



PLANNING COMMISSION

April 16, 2024

6:30 PM

Planning Commission

a. Call to Order

b. Pledge of Allegiance

c. Roll Call

d. Consent Agenda

1. Minutes from February 20, 2024 Planning Commission Meeting

e. General Public Comments

Please keep comments to three minutes or less. Because State law prohibits the use of city facilities for the purpose of supporting or opposing a campaign or ballot proposition, we respectfully request that public comment not make reference to such matters.

Written comments will be accepted by letter or via email at nmcgowan@sedro-woolley.gov Attn: 'Public Comment.'

f. Public Hearing(s)

g. Unfinished Business

1. Proposed Amendments to Chapter 2.90, Title 17 SWMC and the Master Fee Schedule to Add Regulations and Permitting/Impact Fees for Tiny Home Communities

h. New Business

1. Proposed Amendments to Chapter 12.40 SWMC and SWMC 17.50.070 to Update Tree Standards

i. Adjournment

PLANNING COMMISSIONERS

Pat Huggins

Matthew Desvoigne

Danielle Freiburger

Joe Fattizzi

Sisal Maddox

Joe Franett

Cassandra Sexson

The City of Sedro-Woolley complies with applicable Federal civil rights laws and does not discriminate on the basis of race, color, national origin, limited English proficiency, age, disability, or sex. The City of Sedro-Woolley doesn't exclude people or treat them differently because of race, color, national origin, limited English proficiency, age, disability, or sex.

The City of Sedro-Woolley also complies with applicable state laws and doesn't discriminate on the basis of creed, gender, gender expression or identity, sexual orientation, marital status,

religion, honorably discharged veteran or military status, or the use of a trained dog guide or service animal by a person with a disability.

Join Zoom Meeting:

<https://zoom.us/j/98042863482?pwd=dnpVeXp4YUJYQVBtdm10VTZ2VVlyZz09>

Or by phone: +1 253 215 8782 or +1 346 248 7799 or +1 669 900 6833 or +1 312 626 6799 or +1 929 205 6099 or +1 301 715 8592

**CITY OF SEDRO-WOOLLEY
PLANNING COMMISSION MEETING
MINUTES
February 20, 2024**

CALL TO ORDER: Planning Commission Chair, Joe Fattizzi, called the meeting to order at (6:30 p.m.)

PLEDGE OF ALLEGIANCE

ROLL CALL:

- Present Commissioners: Danielle Freiburger, Cassandra Sexson, Matthew Desvoigne, Joe Franett, Silas Maddox, Joe Fattizzi, Pat Huggins
- Absent Commissioners: None
- Present Staff: Nicole McGowan
- Members of public in attendance: 2

APPROVAL OF CONSENT AGENDA/MINUTES: Minutes from December 19, 2023 meeting was approved.

GENERAL PUBLIC COMMENTS: (Opened at 6:33 p.m.) There were no written comments to be entered into the record, no members of the public in the attendance wishing to speak and no participants online. Public comments closed at 6:36 p.m.

ELECTIONS:

1. Election of Planning Commission Chairperson and Vice-Chairperson

Commissioner, Joe Franett, was nominated and elected for the Chairperson position and Commissioner, Joe Fattizzi, was nominated and elected for the Vice-Chairperson position for the 2024 Planning Commission.

PUBLIC HEARING:

Public Hearing #1 – Proposed Amendments to Chapter 16.04 SWMC to Add a Definition for “Shadow Plat” and to Allow Shadow Platting as a Method of Satisfying the Minimum Density Requirement of Four Dwelling Units Per Acre.

Opened at 6:41 p.m., there were no participants online. Staff also had not received any emails or mail to be entered into the record. Paul Hieb (8643 Westerman Road) was present to provide public comment. Mr. Hieb came tonight to support shadow platting. He would like to sell his rental house, but keep the land for farming. He is not interested in a full subdivision at four units per acre at this time. Public comments closed at 6:44 p.m.

Planner, Nicole McGowan, gave a brief overview of shadow platting and her proposal. At the last Planning Commission meeting in December, no changes were requested to the draft

regulations that were presented. Tonight, Nicole is requesting that the Planning Commission recommend that the City Council approve the proposed amendments to Chapter 16.04 SWMC.

The Commissioners did not have any new comments to make regarding this proposed amendment. Commissioner, Silas Maddox, motioned first to recommend that the City Council approve the proposed amendments. Commissioner, Joe Franett, motioned second. The motion passed 7-0.

Public Hearing #2 – Proposed Changes to the Zoning and Comprehensive Plan Land Use Maps – Bendtsen Rezone Request.

Opened at 7:01 p.m., there were no participants online. Staff also had not received any emails or mail to be entered into the record. John Bendtsen (17885 Sam Bell Road, Bow, WA) was present to provide public comment. Mr. Bendtsen is requesting a rezone on his property located on Ball Street. He is requesting the property be rezoned from R-7 to R-15. The property borders R-15 and, based on the Sedro-Woolley Comprehensive Plan, this would make the most sense. Public comments closed at 7:05 p.m.

Planner, Nicole McGowan, gave a brief overview of the proposed changes to the Zoning and Comprehensive Plan Land Use Maps. The Bendtsen rezone has carried over from the 2023 Comp Plan Docket due to the issue statement found in the R-15 intent section. Ordinance 2058-23 removed the statement of issue. Mr. Bendtsen requested to change the zoning of 406 Ball Street from the current zoning of R-7 to R-15. The future development of this property would be appropriate per the zoning regulations. The rezone application stated Home of the Brave will provide housing for the disabled and retired veterans community. If the rezone to R-15 were approved, the property would likely be able to accommodate roughly 12 housing units as opposed to the four or five housing units that could be accommodated under the current R-7 zoning. Planning staff finds the rezoning of this 0.85-acre property to be consistent with the Comprehensive Plan and consistent with the existing land uses in the area. Planning staff would like the Planning Commission to recommend that the City Council approve this rezone.

Commissioner, Matthew Desvoigne, was curious how the city's impact fees would impact this property. Planner, Nicole McGowan, stated the city does have impact fees for multifamily development at a reduced rate. Commissioner, Cassandra Sexson, had no comment. Commissioner, Joe Franett, had no comment. Commissioner, Silas Maddox, was in favor of the rezone. Commissioner, Danielle Freiberger, was in favor of the rezone. Commissioner, Pat Huggins, had no comment. Commissioner, Joe Fattizzi, did not have an issue with this rezone due to the properties surrounding this parcel. Commissioner, Danielle Freiberger, motioned first to recommend that the City Council approve the rezone. Commissioner, Matthew Desvoigne, motioned second. The motion passed 7-0.

UNFINISHED BUSINESS: None

NEW BUSINESS:

1. Proposed Amendments to Chapters 2.90, 17.08, 17.12 and 17.16 SWMC and the Addition of Chapter 17.120 SWMC to Add Regulations for Tiny Home Communities

Planner, Nicole McGowan, gave a brief background and overview of the proposed amendments. She was contacted by the organization Family Promise – a self-help housing program that helps community members get on their feet – about tiny home community regulations. The city has no such regulations, so the proposed amendments were created to provide this option for housing development to the community. The regulations for tiny home communities are modeled off the planned residential development regulations but tweaked to the smaller scale.

Commissioner, Pat Huggins, questioned if the tiny homes would be built on a chassis with wheels. Planner, Nicole McGowan, informed him that would be a park model home. A tiny home is different, as it is permanently constructed on a foundation. Commissioner, Danielle Freiburger, would like to continue the conversation and see this proposed amendment at 100% tiny homes, removing the 25% park model proposal. Commissioner, Silas Maddox, believes creating regulations that would allow a variety of different housing types to meet a variety of different needs would be in the city's best interest. Commissioner, Joe Franett, has concerns about how truly affordable tiny homes will be, along with lot size and setback concerns. Commissioner, Cassandra Sexson, states that most of her concerns have already been addressed. She likes the HOA idea, the parks, walkways and setbacks in the regulations. She would like to see stick-frame built homes versus park models and has major concerns about the multi-tenant property feel. Commissioner, Matthew Desvoigne, has concerns about the maximum density allowable as proposed. Planner, Nicole McGowan, states that after basic calculations, the housing density does seem quite high and this can always be reduced.

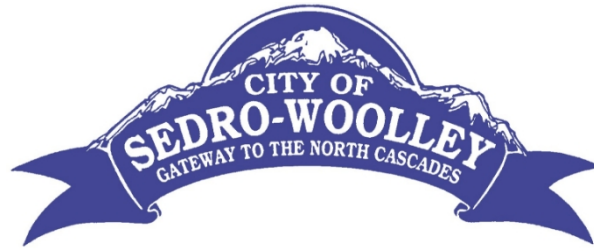
PLANNING COMMISSION DISCUSSION/INFORMATION ITEMS:

1. Welcome Planning Commissioners Cassandra Sexson and Matthew Desvoigne

ADJOURNMENT: (Time: 7:47 p.m.)

