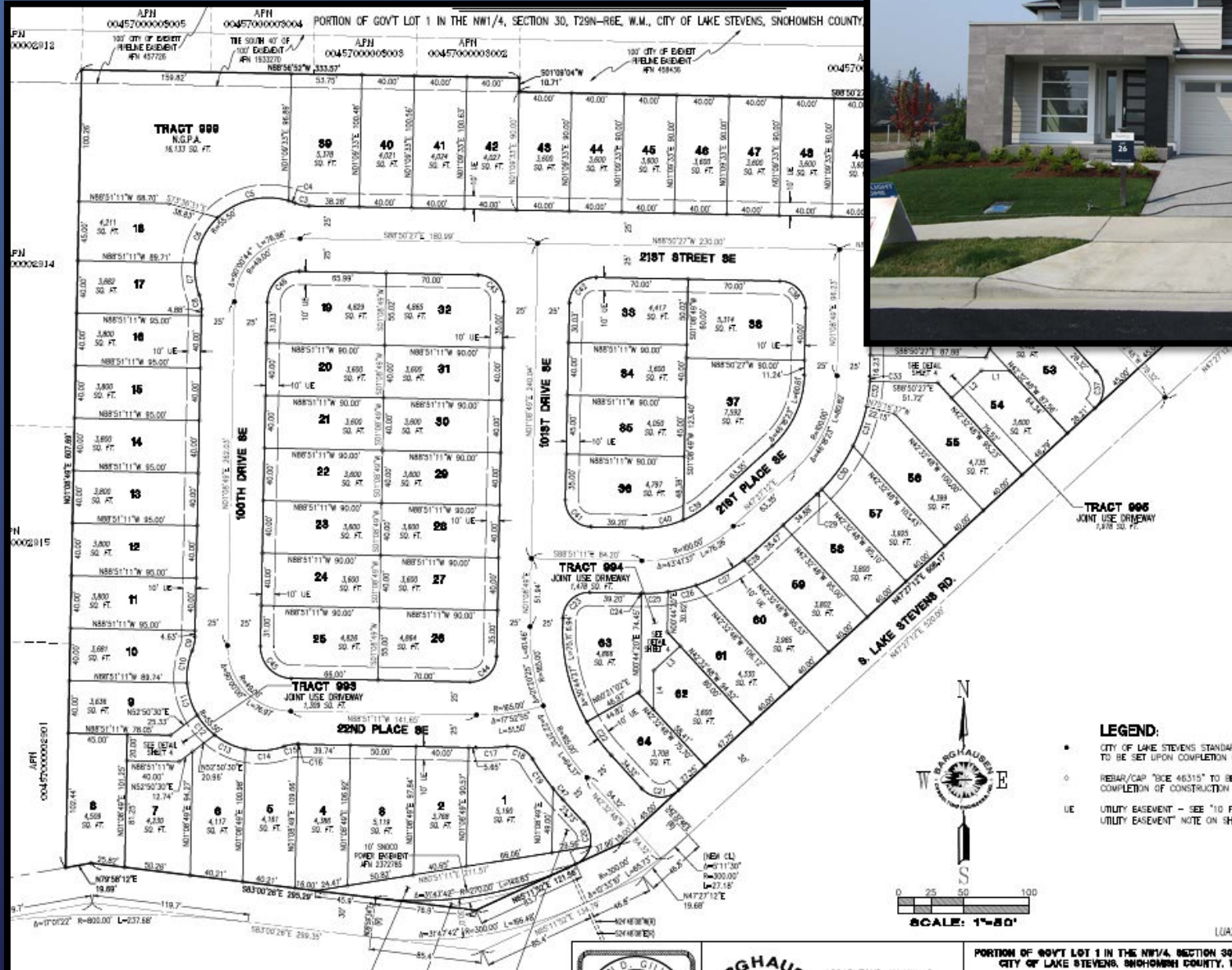


# HUR EXAMPLE PLATS





# HUR EXAMPLE PLATS

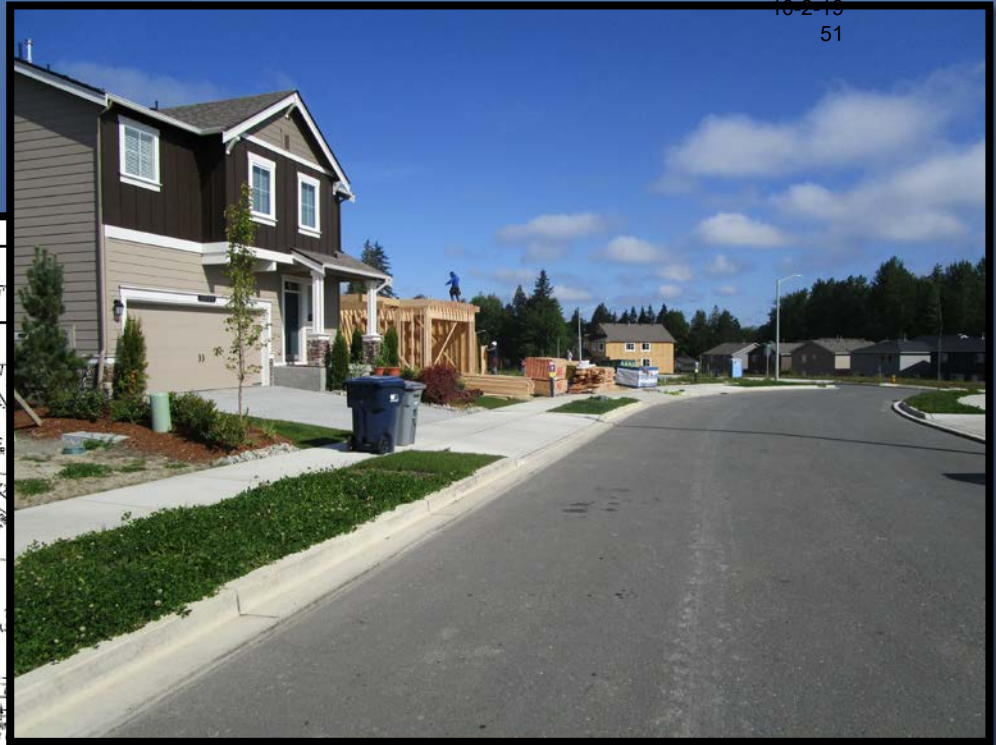


# HUR EXAMPLE PLATS





# UR EXAMPLE PLATS



# UR EXAMPLE PLATS





# PROJECT GOALS & NEXT STEPS

- ▶ Develop models showing different zoning standards for diverse neighborhoods & infill development
- ▶ Work on road & parking standards in tandem
- ▶ Consider other changes, including transition zones, design guidelines & open space

# ZONING IN LAKE STEVENS

The city is contemplating zoning changes that would modify lot sizes, lot coverage & dimensional standards

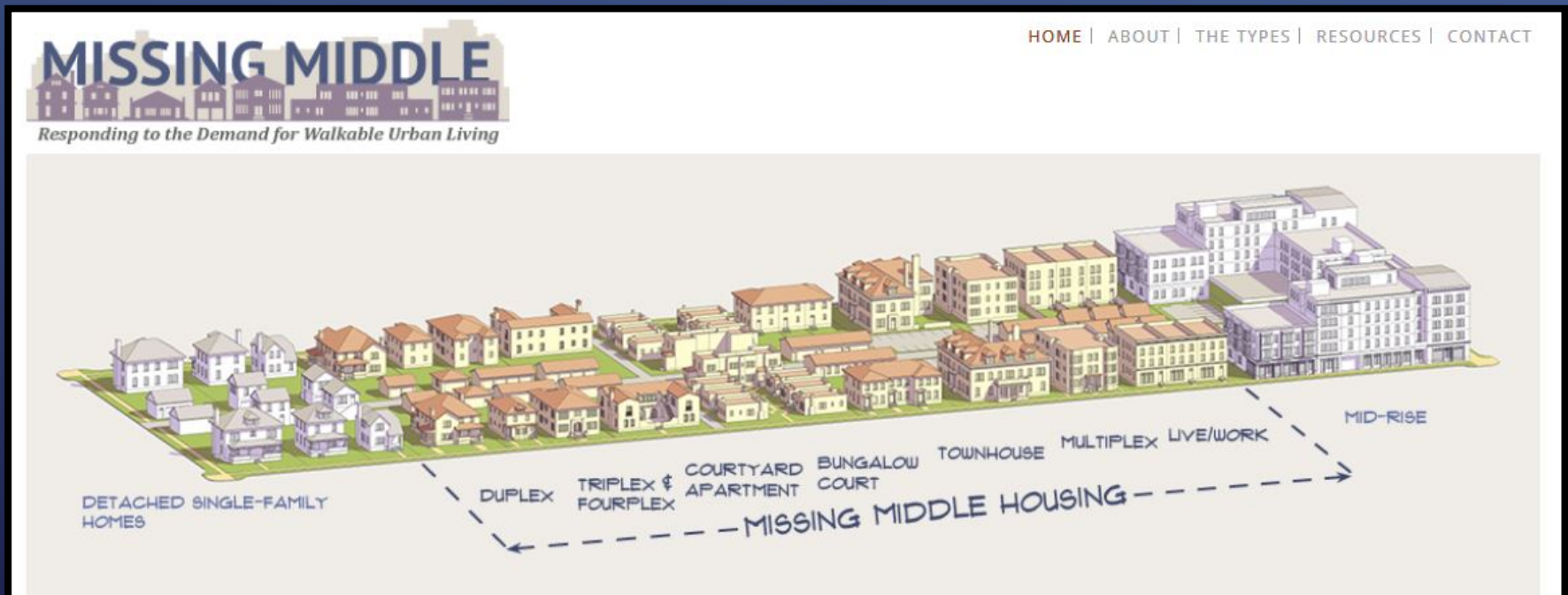
Lake Stevens is also considering adopting a new zoning district of Compact Residential for proposed annexation areas

The goal is to create diversity & flexibility in neighborhood development that allows varied housing options

As the city addresses housing affordability & considers infill development the city may consider integrating different housing types.

For example, the city could allow more duplexes, townhomes or small multiplexes in existing zones & neighborhoods to promote effective land development & increased affordability.

# INFILL & THE MISSING MIDDLE



# Visual Preference Survey

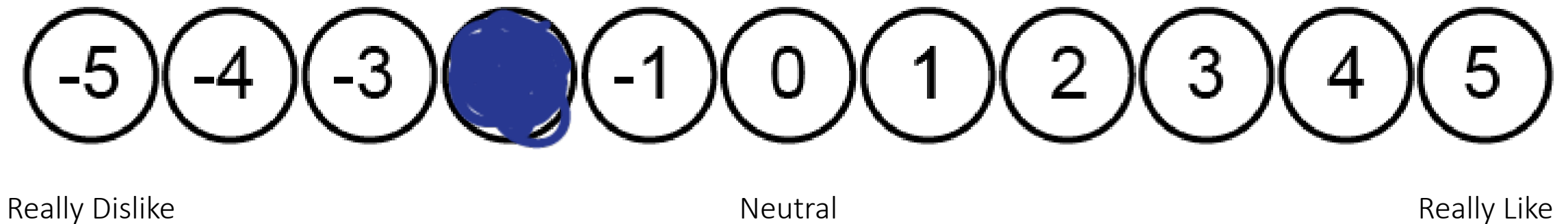
Land Use Advisory  
Committee

February 20, 2019

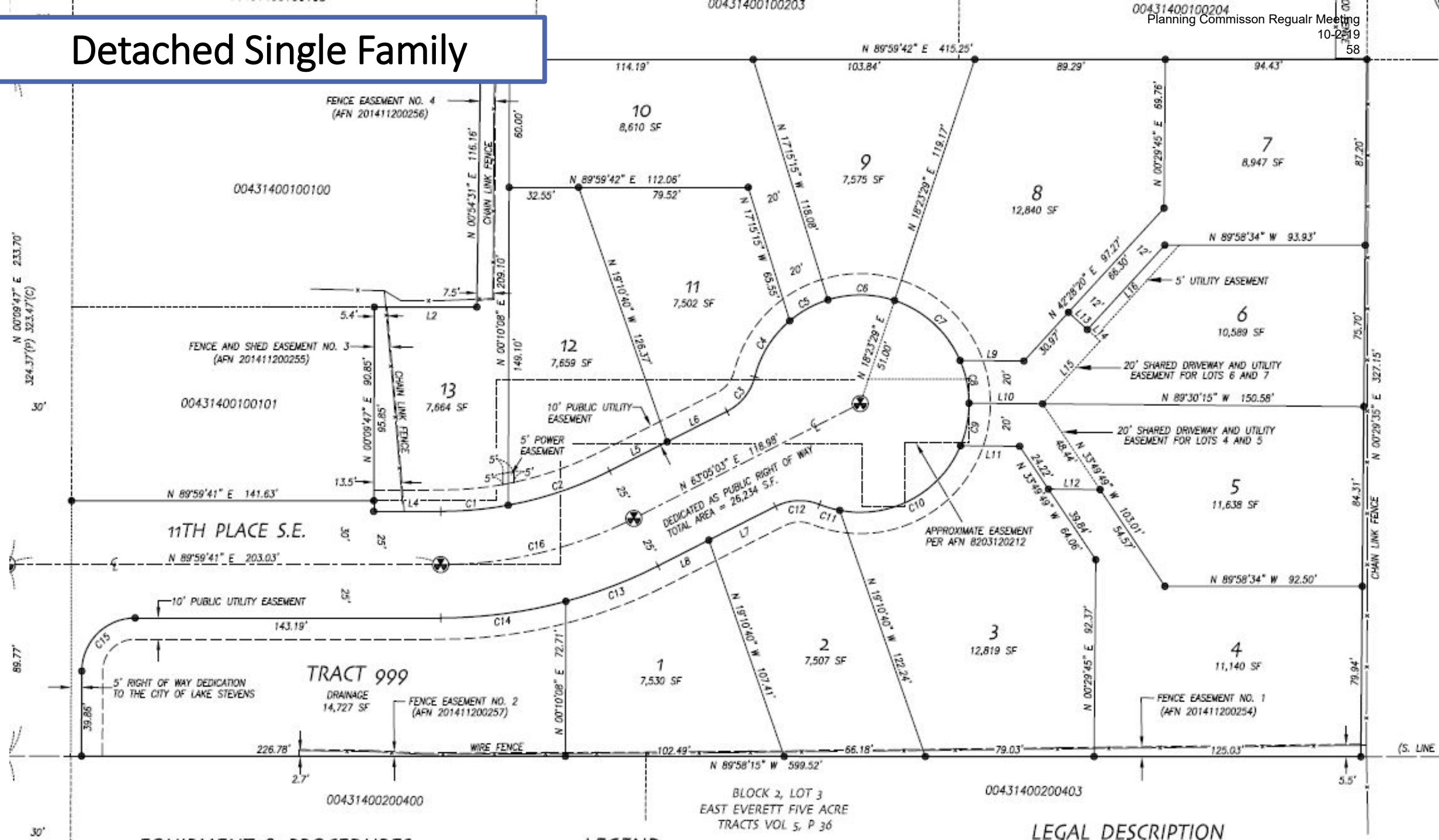


# How to complete the survey

Please fill in the bubble on the scale from -5 to 5 to indicate your preference, with 5 meaning you really like it and -5 being you really dislike the image, and 0 counting as neutral.



# Detached Single Family





#1

Total: 1.5

Advisory: 1.4

Planning Comm: 1.7





#2





#3



#4





#5





#6





# Small Lot / Duplex





#7





#8





#9





#10





#11





#12





#13





#14





#15

10-2-19  
74





#16





# Tri-Plex / Four Plex





#17





#18





#19



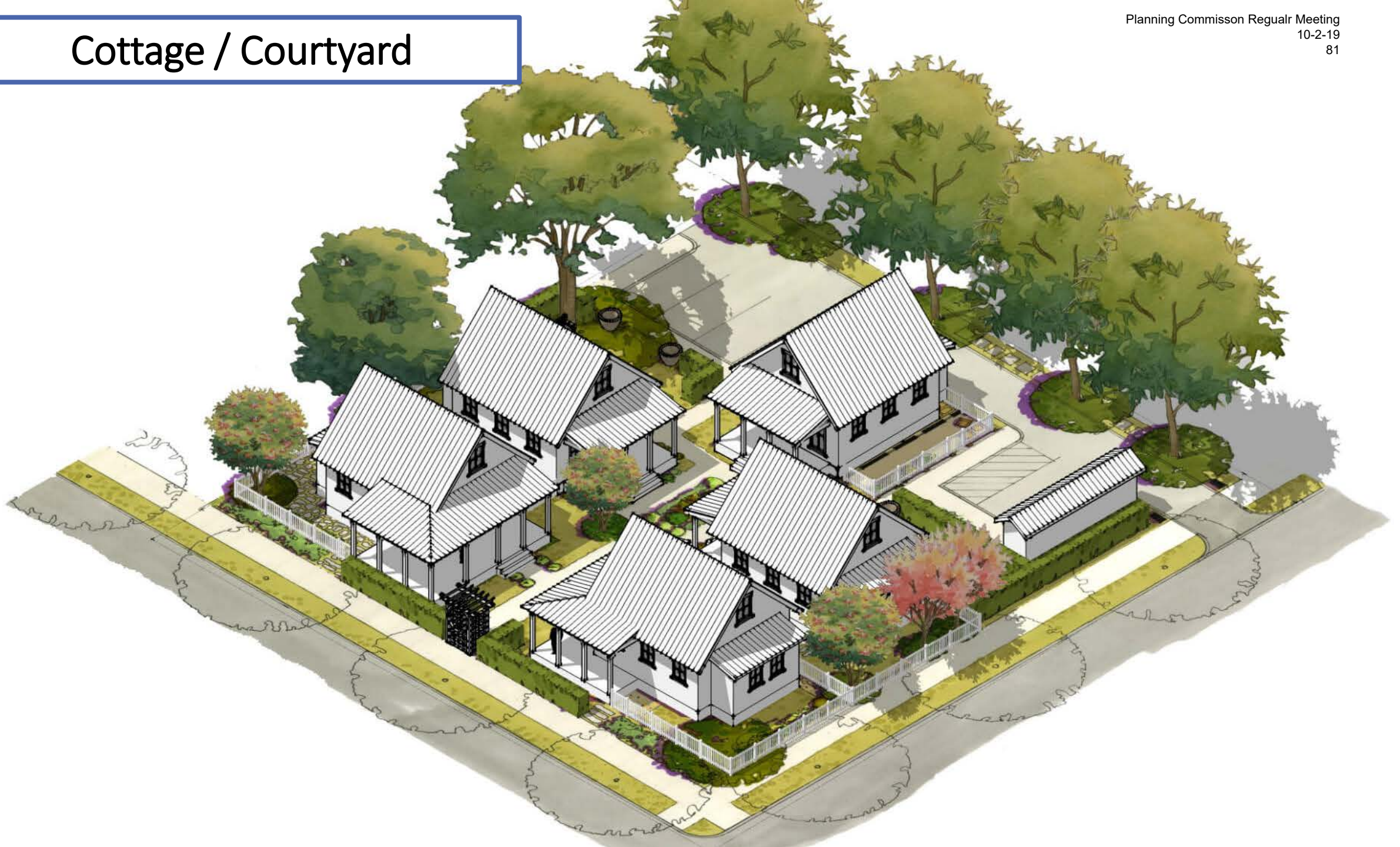


#20





# Cottage / Courtyard





#21





#22





#23

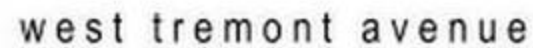
Planning Commis



#24









#25





#26





#27

Planning Commiss



#28





#29





#30





# Survey Results

Land Use Advisory  
Committee

March 20, 2019



# Summary of Results & Comments

- “A desire for **green space** and quality **landscaping**....”
- “Outdoor spaces and “**breathing room**” between homes
- **Garage** not the dominate feature of the front façade





# Summary of Results & Comments



- "...Modern styled structures were not favorable..."
- Lack of 'curb appeal'