PLANNING COMMISSION CHAIRMAN

PLANNING COMMISSION SECRETARY



Planning Commission Agenda Item

Agenda Item No.: g.1.

Date: April 16, 2024

From: Nicole McGowan, Planner

Subject: Proposed Amendments to Chapter 2.90, Title 17 SWMC and the Master Fee Schedule to Add Regulations and Permitting/Impact Fees for Tiny Home Communities

RECOMMENDED ACTION:

Review and discuss the revised amendments and propose any recommended changes.

ISSUE:

Should the Planning Commission recommend that the City Council adopt the proposed amendments to Chapter 2.90, Title 17 and the Master Fee Schedule to add regulations and permitting/impact fees for Tiny Home Communities?

BACKGROUND/SUMMARY INFORMATION:

Currently, the City of Sedro-Woolley has no regulations in place for tiny homes. Tiny homes assume the same regulations applicable to any other single-family home. There have been several inquiries at the planning counter about what the city's regulations are for tiny homes and, often more specifically, tiny home communities (THCs). Such regulations do not exist. Planning staff sees THCs as an opportunity to create a pleasant and more affordable housing option for residents of Sedro-Woolley outside of multifamily development that would be well-integrated with the existing built environment of its residential zones (with the exception of the R-1, environmentally constrained zone). Applications for this form of housing development would be reviewed on a case-by-case basis through the conditional use permitting process. The intention is to encourage infill within the city's current urban growth area at a higher density than typical single-family subdivisions through the creation of healthy, sustainable communities that maintain the historic look and feeling of Sedro-Woolley neighborhoods in a unique, charming and more affordable way.

Tiny home communities would essentially follow the same permitting process as Planned Residential Developments (PRDs). However, the regulations proposed by planning staff are specific to the smaller scale concept. The Planning Commission reviewed and discussed the first draft of amendments at the February 20, 2024 meeting. At that meeting, the Planning Commission requested the following changes:

- Reduce the maximum allowable density for tiny home communities
- No park models
- Increase setbacks to reflect standard setbacks for regular single-family homes
- Adjust minimum and maximum lot sizes

These changes have been incorporated into the draft amendments and are included herein as **Attachment 1**.

Planning staff was also tasked with looking into what permitting and impact fees would be applicable to tiny

home communities as well as creating a draft of potential design standards specific to tiny home communities to include within the Sedro-Woolley Design Standards and Guidelines Manual. A draft of potential fees is included herein as **Attachment 2** and a draft chapter of design standards and guidelines, titled "Additional Standards for Tiny Home Communities (THCs)" is included herein as **Attachment 3**. The permitting and impact fees will need to be worked into the Master Fee Schedule.

FISCAL IMPACT, IF APPROPRIATE:

ATTACHMENTS:

1. Draft Amendments 2 - THCs (4-16-24)
2. THC Impact Fees Proposal (4-16-24)
3. SW Design Standard & Guidelines - THC Chapter proposal (4-16-24)

Chapter 2.90

CONSOLIDATED PLANNING PROCEDURES*

[...]

2.90.040 Exemptions from state process requirements.

A. State Authority. RCW [36.70B.140](#) allows a local government to exclude certain project permits from procedure and time limit requirements. This section deals with exemptions from state-mandated notice requirements. Permit types listed below may and often do have city code requirements for review, notification, and appeal beyond state requirements.

B. Exemptions from City Goal of One-Hundred-Twenty-Day Review Process for Certain Actions Requiring More Time. RCW [36.70B.140](#) provides that local governments may determine that there are special circumstances relative to certain actions or processes that warrant a different review process than that set forth in state law. Therefore, the city exempts the following actions since they typically require more than one hundred twenty days to process or would be deemed emergencies:

1. Comprehensive plan amendments with or without any other associated land use application such as a rezone;
2. Sedro-Woolley Municipal Code amendments;
3. Annexations;
4. Planned residential developments;
5. Development agreements;
6. Environmental impact statements;
7. Temporary emergency wetland permit;

8. Declared emergency under SEPA;
9. Street vacations;
10. Any project once it is appealed to the hearing examiner and/or city council;
11. Any project once it becomes the subject of a petition under the Land Use Petition Act;
12. Any project that is determined by the mayor to present extenuating circumstances which would require more than one hundred twenty days to process.

13. Tiny Home Communities

[...]

2.90.060 Authority and responsibilities.

A. Review Authority. Section [2.90.070](#)(G), Land Use Permit Procedures, lists the development applications and outlines the responsible review authority associated with making recommendations, conducting open record public hearings, open record appeals, the responsible official for the permit decision, and appeal bodies.

B. Specific Responsibilities. The regulation of land development is a cooperative activity including many different elected and appointed boards and city staff. The specific responsibilities of these bodies are listed as set forth in subsections C through G of this section and Title [2](#).

[...]

F. Hearing Examiner.

1. Authority. The hearing examiner shall review and act on the following:

- a. Appeals of administrative decisions/determinations and SEPA threshold decisions;
- b. Conditional approval permit for nonconforming uses;
- c. Conditional use permits;
- d. EIS hearing;
- e. Major amendment to PRD;
- f. Master plan with and without PRD;
- g. Mobile/manufactured home park or subdivision;
- h. Preliminary plats;
- i. Planned residential developments;
- j. Shoreline conditional use permit;
- k. Shoreline variance;
- l. Variances from the provisions of the subdivision regulations relating to a full subdivision and other variances provided for in the code.

m. Tiny Home Communities

2. Recommendations. (Reserved.)

3. Appeals. Unless otherwise specified, any decision of the responsible SEPA official or the planning director or designee or the city engineer or designee in the administration of this title shall be appealable to the hearing examiner as an administrative determination pursuant to Section [2.90.090](#), Appeals.

[...]

2.90.070 Permit classification.

A. Purpose. The purpose of this section is to outline the procedure and time requirements for the various development applications reviewed by the city. All development applications are classified and processed according to one of six types of permit procedures, as identified in subsection G of this section.

[...]

G. Land Use Permit Procedures.

1. Permit Classification Table.

Table 2.90.070(G)(1)—Permit Classification Table

Land Use Permit/Action	Permit Type					
	I	II	III	IV	V	VI
Accessory Dwelling Unit	X					
Administrative Determination	X					
Binding Site Plan		X				
Boundary Line Adjustment	X					
Building Permit SEPA Exempt	X					
Code Interpretation	X					
Comprehensive Plan Map (and Rezone) or Text Amendments						X
Conditional Use Permit			X			
Design Review with Building Permit	X					

Table 2.90.070(G)(1)—Permit Classification Table

Land Use Permit/Action	Permit Type					
	I	II	III	IV	V	VI
Design Review with Hearing Examiner Land Use Permit			X			
Development Agreement					X	
Development Regulation Text Amendments Referred to Planning Commission						X
Development Regulation Text Amendments Not Referred to Planning Commission					X	
Environmental Review		X				
Fence or Wall Permit	X					
Fill and Grade Permit	X					
Floodplain District Development Permit or Variance				X		
Home Occupation	X					
Landscape Modifications	X					
Major Modification PRD				X		
Master Plan Approval				X		
Minor Modifications	X					
Nonconforming Use—Ordinary Maintenance or Repair	X					
Nonconforming Use—Certificate of Use or Occupancy	X					
Nonconforming Use—Special Permission to Enlarge, Expand, or Reconstruct			X			
Planned Action Determination		X				
Planned Action Ordinance						X

Table 2.90.070(G)(1)—Permit Classification Table

Land Use Permit/Action	Permit Type					
	I	II	III	IV	V	VI
Planned Residential Development				X		
Plat, Preliminary				X		
Plat, Final					X	
Rezones Consistent with Comprehensive Plan				X		
Shoreline Conditional Use Permit			X			
Shoreline Exemption	X					
Shoreline Substantial Development Permit		X				
Shoreline Variance			X			
Short Plat		X				
Short Plat—When Hearing Requested			X			
Site Plan Approval	X					
Special Use Permit			X			
Street Design Modifications	X					
Street Vacations				X		
Temporary Homeless Encampments		X				
Temporary Use Permit		X				
Tiny Home Communities				X		
Variances			X			
Zoning Waivers	X					

[...]

2.90.100 Submittal requirements—Specific to application type.

The following tables list the submittal requirements for each type of permit application or land use approval which must accompany the required application fees as specified in the city's fee schedule.