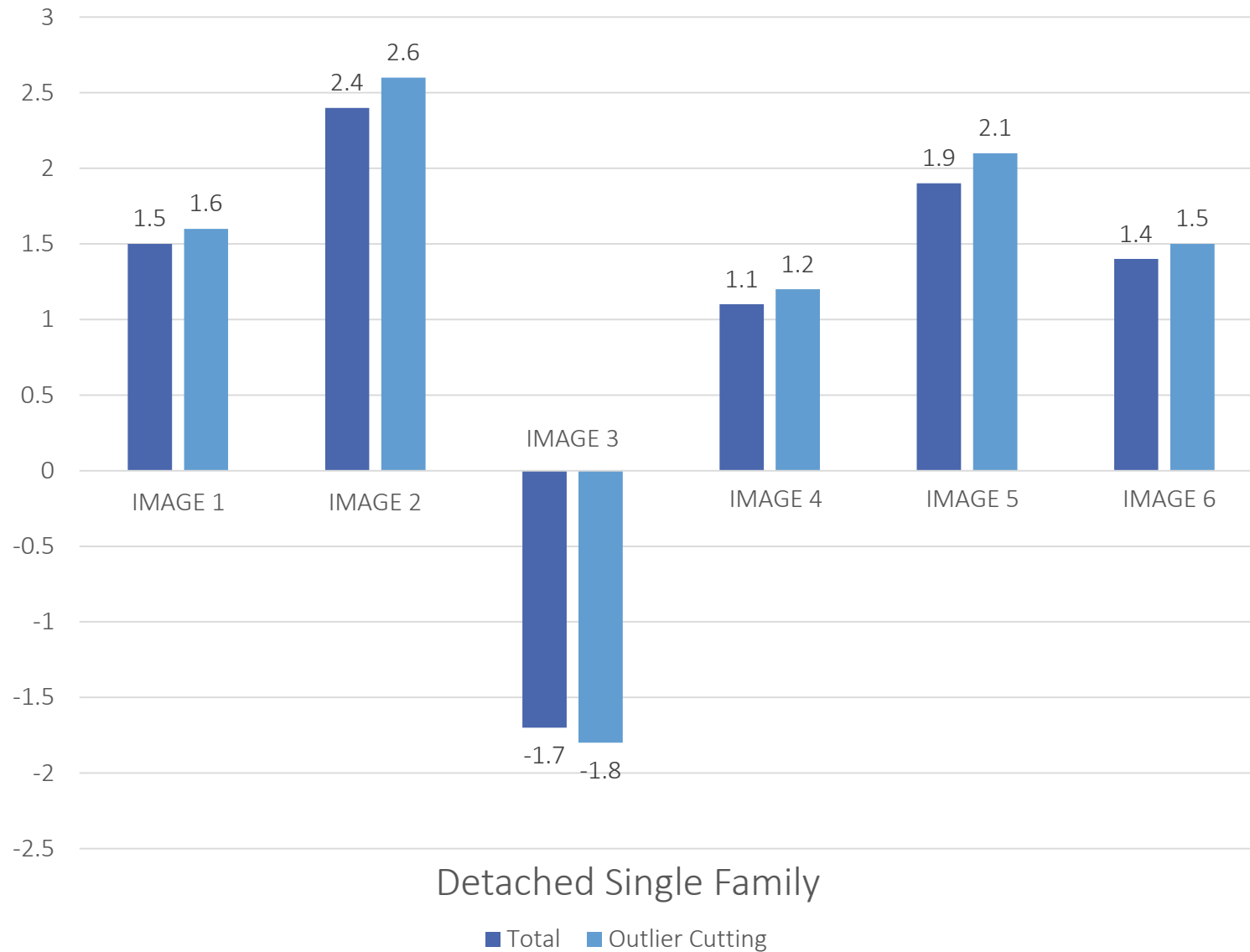


IMAGE 1



IMAGE 2



IMAGE 3 **-1.8**



IMAGE 4



IMAGE 5



IMAGE 6





IMAGE 1



IMAGE 2



IMAGE 3 **-1.8**



IMAGE 4



IMAGE 5



IMAGE 6

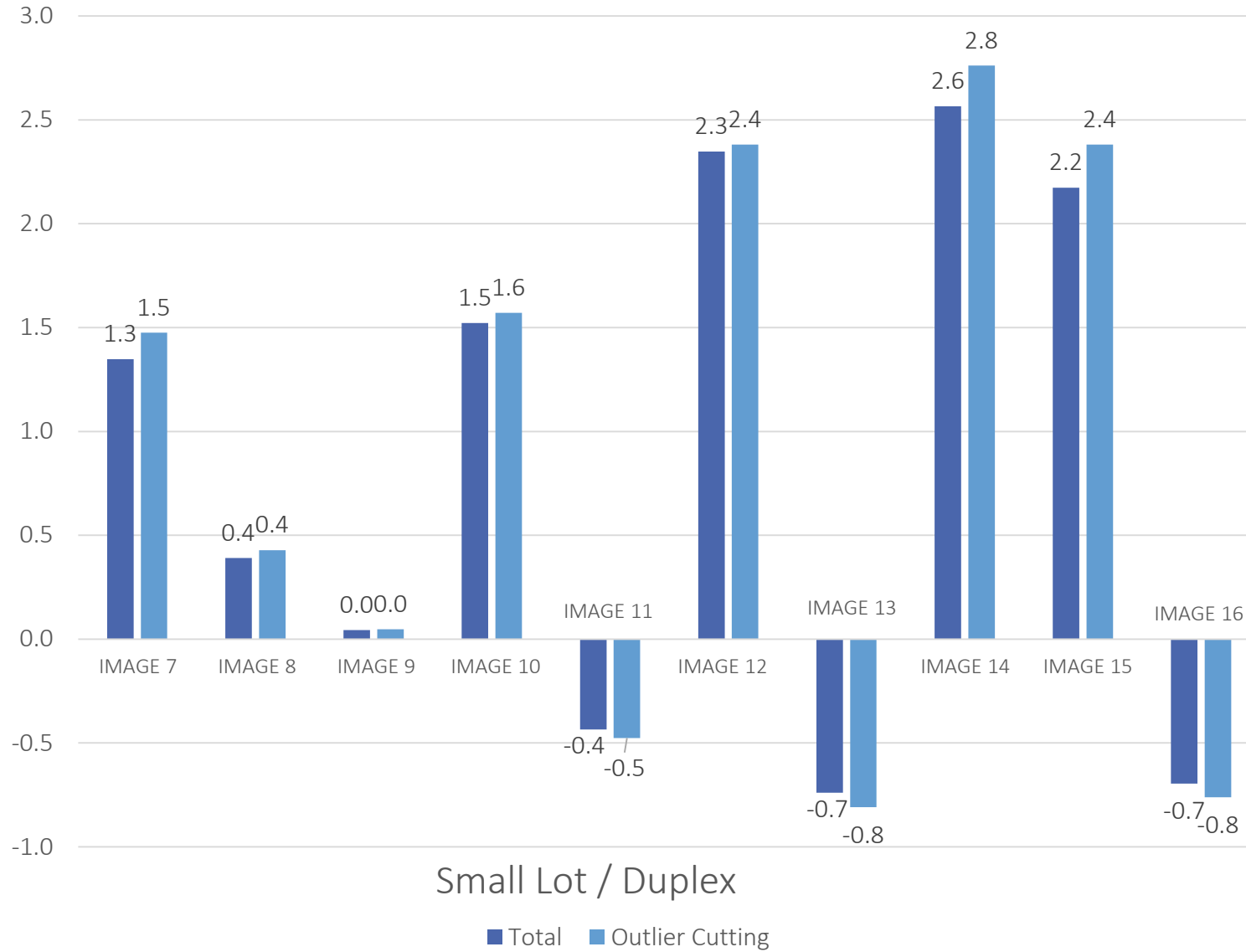


IMAGE 7



IMAGE 8



IMAGE 9



IMAGE 10



IMAGE 11



IMAGE 12



IMAGE 13



IMAGE 14

2.8



IMAGE 15



IMAGE 16





IMAGE 7



IMAGE 8



IMAGE 9



IMAGE 10



IMAGE 11



IMAGE 12



IMAGE 13



IMAGE 14

2.8



IMAGE 15



IMAGE 16



Why did 14 get a better score than 15?

Why did 10 get a better score than 16?



IMAGE 7



IMAGE 8



IMAGE 9



IMAGE 10



IMAGE 11



IMAGE 12



IMAGE 13



IMAGE 14

2.8



IMAGE 15



IMAGE 16



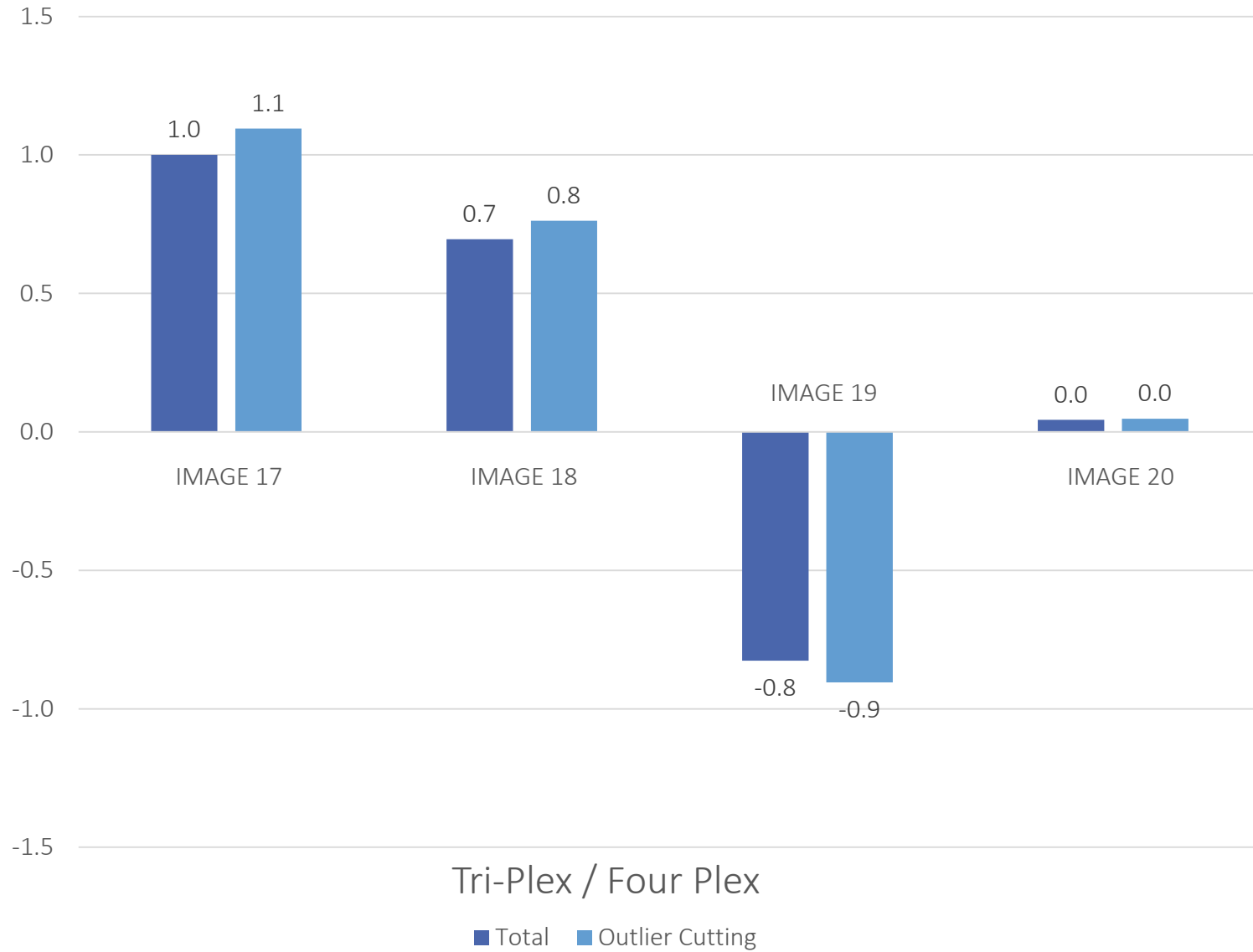


IMAGE 17



IMAGE 18



IMAGE 19



IMAGE 20



IMAGE 17



IMAGE 18



IMAGE 19



IMAGE 20



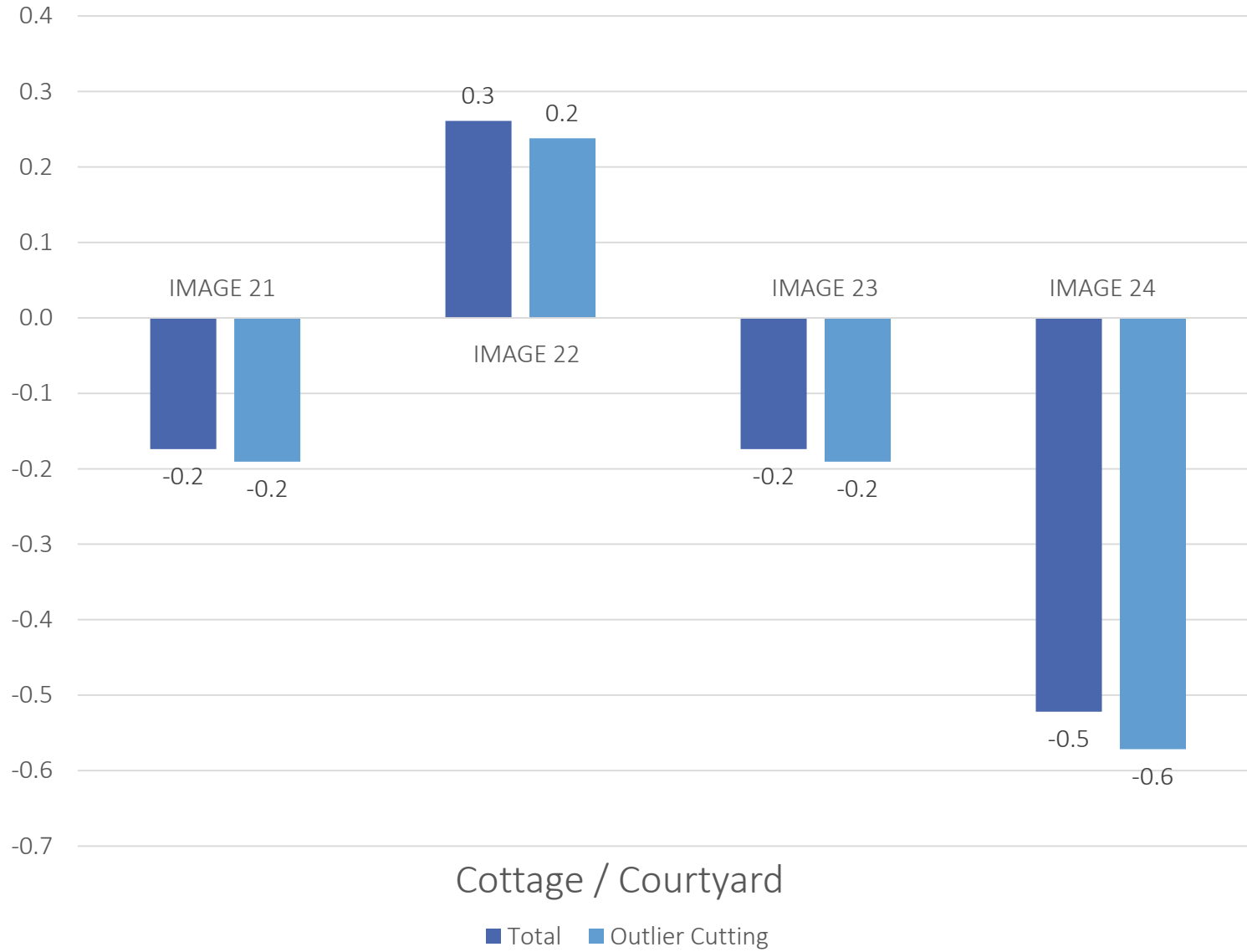


IMAGE 21



IMAGE 22



IMAGE 23



IMAGE 24



IMAGE 21



IMAGE 22



IMAGE 23



IMAGE 24



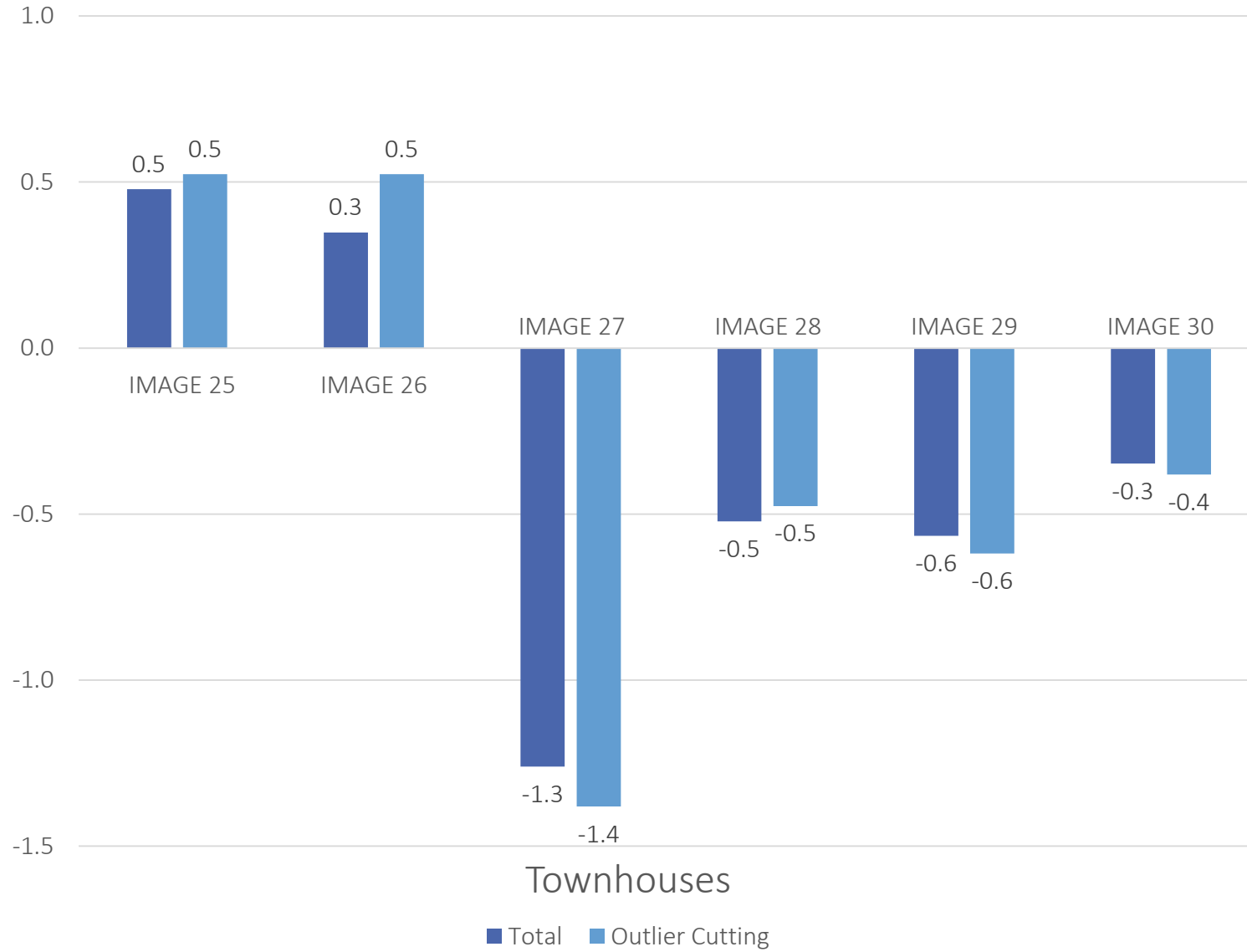


IMAGE 25



IMAGE 26



IMAGE 27



IMAGE 28



IMAGE 29



IMAGE 30



IMAGE 25



IMAGE 26



IMAGE 27



IMAGE 28



IMAGE 29



IMAGE 30



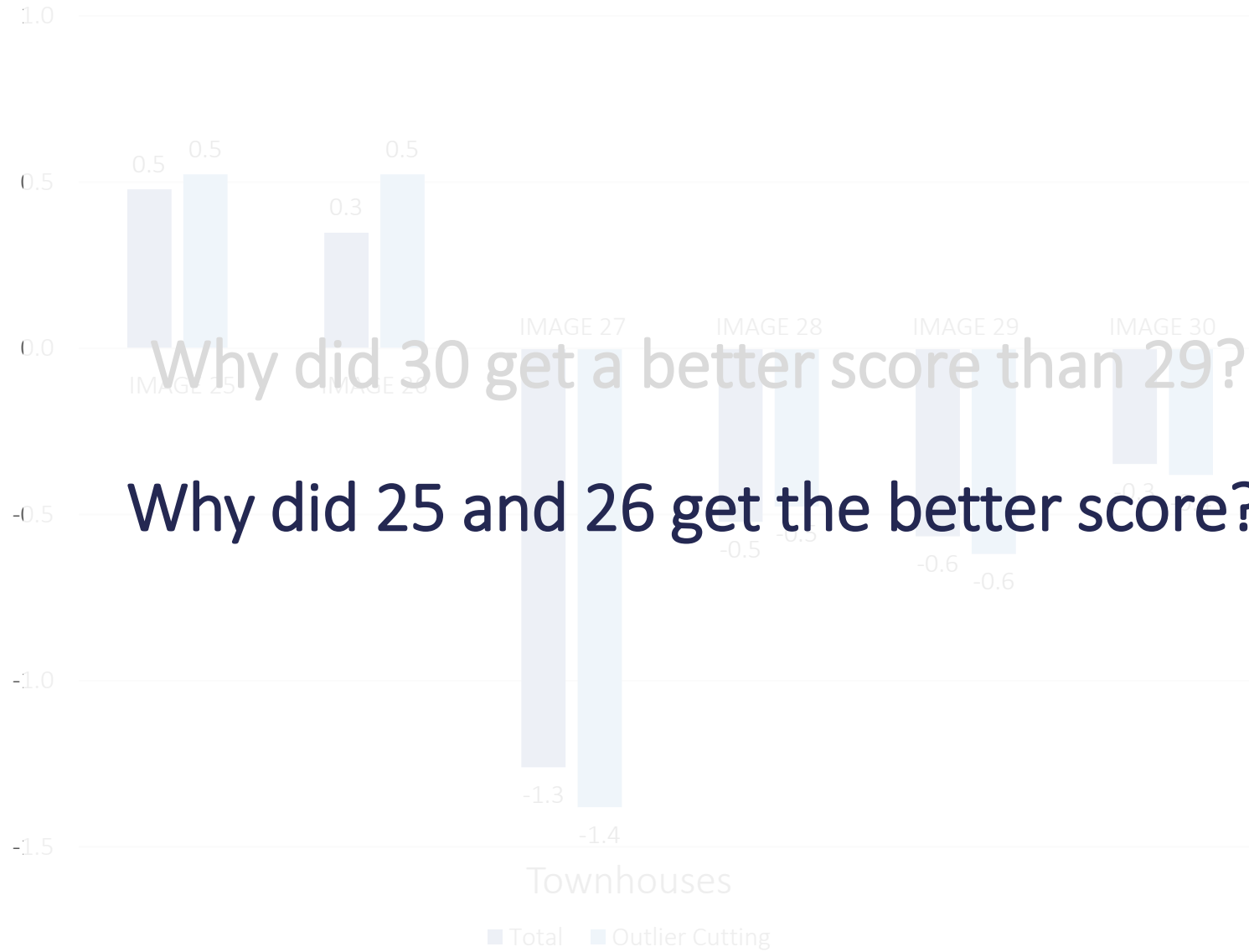


IMAGE 25



IMAGE 26



IMAGE 27



IMAGE 28



IMAGE 29



IMAGE 30

# Buildable Lands Analysis

Submitted by LDC, Inc.