- A. Table 2.90.100(A)—Building and Public Works Submittal Requirements.
- B. Table 2.90.100(B)—Land Use Permit Submittal Requirements.

[...]

Table 2.90.100(B)—Land Use Application Submittal Requirements

SUBMITTAL REQUIREMENTS	TYPE OF ACCESSORY DWELLING UNIT	Annexation (10% Notice of Intent)	Annexation (60% Petition)	Appeal	Binding Site Plan	Boundary Line Adjustment	Comp Plan Map Amendment/Rezone	Comp Plan Text Amendment	Conditional Use Permit (Hearing Examiner)	Environmental Review	Environmental Review (Non-Project)	Fill and Grade Permit over 500 Cubic Yards	Home Occupation—Type II	Master Site Plan (Overall)	Master Site Plan (Individual Phases)	Mobile Home Park, Preliminary	Mobile Home Park, Final	Modification/Alteration Request	Planned Action	Plat, Final	Plat, Preliminary	PRD, Preliminary	PRD, Final	Rezoning	Shoreline Exemption	Shoreline Substantial Development Permit	Shoreline Conditional Use Permit	Shoreline Variance	Short Plat	Special Use Permit	Temporary Homeless Encampment Permit	Temporary Use Permit	THC 'Final'	THC 'Preliminary'	Variance	Waiver	Wetland Permit		
	10% notice of intent to annex	13																																					
	60% petition to annex		13																																				
	Affidavit of installation of public information sign	1	1				1		1				1	1	1	1	1				2	1	2	1						2	1		2		3	1			
	Affidavit of mailout				1			1	1	2	2	2		1	2	2	1	1				1	1								1	1			3	2			
	Application fee	x		x	x	x	x	x	x	x	x	x	x	x			x	x		x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x			

Table 2.90.100(B)—Land Use Application Submittal Requirements

SUBMITTAL REQUIREMENTS	TYPE OF ACCESSORY Dwelling Unit	Annexation (10% Notice of Intent)	Annexation (60% Petition)	Appeal	Binding Site Plan	Boundary Line Adjustment	Comp Plan Map Amendment/Rezoning	Comp Plan Text Amendment	Conditional Use Permit (Hearing Examiner)	Environmental Review	Environmental Review (Non-Project)	Fill and Grade Permit over 500 Cubic Yards	Home Occupation—Type II	Master Site Plan (Overall)	Master Site Plan (Individual Phases)	Mobile Home Park, Preliminary	Mobile Home Park, Final	Modification/Alteration Request	Planned Action	Plat, Final	Plat, Preliminary	PRD, Preliminary	PRD, Final	Rezoning	Shoreline Exemption	Shoreline Substantial Development Permit	Shoreline Conditional Use Permit	Shoreline Variance	Short Plat	Special Use Permit	Temporary Homeless Encampment Permit	Temporary Use Permit	THC, Final	THC, Preliminary	Variance	Waiver	Wetland Permit	
Assessment information		1	1																																			
Authorization for abatement																																5						
Binding site plan map					5																																	
Business license application for home occupation												1																										
Calculations, survey					3	3													3	2	2	3							3					2	2			
Colored display maps					1				1			1	1	1	1	1			1	1	1	1		1	1	1	1	1	1	1	1		1	1	1			

Table 2.90.100(B)—Land Use Application Submittal Requirements

SUBMITTAL REQUIREMENTS	TYPE OF APPLICATION	Accessory Dwelling Unit	Annexation (10% Notice of Intent)	Annexation (60% Petition)	Appeal	Binding Site Plan	Boundary Line Adjustment	Comp Plan Map Amendment/Rezoning	Comp Plan Text Amendment	Conditional Use Permit (Hearing Examiner)	Environmental Review	Environmental Review (Non-Project)	Fill and Grade Permit over 500 Cubic Yards	Home Occupation—Type II	Master Site Plan (Overall)	Master Site Plan (Individual Phases)	Mobile Home Park, Preliminary	Mobile Home Park, Final	Modification/Alteration Request	Planned Action	Plat, Final	Plat, Preliminary	PRD, Preliminary	PRD, Final	Rezoning	Shoreline Exemption	Shoreline Substantial Development Permit	Shoreline Conditional Use Permit	Shoreline Variance	Short Plat	Special Use Permit	Temporary Homeless Encampment Permit	Temporary Use Permit	THC, Final	THC, Preliminary	Variance	Waiver	Wetland Permit	
Construction mitigation description						5				5	5		5		5	5	5				5	5	5				5	5	5	5	5		5	1	1				5
Covenant certifying owner resides at property (ADUs)	2																																						
Critical areas checklist			5	5		5		5		5	5	5	5		5	5	5					5	5		5	5		5	5	5					1	5		5	
Critical areas site assessment —5 copies																				5			5												1			5	
Density worksheet							5														5	5								5				1					
Draft deed for any						4									4	4		4	4			4								4				1					

Table 2.90.100(B)—Land Use Application Submittal Requirements

SUBMITTAL REQUIREMENTS	TYPE OF ACCESSORY DWELLING UNIT	Annexation (10% Notice of Intent)	Annexation (60% Petition)	Appeal	Binding Site Plan	Boundary Line Adjustment	Comp Plan Map Amendment/Rezoning	Comp Plan Text Amendment	Conditional Use Permit (Hearing Examiner)	Environmental Review	Environmental Review (Non-Project)	Fill and Grade Permit over 500 Cubic Yards	Home Occupation—Type II	Master Site Plan (Overall)	Master Site Plan (Individual Phases)	Mobile Home Park, Preliminary	Mobile Home Park, Final	Modification/Alteration Request	Planned Action	Plat, Final	Plat, Preliminary	PRD, Preliminary	PRD, Final	Rezoning	Shoreline Exemption	Shoreline Substantial Development Permit	Shoreline Conditional Use Permit	Shoreline Variance	Short Plat	Special Use Permit	Temporary Homeless Encampment Permit	Temporary Use Permit	THC, Final	THC, Preliminary	Variance	Waiver	Wetland Permit	
proposed dedication of land for public purposes																																						
Draft homeowner s' association documents if applicable					4			4					4	4		4			4				4						4				1					
Draft restrictive covenants, if any					4			4	4		4		4	4		4			5	4			4	4					4				1					
Drainage control plan					5				5	5		5			5	5			5		5	5				5	5		5					2				5
Drainage report					4				4	4		4			4	4			5		4	4							4				1				4	

Table 2.90.100(B)—Land Use Application Submittal Requirements

SUBMITTAL REQUIREMENTS	TYPE OF ACCESSORY DWELLING UNIT	Accessory Dwelling Unit	Annexation (10% Notice of Intent)	Annexation (60% Petition)	Appeal	Binding Site Plan	Boundary Line Adjustment	Comp Plan Map Amendment/Rezoning	Comp Plan Text Amendment	Conditional Use Permit (Hearing Examiner)	Environmental Review	Environmental Review (Non-Project)	Fill and Grade Permit over 500 Cubic Yards	Home Occupation—Type II	Master Site Plan (Overall)	Master Site Plan (Individual Phases)	Mobile Home Park, Preliminary	Mobile Home Park, Final	Modification/Alteration Request	Planned Action	Plat, Final	Plat, Preliminary	PRD, Preliminary	PRD, Final	Rezoning	Shoreline Exemption	Shoreline Substantial Development Permit	Shoreline Conditional Use Permit	Shoreline Variance	Short Plat	Special Use Permit	Temporary Homeless Encampment Permit	Temporary Use Permit	THC, Final	THC, Preliminary	Variance	Waiver	Wetland Permit		
Elevations, architectural										10	10					10				5			10	10			10	10	10				5			10				
Elevations, grading						4				4	4		4			4	4	4		5		4	4				4	4		4						2				4
Encampment management responsibility plan																														2										
Environmental checklist			10			10		10	10	10	10	10	10		10	10	10			5		10	10		10		10	10	10	10		10				1				12
Existing covenants (recorded copy)						5	3	5		5	5		5		5	5	5			5		5	5		5		5	5	5	5						1	5		5	
Existing easements						5	3	5		5	5		5		5	5	5			5		5	5		5		5	5	5	5						1	5		5	