March 6, 2019

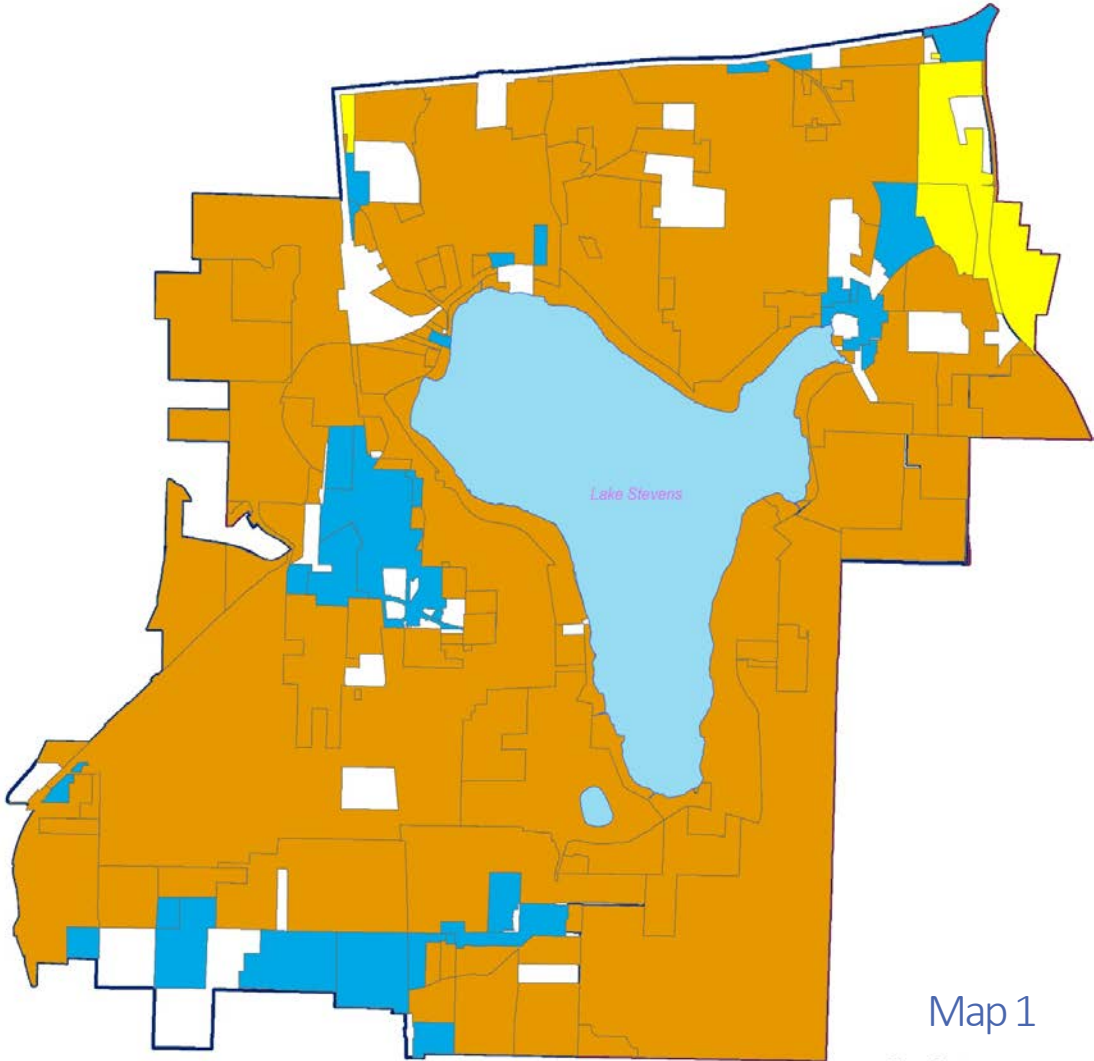


# Purpose:

- Understand how much growth Lake Stevens has accommodated since the adoption of the City's 2015-2035 Comprehensive Plan.
- Understand how much capacity remains in the UGA to accommodate future residential / employment
- 2012 Snohomish County Buildable Lands Report & the 2015 Comprehensive Plan as baseline



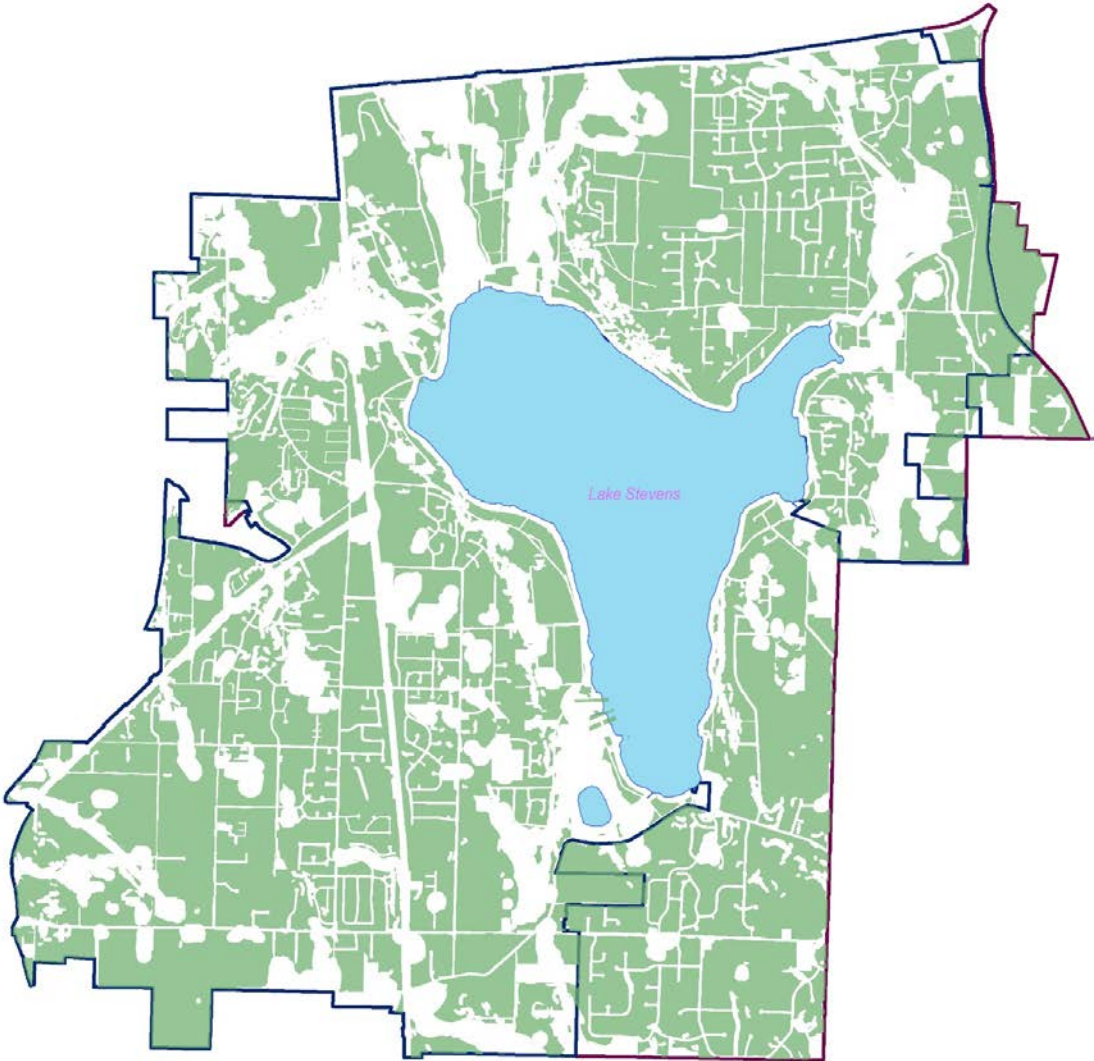
City of Lake Stevens & Unincorporated UGA  
Evaluated Area



Map 1

- Zoning**
- Residential
  - Commercial
  - Industrial

City of Lake Stevens & Unincorporated UGA  
Buildable Area



Map 3

- Buildable Area**
- Buildable Area
- Total Acreage: 14,000

# Methods:

- Remove properties that have been developed since 2012
- Remove lands covered by critical areas
- Remove lands categorized as common area, open space, water retention, gas utility, streets, etc.
- Remove 5% for misc. increase of regulations
- Remove 15% for market availability

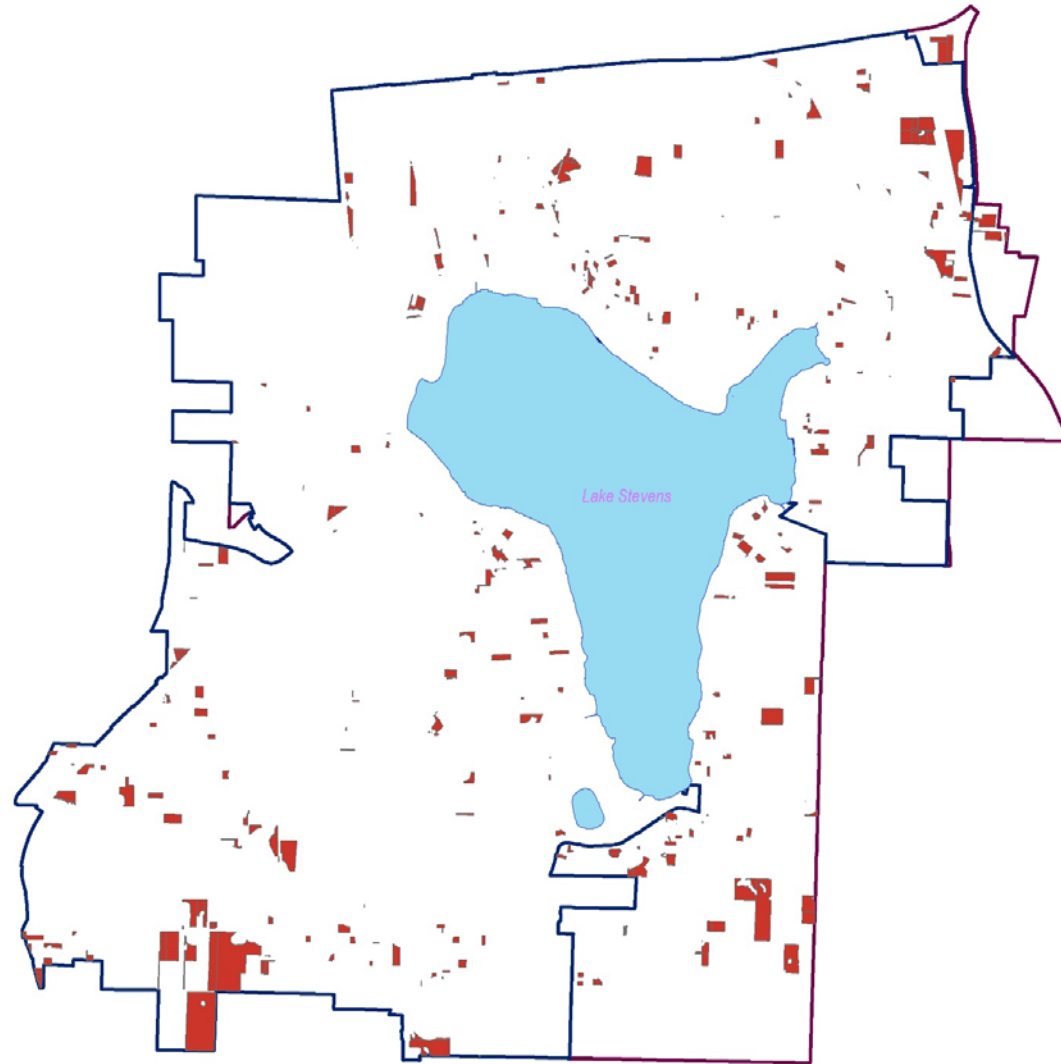
The remaining land is “buildable”

# Results:

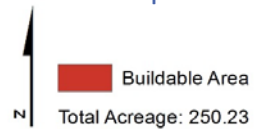
- Through the end of 2018, the City and the UGA accommodated ~70% of the 2035 growth target, including housing units that have been approved, but not built.
- There is sufficient land to accommodate 5,400 more residents. A surplus of 2,211 residents beyond the 2035 required target.
- There is sufficient land to accommodate 2,800 more jobs. A surplus of 213 jobs beyond the 2035 required target.



City of Lake Stevens & Unincorporated UGA  
Vacant Buildable Area

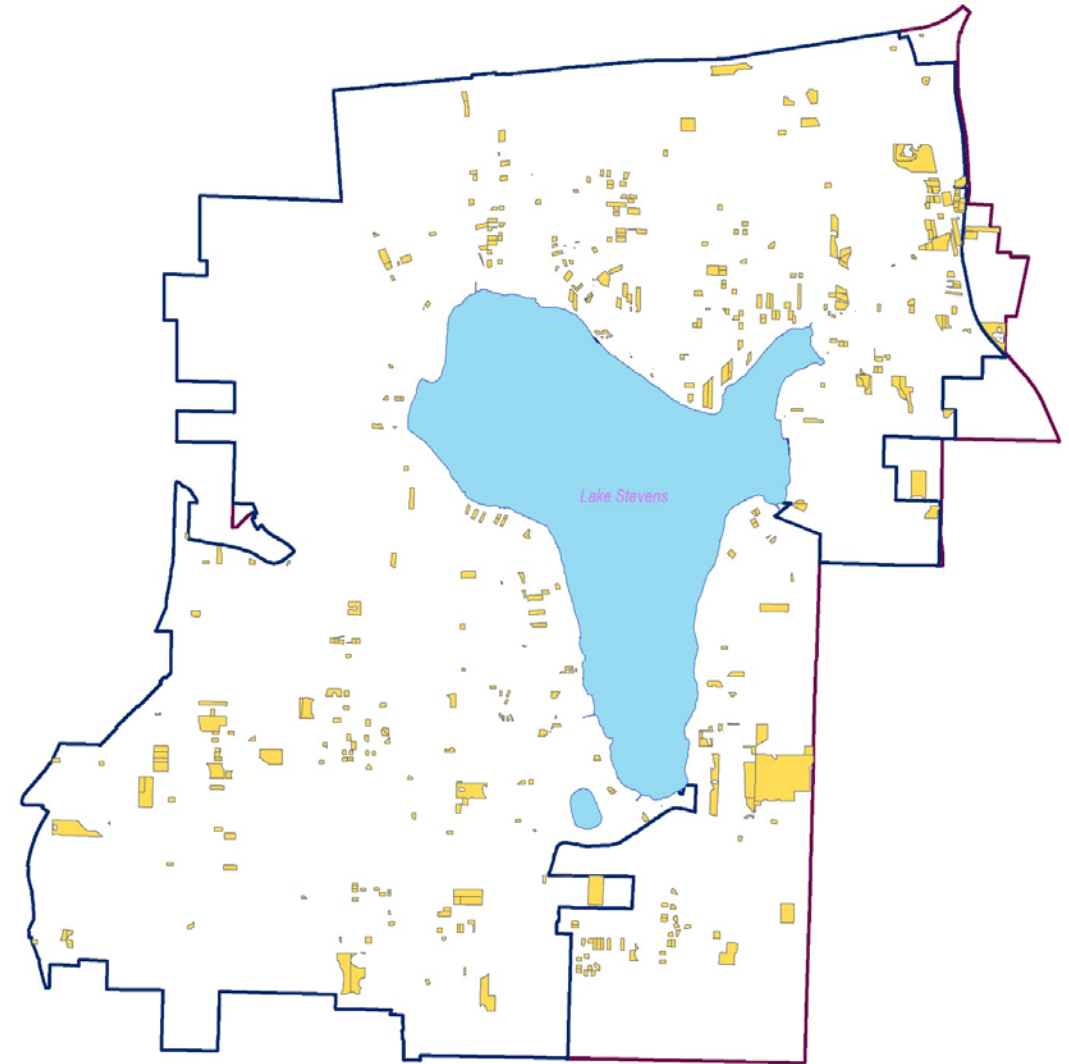


Map 4

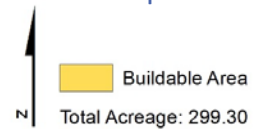


City of Lake Stevens & Unincorporated UGA  
Redevelopable Buildable Area

Planning Commission Regular Meeting  
10-2-19  
113



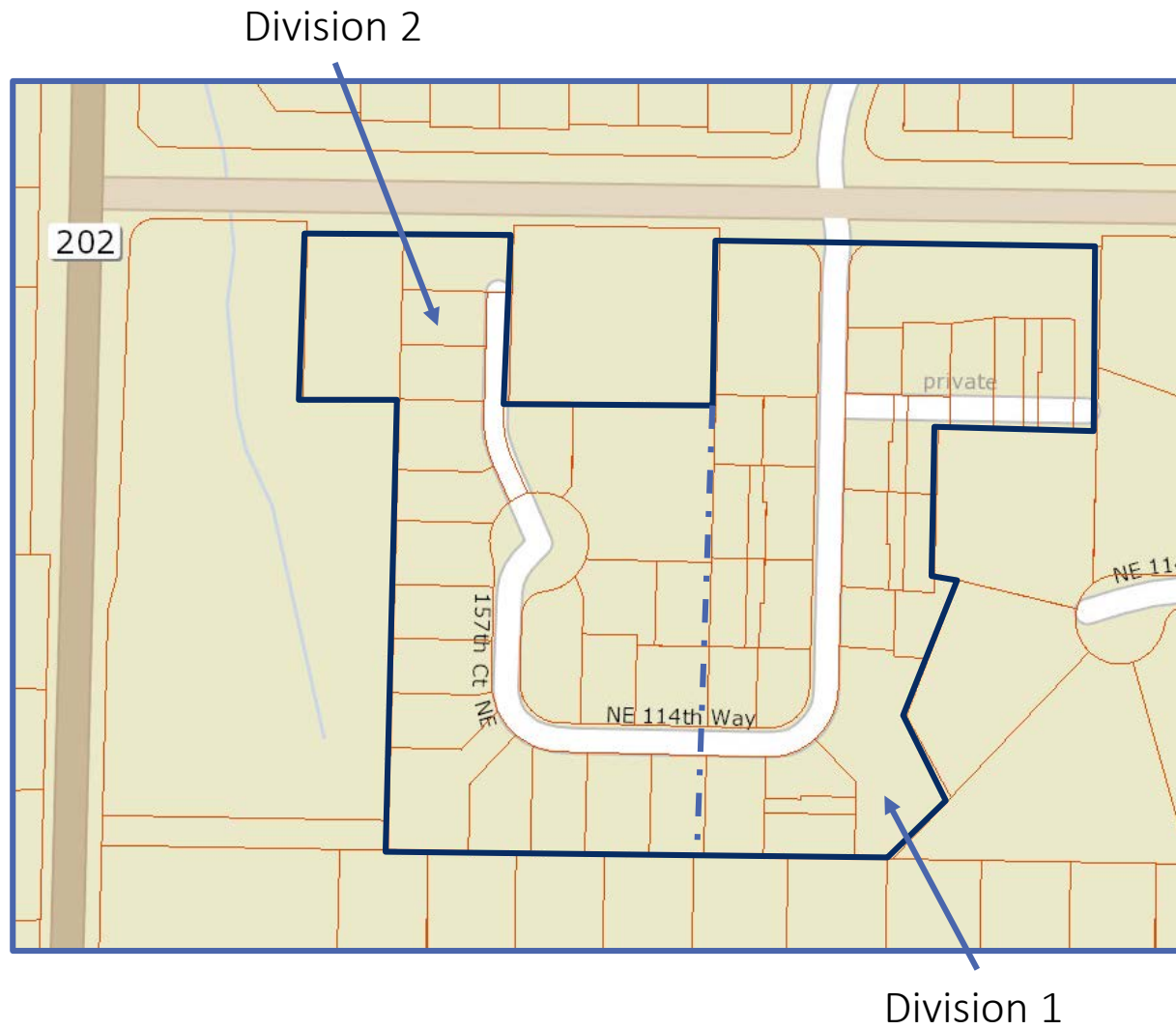
Map 5



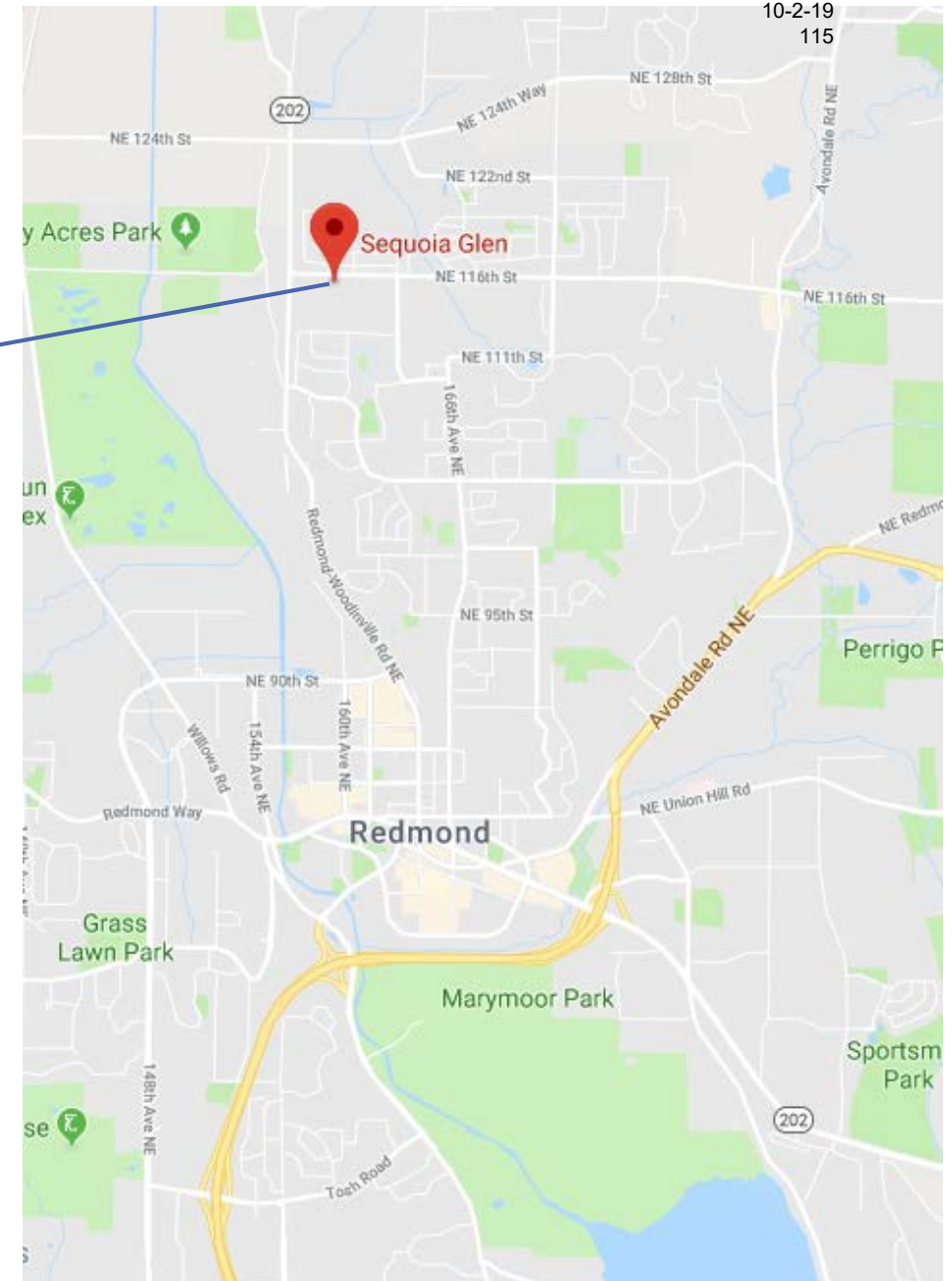
# Example Neighborhood w/ mixed unit types