Table 2.90.100(B)—Land Use Application Submittal Requirements

SUBMITTAL REQUIREMENTS	TYPE OF ACCESSORY DWELLING UNIT	Annexation (10% Notice of Intent)	Annexation (60% Petition)	Appeal	Binding Site Plan	Boundary Line Adjustment	Comp Plan Map Amendment/Rezoning	Comp Plan Text Amendment	Conditional Use Permit (Hearing Examiner)	Environmental Review	Environmental Review (Non-Project)	Fill and Grade Permit over 500 Cubic Yards	Home Occupation—Type II	Master Site Plan (Overall)	Master Site Plan (Individual Phases)	Mobile Home Park, Preliminary	Mobile Home Park, Final	Modification/Alteration Request	Planned Action	Plat, Final	Plat, Preliminary	PRD, Preliminary	PRD, Final	Rezoning	Shoreline Exemption	Shoreline Substantial Development Permit	Shoreline Conditional Use Permit	Shoreline Variance	Short Plat	Special Use Permit	Temporary Homeless Encampment Permit	Temporary Use Permit	THC, Final	THC, Preliminary	Variance	Waiver	Wetland Permit	
	(recording copy)																																					
	Final plat plan																		5													2						
	Floodplain map, if applicable								10	10				10	10				10	10	10	10			10	10	10	10	10	10	10	2	2	10		10		
	Floor plans	4							5	5					5				5	5		5			5	5	5			5	5			5		5		
	Geotechnical report					5			5	5					5				5	5		5			5	5	5			5			1		5		5	
	Grading plan, conceptual					10				10	10			10	10	10			5		10	10				10	10	10	10					2				
	Grading plan, detailed												10							5																		12
	Joint aquatics resources																								10	1	10	10										

Table 2.90.100(B)—Land Use Application Submittal Requirements

SUBMITTAL REQUIREMENTS	TYPE OF APPLICATION	Accessory Dwelling Unit	Annexation (10% Notice of Intent)	Annexation (60% Petition)	Appeal	Binding Site Plan	Boundary Line Adjustment	Comp Plan Map Amendment/Rezoning	Comp Plan Text Amendment	Conditional Use Permit (Hearing Examiner)	Environmental Review	Environmental Review (Non-Project)	Fill and Grade Permit over 500 Cubic Yards	Home Occupation—Type II	Master Site Plan (Overall)	Master Site Plan (Individual Phases)	Mobile Home Park, Preliminary	Mobile Home Park, Final	Modification/Alteration Request	Planned Action	Plat, Final	Plat, Preliminary	PRD, Preliminary	PRD, Final	Rezoning	Shoreline Exemption	Shoreline Substantial Development Permit	Shoreline Conditional Use Permit	Shoreline Variance	Short Plat	Special Use Permit	Temporary Homeless Encampment Permit	Temporary Use Permit	THC, Final	THC, Preliminary	Variance	Waiver	Wetland Permit			
permit application																																									
Justification for the comprehensive plan amendments and, if applicable, rezone								10	10																																
Justification for the conditional approval permit (nonconforming structure)																																									
Justification for the conditional			5							10																															

Table 2.90.100(B)—Land Use Application Submittal Requirements

SUBMITTAL REQUIREMENTS	TYPE OF APPLICATION	Accessory Dwelling Unit	Annexation (10% Notice of Intent)	Annexation (60% Petition)	Appeal	Binding Site Plan	Boundary Line Adjustment	Comp Plan Map Amendment/Rezoning	Comp Plan Text Amendment	Conditional Use Permit (Hearing Examiner)	Environmental Review	Environmental Review (Non-Project)	Fill and Grade Permit over 500 Cubic Yards	Home Occupation—Type II	Master Site Plan (Overall)	Master Site Plan (Individual Phases)	Mobile Home Park, Preliminary	Mobile Home Park, Final	Modification/Alteration Request	Planned Action	Plat, Final	Plat, Preliminary	PRD, Preliminary	PRD, Final	Rezoning	Shoreline Exemption	Shoreline Substantial Development Permit	Shoreline Conditional Use Permit	Shoreline Variance	Short Plat	Special Use Permit	Temporary Homeless Encampment Permit	Temporary Use Permit	THC, Final	THC, Preliminary	Variance	Waiver	Wetland Permit			
	use permit request																																								
	Justification for rezoning																							10																	
	Justification for variance request																																								
	Skagit County assessor's map, indicating site							3																																	
	Landscaping plan, conceptual									5	5					12	5					5	5				5	5			5				2						
	Legal description		4	4		4	1	4	4	4	4		4		4	4	4	4			4	4	4	4	4	4	4	4	4	4	4		4	2	2					4	

Table 2.90.100(B)—Land Use Application Submittal Requirements

SUBMITTAL REQUIREMENTS	TYPE OF APPLICATION	Accessory Dwelling Unit	Annexation (10% Notice of Intent)	Annexation (60% Petition)	Appeal	Binding Site Plan	Boundary Line Adjustment	Comp Plan Map Amendment/Rezoning	Comp Plan Text Amendment	Conditional Use Permit (Hearing Examiner)	Environmental Review	Environmental Review (Non-Project)	Fill and Grade Permit over 500 Cubic Yards	Home Occupation—Type II	Master Site Plan (Overall)	Master Site Plan (Individual Phases)	Mobile Home Park, Preliminary	Mobile Home Park, Final	Modification/Alteration Request	Planned Action	Plat, Final	Plat, Preliminary	PRD, Preliminary	PRD, Final	Rezoning	Shoreline Exemption	Shoreline Substantial Development Permit	Shoreline Conditional Use Permit	Shoreline Variance	Short Plat	Special Use Permit	Temporary Homeless Encampment Permit	Temporary Use Permit	THC, Final	THC, Preliminary	Variance	Waiver	Wetland Permit			
Legal description —Proposed						1																																			
Letter describing proposed home occupation													1																												
Letter to examiner/council stating reason(s) for appeal					1																																				
Letter explaining which comprehensive plan text/policies should be									1																																

Table 2.90.100(B)—Land Use Application Submittal Requirements

SUBMITTAL REQUIREMENTS	TYPE OF APPLICATION	Accessory Dwelling Unit	Annexation (10% Notice of Intent)	Annexation (60% Petition)	Appeal	Binding Site Plan	Boundary Line Adjustment	Comp Plan Map Amendment/Rezoning	Comp Plan Text Amendment	Conditional Use Permit (Hearing Examiner)	Environmental Review	Environmental Review (Non-Project)	Fill and Grade Permit over 500 Cubic Yards	Home Occupation—Type II	Master Site Plan (Overall)	Master Site Plan (Individual Phases)	Mobile Home Park, Preliminary	Mobile Home Park, Final	Modification/Alteration Request	Planned Action	Plat, Final	Plat, Preliminary	PRD, Preliminary	PRD, Final	Rezoning	Shoreline Exemption	Shoreline Substantial Development Permit	Shoreline Conditional Use Permit	Shoreline Variance	Short Plat	Special Use Permit	Temporary Homeless Encampment Permit	Temporary Use Permit	THC, Final	THC, Preliminary	Variance	Waiver	Wetland Permit				
changed, and why																																										
List of affected property owners within the annexation area boundary			2	2																																						
List of surrounding property owners			2	2				2		2	2		2	2	2	2	2					2	2		2		2	2	2	2	1	2	2	2		1	2		2	2		
Lot line adjustment map							5																																			
Mailing envelopes for property owners			2	2				2		2	2		2	2	2	2	2					3	2		2		2	2	2	2	3	2	2		3	2		2	2			

Table 2.90.100(B)—Land Use Application Submittal Requirements

SUBMITTAL REQUIREMENTS	TYPE OF ACCESSORY DWELLING UNIT	Annexation (10% Notice of Intent)	Annexation (60% Petition)	Appeal	Binding Site Plan	Boundary Line Adjustment	Comp Plan Map Amendment/Rezoning	Comp Plan Text Amendment	Conditional Use Permit (Hearing Examiner)	Environmental Review	Environmental Review (Non-Project)	Fill and Grade Permit over 500 Cubic Yards	Home Occupation—Type II	Master Site Plan (Overall)	Master Site Plan (Individual Phases)	Mobile Home Park, Preliminary	Mobile Home Park, Final	Modification/Alteration Request	Planned Action	Plat, Final	Plat, Preliminary	PRD, Preliminary	PRD, Final	Rezoning	Shoreline Exemption	Shoreline Substantial Development Permit	Shoreline Conditional Use Permit	Shoreline Variance	Short Plat	Special Use Permit	Temporary Homeless Encampment Permit	Temporary Use Permit	THC, Final	THC, Preliminary	Variance	Waiver	Wetland Permit		
	(assessor's office list required)																																						
	Map of existing site conditions						12																					1											
	Master application form	1		10		5	1	10	10	10	10	10	10		10	10	10	10		5	10	10	5	10	4	10	10	10	10	10	10	10	5			10			
	Mobile home park plan																10	10																					
	Monument cards (one per monument)					1														1				1						1				1					
	Mylars (signed)					2									2	2		2			2			2						2				2					

Table 2.90.100(B)—Land Use Application Submittal Requirements

SUBMITTAL REQUIREMENTS	TYPE OF ACCESSORY DWELLING UNIT	Annexation (10% Notice of Intent)	Annexation (60% Petition)	Appeal	Binding Site Plan	Boundary Line Adjustment	Comp Plan Map Amendment/Rezoning	Comp Plan Text Amendment	Conditional Use Permit (Hearing Examiner)	Environmental Review	Environmental Review (Non-Project)	Fill and Grade Permit over 500 Cubic Yards	Home Occupation—Type II	Master Site Plan (Overall)	Master Site Plan (Individual Phases)	Mobile Home Park, Preliminary	Mobile Home Park, Final	Modification/Alteration Request	Planned Action	Plat, Final	Plat, Preliminary	PRD, Preliminary	PRD, Final	Rezoning	Shoreline Exemption	Shoreline Substantial Development Permit	Shoreline Conditional Use Permit	Shoreline Variance	Short Plat	Special Use Permit	Temporary Homeless Encampment Permit	Temporary Use Permit	THC, Final	THC, Preliminary	Variance	Waiver	Wetland Permit	
Neighborhood detail map		10	10		10	5	10		10	10		10	1	10	10	10	10			5	10	12	5	10	4	10	10	10	10	10	10	5	2	2	10			
Parking, lot coverage and landscaping analysis					5	5			5	5		5			5								5		5	5	5		5						5			
Planned action application																			1																			
Plat certificate																				3									3									
Postage for each set of mailing		2	2				2		2	2			2	2	2	2					2	2		2		2	2	2	2	1	2	2	2		3	2		2
Preapplication meeting summary, if any					5		5	5	5	5		5	1	5	5	5		5	5	5	5	5		5		5	5	5	5	5	5	5		1	5	5	7	

Table 2.90.100(B)—Land Use Application Submittal Requirements

SUBMITTAL REQUIREMENTS	TYPE OF APPLICATION	Accessory Dwelling Unit	Annexation (10% Notice of Intent)	Annexation (60% Petition)	Appeal	Binding Site Plan	Boundary Line Adjustment	Comp Plan Map Amendment/Rezzone	Comp Plan Text Amendment	Conditional Use Permit (Hearing Examiner)	Environmental Review	Environmental Review (Non-Project)	Fill and Grade Permit over 500 Cubic Yards	Home Occupation—Type II	Master Site Plan (Overall)	Master Site Plan (Individual Phases)	Mobile Home Park, Preliminary	Mobile Home Park, Final	Modification/Alteration Request	Planned Action	Plat, Final	Plat, Preliminary	PRD, Preliminary	PRD, Final	Rezoning	Shoreline Exemption	Shoreline Substantial Development Permit	Shoreline Conditional Use Permit	Shoreline Variance	Short Plat	Special Use Permit	Temporary Homestead Encmpment Permit	Temporary Use Permit	THC / Final	THC / Preliminary	Variance	Waiver	Wetland Permit	
	Preliminary plat plan																				10														2				
	Project narrative	2	10	10		10	5	10		10	10		10		10	10	10		5	5		10	10		10		4	10	10		10	10		10	10		1	5	10
	Proposal (non-project, e.g., draft ordinance, plan or policy)									10	10																												
	Proposal summary (non-project)									10	10																												
	PUD water availability letter						2											2		2	2			2						2						1			
	Screening detail,						10				10		10			10		10									10				10				2				

Table 2.90.100(B)—Land Use Application Submittal Requirements

SUBMITTAL REQUIREMENTS	TYPE OF ACCESSORY Dwelling Unit	Annexation (10% Notice of Intent)	Annexation (60% Petition)	Appeal	Binding Site Plan	Boundary Line Adjustment	Comp Plan Map Amendment/Rezoning	Comp Plan Text Amendment	Conditional Use Permit (Hearing Examiner)	Environmental Review	Environmental Review (Non-Project)	Fill and Grade Permit over 500 Cubic Yards	Home Occupation—Type II	Master Site Plan (Overall)	Master Site Plan (Individual Phases)	Mobile Home Park, Preliminary	Mobile Home Park, Final	Modification/Alteration Request	Planned Action	Plat, Final	Plat, Preliminary	PRD, Preliminary	PRD, Final	Rezoning	Shoreline Exemption	Shoreline Substantial Development Permit	Shoreline Conditional Use Permit	Shoreline Variance	Short Plat	Special Use Permit	Temporary Homeless Encampment Permit	Temporary Use Permit	THC, Final	THC, Preliminary	Variance	Waiver	Wetland Permit		
	refuse/recycling																																						
	Short plat plan																												10						2				
	Short plat plan, final																												2					2					
	Site plan, land use review	4							10	12				10		10				10			10							10	10	5				10		10	
	Site plan, shoreline permit																								4														
	Title report	1				1	1	1		1	1		1		1	1	1		1			1	1		1	1		1	1	1	1				1	1			1

[...]

Title 17 ZONING

Chapters:

- [17.04 Administrative Provisions](#)
- [17.06 Residential 1 Environmentally Constrained \(R-1\) Zone](#)
- [17.08 Residential 5 \(R-5\) Zone](#)
- [17.12 Residential 7 \(R-7\) Zone](#)
- [17.16 Residential 15 \(R-15\) Zone](#)
- [17.20 Mixed Commercial \(MC\) Zone](#)
- [17.21 Urban Village Mixed-Use \(UVMU\) Overlay](#)
- [17.22 Transitional Mixed Commercial Overlay](#)
- [17.24 Central Business District \(CBD\) Zone](#)
- [17.28 Industrial \(I\) Zone](#)
- [17.32 Public \(P\) Zone](#)
- [17.34 Open Space \(OS\) Zone](#)
- [17.36 Off-street Parking and Loading](#)
- [17.38 Residential Recreation Areas](#)
- [17.40 Signs](#)
- [17.43 Planned Residential Development \(PRD\)](#)
- [17.44 General Regulations for All Zones](#)
- [17.48 Mobile Home Parks](#)
- [17.50 Landscaping](#)
- [17.51 Murals](#)
- [17.52 *Repealed*](#)
- [17.56 Conditional Use Permits](#)
- [17.60 Variances and Zoning Waivers](#)
- [17.64 Temporary Permits](#)
- [17.65 Regulations for Critical Areas](#)
- [17.66 Flood Damage Prevention](#)

[17.68 Home Occupation Permits](#)

[17.72 *Repealed*](#)

[17.76 *Repealed*](#)

[17.80 Enforcement](#)

[17.84 Adult Entertainment Establishments](#)

[17.88 Essential Public Facilities](#)

[17.90 Collective Gardens](#)

[17.92 Recreational Marijuana Producers, Processors and Retailers](#)

[17.96 City of Sedro-Woolley Shoreline Master Program](#)

[17.98 Model Homes](#)

[17.100 Accessory Dwelling Units \(ADUs\)](#)

[17.110 Homeless Encampments at Religious Organizations](#)

[17.120 Tiny Home Communities \(THCs\)](#)

Chapter 17.04

ADMINISTRATIVE PROVISIONS

[...]

17.04.030 Definitions.

[...]

“Open-air vending” means any commercial activity in which goods or services are advertised and which is conducted without the complete or partial shelter of a building on the same ownership, including such activities which, though conducted on the same ownership as an indoor commercial activity, are dissimilar to said indoor commercial activity.

“Ownership” means a lot or group of contiguous lots under the ownership.

“Permitted use” means a use permitted within a zone, including uses accessory to the permitted use.

“Personal services” means a business providing services to clients such as beauty salons, which generally have not more than two clients on the premises at any given time.

“Planned action” is defined in WAC [197-11-164](#) as one or more types of project action that has had significant environmental impacts adequately addressed in an environmental impact statement (EIS) prepared in conjunction with the comprehensive plan, subarea plan, fully contained community, a master planned resort, a master planned development or a phased project.

1. A project action addressed in a planned action does not require an environmental checklist or threshold determination, but may require the checklist for review to mitigate environmental impacts through the site plan review process.

2. To qualify, a project action shall:
 - a. Be subsequent to or implementing projects in a comprehensive plan, subarea plan, fully contained community, a master planned resort, a master planned development or a phased project;
 - b. Be located within the city's adopted urban growth areas;
 - c. Be consistent with the comprehensive plan;
 - d. Not be an essential public facility, as defined in RCW [36.70A.200](#).
3. The city council shall designate and approve by ordinance a planned action. The ordinance:
 - a. Shall describe the type(s) of project action being designated as a planned action;
 - b. Shall describe how the planned action meets the criteria in subsection (2) of this definition, including specific references to the EIS;
 - c. Shall include findings that the environmental impacts have been identified and adequately addressed in the EIS, subject to project review under WAC [197-11-172](#);
 - d. Should identify any specific mitigation measures other than applicable development regulations that must be applied to a project for it to qualify as a planned action.
4. The planned action may be limited to certain types of development, to specific geographical areas of the city, and/or a time period identified in the EIS, plan, ordinance or resolution.
5. Review of a project proposed as a planned action is intended to be simpler and more focused than for other projects. Review of the project shall include:
 - a. Verification that it meets the description and implements any applicable conditions or mitigation measures identified in the designating ordinance or resolution;

b. Verification that the proposed significant adverse environmental impacts of the project have been adequately addressed in the EIS.