Sequoia Glen, Redmond WA

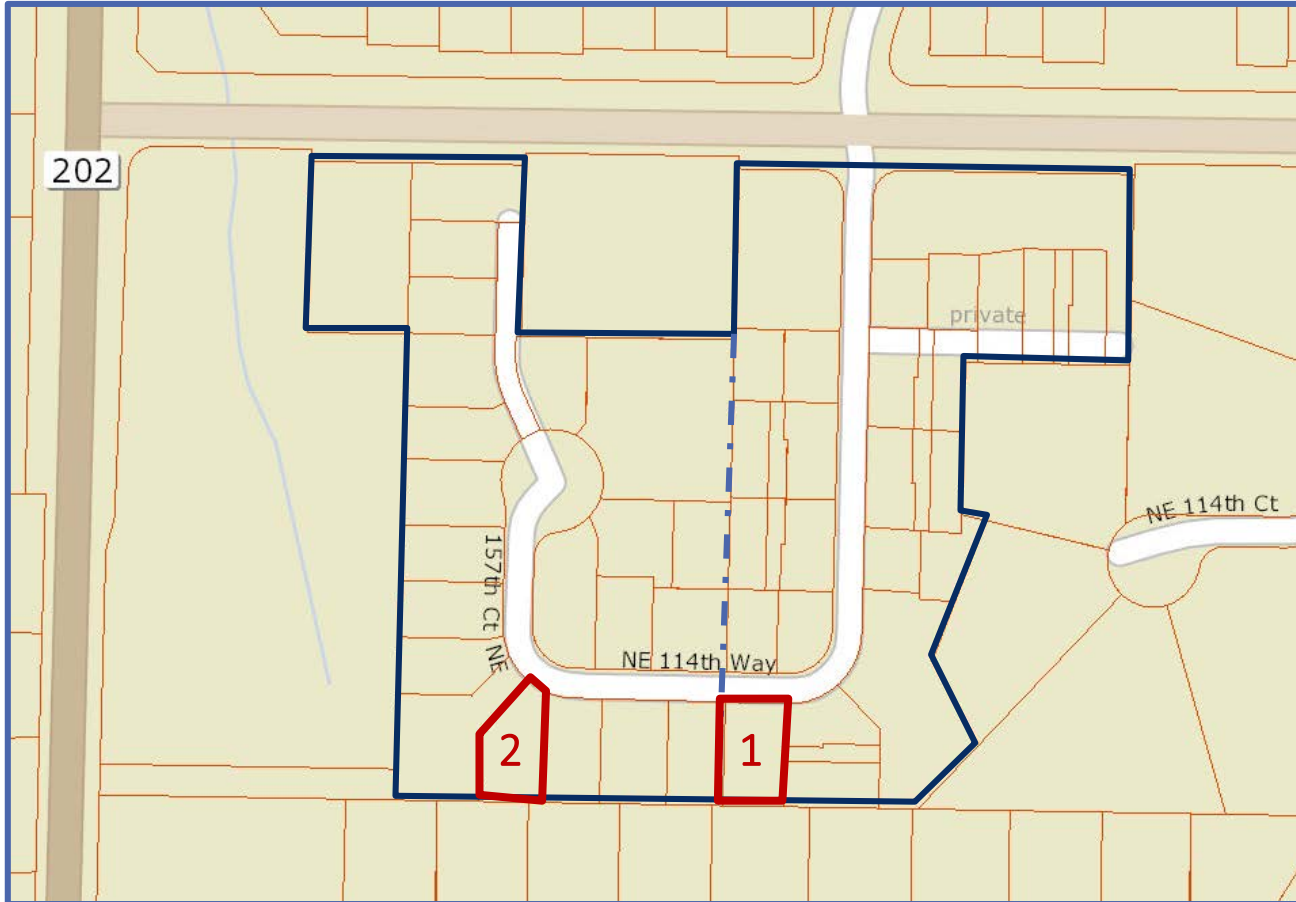




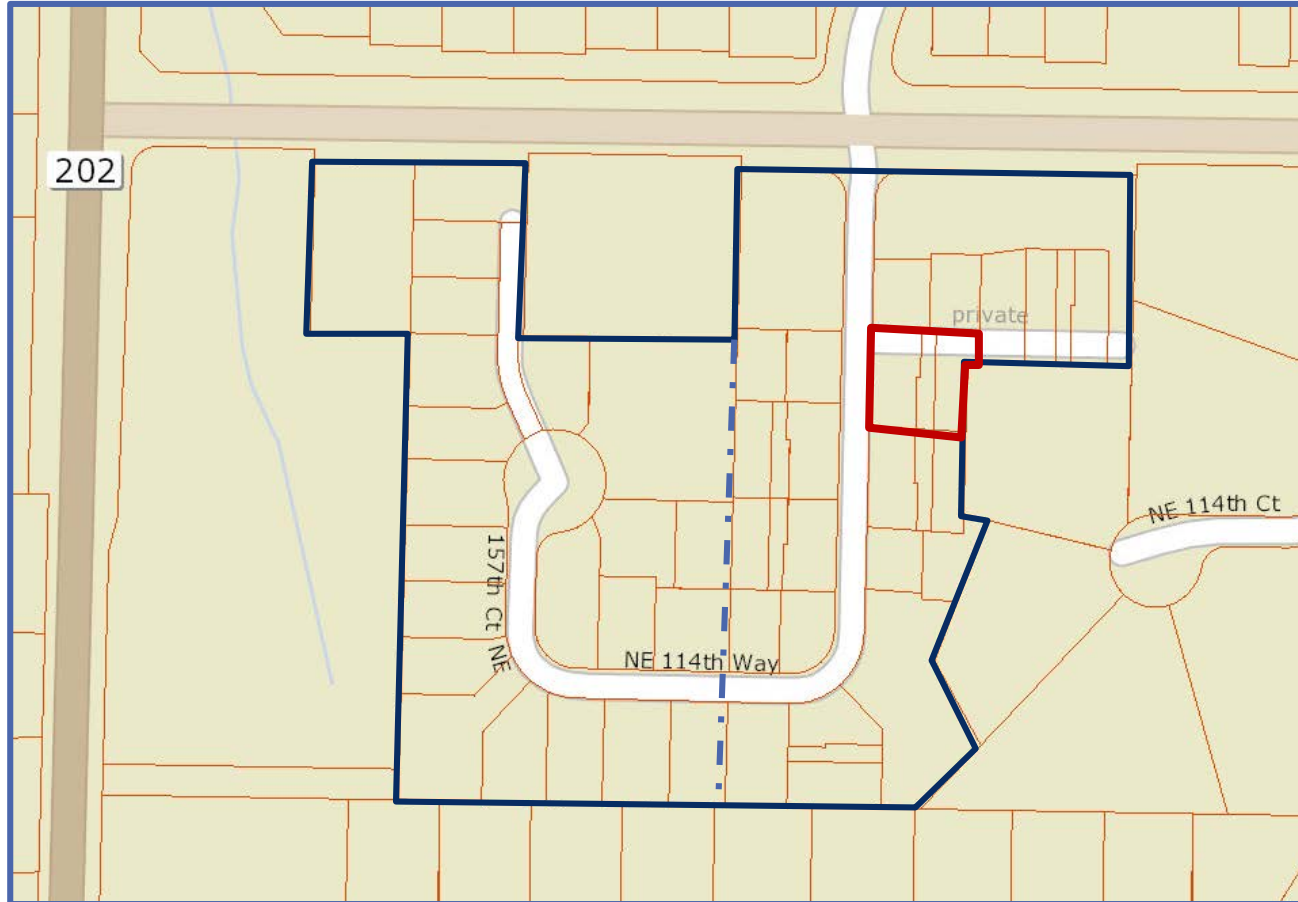
Sequoia Glen, Redmond WA







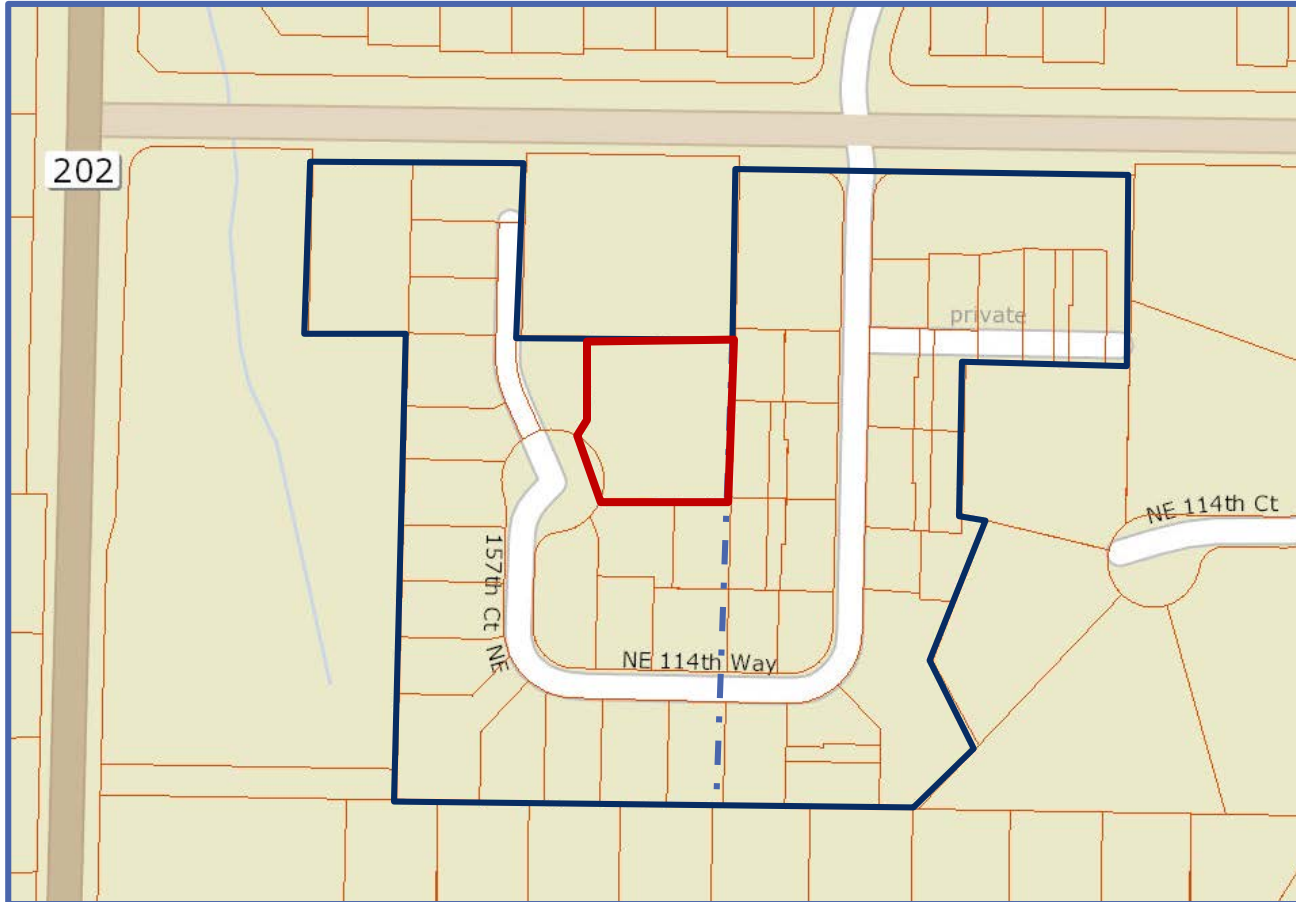
Sequoia Glen, Redmond WA – Detached Single Family



Sequoia Glen, Redmond WA- Attached Triplex







Sequoia Glen, Redmond WA – 4 Cottage Houses (Small home examples)



# Next Steps



Identify density levels & updated standards for new subdivisions



Identify preferences for creating diverse neighborhoods



Identify preferences for providing affordable housing options



Identify preferred design elements for new development

# Code Comparison

Land Use Advisory  
Committee

April 17, 2019



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Meeting 1 – Review of Growth  
Management Act & Lake Stevens Planning

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Meeting 2 – Visual Preference Survey  
Given

---

Meeting 3 – Results of Visual Preference  
Survey Discussed

---

Meeting 4 – Comparison of Development  
Standards / Innovative Housing Strategies

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Re-Cap of  
Meetings





## Project Pillars

- ❖ Evaluate Lake Stevens' neighborhood standards to ensure varied, quality housing is available to all residents.
- ❖ Consider regulations for in-fill development to enable efficient land use

# How does Lake Stevens Compare?

Review of 18 municipalities for *Development Standards* and *Innovative Housing Options*

# Development Standards

## Front Setbacks – 10 (with reductions) to 25-feet

- *9/18 jurisdictions* allow living portion to be closer than garage
- **Lake Stevens** allows reduction of 5-feet for living / minimum 20-foot garage

## Side Setbacks – minimum 5 feet

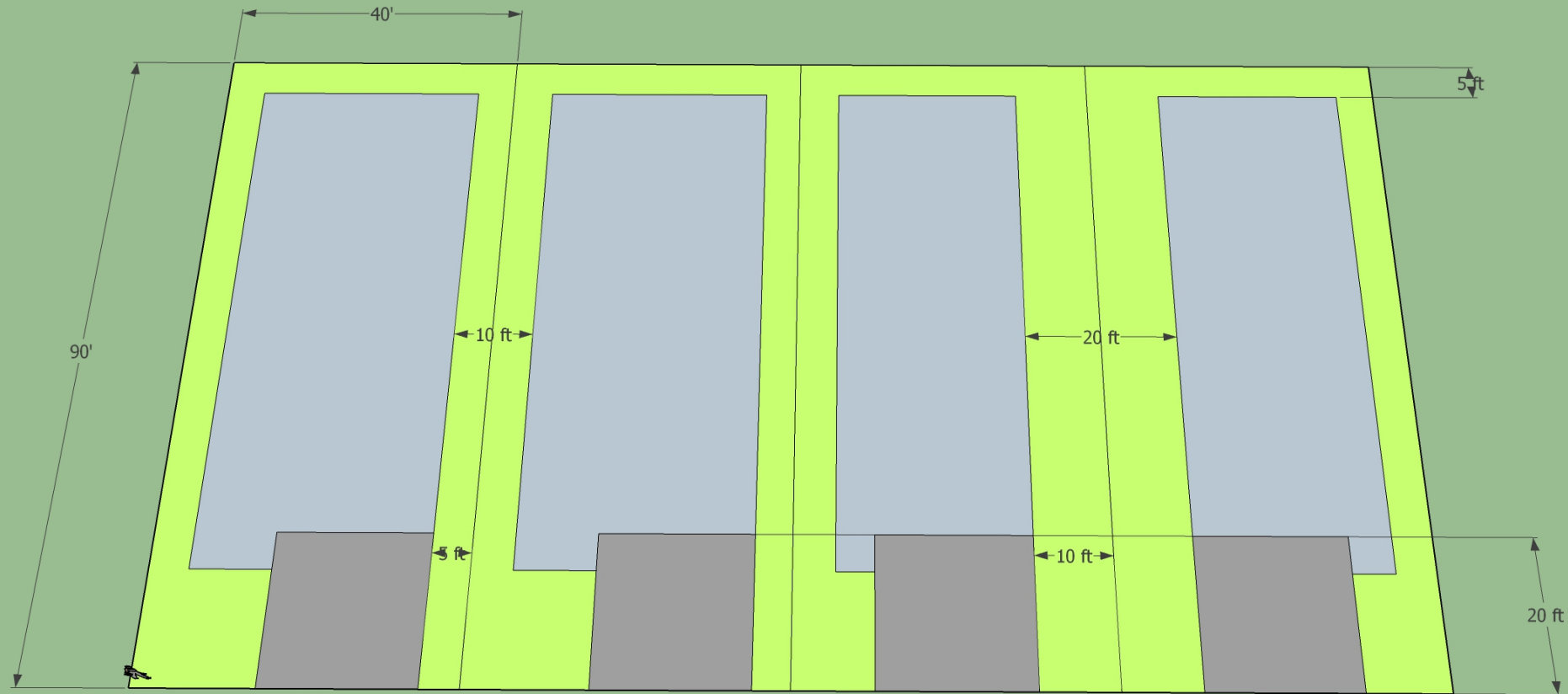
- *8/18 jurisdictions* require increased side setbacks for corner lots / or greater total side setback i.e., combined 15-foot
- **Lake Stevens** requires 5-foot side setbacks and ½ front on corner lots

## Rear Setbacks – range from 5 to 25 feet

- *13/18 jurisdictions* require rear setbacks greater than 5 feet
- **Lake Stevens** requires a standard 5-foot rear setback



# Site plan w/ varied side setbacks



# Development Standards

**Lot Width** – varies 40 to 70 feet depending on zone

- **Lake Stevens varies from 40 to 80 feet**

**Lot / Impervious Coverage** – not standardized, increases with density

- Varies between lot coverage (buildings) and impervious coverage (hard surfaces)
- **Lake Stevens use impervious surface, which ranges between 40 percent and 65 percent**

**Building Height** – commonly ranges from 25 to 45 feet

- *10/18 jurisdictions* 35 feet is most common for single-family
- **Lake Stevens standard single-family building height is 35 feet / HUR can be 45 feet in subareas**



# Innovative Housing in Lake Stevens

## Innovative Housing (LSMC 14.46)

*Permits Unit Lot Subdivisions (i.e., subdivisions for townhomes)*

## Cottage Development (LSMC 14.46.100)

*Design Standards*

*Max density: 24 units per development*

*Min 3,000 sq. ft. community open space*

## ADUs (LSMC 14.44.065)

*Updated zoning code*



# Innovative Housing in Lake Stevens

## Planned Residential Developments (LSMC 14.44.020)

*Higher quality residential environment*

*Encourages mixture of housing types*

*Design review required or Project specific design guidelines*

## Cluster Subdivisions (LSMC 14.48.070)

*Clustered housing with reduced standards in return for increased open space*

## Planned Neighborhood Developments (LSMC 14.16C.080)

*Allowance of larger integrated development with characteristics of three or four different zones*



All 18 cities have  
innovative housing, but  
not to the same degree.

## 9/18 – Incentive Programs

Affordable Housing

Density

Smaller Lots

## 4/18 – Residential Design Standards

Roof pitch, building orientation &  
parking access

## 5/18 - Small Lot & Attached Units

## 4/18 - Cottage

Max size between 1,200 & 1,600

Open Space; 400 sq ft per unit

Required Porches\*

# Break out question

Based on identified visual preferences for more individual open space, greater separation between houses and increased landscaping, combined with standard dimensional regulations shared tonight:

**What do you believe would be effective zoning tools for Lake Stevens to consider as it updates its code?**

*Break into 5 teams – each team should include at least one development / design professional. Please have one person from your team report your thoughts*



# Proposed Revisions

Proposed Residential Zoning Changes						
Zone	Existing Density units per acre	Proposed Density units per acre	Lot Size Existing	Lot Size Proposed	Lot Width Existing	Lot Width Proposed
MFR	≥14 units per acre	≥12 - Net	3000 sq ft	3000 sq ft	50-feet	50-feet (entire lot)
HUR Detached	8-11 units per acre	6-8 - Net	3600 sq ft	4200-5000 sq ft	40-feet	45-feet internal 50-feet corner / perimeter*
HUR Attached	8-11 units per acre	9-11 - Net	3600 sq ft	3000 sq ft	40-feet	30-feet internal 40-feet corner
SR	4.7 units per acre gross	4 SFR - Net	9600 sq ft	8000 - 9200 sq ft	80-feet	70-feet internal 80-feet corner
WR	4.7 units per acre gross	4 SFR - Net	9600 sq ft	8000 - 9200 sq ft	50-feet	variable - not less than 50- feet
UR	5.8 units per acre gross	5 SFR - Net	7500 sq ft	6000 - 6500 sq ft	60-feet	60-feet internal 65-feet corner

# Re-evaluating density

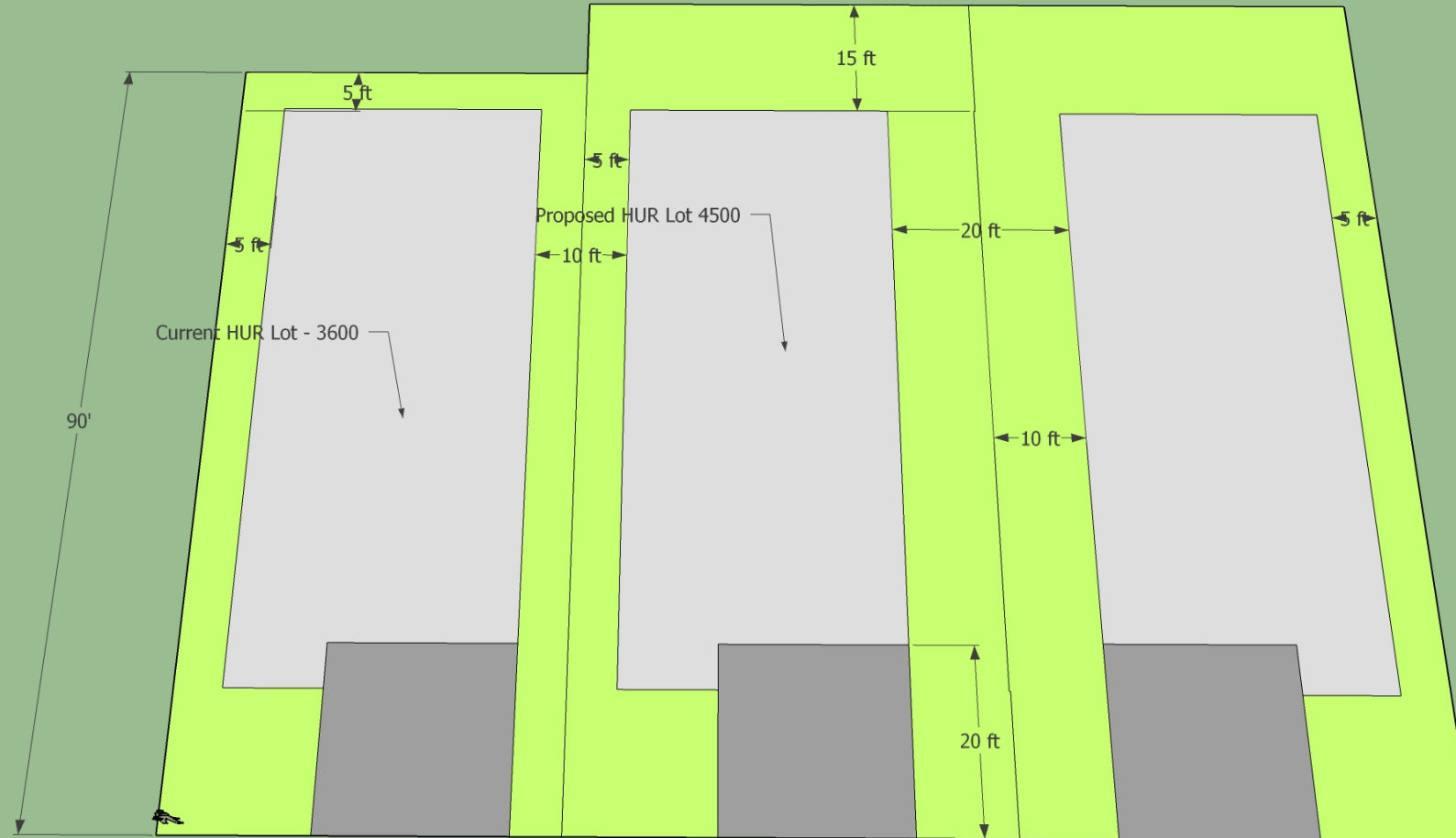
Lot size vs. density

Proposed Dimensional Standard Changes								
Zone	Existing Front Setback	Proposed Front Setback	Existing Side / Rear Setback	Proposed Side Setback	Proposed Rear Setback	Typical Lot Depth	Existing Impervious Area	Proposed Impervious Area
MFR	10-feet	variable	0-feet	10-feet between other districts	10-feet between other districts	variable	0%	80%
HUR (Detached)	15 - feet (25-feet max. subareas)	15 - feet (25-feet max.)	5-feet / 5-feet	15 total (no less than 5-feet one side)	10-feet	100-feet	65%	65% (no more than 60% at time of application)
SR	25-feet	25-feet	5-feet / 5-feet	15 total (no less than 5-feet one side)	20-feet	115-feet	40%	40% (no more than 35% at time of application)
WR	25-feet	25-feet	5-feet / 5-feet	15 total (no less than 5-feet one side)	20-feet	115-feet	40%	40% (no more than 35% at time of application)
UR	20-feet	15 - feet (25-feet max.)	5-feet / 5-feet	15 total (no less than 5-feet one side)	15-feet	100-feet	40%	50% (no more than 45% at time of application)

# Proposed Dimensional Standards



# Site plan w/ revised setbacks



# Next Steps

Update zoning code

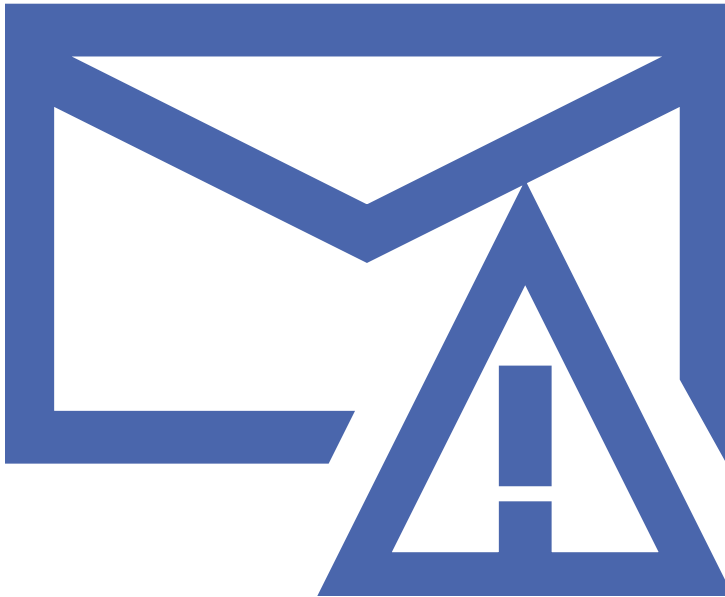
Discuss innovative housing codes incentives

Introduce proposed infill standards

Consider residential design standards

Consider residential parking standards

# Homework



We will send you the code examples from the other communities that provide incentive-based zoning for diverse / innovative neighborhoods.