"Processing" means the operations of making or treating a product. Processing of hazardous materials or processing activities that result in the production of hazardous materials are not included under this definition.

"Professional office" means an office primarily offering services or licensed business guaranteed by a licensing agency or board.

"Public use" means a use carried on by a government agency or its authorized representative.

"Quasi-public use" means a use which serves nonprofit, social or religious ends, such as churches, clubhouses, private schools and nonpublic social service organizations.

"Recreational vehicle" means a motor vehicle designed to also serve as a temporary living quarter.

"Ride-Sharing system" means a service that connects passengers with drivers for the common use of a motor-vehicle in order to share the costs or compensate the driver.

"Secure community transition facility (SCTF)" means, under RCW [71.09.020](#), a residential facility for persons civilly committed and conditionally released to a less restrictive alternative under Chapter [71.09](#) RCW. A secure community transition facility has supervision and security, and either provides or ensures the provision of sex offender treatment services. Secure community transition facilities include but are not limited to the facility established pursuant to RCW [71.09.250](#) and any community-based facilities established under this chapter and operated by the Washington State Secretary of Social and Health Services or under contract with the Secretary. For the purposes of Chapter [17.88](#), SCTFs also include supervised or unsupervised, private or publicly owned re-entry housing, work-release housing, half-way housing or any such housing with the primary purpose or use being the lodging of occupants who have been convicted of a felony.

"Self-Help Program" means a housing initiative in which a government agency, non-profit organization or other local community group utilizes a structured and systematic approach to assist individuals with creating and maintaining their own living spaces.

"Setback" means the shortest horizontal distance between a lot line and the exterior surface of any building, fence or other significant sight-obscuring structure located on such lot; provided, that:

1. If the lot line lies within a proposed public right-of-way or proposed widening thereof as designated in the comprehensive plan, as determined by reference to the functional categorization of streets and right-of-way width standards for each, then the setback shall be measured from the revised lot line that would result from such new right-of way or widening thereof.
2. The following protrusions shall be considered exempt from setback requirements to a maximum of three feet:
 - a. Eaves;
 - b. Bay windows;
 - c. Chimneys and fireplaces;
 - d. Unenclosed, uncovered porches, terraces, landings or steps;
 - e. Other incidental components in conformance with the intent of this definition.

“Setback, front” means the setback from any lot line adjoining a public street right-of-way. Corner lots have two front lot lines.

“Setback, side” means the setback from the two lot lines most nearly perpendicular to the streets on which the lot fronts. Corner lots have two side lot lines. In the case of irregularly shaped lots with more than four sides, all lot lines other than the front and rear shall be considered side lot lines.

“Setback, rear” means the setback from the lot line most distant from and parallel to the street on which the lot fronts. Corner lots have no rear lot line. In the case of irregularly shaped lots with more than four sides, the zoning administrator shall designate a rear lot line which conforms to the intent of these definitions.

“Shipping container” means any and all land/sea shipping containers or similar structures.

“Short-term rental” means a lodging use, other than a hotel or motel, in which a dwelling unit or portion thereof is provided to guests by a short-term rental operator for a fee for fewer than thirty consecutive nights. A dwelling unit or portion thereof that is used by the same individual or individuals for thirty or more consecutive nights is not a short-term rental.

“Sidewalk cafe” means a private dining area or gathering space that is located on the sidewalk in front of a business. A sidewalk cafe serves as an outdoor extension of the business into the public right-of-way and may include fencing no more than four feet in height to delineate the dining area and meet Liquor Control Board regulations.

“Sign” means a publicly displayed advertising, directional, or information device excluding:

1. Flags and similar primarily nonverbal symbols of governmental, religious or civic organizations;
2. Traffic-control devices, verbal or nonverbal, maintained by the public agency with jurisdiction over the thoroughfare;
3. Minor notices such as conventional no soliciting, open, closed, for rent and for sale signs; and
4. Signs located so as to be viewed only from the ownership on which they are located.

“Single-family residence” means a dwelling unit which is unattached to any other dwelling unit.

“Structure” means a stationary manmade object or part thereof erected on the ground with an intention of some permanence, excluding objects less than three feet in height.

“Tiny house” means a permanent dwelling that is a minimum of 205 square feet and no larger than 800 square feet, including a kitchen, bathroom, and sleeping/living area, and must be built to the Washington State Building Code.

“Trailer” means a device designed to be drawn by a motor vehicle and provide temporary living quarters.

“Transmission lines” as related to gas or power lines means an interconnected group of lines and associated equipment for the movement or transfer of electric energy or gas between points of supply and points at which it is transformed for delivery to customers or is delivered to other systems. Transmission lines do not include distribution lines from which services to individual properties are provided. There are two gas transmission lines and several electric transmission lines in Sedro-Woolley.

Chapter 17.08

RESIDENTIAL 5 (R-5) ZONE

[...]

17.08.010 Use restrictions.

Use restrictions in the residential R-5 zone shall be as follows:

A. Permitted Uses.

1. One single-family residence per lot;
2. Low-intensity agriculture;
3. Home occupations in compliance with Chapter [17.68](#);
4. Child day care centers meeting state requirements;
5. Adult or family day care facilities meeting state requirements;
6. Accessory dwelling units in compliance with Chapter [17.100](#).

B. Conditional Uses.

1. Planned residential developments;
2. Tiny home communities in compliance with Chapter 17.120;
23. Group homes;

- ~~34.~~ Dependent relative cottages;
- ~~45.~~ Mobile and manufactured home parks in compliance with Chapter [17.48](#);
- ~~56.~~ Personal services;
- ~~67.~~ Professional offices with no outside storage;
- ~~78.~~ Outdoor recreation facilities;
- ~~89.~~ Public utilities, excluding wireless communication facilities;
- ~~910.~~ Quasi-public uses;
- ~~1011.~~ Public uses.

C. Prohibited Uses. All uses not listed above, including adult entertainment and wireless communication facilities. (Ord. 1954-20 § 1 (Exh. A)(part), 2020; Ord. [1484-04](#) § 4 (part), 2004; Ord. [1312-98](#) § 1 (part), 1998; Ord. [1013](#) § 2.01.01, 1985)

[...]

Chapter 17.12

RESIDENTIAL 7 (R-7) ZONE

[...]

17.12.010 Use restrictions.

Use restrictions in the residential R-7 zone shall be as follows:

A. Permitted Uses.

1. One single-family residence per lot;
2. Low-intensity agriculture;
3. Home occupations in compliance with Chapter [17.68](#);
4. One duplex per lot with nine thousand square foot minimum lot size, in compliance with the requirements set forth in this chapter, which meet the following requirements, in addition to any other requirements imposed by ordinance:
 - a. Be situated on a lot of not less than nine thousand square foot minimum size, with a minimum width of eighty feet at the building line, a minimum depth of one hundred feet, and a minimum lot frontage on a public street of twenty feet;
 - b. Provide off-street parking for four vehicles;
 - c. Be designed to resemble a single-family residence so as to blend in with the design and appearance of the surrounding residences in the neighborhood;
 - d. No more than one duplex shall be allowed per any three successive lots adjoined by side property lines as defined in Section [17.04.030](#).

Exception: Lots which have twenty feet or less frontage on the public street shall not be required to be counted on a successive lot. This exception is intended to allow successive duplexes if located behind single-family lots.

5. Child day care centers meeting state requirements;
6. Adult or family day care facilities meeting state requirements;
7. Accessory dwelling units in compliance with Chapter [17.100](#).

B. Conditional Uses.

1. Planned residential developments;
2. Tiny home communities in compliance with Chapter 17.120;
23. Group homes;
34. Dependent relative cottages;
45. Mobile and manufactured home parks in compliance with Chapter [17.48](#);
56. Personal services;
67. Professional offices with no outside storage;
78. Outdoor recreation facilities;
89. Public utilities, excluding wireless communication facilities;
910. Quasi-public uses;

~~1011~~. Public uses.

C. Prohibited Uses. All uses not listed above, including adult entertainment and wireless communication facilities. (Ord. 1954-20 § 1 (Exh. A)(part), 2020; Ord. [1695-11](#) § 1, 2011; Ord. [1484-04](#) § 5 (part), 2004; Ord. [1312-98](#) § 1 (part), 1998; Ord. [1222-95](#) § 2, 1995; Ord. [1013](#) § 2.02.01, 1985)

[...]