At the next meeting, be prepared to discuss 4 items that you believe would be desirable / feasible incentives as we update our codes identified earlier.



# Incentives & Innovative Tools

Land Use Advisory Committee

May 15, 2019



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Meeting 1 – Review of Growth  
Management Act & Lake Stevens Planning

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Meeting 2 – Visual Preference Survey  
Given

---

Meeting 3 – Results of Visual Preference  
Survey Discussed

---

Meeting 4 – Comparison of Development  
Standards / Innovative Housing Strategies

Re-Cap of  
Meetings

# Code Review: What does Lake Stevens Provide?

## Cluster Subdivisions

- *Allows developer to decrease lot sizes to increase usable open space*

## Planned Residential Developments

- *Allows a mix of Single-family detached, Single-family attached, & Multifamily*
- *Includes garage setback design*
- *Requires open space dedication*

## Planned Neighborhood Developments

- *Allows commercial, mixed-use structures & residential development in any zone*

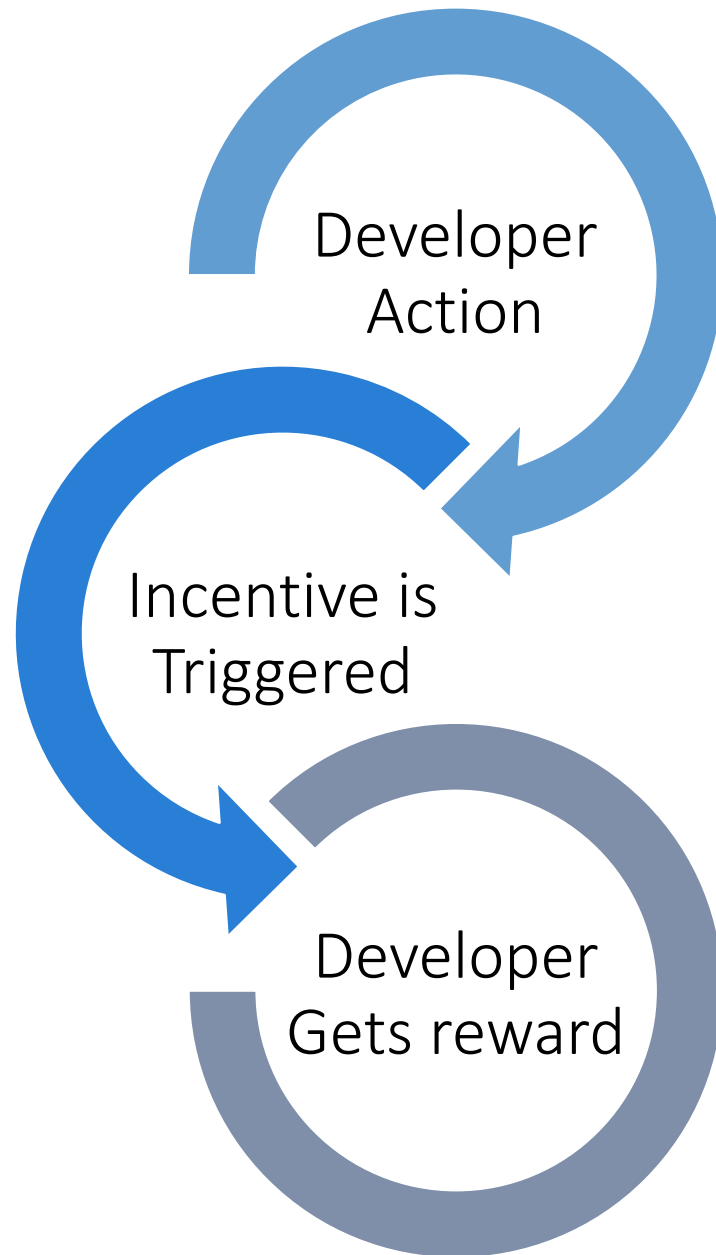
## Cottage Development

- *Requires specific design & development standards*
- *Min 3,000 sq. ft. community open space*



# Code Review: What are we missing?

- Accessible Housing (single-story, etc.)
- Small houses  $\leq 1,800$  sq ft /FAR restricted housing
- Small attached units (up to 4 units)
- Mix of housing types / Lack of Variety
- Infill standards



# Incentives

*What does the community want/need?*

*How do we get those wants/needs to happen?*

# Code Review: What should be incentivized?

*Cluster Subdivisions*

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*Planned Residential Developments (PRD's)*

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*Planned Neighborhood Developments  
(PND's)*

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*Small House*

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# Code Review: What should be incentivized?

*Cottage Development*

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*Innovative Housing*

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*Infill Housing / Missing Middle*

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# Code to Incentivize

## Cluster Subdivisions

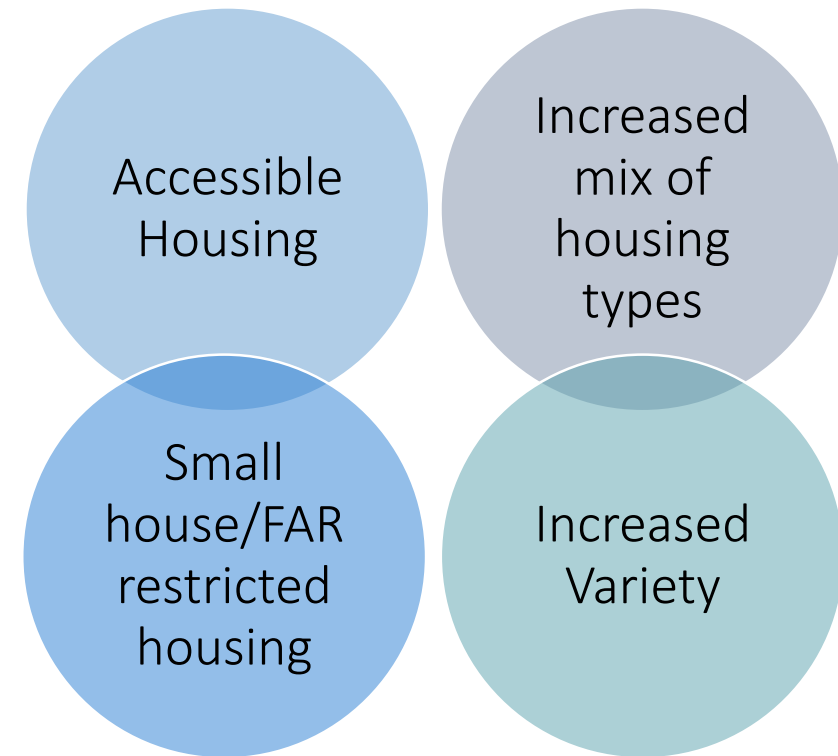
- *Allows developer to decrease lot size & modify dimensional standards to maximize / save usable open space*

## PRDs (Merge or eliminate PND's)

- *Prescribe mix of Single-family detached, Single-family attached, & Multifamily configuration*
- *Include additional design standards*
- *Open space amenity dedication increase*

## Cottage Development

- *Design Standards*



***TOPIC TO BE ADDED TO  
CODE AND INCENTIVIZED***

## Discussion Topic

Consider 3 potential  
Categories:

- The Development
- Monetary
- City Review Process

*What are items that the city of Lake Stevens can provide incentives for positive development?*



# What Incentives can the city offer?

## Development Proposal

- *Density increases*
- *Reduced or flexible dimensional standards*

## Monetary

- *Tax exemptions*
- *Reduced mitigation fees*

## Review Process

- *Expedited review of subdivisions, construction plans, building permits, etc.*
- *SEPA exemption if 20 lots or fewer*

# Next Steps

Update zoning code

Discuss innovative housing codes incentives

Introduce proposed infill standards

Consider residential design standards

Consider residential parking standards

# Design Standards & Infill Development

Land Use Advisory Committee

June 26, 2019





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Meeting 1 – Review of Growth  
Management Act & Lake Stevens Planning

---

Meeting 2 – Visual Preference Survey  
Given

---

Meeting 3 – Results of Visual Preference  
Survey Discussed

---

Meeting 4 – Comparison of Development  
Standards / Innovative Housing Strategies

---

Meeting 5 – Incentives

---

Re-Cap of  
Meetings

# Residential Design Standards

In the past Design Review was subject to Design Review Board Oversight  
Only required for subdivisions in the HUR zone

Under the interim ordinance

No requirement for design review for single-family projects



Pedestrian Features



Open Space



Architectural Design



Landscaping

# Design Categories



# Incorporating Design Standards



## Codifying

Putting them in Zoning Code



## Guidelines

Developing official guidelines for Design Standards



# Incorporating Design Standards

## Codifying

- Reviewed by staff independent of Land Use Entitlement
- Broad application residential development
- Allows for prescriptive application
- Not as flexible

## Guidelines

- Reviewed at Land Use Entitlement
- Project specific application
- Allows for flexibility
- Up for interpretation
- Open for public input



# Potential Options

## Codifiable items:

Single-family & infill – minimize visual impact of garage

*Encourage better design*

Emphasizing pedestrian entry

*Recessed garage; living space forward of the garage*

## Guidable items:

Architectural, setback, & size variation

*To achieve visual diversity*

Living in place design

*Rambler options or alternatives to encourage aging in place*





# Staff Recommendations: Codify

Require building offset with living space forward of the garage

*Minimum 2 feet and does not include cantilevered second floor*

Visual reduction of garage from streets and sidewalks

*Require use of windows and/or architectural detail to minimize garage appearance*

Minimizing blank garage doors

Home Entry Feature

*Emphasize entry space of houses fronting a public street or lane*

Examples: front porch or other entrance features emphasized by distinct architectural features, varied materials, windows, and rooflines

Require minimum outdoor private space

*Minimum of 100 square feet of outdoor private space per unit*



# Visual Examples



*"Building offset with living space forward of the garage.."*



# Visual Examples



*“Use of windows and/or architectural detail to minimize garage appearance...”*



# Visual Examples



*“Emphasize entry space of houses..”*



# Visual Examples



*"Minimizing blank garage doors.."*



# Staff Recommendations: Guidelines

The creation of a Residential Chapter within the City Design Guidelines

Proposed Chapter sections include:

*Building scale*

*Building materials & color*

*Site relationships to street elements*

*Landscape design & site elements*







# Building Scale

*Existing Single Family Elevations*



*Structure not proportionate to existing neighborhood*



*Architectural form and details conform to existing neighborhood*

*Courtesy of Antioch, CA Design  
Guidelines*





# Building Scale

## Roof Design

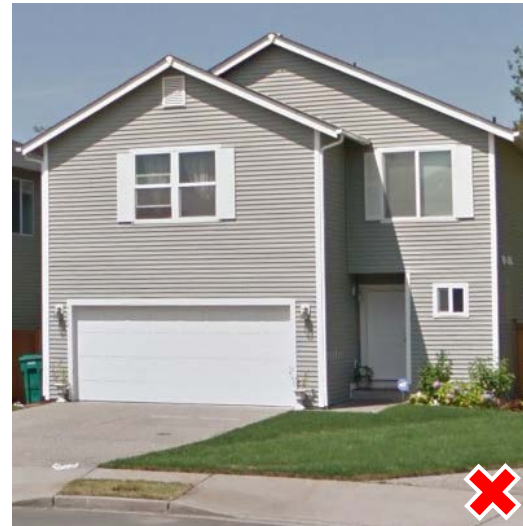
*Variation in roof planes to break up larger roof mass*

## Building Modulation

*Along the building façade and visible from the public right of way*



*Variations In Roofline*



*Minor changes in roofline and building modulation can make a huge difference*





# Building materials & color

## Architectural Details

*Architectural style shall remain consistent throughout structure*

## Siding & Trims

*Appropriate to the style of the structure*

*No "Hollywood Facades"*

## Window Design

*Windows feature trim that contrast with the base building color*





# Site relationships to street elements

## Oriented to the Street

*Whenever possible home entries should face the right of way or ally that they take access from*

## Varied front setback

*To encourage a dynamic streetscape lots should have varied setbacks from the Right of Way*



*Courtesy of Kirkland Design Guidelines*

# Landscape design & site elements

## Front yards & home entry

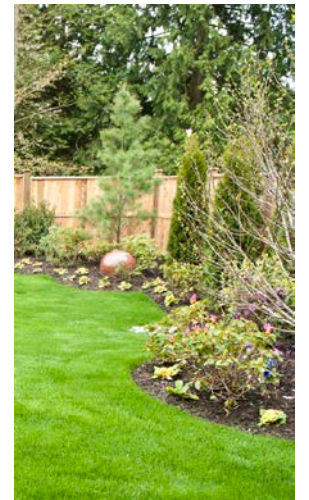
*Include an entrance sequence between the sidewalk and the residence*

Using Decorative material, detached arbor, or outdoor lighting

## Outdoor space

*Provide outdoor space that encourages use*

Include standards for private and public open space landscaping for single family lots



# Discussion



# Infill Development

---

Infill development is the process of developing vacant or under-used parcels within existing urban areas that are already largely developed.

---

At this time, the City does not have standards for projects that meet this definition



# Infill Standards

50 percent of adjacent properties must be developed to be considered infill

This can be flexed

Limited to residential zoning districts

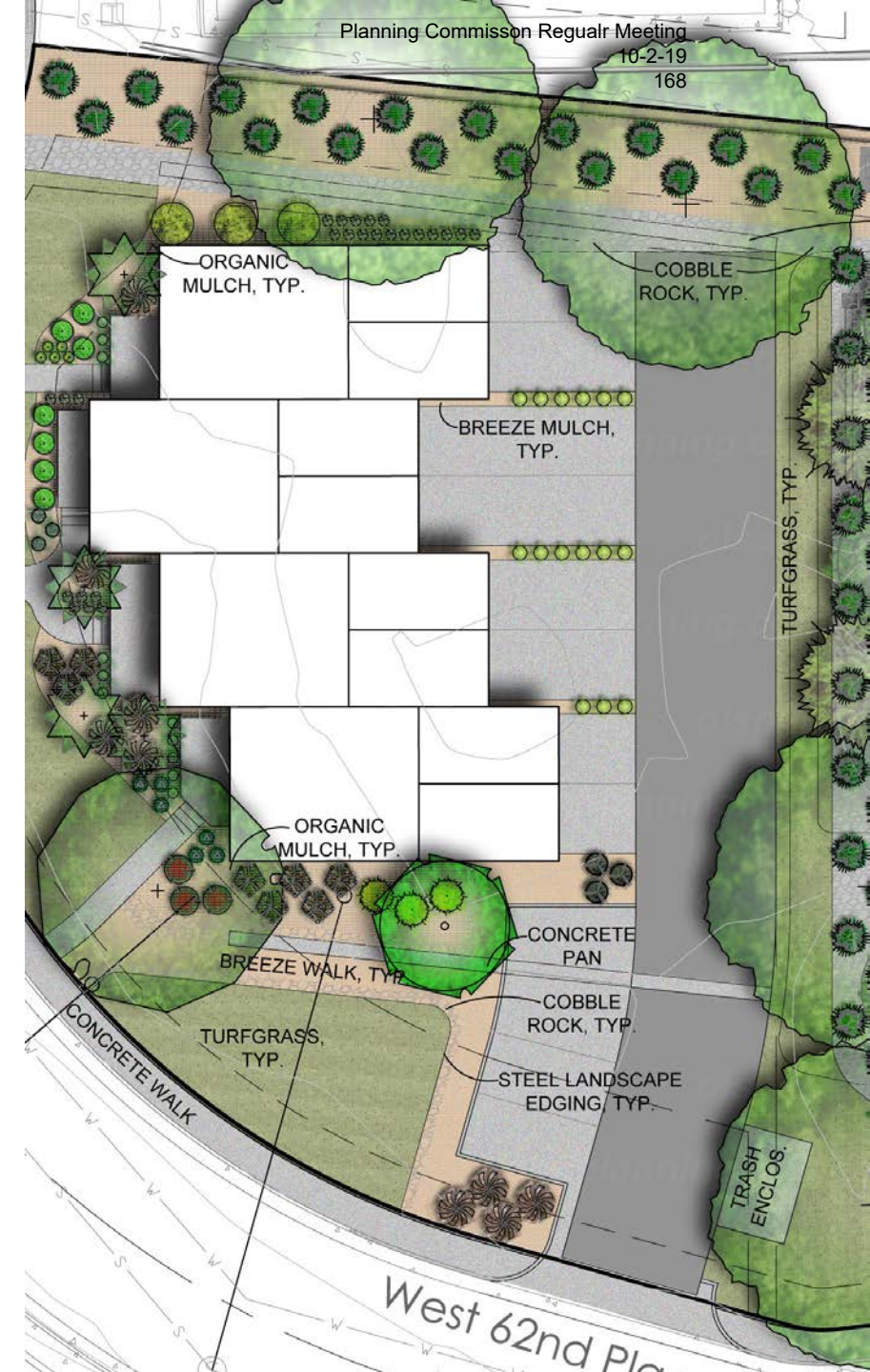
Special zones can be excluded through this method

Limited by the maximum size

But also can have no limit in size to qualify

Can grant bonuses based on underlying zoning

Lot size reduction or parking reduction







# Infill Housing Options

Duplexes

Stacked Flats

Attached Units (small multi-plexes)

Compact Housing

Small Lot / Reduced Lot



75 percent of adjacent properties must be developed to be considered infill

*By single family or greater development*

The maximum size to be considered for infill is 1 acre

*This will not include critical areas that are unbuildable*

If adjacent to a higher density single-family zoning, the project may use the density of the adjacent zone

*Limitations apply*

Duplex lots must be 110% of the base zoned lot size

*Current standard is 150% of base lot size*

Allowed in all Residential Zones

*Limitations for Waterfront Residential – Exempt from adjacent zoning density bonus*

## Staff Recommendations

# Infill Specific Standards Examples

## “Buffer Landscaping” – Redmond, WA

*Requires that landscaping be installed around the perimeter of the development*

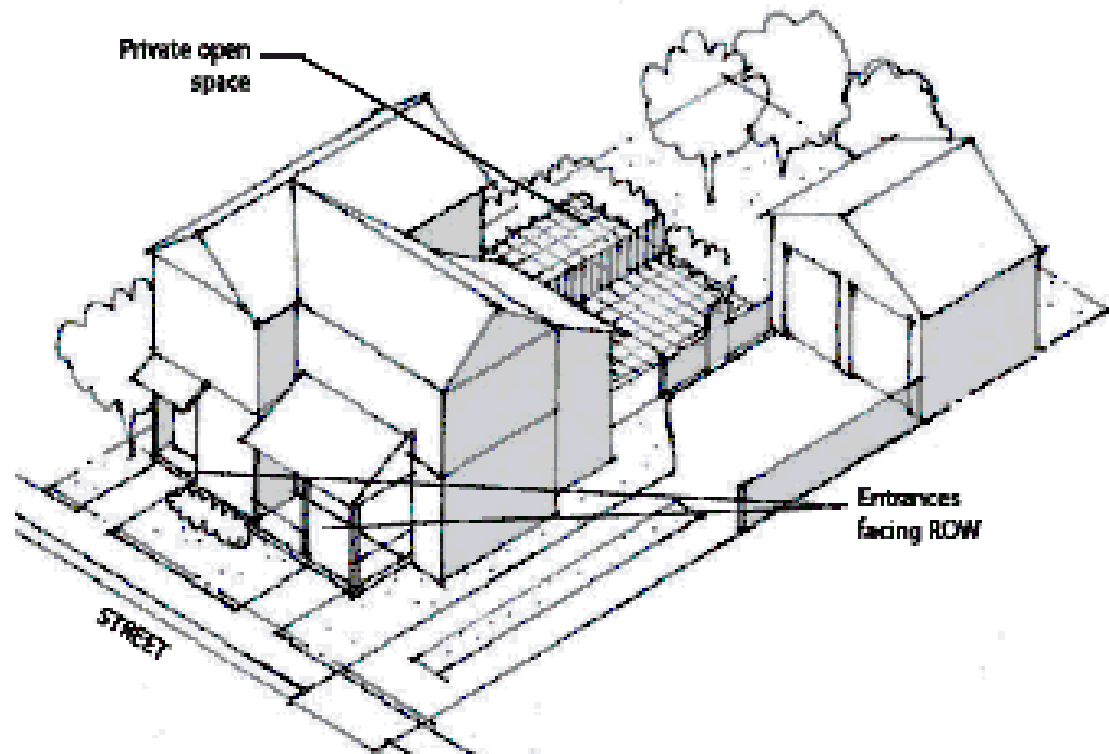
## “Integration with Natural Amenities” – Lacey, WA

*Natural amenities... should be preserved and integrated with the development as an amenity to the maximum extent feasible*

## “Density Bonus of 30%” – Monroe, WA

*The city will grant a thirty percent density bonus and permit modifications to the bulk requirements for infill development projects*

# Attached Duplex



*Courtesy of Bellingham Infill Toolkit*

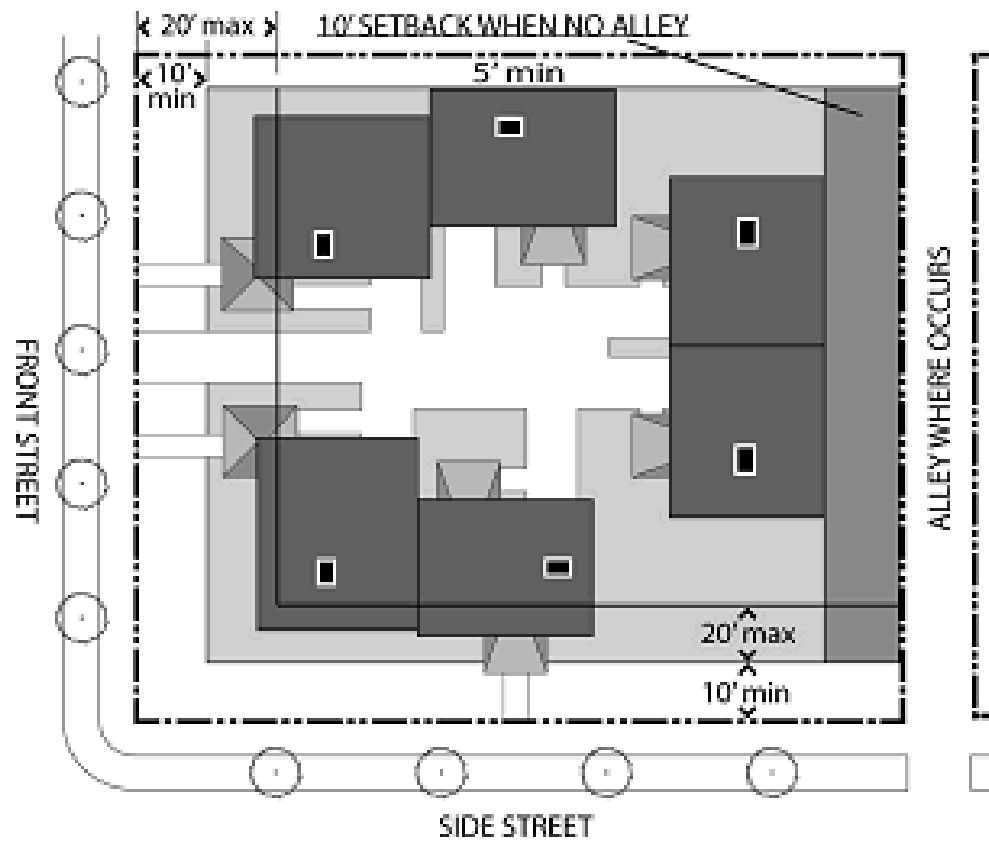


*1100 Wylie St SE #A Glen, Atlanta GA*





# Attached Townhome

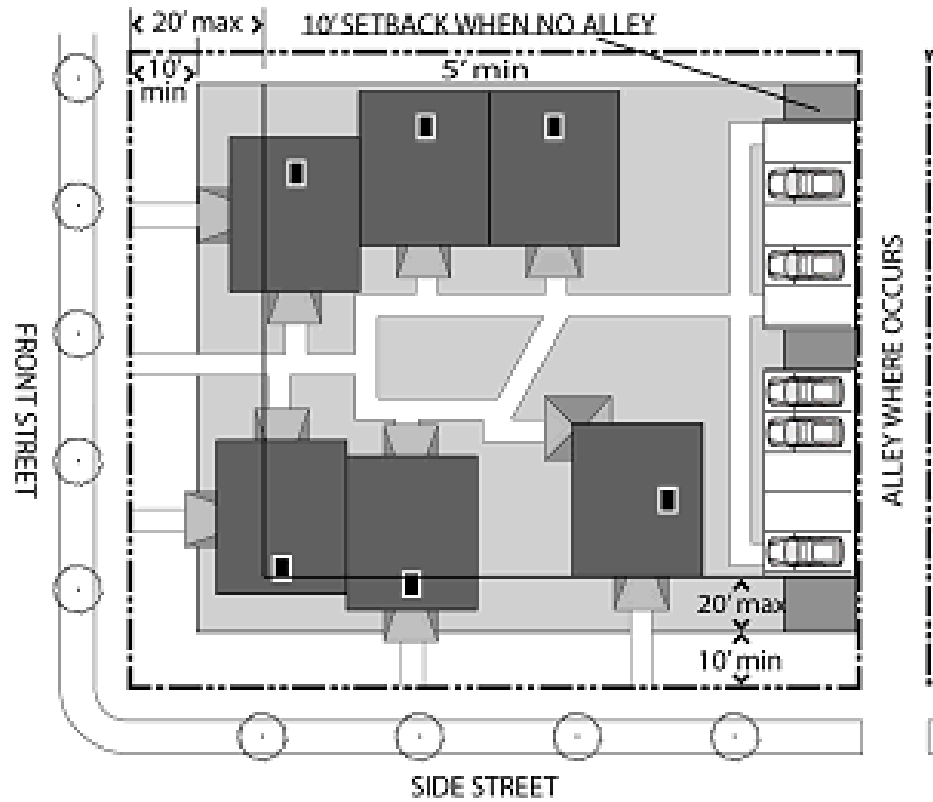


Courtesy of Bellingham Infill  
Toolkit



Sequoia Glen, Redmond WA

# Pocket Community



Courtesy of Bellingham Infill  
Toolkit



Black Apple, Bentonville AR

# Discussion



# Next Steps

Introduce proposed Dimensional Standards

Introduce proposed Infill Standards

Introduce proposed Design Standards

# Design Standards & Infill Development

Land Use Advisory Committee

June 26, 2019



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Meeting 1 – Review of Growth Management Act & Lake Stevens Planning

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Meeting 2 – Visual Preference Survey Given

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Meeting 3 – Results of Visual Preference Survey Discussed

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Meeting 4 – Comparison of Development Standards / Innovative Housing Strategies

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Meeting 5 – Incentives

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Meeting 6 – Staff Recommendations for Design Standards and Infill zoning code

## Re-Cap of Meetings





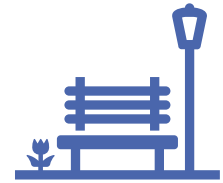
Pedestrian Features



Open Space



Architectural Design



Landscaping

# Design Categories

# Incorporating Design Standards



## Codifying

Putting them in Zoning Code



## Guidelines

Developing official guidelines for Design Standards

# Previous discussion

Wanted usable open space with codified dimension and what is permitted in that space

*Want lawn not covered by the home*

Interest in a greater building offset

*Considering 5 feet instead of the proposed 2 feet*





# Staff Recommendations: Codify

Require building offset with living space forward of the garage

*Minimum 2 feet and does not include cantilevered second floor (group discussion 5-feet)*

Visual reduction of garage dominance from streets and sidewalks

*Require use of windows and/or architectural detail to minimize garage appearance*

Home Entry Feature

*Emphasize entry space of houses fronting a public street or lane*

Examples: front porch or other entrance features emphasized by distinct architectural features, varied materials, windows, and rooflines

Require minimum outdoor private space

*Minimum of 100 square feet of outdoor private space per unit (proposed rear setbacks will range from 10 to 20 feet) / no dimension smaller than 8 feet*

Build in Administrative Modification Process for Design Flexibility



# Staff Recommendations: Guidelines

The creation of a Residential Chapter within the City Design Guidelines

Proposed Chapter sections include:

*Building scale*

*Building materials & color*

*Site relationships to street elements*

*Landscape design & site elements*



# Previous discussion

Group consensus of having code and guidelines

Concerns about affordability

Regulating color to extreme for design guidelines

Design guidelines apply to projects too soon, may not be built for 10 years after approval

Interested in assess cost of these design requirements

Open space is better than landscaped areas

*Group more interested in usable space not plantings*





# Building Scale

*Existing Single Family Elevations*



*Structure not proportionate to existing neighborhood*



*Architectural form and details conform to existing neighborhood*

*Courtesy of Antioch, CA Design  
Guidelines*





# Building Scale

## Roof Design

*Variation in roof planes to break up larger roof mass*

## Building Modulation

*Provide modulation through offsets or materials along the front facade*



*Variations In Roofline*



*Minor changes in roofline and building modulation can make a huge difference*



# Building Façade & Materials ~~& color~~

## Architectural Details

*Architectural style shall remain consistent throughout structure*

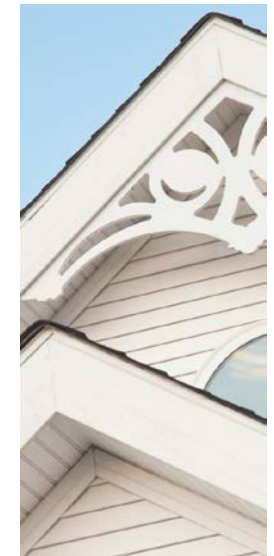
## Siding & Trims

*Variety of appropriate materials to the style of the structure*

*No “Hollywood Facades”*

## ~~Window Design~~

~~Windows feature trim that contrast with the base building color~~





# Site relationships to street elements

## Oriented to the Street

*Whenever possible home entries should face the right of way or ally that they take access from*

## Varied front setback

*To encourage a dynamic streetscape lots should have varied setbacks from the Right-of-Way (minimum and maximum setbacks)*



*Courtesy of Kirkland Design Guidelines*

# Landscape design & site elements

## Front yards & home entry

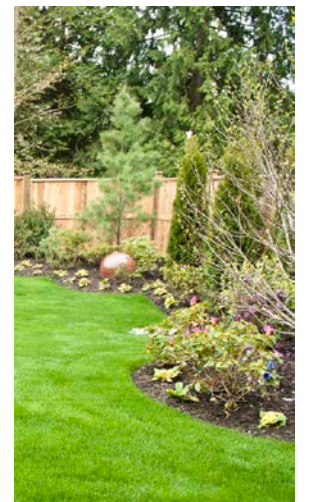
*Include an entrance sequence between the sidewalk and the residence*

Using decorative material, detached arbor, or outdoor lighting

Outdoor space (already recommended for codification – probably not necessary)

*Provide outdoor space that encourages use*

Include standards for private and public open space landscaping for single-family lots



# Discussion



# Infill Development

---

Infill development is the process of developing vacant or under-used parcels within existing urban areas that are already largely developed.

---

Currently, the City does not have standards for projects that meet this definition



# Infill Housing Options

Duplexes

Stacked Flats

Attached Units (small multi-plexes)

Compact Housing

Small Lot / Reduced Lot

# Previous discussion

Most of the group was in approval of proposed higher density for infill properties

Liked duplex lot size reduction

*Group indicated 100% of base lot size would be acceptable*

Interest in small unit/housing project potential



75 percent of adjacent properties must be developed to be considered infill

*By single family or greater development*

The maximum size to be considered for infill is 1 acre

*This will not include critical areas that are unbuildable*

If adjacent to a higher density single-family zoning, the project may use the density of the adjacent zone

*Limitations apply*

Duplex lot sizes same as the base zoned lot size up to 125%

*Current standard is 150% of base lot size*

Allow attached housing with up to 4 units – lot size would increase on a sliding scale

Allowed in all Residential Zones

*Limitations for Waterfront Residential– Exempt from adjacent zoning density bonus*

# Staff Recommendations

# Infill Specific Standards For adoption

## “Buffer Landscaping” – Redmond, WA

*Requires that landscaping be installed around the perimeter of the development*

## “Integration with Natural Amenities” – Lacey, WA

*Natural amenities... should be preserved and integrated with the development as an amenity to the maximum extent feasible*

## “Density Bonus of 30%” – Monroe, WA

*The city will grant a thirty percent density bonus and permit modifications to the bulk requirements for infill development projects*

# Previous discussion

Like housing diversity in development

*How to encourage diversity?*

Like open space in center of development



## Staff Recommendations

- A view corridor must be maintained across 30% of the property width
- Structure height maximum to be maintained at 35 foot
- Minimum area will be consistent with dimensional standards
  - *Not applicable for 'adjacent density bonus' or for 'duplex reduction bonus'*
- 30% density bonus available for Waterfront Residential
- Allow attached housing with up to 4 units – lot size would increase on a sliding scale
- Collector Streets vs. Local Access Streets
- Utilities
- Reviewed as an Administrative Conditional Use application

## Considerations for Waterfront Residential

# Dimensional Standards

# Proposed Residential Zoning Changes

Zone	Proposed Zones	Existing Density units per acre	Proposed Density units per acre	Lot Size Existing	Lot Size Proposed	Lot Width Existing	Lot Width Proposed
MFR	MFR	≥14 units per acre	≥12 - Net	3000 sq ft	none	50-feet	none
HUR Detached	R8	8-11 units per acre	6-8 - Net	3600 sq ft	4200-5000 sq ft	40-feet	45-feet internal 50-feet corner / perimeter*
HUR Attached	R10	8-11 units per acre	9-11 - Net	3600 sq ft	3000 sq ft	40-feet	30-feet internal 40-feet corner
SR	R4	4.7 units per acre gross	4 SFR - Net	9600 sq ft	8000 - 9200 sq ft	80-feet	70-feet internal 80-feet corner
WR	WR	4.7 units per acre gross*	4 SFR - Net	9600 sq ft	8000 - 9200 sq ft	50-feet	variable - not less than 50-feet
UR	R6	5.8 units per acre gross	6 SFR - Net	7500 sq ft	6000 - 7,000 sq ft	60-feet	60-feet internal 65-feet corner

\* Consideration to allow limited multi-family development in WR through a Conditional Use Permit



# Proposed Dimensional Standard Changes

Zone	Proposed Zones	Existing Front Setback	Proposed Front Setback	Existing Side / Rear Setback	Proposed Side Setback	Proposed Rear Setback	Typical Lot Depth	Existing Impervious Area	Proposed Impervious Area
MFR	MFR	10-feet	variable	0-feet	10-feet between other districts	10-feet between other districts	variable	0%	80%
HUR (Detached)	R8	15 - feet (25-feet max. subareas)	15 - feet (25-feet max.)	5-feet / 5-feet	15 total (no less than 5-feet onside)	10-feet	100-feet	65%	65% (no more than 60% at time of application)
HUR (Attached)	R10	15 - feet (25-feet max. subareas)	15 - feet (25-feet max.)	5-feet / 5-feet	15 total (no less than 5-feet onside)	10-feet	100-feet	65%	75% (no more than 65% at time of application)
SR	R4	25-feet	25-feet	5-feet / 5-feet	15 total (no less than 5-feet onside)	20-feet	115-feet	40%	50% (no more than 45% at time of application)
WR	WR	25-feet	25-feet	5-feet / 5-feet	15 total (no less than 5-feet onside)	20-feet	115-feet	40%	50% (no more than 45% at time of application)
UR	R6	20-feet	15 - feet (25-feet max.)	5-feet / 5-feet	15 total (no less than 5-feet onside)	15-feet	100-feet	40%	55% (no more than 45% at time of application)

Note: The idea of variable lot sizes would provide diversity in neighborhoods with certain lots being larger while some could be smaller allowing a broader range of housing options.

# Discussion

# Next Steps

Introduce proposed Dimensional Standards

Introduce proposed Infill Standards

Introduce proposed Design Standards





## Staff Report City of Lake Stevens Planning Commission

Planning Commission Briefing

Date: October 1, 2019

**SUBJECTS:** Land Use Code Amendment

**CONTACT PERSON/DEPARTMENT:** Russ Wright, *Community Development Director*  
Dillon Roth, *Planner*  
Sabrina Gassaway, *Assistant Planner*

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**SUMMARY:** Over the last several months staff has been holding meetings with a Land Use Advisory Committee made up citizens and developers to evaluate the city's zoning code and make recommendations for ways to develop a flexible and efficient code that can increase diversity in housing stock throughout the community and promote quality neighborhoods.

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**ACTION REQUESTED OF PLANNING COMMISSION:** None required

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### Project Goals:

1. Define what new development can look like in standard subdivisions for properties within and outside city limits considering the current land supply;
2. Define innovative housing tools that will support more diverse neighborhoods with a mix of housing types; and
3. Define an infill toolbox for re-developable and partially-used properties.

### Zoning Code Update:

At tonight's meeting some of the Land Use Advisory Committee members are in attendance to discuss the project, process and some findings and recommendations. Staff will present proposed code changes to implement the work from the Land Use Advisory Committee and other related changes to chapters 14.36, 14.44 and 14.48.

### Chapters 14.36, 14.44 and 14.48

Most of the changes to Chapters 14.36 and 14.44 are minor and reflect changes to naming, reorganization and simplification of the municipal code (**Exhibit 1**). The changes in 14.48 also include these elements as well as clarifying elements and updates to the dimensional standards table (**Exhibit 2**).

### Next Steps

Staff will present additional code sections for the Commission's consideration leading to a Public Hearing in late November.

### Attachments:

1. Code amendment 14.36, 14.44
2. Code amendment 14.48

## Exhibit 1

### Chapter 14.36 ZONING DISTRICTS AND ZONING MAP

#### Sections:

#### Part I. Zoning Districts

14.36.010 Residential Districts Established

14.36.020 Commercial Districts Established

14.36.025 Mixed-Use Districts Established

14.36.030 Manufacturing Districts Established

14.36.034 Public/Semi-Public District Established

14.36.040 Planned Neighborhood Development Districts Established

14.36.050 Floodplain and Floodway Districts

14.36.060 Shoreline Environment Designation

#### Part II. Zoning Map

14.36.100 Official Zoning Map

14.36.110 Amendments to Official Zoning Map

14.36.120 Lots Divided by District Lines

#### Part III. Compatibility of Zoning Districts with Land Use Plan

14.36.200 Compatibility of Zoning Districts with Land Use Plan Defined

#### Part I. Zoning Districts

##### 14.36.010 Residential Districts Established.

(a) The following residential districts are hereby established: R4, WR, R6, R8-12, MFR~~Suburban Residential, Urban Residential, High Urban Residential, Waterfront Residential, and Multi-Family Residential.~~ Each of these districts is designed and intended to secure for the persons who reside there a comfortable, healthy, safe, and pleasant environment in which to live, sheltered from incompatible and disruptive activities that properly belong in nonresidential districts. Other objectives of some of these districts are explained in the remainder of this section.

~~(b) The Suburban Residential (SR 4) and Urban Residential (UR) districts are designed primarily to accommodate single-family detached residential uses at medium densities in areas served by public water and sewer facilities. Some types of two-family residences are allowed in these districts on larger lots.~~

(1) R4 – Four dwellings per acre. The R4 single-family residential zone is intended to achieve development densities of four to five dwelling units per net acre. This zone will provide for the development of single-family detached dwellings and for such accessory uses as are related, incidental and not detrimental to the residential environment.

(2) R6 – Six dwellings per acre. The R6 single-family zone is intended to achieve development densities of five to seven dwelling units per net acre. This zone will provide for the development of single-family detached dwellings and for such accessory uses as are related, incidental and not detrimental to the residential environment.

(3) R8-12 – Eight to 12 dwellings per acre. The R8-12 residential zone is intended to achieve development densities of eight to 12 dwelling units per net acre. This zone will provide for the development of single-family detached dwellings and attached townhomes and for such accessory uses as are related, incidental and not detrimental to the residential environment.

(4) (c) —The Waterfront Residential district. The WR-(WR-4) district is designed primarily to accommodate single-family detached residential uses at medium densities four to five dwelling units per net acre in areas adjacent to Lake Stevens and served by public water and sewer facilities. Some types of attached residences at a greater density may be allowed per LSMC XX.

(d) —(5) Multifamily Residential district The High Urban Residential (HUR-12) district is designed to accommodate ~~single-family detached or~~ attached residential uses at medium intermediate higher densities in areas served by public water and sewer facilities. ~~Some types of two-family residences are allowed in these districts on larger lots.~~

(e) —The Multi-Family Residential district (MFR) is designed primarily to accommodate higher density multifamily developments. (Ord. 811, Sec. 25, 2010; Ord. 590, 1998; Ord. 468, 1995)

#### **14.36.020 Commercial Districts Established.**

(a) The following commercial districts are hereby established: Business District, Neighborhood Business, Commercial District, Central Business District, and Local Business, ~~Mixed Use, Planned Business District, and Sub-Regional Commercial District.~~ These districts are created to accomplish the purposes and serve the objectives set forth in the remainder of this section.

~~(b) —The Neighborhood Commercial (NC) zone is designed to accommodate neighborhood commercial activities that would cater to residential needs and to which local residents may walk.~~

~~(c)~~ The Central Business District (CBD) is designed to accommodate a wide variety of commercial activities (particularly those that are pedestrian-oriented) that will result in the most intensive and attractive use of the City's Central Business District.

~~(d)~~ The Local Business (LB) zone is designed to accommodate commercial development generally similar to the types permissible in a Central Business District, except that it is intended that this zone be placed along arterials to cater to commuters, or as a transition in some areas between a higher intensity zone (e.g., commercial, industrial, etc.) and a lower intensity zone (e.g., residential, park, etc.), or may provide for a smaller scale shopping center that primarily serves one neighborhood or area of the City ~~(as opposed to a sub-regional or regional shopping center).~~

~~(e) —The Mixed Use (MU) zone is designed to accommodate a horizontally stratified mixture of residential and commercial uses. It is intended that this zoning classification be applied primarily in areas adjacent to the Central Business District, Community Business, Sub-Regional Commercial, or Planned Business District zones as a transition or buffer zone to residential districts.~~

~~(f) —The Sub-Regional Commercial zone (SRC) is designed to accommodate the widest range of commercial activities.~~

~~(g) —The Planned Business District (PBD) is designed to accommodate commercial or mixed use development, including supporting residential structures, generally similar to the types permissible in a Central Business District or Mixed Use zone. It is intended that this zone be used on sites containing sensitive resources or other sites where, due to property-specific circumstances, detailed planning would benefit all property owners involved as well as the public by, among other things, allowing for comprehensive site planning and a transfer of densities among parcels in order to avoid impacts to sensitive resources.~~



(~~h~~d) The Business District (BD) is designed to promote community and regional employment and accommodate land uses such as corporate offices, general offices, research and development, medical clinics, public and civic uses, technology, and light manufacturing and assembly. This district should be located in areas with direct access to highways and arterials in addition to transit facilities, adequate public services and traffic capacity.

(~~i~~e) The Commercial District (CD) is designed to accommodate the high intensity retail needs of the community and regional market by attracting a mix of large to small format retail stores and restaurants to create a vibrant and unified regional shopping center. Transportation accessibility, exposure to highways and arterials with adequate public services and traffic capacity characterize this district.

(j) The Main Street District (MS) is designed to provide pedestrian-oriented commercial uses that serve the community and region by attracting a variety of small (up to 10,000 gross square feet) to mid-sized (approximately 30,000 gross square feet) businesses along with high density residential uses in proximity to other retail and residential areas. Building design and pedestrian-oriented features would support an active and pleasant streetscape. This district should include enhanced sidewalks, public spaces and amenities for pedestrians and cyclists that emphasize pedestrian movement over vehicular movement.

~~(k) The Mixed Use Neighborhood (MUN) zone is designed to accommodate higher density residential development in proximity to employment and retail centers and provide basic convenience goods and services in areas with available public services and adequate traffic capacities. This district would have a minimum density of 15 dwelling units per acre and create a transition between higher and lower intensity land uses.~~

(~~f~~) The Neighborhood Business (NB) zone is designed to provide convenience goods, services, and opportunities for smaller scale shopping centers near neighborhoods that cater to pedestrians and commuters. This district should be located in areas with available public services, transportation accessibility to arterials and adequate traffic capacities. (Ord. 876, Sec. 16, 2012; Ord. 811, Sec. 26, 2010; Ord. 744, Sec. 2, 2007)

#### **14.36.025 Mixed-Use Districts**

(a) The following Mixed-Use Districts are hereby established Mixed Use (MU), Main Street (MS) and Mixed Use Neighborhood (MUN) to accommodate a mix of commercial and residential units at different intensities in transitional areas between commercial and residential areas.