Chapter 17.16

RESIDENTIAL 15 (R-15) ZONE

[...]

17.16.010 Use restrictions.

Use restrictions in the R-15 zone shall be as follows:

A. Permitted Uses.

1. Multifamily residential uses up to eight units per building or up to twelve units per building if the building is three stories and the units are evenly distributed between the three floors;
2. One single-family residence per lot;
3. Low-intensity agriculture;
4. Home occupations in compliance with Chapter [17.68](#);
5. Group homes;
6. Dependent relative cottages;
7. Professional offices;
8. Child day care centers meeting state requirements;
9. Planned residential developments;
10. Adult or family day care facilities meeting state requirements.

B. Conditional Uses.

1. Tiny home communities in compliance with Chapter 17.120;
12. Mobile and manufactured home parks in compliance with Chapter [17.48](#);
23. Offices other than professionals;
34. Outdoor recreation facilities;
45. Public utilities, excluding wireless communication facilities;
56. Quasi-public uses;
67. Public uses;
78. Commerce;
89. Personal services.

C. Prohibited Uses. All uses not listed above, including adult entertainment and wireless communication facilities. (Ord. [1920-19](#) § 1, 2019; Ord. [1484-04](#) § 6 (part), 2004; Ord. [1312-98](#) § 1 (part), 1998; Ord. [1013](#) § 2.03.01, 1985)

[...]

Chapter 17.120

TINY HOME COMMUNITIES (THCs)

Sections:

[17.120.010 Purpose.](#)

[17.120.020 Zoning districts where permitted.](#)

[17.120.030 Permitted uses.](#)

[17.120.040 Density.](#)

[17.120.050 Maximum lot coverage.](#)

[17.120.060 Relationship of design to adjacent areas.](#)

[17.120.070 Property development standards.](#)

[17.120.080 Approval—Procedure.](#)

[17.120.090 Approval criteria.](#)

[17.120.100 Requirement for homeowner's association and restrictive covenants.](#)

[17.120.110 Phasing.](#)

17.120.010 Purpose.

It is the purpose of this chapter to create an affordable option for long term/permanent housing, integrated with Sedro-Woolley's existing residential building types and configurations. Furthermore it is the purpose of this section to:

- A. Provide a framework for the development of tiny home communities (THCs);
- B. Promote/implement affordable housing communities;
- C. Promote shared communities that are healthy and sustainable;
- D. Provide a new form of housing while maintaining the historic look and feeling of Sedro-Woolley neighborhoods;
- E. Encourage maximum efficiency in the layout of streets, stormwater facilities, utility networks and other public improvements through innovative site layout and the use of clustering;

- F. Create and/or preserve usable open space for the enjoyment of the occupants and the general public; and
- G. Encourage infill within areas of the city which are characterized by existing development.

17.120.020 Zoning districts where permitted.

THCs may be permitted in the following zoning districts:

- A. R-5, residential 5;
- B. R-7, residential 7;
- C. R-15, residential 15;

17.120.030 Permitted uses.

The following uses are allowed in THCs:

- A. Tiny homes as defined in Chapter 17.04

17.120.040 Density.

A. Permitted Density. Density shall be allowed as determined in the underlying zone as shown in the table below. Allowed number of units shall be calculated by dividing the total site area (less area encumbered by wetlands, fish and wildlife habitat conservation areas and their respective buffers per Chapter [17.65](#)) by the maximum units allowed per acre and rounding down to the nearest whole number. Land area encumbered by wetlands, fish and wildlife habitat conservation areas and their respective buffers per Chapter [17.65](#) do not count towards the density allowed, but may count as open space per Sections [17.43.060](#)(H) and (I).

Underlying Zone	Minimum units per net 0.5 acres (see Section 16.04.060)	Maximum units per net 0.5 acres (less area encumbered by wetlands, fish and wildlife habitat conservation areas and their respective buffers)
Residential 5	4	4
Residential 7	4	5
Residential 15	4	6

Density bonuses may be granted per subsections B-E below, allowing **up to 4 additional units on-site**.

B. Energy Efficient and Climate Resilient Development Bonus. THC developments that provide energy efficient and climate resilient development measures to all houses within the THC may receive a density bonus. An **additional 1 unit** may be granted for THCs which include at least one of the sustainability measures listed below:

1. Solar panels
2. Heat pumps
3. Low embodied carbon materials
4. Geothermal energy pumps
5. Other sustainable development measures, subject to approval by the Planning Director

A conceptual plan indicating the sustainability measure(s) chosen must be included with preliminary plat application materials.

C. Self-Help Bonus. THC developments which use self-help approaches to promote affordable housing are encouraged. If a minimum of 25% of the units within the THC are to be sold through self-help programs as defined in Chapter 17.04, the THC may receive a density bonus of an **additional 1 unit**. The applicant shall submit documentation of a partnership agreement with the self-help program of choice at the time of preliminary plat approval.

D. Public Transit Bonus. THC development sites that incorporate a bus-stop on or adjacent to the site, or can apply a ride-sharing system equivalent as defined in Chapter 17.04, may receive a density bonus of an additional 1 unit. The location of the bus stop must be approved by Skagit Transit.

E. Clubhouse Bonus. THC's that provide at least 1 private clubhouse may receive a density bonus of an additional 1 unit. The clubhouse must be owned and maintained by a homeowners' association. The clubhouse must be constructed prior to final plat approval and must meet the Sedro-Woolley Design Standards and Guidelines.

17.120.050 Relationship of design to adjacent areas.

A. The design and layout of a THC development shall take into account the relationship of the site to the surrounding areas. The THC shall be designed so as to minimize any undesirable impact of the THC on adjacent properties.

17.120.060 Property development standards.

A. Acreage minimum and maximum. The minimum site size for a THC shall be one-half of an acre. The maximum site size for a THC shall be one acre.

B. Minimum lot requirements in the R-5, R-7 and R-15 zones.

1. Residential lots created for THC's within the R-5, R-7 and R-15 zones may be a variety of sizes, provided that no lot shall be less than 900 square feet and no lot shall be larger than 3,000 square feet.

C. Maximum lot coverage. Lot coverage is the percentage of the lot covered by structures including the main and all accessory buildings. Maximum lot coverage requirements in the residential R-5, R-7 and R-15 zones shall be as follows:

1. Fifty percent.

D. Landscaping. Each residential lot created for THC's shall have a minimum of fifteen percent on-site landscaping that shall be approved as a condition of the building permit.

E. Setbacks. Setbacks for all residential lots created for THC's within the R-5, R-7 and R-15 zones shall be as listed below:

1. Front: twenty feet
2. Side: five feet

3. Rear: ten feet for residences, five for accessory structures

4. **Garage Setbacks.** Private garages attached to or within the tiny home shall adhere to the setback requirement of the residence. There shall be a minimum off-street parking apron of twenty-five feet in length directly in front of garage door entrances when accessing a street or internal access drive either to the front or side of a residence. Where garage doors access an alley, the off-street parking apron shall be at least ten feet.

F. Height restrictions. The maximum height of a tiny house shall not exceed twenty feet.

G. Off-street parking. A minimum of one parking space shall be provided for every residential unit within the THC, either in a community parking area within the development boundaries or within individual lot lines.

H. Open space. Each THC shall provide open space according to a 1:6 ratio of common open space to private lots within the THC, respectively. Common open space areas shall total a minimum of 6,000 square feet for every 6 private lots. The dispersal of common open space areas on the site is allowable, but no single area shall be less than 1,500 square feet.

I. Of the open space required to be provided, fifty percent shall be “usable open space.” “Usable open space” includes only open space which is accessible for active or passive recreation purposes, is visually integrated into the design so that it is an intentional aspect of the THC, or is a direct benefit to the THC residents. “Usable open space” may not include lots, dwellings, private yards, outdoor storage, streets and any associated rights-of-way, driveways, parking areas, fenced stormwater detention ponds, critical areas and their associated buffers, slopes in excess of fifteen percent, areas with any dimension less than ten feet, and required perimeter buffers that do not include screened trails and pathways (where applicable). At least fifty percent of the “usable open space” shall be for active purposes. Open space for active purposes includes areas which have appropriate topography (generally less than a ten percent slope), soils, drainage, and size to be considered for development as active areas for all residents, owners, or users of the THC. The remaining open space that is not “usable open space” may include critical areas and utility easements.

1. That portion of multiuse stormwater facilities which provides significant recreational or aesthetic benefit per subsection J of this section may count as usable open space.

2. Only that portion of utility corridors/easements which contain improved walking trails in compliance with federal, state and city regulations may be counted as usable open space. The applicant shall provide documentation that the walking trail meets these criteria.