~~(e)b) The Mixed Use (MU) zone is designed to primarily accommodate a horizontally stratified mixture of residential and commercial uses. It is intended that this zoning classification be applied primarily in areas adjacent to the Central Business District, Community Business, Sub-Regional Commercial, or Planned Business District zones as a transition or buffer zone between commercial or multifamily zones to residential districts.~~

~~(~~k~~d) The Mixed Use Neighborhood (MUN) zone is designed to accommodate higher density residential development in proximity to employment and retail centers and provide basic convenience goods and services in areas with available public services and adequate traffic capacities. This district would have a minimum density of 15 dwelling units per acre and create a transition between higher and lower intensity land uses.~~

#### **14.36.030 Manufacturing-Industrial Districts Established.**

The following districts are hereby established primarily to accommodate enterprises engaged in the manufacturing, processing, creating, repairing, renovating, painting, cleaning, or assembling of goods,

merchandise, or equipment: Light Industrial and General Industrial. The performance standards set forth in Part 1 of Chapter 14.44 place limitations on the characteristics of uses located in these districts. The limitations in the Light Industrial district are more restrictive than those in the General Industrial district. (Ord. 468, 1995)

#### **14.36.034 Public/Semi-Public District Established.**

A Public/Semi-Public district is hereby established to accommodate public and semi-public uses, such as schools, government services and facilities, public utilities, community facilities, parks, etc., on publicly owned land. (Ord. 501, Sec. 6, 1995)

#### **14.36.040 Planned Neighborhood Development Districts Established.**

(a) ~~There are hereby established 36 different planned neighborhood development (PND) districts as described in this section.~~ Each PND district is designed to combine the characteristics of ~~at least three and possibly four~~ zoning districts.

(1) One element of each PND district shall ~~be the~~include a medium density residential element, comprised of one of the MDR zoning districts. ~~Here there are three possibilities, each one corresponding either to the Suburban, Urban or High Urban residential districts described in Table XX. Section 14.36.010. Use of the High Urban residential zone shall be in accordance with Chapter 14.88, Part IX.~~ Within that portion of the PND zone that is developed for medium density residential purposes, all development must be in accordance with the regulations applicable to the medium density residential zoning district used in the PND ~~to which the particular PND zoning district corresponds (except that planned residential developments shall not be permissible).~~

(2) A second element of each PND district shall ~~be the~~include a higher density residential element. Here there are two possibilities, each one corresponding either to the Multi-Family residential or Mixed Use zoning districts described in Sections 14.36.010(e) and 14.36.0250(e), respectively. Within that portion of the PND ~~district that is~~ developed for higher density residential purposes, all development must be in accordance with the regulations applicable to the higher density residential district to which the PND district corresponds.

(3) A third element of each PND district shall ~~be the~~include a commercial element. Here there are three possibilities, each one corresponding to one of the following commercial districts identified in Section 14.36. ~~010020, Mixed Use, Local Business, or Central Business districts.~~ Within that portion of a PND district ~~that is~~ developed for purposes permissible in a commercial district, all development must be in accordance with the regulations applicable to the commercial district to which the PND district corresponds.

~~(4) A manufacturing/processing element may be a fourth element of any PND district. Here there are two alternatives. The first is that uses permitted within the Light Industrial district would be permitted within the PND district. The second alternative is that uses permitted only within the Light Industrial or General Industrial zoning districts would not be permitted. If a Light Industrial element is included, then within that portion of the PND district that is developed for purposes permissible in a Light Industrial district, all development must be in accordance with the regulations applicable to the Light Industrial district.~~

~~(b) In accordance with the description set forth in subsection (a) of this section, the 36 PND districts shall carry the following designations to indicate their component elements:~~

~~(1) SR, MU, LI~~

~~(2) SR, MU~~

~~(3) SR, MU, LB, LI~~

~~(4) SR, MU, LB~~

~~(5) SR, MU, CBD, LI~~

~~(6) SR, MU, CBD~~

~~(7) SR, MFR, MU, LI~~

~~(8) SR, MFR, MU~~

~~(9) SR, MFR, LB, LI~~

~~(10) SR, MFR, LB~~

~~(11) SR, MFR, CBD, LI~~

~~(12) SR, MFR, CBD~~

~~(13) UR, MU, LI~~

~~(14) UR, MU~~

~~(15) UR, MU, LB, LI~~

~~(16) UR, MU, LB~~

~~(17) UR, MU, CBD, LI~~

~~(18) UR, MU, CBD~~

~~(19) UR, MFR, MU, LI~~

~~(20) UR, MFR, MU~~

~~(21) UR, MFR, LB, LI~~

~~(22) UR, MFR, LB~~

~~(23) UR, MFR, CBD, LI~~

~~(24) UR, MFR, CBD~~

~~(25) HUR, MU, LI~~

~~(26) HUR, MU~~

~~(27) HUR, MU, LB, LI~~

~~(28) HUR, MU, LB~~

~~(29) HUR, MU, CBD, LI~~

~~(30) HUR, MU, CBD~~

~~(31) HUR, MFR, MU, LI~~

~~(32) HUR, MFR, MU~~

~~(33) HUR, MFR, LB, LI~~

~~(34) HUR, MFR, LB~~

~~(35) HUR, MFR, CBD, LI~~



(c) No area of less than 15 contiguous, developable acres may be ~~zoned~~developed as a PND ~~district~~, ~~and then only upon the request of the owner or owners of all the property intended to be covered by such zone.~~

~~(d) As indicated in the Table of Permissible Uses (Section 14.40.010), a planned neighborhood development is the only permissible use of a PND zone and planned neighborhood developments are permissible only in such zones.~~

#### **14.36.200 Compatibility of Zoning Districts with Land Use Plan Defined**

**Table 14.36-I: Land Use Designation/Zone Compatibility Matrix**

[illegible]

General Industrial with Development Agreement												X	
Public/Semi-Public	X	X	X	X	X	X	X	X	X	X	X	X	X
Subarea Zones													
Business District							X						
Commercial District							X						
<del>Main Street District</del>	-	-	-	-	-	-	-	X	-	-	-	-	-
Mixed Use Neighborhood								X					
Neighborhood Business							X						
Miscellaneous Designations													
Floodplain and Floodway District	X	X	X	X	X	X		X	X	X	X	X	X
Shoreline Environment Designation	X	X	X	X	X	X		X	X	X	X	X	X

LDR = Low Density Residential

MU = Mixed Use

MDR = Medium Density Residential

PBD = Planned Business District

HDR = High Density Residential

LI = Light Industrial

WR = Waterfront Residential

GI = General Industrial

D/LC = Downtown/Local Commercial

P/SP = Public/Semi-Public

SRC = Sub-Regional Commercial

COM = Commercial (Subareas)

GIDA = General Industrial w/Development Agreement

## Chapter 14.44 SUPPLEMENTARY USE REGULATIONS

### ~~14.44.020 Planned Residential Developments.~~

~~It is intended that a PRD will: result in a residential environment of higher quality than traditional lot-by-lot development by being held to higher standards of design of buildings, parks, open space, landscaping, roadways, entrance and other project features; provide flexibility to the property owners; protect critical areas and significant stands of trees; encourage a variety or mixture of housing types; and encourage compatibility of the development with the surrounding neighborhood. In addition to meeting the other relevant requirements of this title, planned residential developments (PRDs) must comply with the following:~~

~~(a) The PRD may only be located on tracts of at least five acres within a Suburban Residential, Urban Residential, High Urban Residential, or Multi-Family Residential zoning district.~~

~~(b) The gross density of a PRD shall not exceed the allowable density specified in Section 14.48.010.~~

~~(c) Permissible types of residential uses within a PRD include single-family detached dwellings (use classification 1.111), single-family attached (1.130), two-family residences (1.200), and multifamily residences (1.300) regardless of the underlying zone.~~

~~(d) In the SR and UR zones the developer may create lots and construct buildings with reduced lot size, width, or setback restrictions, except that:~~

~~(1) In the SR zone, perimeter lots must have a minimum area of 7,500 square feet and width of 60 feet, and in the UR zone, perimeter lots must have a minimum area of 6,000 square feet and width of 45 feet.~~

~~(2) At least 50 percent of the total number of dwelling units must be single-family detached residences on lots of at least 6,000 square feet in all zones except for the Multi-Family Residential.~~

~~(3) Comply with the fire protection requirements of the International Building Code (IBC) and the International Fire Code (IFC). Additional fire protection is required by these rules when setbacks are reduced below the standard five feet.~~

~~(4) Setback requirements of the underlying zone shall apply for all property lines located on the perimeter of the PRD.~~

~~(5) Each lot must be of a size and shape to contain the proposed improvements.~~

~~(6) The lots are designed so that homes can be constructed at least 15 feet from any environmentally critical area buffer.~~

~~(7) In providing additional amenity pursuant to subsection (h) of this section, priority shall be given to maintaining native areas in a natural condition.~~

~~(8) Homes shall be designed so as to minimize the visual impact of garages and automobiles from the streets and sidewalks through either:~~

~~(i) Providing alleys which provide access to the garage at the rear of the lot; or~~

~~(ii) Locate the garage at least 20 feet behind the front of the house; or~~

~~(iii) Locate the garage at least five feet behind the front of the house, with the combined width of garage doors no wider than 18 feet or 50 percent of the width of the front of the house (including garage), whichever is less.~~

~~(e) The design of a PRD, including site layout, landscaping, public facilities (e.g., storm drainage, parks, streets, etc.) and building design shall be subject to Design Review Board (DRB) approval and shall meet~~



the City's adopted Development Design Guidelines. In lieu of the DRB approving each SFR structure, the applicant may propose project-specific design guidelines, in which case the DRB may approve the guidelines, to be implemented administratively by the Department of Planning and Community Development. Where authority is granted by the DRB to staff to review individual single-family residential structures, the DRB shall be the arbiter between the applicant and staff.

(f) When located in the SR, UR or HUR zone, multifamily portions of a PRD shall be developed more toward the interior rather than the periphery of the tract so that only single-family detached residences border adjacent properties and roads.

(g) Type A screening (Chapter 14.76) shall apply to the exterior boundaries of the PRD, but are not required between uses within the PRD.

(h) When creating a PRD, the applicant must improve 10 percent of the site with common amenities, in addition to the open-space requirements. The amenities can include, but are not limited to, additional usable open-space area, landscaped entries into the project (in addition to the standard roadway dedication and landscaping requirements), landscape islands in the center of roads, special treatment of roads (such as concrete pavers), protection of significant clusters of trees, or other amenities as may be appropriate. Common amenities do not include protected critical areas and their buffers, unless passive recreation is provided within the buffer areas. In such case, credit for trails will be given at a rate of 10 square feet for each lineal foot of trail, 10 square feet for each park bench and five square feet for each interpretive sign. Park space will be given credit towards meeting this requirement only when it meets the criteria for dedication contained in Chapter 14.120.

(i) Protected critical areas and significant stands of trees will be used as an amenity to the project through such techniques as providing pervious trails and benches in buffers and significant stands of trees, orienting buildings to create views, and any other technique to provide visual and physical access. (Ord. 903, Sec. 31, 2013; Ord. 746, Sec. 5, 2007; Ord. 741, Sec. 6, 2007; Ord. 639, Sec. 3, 2001; Ord. 579, 1998; Ord. 501, Sec. 9, 1995; Ord. 468, 1995)

#### **14.44.035 Cottage Housing Developments.**

Cottage housing developments (Chapter 14.46) shall be permitted only in the following residential zoning districts: Suburban Residential, Waterfront Residential, Urban Residential, and High Urban Residential. Cottage housing developments shall also be permitted in the Mixed Use zone if proposed as part of the overall development concept, which includes one or more commercial uses, and if each commercial use is built before or at the same time as the cottage housing development portion of the site. Cottage housing developments shall also be permitted in the Planned Business District to serve as a buffer between adjacent higher and lower density uses that are included in the master development plan. (Ord. 798, Sec. 5, 2009)

#### **14.44.095 Neighborhood Commercial.**

(a) A property may be rezoned to Neighborhood Commercial if and only if it meets the following criteria:

(1) Neighborhood Commercial zones shall be located on an intersection of two public rights-of-way, one of which must have a roadway classification of arterial or greater.

(2) No more than one acre of contiguous land may be zoned Neighborhood Commercial at any intersection.

~~(3) No property may be zoned Neighborhood Commercial within a one-half mile radius of any other property so zoned, unless it is contiguous to the already zoned property and does not cause the total area of property so zoned to exceed one acre.~~

~~(b) Development and land use within the Neighborhood Commercial zones shall comply with the following:~~

~~(1) Retail sales by dispensing of gasoline, diesel fuel and refillable propane is prohibited.~~

~~(2) Interior illuminated signs and freestanding signs are prohibited.~~

~~(3) The building design shall incorporate features common to the surrounding residential areas such as pitched roofs, natural materials, and detailing.~~

~~(4) Hours of operation shall cease between 10:00 p.m. and 6:00 a.m. (Ord. 662, Sec. 3, 2002; Ord. 468, 1995)~~

**~~14.44.320 Diversity within Planned Residential Districts.~~**

~~Within planned residential developments, no identical building elevation may be built on lots adjoining in any direction.~~

~~For the purposes of this section, streets are not considered to separate lots.~~

## Exhibit 2

### Chapter 14.48

### DENSITY AND DIMENSIONAL REGULATIONS

Sections:

[14.48.010 Minimum Lot Size Requirements](#)

[14.48.020 Duplexes in Single-Family Zones](#)

[14.48.030 Minimum Lot Widths](#)

[14.48.040 Building Setback Requirements](#)

[14.48.050 Exceptions to Building Setback Requirements](#)

~~[14.48.055 Maximum Impervious Surface](#)~~

[14.48.060 Building Height Limitations](#)

~~[14.48.070 Cluster Subdivisions](#)~~

[14.48.080 Repealed](#)

[14.48.090 Density on Lots Where Portion Dedicated to City for Park and Recreational Facilities](#)

[14.48.094 Minimum Lot Size on Lots Where Right-of-Way is Dedicated to the City](#)

[14.48.100 Rural Subdivisions](#)

#### **14.48.010 Minimum Lot Size Requirements.**

Table 14.48-I indicates the basic minimum lot size required for each zone district, which shall apply to all created lots unless a reduction is otherwise allowed pursuant to a specific regulation contained elsewhere in this title. ~~(Ord. 811, Sec. 55, 2010; Ord. 676, Sec. 43, 2003; Ord. 590, 1998; Ord. 468, 1995)~~

#### **14.48.020 Duplexes in Single-Family Zones.**

Duplexes and two-family conversions in single-family zones shall be allowed only on lots having at least 150 percent of the minimum square footage required for one dwelling unit on a lot in such district, ~~unless modified per LSMC XX.~~ (Ord. 1030, Sec. 2 (Exh. B), 2018; Ord. 676, Sec. 44, 2003; Ord. 590, 1998; Ord. 468, 1995)

#### **14.48.030 Minimum Lot Widths.**

(a) No lot may be created that is so narrow or otherwise so irregularly shaped that it would be impracticable to construct on it a building that:

- (1) Could be used for purposes that are permissible in that zoning district; and
- (2) Could satisfy any applicable setback requirements for that district.

(b) Without limiting the generality of the foregoing standard, Table 14.48-I ~~indicates-establishes~~ minimum lot widths ~~that are recommended and are deemed presumptively to satisfy the standard set forth in subsection (a) of this section.~~ The lot width shall be measured along a straight line connecting points A and B, where point A is the midpoint of the shorter side property line and point B is the point on the opposite side property line measured an equal distance from the front property line as point A.

(c) No lot created after the effective date of this title that is less than the recommended width shall be entitled to a variance from any building setback requirement. (Ord. 468, 1995)

**14.48.035 Lot standards.**

(a) Corner Lots

(b) Through Lots

(c) Panhandle / Flag Lots. Panhandle lots shall be allowed subject to the following requirements:

- (1) The width of the access corridor shall be 20 feet between the street and buildable portion of the lot.
- (2) In determining setbacks and other dimensional standards for a panhandle lot, the handle portion of the lot shall not be used to determine building setbacks and other dimensional standards. Setbacks shall be determined as though no handle was on the lot
- (3) The access corridor shall maintain a minimum height clearance of 12 feet and shall be designed to meet the city's engineering standards.
- (4) There shall not be two or more contiguous panhandle lots, subject to the requirements of Chapter 14.56 LSMC
- (5) The access corridor shall provide direct access to a paved public or private street.
- (6) All requirements of the fire code shall be met, including access and sprinkler requirements.

**14.48.040 Building Setback Requirements.**

(a) Table 14.48-I ~~and Table 14.48-II~~ sets forth the minimum building and freestanding sign setbacks required from lot lines, ~~ultimate street rights-of-way and street centerlines.~~

~~\_(1) If the ultimate street right-of-way line is readily determinable (by reference to the Comprehensive Plan Transportation Plan, a recorded map, set irons, adopted plan, or other means), the setback shall be measured from the ultimate right-of-way line. If it is not so determinable, the setback shall be measured from the actual street centerline.~~

~~\_(2) As used in this section, the term "lot line, tract or easement" refers to all easements and lot boundaries other than those that abut streets.~~ Setbacks from access easements and access tracts are considered lot line setbacks for the purpose of determining front setbacks.

~~\_(3) As used in this section, the term "building" includes any substantial structure which by nature of its size, scale, dimensions, bulk, or use tends to constitute a visual obstruction or generate activity similar to that usually associated with a building. It also includes any element that is substantially a part of the building, such as bay windows and chimneys, and not a mere appendage, such as a flagpole. Without limiting the generality of the foregoing, for the purpose of determining setbacks the following structures are to be considered buildings:~~

(i) Gas pumps and overhead canopies or roofs;

~~(ii) Fences, walls, and hedges (see Chapter 14.52 for height and setback requirements).~~

~~\_(4) Eaves and other minor architectural features may project into the required setback up to 18 inches.~~



(b) Whenever a lot in a residential district abuts a nonresidential district, and its required setback is greater than that of the nonresidential lot, the nonresidentially zoned lot shall observe the more restrictive setback. Where a lot zoned General or Light Industrial shares a boundary with a residentially zoned lot, the setback for the industrial property along that common boundary shall be 30 feet.

~~\_(c) In the High Urban Residential District, one five-foot interior side yard setback of a lot may be reduced to zero feet for portions of the house that share a common wall with the home on the adjacent lot. Portions of a house which do not share a common wall must be set back a minimum of five feet. The Fire and Building Codes have special building requirements which must be met when setbacks are less than five feet.~~

~~(d)~~ All docks and other permissible overwater structures shall be set back pursuant to the Shoreline Master Program, Chapter 4, Section C.3. For the purposes of this section each property line extending into the lake shall be construed as extending at the same angle as the property line on shore. (Ord. 1063, Sec. 2 (Exh. B), 2019; Ord. 903, Sec. 38, 2013; Ord. 898, Sec. 7, 2013; Ord. 796, Sec. 8, 2009; Ord. 666, Sec. 8, 2002; Ord. 612, Sec. 1, 1999; Ord. 590, 1998; Ord. 468, 1995)

#### **14.48.045 Accessory Structures**

(a) In single-family residential zones, accessory structures must meet the following conditions:

- (1) The gross floor area of all accessory structures may not exceed 200 square feet without a building permit,
- (2) The height of the accessory structure does not exceed 12 feet, and
- (3) The accessory structure shall be no closer to the front property line than that of the principal dwelling unit.

#### **14.48.050 Exceptions to Building Setback Requirements.**

(a) The following modifications to the setback requirements identified in Section [14.48.040](#) shall be allowed:

~~\_(1) In the Suburban Residential and Waterfront Residential districts only, where the high point of the roof or any appurtenance of an accessory building exceeds 12 feet in height, the accessory building shall be set back from the rear lot lines, tracts or easements an additional one foot for every foot of height exceeding 12 feet.~~

~~\_(2) In single-family residential zones, accessory structures may be located within the exterior side yard of a corner lot, provided the accessory structure meets the following conditions:~~

~~(i) The gross floor area of all accessory structures within the reduced setback area does not exceed 200 square feet.~~

~~(ii) The height of the accessory structure does not exceed eight feet.~~

~~(iii) The accessory structure is screened to a minimum height of six feet with an opaque fence or densely planted vegetation.~~

~~(iv) The accessory structure respects the minimum front yard setback and shall be no closer to the front property line than that of the principal house.~~

~~(v) The accessory structure is located no closer than 10 feet to the exterior side property line.~~

~~(b1)~~ In all single-family residential zones, the building setbacks from the street of the underlying zone may be reduced by five feet for living portions of the principal house only. This reduction does not apply to garages or other nonhabitable areas.

~~(c2)~~ In all single-family residential zones, the setback from a critical area buffer may be reduced to five feet for uncovered decks, provided sufficient room is provided to construct and maintain the deck without disturbing the buffer area.

~~(d2)~~ In all single-family residential zones, unenclosed front porches may be constructed to be as close as 15 feet of the ultimate street right-of-wayfront property line.

(3) Exterior mechanical equipment including air conditioners, heat pumps and similar may extend up to 24 inches into the required setback.

(4) Eaves and other minor architectural features may project into the required setback up to 18 inches.

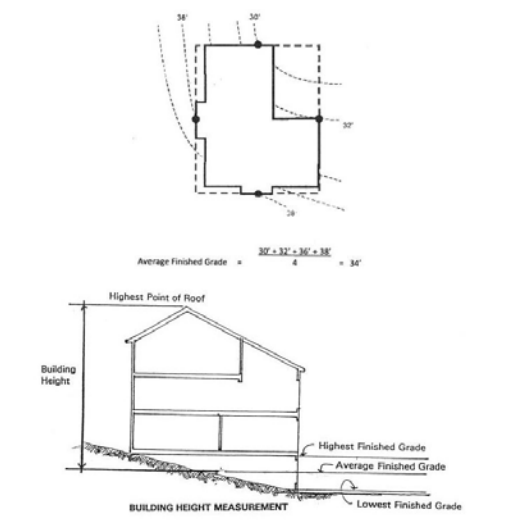
Exceptions for fences, walls, and hedges are contained in Chapter 14.52. (Ord. 1063, Sec. 2 (Exh. B), 2019; Ord. 903, Sec. 39, 2013; Ord. 811, Sec. 56, 2010; Ord. 741, Sec. 7, 2007; Ord. 676, Sec. 45, 2003; Ord. 666, Sec. 9, 2002; Ord. 595, 1999; Ord. 468, 1995)

#### **14.48.055 Maximum Impervious Surface.**

Unless otherwise provided for elsewhere in Title 14 or the Shoreline Master Program, the maximum impervious surface shall not exceed 40 percent of a lot for development in single-family zoning districts, except that the impervious surface areas for development in the High Urban Residential (HUR) zoning district shall not exceed 65 percent of the lot. (Ord. 947, Sec. 2, 2015; Ord. 595, 1999)

#### **14.48.060 Building Height Limitations.**

(a) For purposes of this section the height of a building shall be the vertical distance measured from the mean elevation of the finished grade ~~around the perimeter of~~ along four points of the proposed the building to the **highest point** of the building. The height of fences, walls, and hedges is as set forth in Chapter 14.52. The average finished grade shall be determined by first delineating the smallest square or rectangle which can enclose the building and then averaging the ground elevations taken at the midpoint of each side of the square or rectangle



(b) Building height limitations in the various zoning districts shall be as listed in Table 14.48-I and Table 14.48-II.

(c) The following features are exempt from the district height limitations set forth in subsection (b) of this section, provided they conform to the standards contained in subsection (d) of this section:

(1) Chimneys, church spires, elevator shafts, and similar structural appendages not intended as places of occupancy or storage;

(2) Flagpoles and similar devices;

(3) Heating and air conditioning equipment, solar collectors, and similar equipment, fixtures, and devices.

(d) The features listed in subsection (c) of this section are exempt from the height limitations set forth in subsection (b) of this section if they conform to the following requirements:

(1) Not more than one-third of the total roof area may be consumed by such features.

(2) The features described in subsection (c)(3) of this section must be set back from the edge of the roof a minimum distance of one foot for every foot by which such features extend above the roof surface of the principal building to which they are attached.

(3) The permit-issuing authority may authorize or require that parapet walls be constructed (up to a height not exceeding that of the features screened) to shield the features listed in subsections (c)(1) and (3) of this section from view.

~~(e) In any zoning district the vertical distance from the ground to a point of access to a roof surface of any nonresidential building or any multifamily residential building containing four or more dwelling units may not exceed 35 feet unless the Fire Chief certifies to the permit-issuing authority that such building is designed to provide adequate access for firefighting personnel or the building inspector certifies that the building is otherwise designed or equipped to provide adequate protection against the dangers of fire. A point of access to a roof shall be the top of any parapet wall or the lowest point of a roof's surface, whichever is greater. Roofs with slopes greater than 75 percent are regarded as walls.~~

~~(f)~~ Towers and antennas which exceed the height limit of the zone district are allowed to the extent authorized in the Table of Permissible Uses, use classification 18.000. (Ord. 1063, Sec. 2 (Exh. B), 2019; Ord. 676, Sec. 46, 2003; Ord. 590, 1998; Ord. 468, 1995)

#### **~~14.48.070 Cluster Subdivisions.~~**

~~(a) In any single-family residential subdivision or short subdivision of six lots or more, a developer may create lots that are smaller than those required by Section 14.48.010 if such developer complies with the provisions of this section and if the lots so created are not smaller than the minimums set forth in Table 14.48-I.~~

~~(b) The intent of this section is to authorize the developer to decrease lot sizes and leave the land "saved" by so doing as usable open space, thereby lowering development costs and increasing the amenity of the project without increasing the density beyond what would be permissible if the land were subdivided into the size of lots required by Section 14.48.010.~~

~~(c) The amount of usable open space that must be set aside shall be determined by:~~

~~(1) Subtracting from the standard square footage requirement set forth in Section 14.48.010 the amount of square footage of each lot that is smaller than that standard;~~

~~(2) Adding together the results obtained in subsection (c)(1) of this section for each lot.~~

~~(d) The provisions of this section may only be used if the usable open space set aside in a subdivision comprises at least 10,000 square feet of space that satisfies the definition of usable open space.~~

~~(e) The setback requirements of Sections 14.48.040 and 14.48.050 shall apply in cluster subdivisions. (Ord. 903, Sec. 40, 2013; Ord. 501, Sec. 10, 1995; Ord. 468, 1995)~~

#### **14.48.080 Architecturally Integrated Subdivisions.**

*Repealed by Ordinance 579.*

#### **14.48.085 Density Calculation**

The density calculation for new residential developments shall be based on a net density as follows, unless otherwise defined in this title.

(1) Determine Net Development Area. Subtract from the gross development land area the actual percentage of area devoted to infrastructure including streets and stormwater up to 20 percent of the gross development area, the net development area shall be eighty percent of the gross development area;

(2) Divide net development area by the minimum lot size per the underlying zoning district to determine project density.

(3) When the project density is determined, if the calculation for lots results in a fraction the number shall be rounded up to the next whole number.

(4) Lot size averaging. After calculating the project density, the proponent may apply limited lot size averaging to achieve the net density provided no lot sizes are reduced by more than 10 percent to achieve the net density for the residential development and/or subdivision unless otherwise modified by other section of this title.

#### **14.48.090 Density on Lots Where Portion Dedicated to City for Park and Recreational Facilities.**

(a) Subject to the other provisions of this section, if (1) any portion of a tract lies within an area designated on any officially adopted City plan as part of a proposed public park, greenway, or bikeway, and (2) before the tract is developed, the owner of the tract, with the concurrence of the City, dedicates to the City that portion of the tract so designated, then, when the remainder of the tract is developed for residential purposes, the permissible density at which the remainder may be developed shall be calculated in accordance with the provisions of this section.

(b) If the proposed use of the remainder is a single-family detached residential subdivision, then the lot size in such subdivision may be reduced in accordance with the provisions of Sections 14.48.070 except that the developer need not set aside usable open space to the extent that an equivalent amount of land has previously been dedicated to the City in accordance with subsection (a) of this section.

(c) If the proposed use of the remainder is a two-family or multifamily project, then the permissible density at which the remainder may be developed shall be calculated by regarding the dedicated portion of the original lot as if it were still part of the lot proposed for development.



(d) If the portion of the tract that remains after dedication as provided in subsection (a) of this section is divided in such a way that the resultant parcels are intended for future subdivision or development, then each of the resultant parcels shall be entitled to its pro rata share of the "density bonus" provided for in subsections (b) and (c) of this section. (Ord. 590, 1998; Ord. 468, 1995)

#### **14.48.094 Minimum Lot Size on Lots Where Right-of-Way is Dedicated to the City.**

Where land is dedicated to the City for public rights-of-way for a short plat or a building permit for a single-family house or a duplex, the minimum parcel size may be reduced by an equivalent square footage as that dedicated, not to exceed 10 percent of the required minimum parcel size. (Ord. 590, 1998; Ord. 468, 1995)

#### **~~14.48.100 Rural Subdivisions.~~**

~~(a) Except as exempted in subsection (b) of this section, where dual densities/minimum parcel sizes are given for a zone in Table 14.48-I, the lesser density/larger minimum parcel size prevails unless the decision-making authority is able to make all of the below listed findings, in which case the higher densities/smaller minimum parcel size prevails. The intent of the findings is graphically represented in Figure 14.1. The findings needed to be made to allow the higher density/smaller minimum parcel size are:~~

~~(1) The subject parcel(s) or tract(s) proposed for subdivision or development must be adjacent to an area of at least 1,000 acres ("core urban area"), of which at least 20 acres contiguous to the subject property is seventy-five percent (75%) subdivided and/or built at its allowed higher density. For the purpose of this section "adjacent" means sharing a common border for at least twenty-five percent (25%) of the subject property's entire boundary (roads are not considered to separate properties). The net developable area of the 20 acres shall be used in the calculations so that lands permanently dedicated to public uses (open space, schools, Lake Stevens, etc.) do not forestall the ability of a subject property to develop to its higher density. Intervening areas of non-residentially zoned land between the core urban area and the subject property may be counted as part of the developed core urban area regardless of whether or not it is built, since the development of commercial or industrial land often follows residential development.~~

~~(2) All urban services (i.e., sewer, water, roads, other utilities, police, etc.) must be physically and fiscally available. Fulfillment of this finding shall be supported by the applicant providing an analysis of availability, analyzing both costs and benefits to the agencies or districts providing the services.~~

~~(3) All required infrastructure can be provided and provision is made a condition of the subdivision. This infrastructure must be provided consistent with the urban level of service established by the governing jurisdiction.~~

~~(4) Either:~~

~~(1) The property is annexed to the City OR~~

~~(2) The governing jurisdiction has passed a resolution stating that it is willing to provide urban services and the applicant has signed and recorded an agreement committing the entire property to annex to the City upon the initiation of a request for annexation which encompasses the subject property. The governing jurisdiction's resolution should take into account the special service districts' ability to provide the needed services.~~

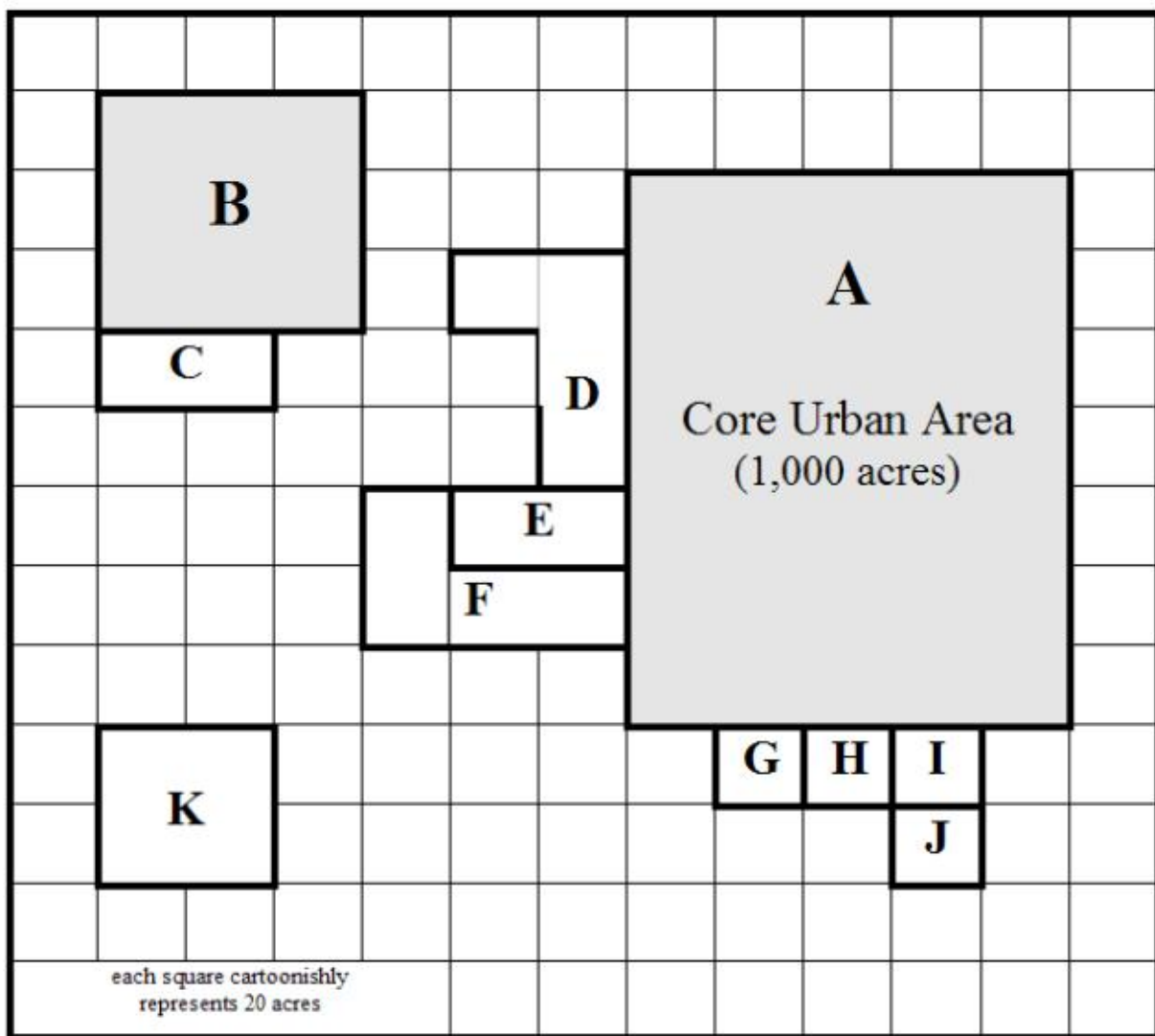
(b) Exemptions from subsection (a)(1) and which are allowed to develop at their higher densities upon the findings of subsection (a)(2-4) being made include:

(1) Those portions of PNDs developed as single-family residential districts.

(2) Properties within the City limits.

(c) For subdivisions into tracts of 5 acres or larger, provision of public improvements to an urban level shall not be required, although some provision may be required to adequately reduce the impacts of the proposed level of development. Specifically, public sewer facilities are not required and roads need only be developed to 28-feet of pavement with 6-foot gravel shoulders. However, dedication of all future rights-of-way as specified in the Transportation Plan of the Comprehensive Plan (or other adopted transportation plan) shall be made a condition of the subdivision. (Ord. 468, 1995)

Figure 14.1: Graphic Representation of the Intent of §14.48.100 (Suburban Subdivisions)



Key to Figure 14.1

- A The Urban Core Area of 1,000 acres, developed to its higher density.  
=
- B An outlying area developed to its higher density, but the overall area contains less than 1,000 acres.  
=
- C An undeveloped 40-acre tract that could subdivide into five-acre lots, but not to its higher density  
= yet. Even though more than a quarter of its boundary adjoins Area B, which is developed to its higher density, that area is not a "core urban area" (i.e., it is less than 1,000 acres in size).
- D An undeveloped 80-acre tract that could subdivide to its higher density, as more than a quarter of  
= its boundary adjoins the core urban area.
- E= An undeveloped 40-acre tract that could subdivide into five-acre lots, but not to its higher density until Area D developed to its higher density.
- F= An undeveloped 80-acre tract that could subdivide into five-acre lots, but not to its higher density until Area E developed to its higher density (and thus, not until Area D also developed to its higher density).
- G An undeveloped 20-acre tract that could subdivide to its higher density, as more than a quarter of  
= its boundary adjoins the core urban area.
- H An undeveloped 20-acre tract that could subdivide to its higher density, as more than a quarter of  
= its boundary adjoins the core urban area.
- I= An undeveloped 20-acre tract that could subdivide to its higher density, as more than a quarter of its boundary adjoins the core urban area.
- J= An undeveloped 20-acre tract that could subdivide into five-acre lots, but not to its higher density until Area I developed to its higher density.
- K An undeveloped 80-acre tract that could subdivide into five-acre lots, but not to its higher density  
= until higher density development reached its boundaries.

{Ord. 468, 1995}

**Table 14.48 I: Density and Dimensional Standards-**

Zone	Minimum Lot Size		Minimum Residential Densities (Minimum Square Feet per Dwelling Unit)	Minimum Lot Width (ft.)	Building Setback Requirements Minimum Distance, in feet, from: <sup>4</sup>							Height Limitation (ft.)
	Standard Subdivision	Cluster Subdivision			Nonarterial Street Right-of-Way Line		Nonarterial Street Centerline <sup>1</sup>		Ultimate Arterial Street Right-of-Way Line		Lot Line, Tract or Easement <sup>2</sup>	
					Building	Freestanding Sign	Building	Freestanding Sign	Building	Freestanding Sign	Building and Freestanding Sign	
Waterfront Residential	9,600-ft <sup>2</sup>	7,500-ft <sup>2</sup>	9,600-ft <sup>2</sup>	50	25	12.5	55	42.5	25	12.5	5	35
Suburban Residential <sup>2</sup>	5-acres/ 9,600-ft <sup>2</sup>	5-acres/ 7,500-ft <sup>2</sup>	5-acres/ 9,600-ft <sup>2</sup>	80	25	12.5	55	42.5	25	12.5	5	35
Urban Residential <sup>2</sup>	5-acres/ 7,500-ft <sup>2</sup>	6,000-ft <sup>2</sup>	7,500-ft <sup>2</sup>	60	20	10	50	40	20	10	5	35
High Urban Residential	3,600-ft <sup>2</sup>	N/A	3,600-ft <sup>2</sup>	40	15	5	45	35	20	5	5	35
Multi-Family Residential	3,000-ft <sup>2</sup>	N/A	0-ft <sup>2</sup>	50	0	0	30	30	10	0	0	60



**Table 14.48 I: Density and Dimensional Standards**

Zone	Minimum Lot Size		Minimum Residential Densities (Minimum Square Feet per Dwelling Unit)	Minimum Lot Width (ft.)	Building Setback Requirements Minimum Distance, in feet, from: <sup>4</sup>							Height Limitation (ft.)
	Standard Subdivision	Cluster Subdivision			Nonarterial Street Right-of-Way Line		Nonarterial Street Centerline <sup>1</sup>		Ultimate Arterial Street Right-of-Way Line		Lot Line, Tract or Easement <sup>2</sup>	
					Building	Freestanding Sign	Building	Freestanding Sign	Building	Freestanding Sign	Building and Freestanding Sign	
Neighborhood Commercial	3,000-ft <sup>2</sup>	N/A	0-ft <sup>2</sup>	0	0	0	30	30	0	0	0	35
Mixed Use	3,000-ft <sup>2</sup>	N/A	0-ft <sup>2</sup>	0	0	0	30	30-ft <sup>2</sup>	0	0	0	60
Local Business	3,000-ft <sup>2</sup>	N/A	0-ft <sup>2</sup>	0	0	0	30	30	0	0	0	60
Central Business District	3,000-ft <sup>2</sup>	N/A	0-ft <sup>2</sup>	0	0	0	30	30	0	0	0	60
Planned Business District	0-ft <sup>2</sup>	N/A	0-ft <sup>2</sup>	0	0	0	30	30	0	0	0	40
Sub-Regional Commercial	0-ft <sup>2</sup>	N/A	0-ft <sup>2</sup>	10	0	0	30	30	0	0	0	85

**Table 14.48 I: Density and Dimensional Standards**

Zone	Minimum Lot Size		Minimum Residential Densities (Minimum Square Feet per Dwelling Unit)	Minimum Lot Width (ft.)	Building Setback Requirements Minimum Distance, in feet, from: <sup>4</sup>							Height Limitation (ft.)
	Standard Subdivision	Cluster Subdivision			Nonarterial Street Right-of-Way Line		Nonarterial Street Centerline <sup>1</sup>		Ultimate Arterial Street Right-of-Way Line		Lot Line, Tract or Easement <sup>3</sup>	
					Building	Freestanding Sign	Building	Freestanding Sign	Building	Freestanding Sign	Building and Freestanding Sign	
Light Industrial	0 ft²	N/A	N/A	10	0	0	30	30	0	0	0	85
General Industrial	0 ft²	N/A	N/A	10	0	0	30	30	0	0	0	85
Public/Semi-Public	0 ft²	N/A	N/A	0	0	0	0	0	0	0	0	60

<sup>1</sup> See Section 14.48.040(a)(1) for use of centerline.

<sup>2</sup> See Section 14.48.100 for use of five acres or square feet requirements.

<sup>3</sup> Eaves and other minor architectural features may project into the required setback up to 18 inches.

<sup>4</sup> If property is located on Lake Stevens or Catherine Creek or has wetlands, please refer to the required setbacks in the Shoreline Master Program and Chapter 14.88, Critical Areas.

(Ord. 903, Sec. 38, 2013; Ord. 855, Sec. 22, 2011; Ord. 811, Sec. 55, 2010; Ord. 796, Sec. 9 (Exh. 1), 2009; Ord. 773, Sec. 3, 2008; Ord. 744, Sec. 3, 2007; Ord. 676, Sec. 47, 2003; Ord. 468, 1995)

**Table 14.48-I: Residential Density and Dimensional Standards<sup>1</sup>**

<u>Zoning District</u>	<u>Lot Size</u>		<u>Lot Width</u>	<u>Front Setback</u>	<u>Side Setback</u>	<u>Rear Setback</u>	<u>Maximum Impervious Area<sup>2</sup></u>	<u>Maximum Height</u>
<u>(Suburban Residential) R4</u>	<u>8600 sq ft</u>		<u>70-foot internal 80-foot corner</u>	<u>25-feet</u>	<u>15 total (no less than 5-feet one side)</u>	<u>20-feet</u>	<u>50%</u>	<u>35</u>
<u>WR</u>	<u>8600 sq ft</u>		<u>variable - not less than 50-feet</u>	<u>25-feet</u>	<u>15 total (no less than 5-feet one side)</u>	<u>20-feet</u>	<u>50%</u>	<u>35</u>
<u>(Urban Residential) R6</u>	<u>6000 sq ft</u>		<u>60-foot internal 65-foot corner</u>	<u>15 - feet</u>	<u>15 total (no less than 5-feet ones ide)</u>	<u>15-feet</u>	<u>55%</u>	<u>35</u>
<u>(High Urban Residential) R8 - 12<sup>3</sup></u>	<u>Detached</u>	<u>4200 sq ft</u>	<u>45-foot internal 50-foot corner / perimeter*</u>	<u>15 - feet (25-feet max.)</u>	<u>15 total (no less than 5-feet one side)</u>	<u>10-feet</u>	<u>65%</u>	<u>35</u>
	<u>Attached</u>	<u>2800 sq ft</u>	<u>20-foot internal 30-foot corner</u>	<u>15 - feet (25-feet max.)</u>	<u>10-feet between other districts or buildings onsite</u>	<u>10-feet</u>	<u>75%</u>	<u>45</u>
<u>MFR</u>	<u>none</u>		<u>none</u>	<u>variable</u>	<u>10-feet between other districts or buildings onsite</u>	<u>10-feet between other districts</u>	<u>85%</u>	<u>60</u>

1. Unless otherwise stated, the dimensional standards refer to minimum requirements.
2. To allow homeowners an opportunity to modify their homes and lots in the future, the maximum impervious area at the time of initial construction is reduced by five percent; however, the stormwater system must be sized to accommodative the maximum impervious area.
3. The R8-R12 zoning district applies two sets of development standards depending if the project is a detached single-family or attached townhouse development. Developments may apply a mix of standards if both types of housing are represented in the project.

**Table 14.48-II: Residential Density and Dimensional Standards**

<u>Zoning District</u>	<u>Lot Size</u>	<u>Lot Width</u>	<u>Front Setback</u>	<u>Side Setback</u>	<u>Rear Setback</u>	<u>Maximum Impervious Area</u>	<u>Height</u>
<b>Commercial Zones</b>							
<u>Central Business District</u>			<u>5</u>	<u>10</u>	<u>10</u>		<u>55</u>
<u>Commercial District</u>			<u>5</u>	<u>10</u>	<u>10</u>		<u>55<sup>*1</sup></u>
<u>Local Business</u>			<u>5</u>	<u>10</u>	<u>10</u>	<u>80%</u>	<u>45</u>
<u>Public/Semi-Public</u>			<u>5</u>	<u>10</u>	<u>10</u>	<u>80%</u>	<u>60</u>
<b>Industrial Zones</b>							
<u>Light Industrial</u>			<u>20</u>	<u>10</u>	<u>10</u>		<u>45</u>
<u>General Industrial</u>			<u>20</u>	<u>10</u>	<u>10</u>		<u>60</u>
<b>Mixed Use Zones</b>							
<u>Mixed-Use</u>			<u>10</u>	<u>10</u>	<u>10</u>	<u>75%</u>	<u>45</u>
<u>Mixed-Use Neighborhood</u>							

1 Setback shall be 10 feet if abutting a property in a residential zone. This setback shall be landscaped as required by Chapter