3. Only open space which satisfies the requirements of the design standards and guidelines of Chapter 15.44 and the current version of the Sedro-Woolley Design Standards and Guidelines manual may be counted as usable open space.
4. That portion of sensitive areas, such as fish and wildlife habitat areas, which are accessible to the residents or public and integrated into the design of the THC in a manner which results in restoration or enhancement of the functional values of the sensitive area, may be included in the usable open space calculation.

J. Stormwater Detention Facilities. All stormwater detention facilities are subject to Sedro-Woolley stormwater management regulations (Chapter 13.36) and for the purposes of this chapter, are differentiated as dry ponds or wet ponds. A dry pond may be included as part of the required usable open space area of a THC only if the pond meets the criteria in subsection (J)(1) of this section. A wet pond may be included as part of the required open space (not usable open space) area of a THC only if the pond meets the criteria in subsection (J)(2) of this section.

1. Dry ponds for the purposes of this chapter are stormwater facilities that incorporate usable recreation area per the following criteria:
 - a. The detention facility does not provide drainage for public facilities, including public streets, unless all easements and drainage releases are approved;
 - b. The detention facility shall be constructed so as to drain fully when precipitation is not occurring (i.e., no standing water shall be left) unless the facility is a pond designed as an aesthetic amenity;
 - c. The side slope of the detention facility shall not exceed thirty-three percent, unless such slopes already exist naturally and are covered with vegetation. Where the facility has a hard surface wall or slope, the vertical drop shall not exceed twenty-four inches without fencing appropriate to the site conditions to protect public safety;
 - d. If detention facilities are located adjacent to or near a natural, year-round stream or wetland, these systems shall be left in a natural or near-natural condition;
 - e. The detention area shall be landscaped both in a manner consistent with maintaining high aesthetic standards and is able to withstand the inundation expected;

- f. Use of property set aside as open space area for both detention and recreation purposes shall not be acceptable if the detention area is rendered unsuitable or unavailable for recreation use during dry weather; and
- g. In the case of joint use of open space set aside (not dedicated to city) for detention and recreation, the homeowner's association shall be responsible for the maintenance in perpetuity of the facilities in the condition approved under the development contract.

2. Wet ponds for the purposes of this chapter contain water year-round and may count towards open space if the wet pond is an amenity to the THC and meets all of the criteria below. Wet ponds that do not meet the below criteria shall be screened per the screening requirements in Section 17.50.120:

- a. Contain circulated water that is not brackish;
- b. Be surrounded by a trail or be located adjacent to another active open space;
- c. Children's play structures may not be located closer than one hundred fifty feet to a stormwater pond;
- d. The pond must be curvilinear in shape, not rectangular;
- e. Only thirty percent of the circumference of the pond may contain berming;
- f. The inside slope of the pond shall be three to one or flatter;
- g. Gravel and asphalt shall not be used for pond access;
- h. No fencing shall be provided around the pond; and
- i. The applicant shall place appropriate signage near the pond which says, "This pond is for stormwater detention and/or treatment purposes. Swimming or fishing or other recreational activities are prohibited" or similar signage approved by the Planning Director.

17.120.070 Design Review

Tiny Home Communities shall comply with the design review standards of SWMC Chapter 15.44 for conformance with this and other provisions of the city code.

17.120.080 Approval procedure.

THC applications shall be processed as subdivisions under Chapter [16.08](#).

In addition, the following procedure is required for approval of the THC:

A. Documents.

1. Vicinity map showing the location of the site and its relationship to surrounding areas, including the land use and zoning of both the site and the surrounding areas;
2. A map of the site drawn to a scale of not less than one inch representing one hundred feet showing the following:
 - a. Existing site conditions including watercourses, floodplains and unique natural features;
 - b. The location and floor area size of all existing and proposed buildings, structures and other improvements including maximum heights, density, and any nonresidential structures;
 - c. The location and size in acres or square feet of all areas to be conveyed, dedicated, or reserved as common open spaces, public parks, recreational areas, and similar public or semipublic uses;
 - d. The existing and proposed circulation system of streets, including parking areas, service areas, loading areas and major points of access to public rights-of-way;
 - e. The existing and proposed pedestrian circulation system;

- f. The existing and proposed utility systems, including sanitary sewers, storm sewers, water, electric, gas and telephone; and
- g. The proposed treatment of the perimeter of the THC, including materials and techniques used such as screens, fences and walls.

3. In addition to the graphic illustrations listed in subsections (A)(1) and (2) of this section, the applicant shall submit a written statement providing the following information:

- a. Program for development including staging or timing of development;
- b. Proposed ownership pattern upon completion of the project;
- c. Basic content of any restrictive covenants; and
- d. Provisions to assure permanence and maintenance of common open space through a homeowners' association or similar association, condominium development or other means acceptable to the city.

4. An application for preliminary plat must be submitted with the THC application. Fees for the subdivision shall be in addition to those of the THC application.

B. A THC application must contain sufficient detail to show compliance with the design standards and guidelines of Chapter [15.44](#) for the layout, infrastructure, and buildings within the THC, to allow the reviewing body to incorporate compliance with design standards into its recommendation and final decision. The applicant is expected to submit this information in a format that meets the standards of an architect or design professional. The integration of a comprehensive, well-planned design into all aspects of the THC is a required element of the application. The application and approval shall require subsequent construction within the THC to conform with the approved design elements, at a sufficiently detailed level to ensure subsequent compliance with the approval documents.

C. Filing of Application. Application for approval of the THC shall be made on forms prescribed by the planning department and which shall be accompanied by a filing fee as required.

D. Public Hearing. A THC is a Type IV land use application under Chapter [2.90](#). The hearing examiner shall hold a public hearing on the proposed THC.

E. Hearing Examiner Decision. Following the public hearing, the hearing examiner shall make a report of findings and decision with respect to the proposed THC, and shall give approval, approval with modifications, or disapproval to the proposed THC. The decision may be appealed as allowed in Chapter [2.90](#). The hearing examiner report of findings and decision shall include, but need not be limited to, the following items:

1. Suitability of the site area for the proposed development;
2. Requirements of the subdivision code for the proposed development;
3. Time limitations for the entire development and specified stages;
4. Development in accordance with the Sedro-Woolley comprehensive plan;
5. Public purposes have been served by the proposed development;
6. Compliance with the design standards and guidelines.

17.120.090 Approval criteria.

In addition to the findings of fact required for approval, the following criteria shall be met for approval of a THC:

A. Design Criteria. The design of the THC shall achieve two or more of the following results:

1. High quality architectural design, placement, relationship or orientation of the structures;
2. Achieving the allowable density for the subject property;
3. Improving circulation patterns;

4. Minimizing the use of impervious surfacing materials;
5. Increasing open space or recreational facilities on site; and
6. Preserving, enhancing or rehabilitating the natural features of the property such as significant woodlands or critical areas.

B. Perimeter Design. The perimeter of a THC shall be appropriate in design, character and appearance with the existing or intended character of the development adjacent to the subject property and with the physical characteristics of the property.

C. Streets and Sidewalks. Existing and proposed streets and sidewalks within a THC shall be suitable to carry the anticipated traffic within the proposed development and the vicinity. The design of the circulation system shall be consistent with the requirements of Chapter [16.08](#).

D. Site Infrastructure. Small-scale utility infrastructure, such as utility boxes, shall be located and/or screened so as not to be visible from the rights-of-way. Larger utility infrastructure, such as a pump station, shall be placed inside a building that meets design standards and functional needs of the utility.

17.120.100 Requirement for homeowner's association and restrictive covenants.

To preserve and maintain community facilities and open space, every THC shall have a homeowner's association, or similar association acceptable to the city, and agreements and enforceable covenants to fund and effectively collect funds for such an organization. Such agreements and enforceable covenants shall apply to all property within the THC, shall be recorded and shall run with the land.

A. The restrictive covenants and/or homeowner's association intended to be used by the applicant in a THC, which purports to restrict the use of land, the location or character of buildings or other structures thereon, set aside open space, and establish provisions for the perpetual maintenance of common grounds, must be reviewed by the technical review committee. The city attorney shall review the document(s) and make a written report confirming adequacy to the planning department before final approval of the THC application and recording with the county auditor.

B. The homeowner's association authority shall be established in restrictive covenants applicable to all property within the PRD. Such restrictive covenants shall provide, inter alia, for the assessment, collection and enforcement of collection of such

homeowner's dues as are necessary for adequate maintenance of open space, common grounds and facilities, any private roads or utilities, and for performance of any other association obligations.

C. The exterior of any non-residential structure and property on which non-residential structures are located shall be maintained uniformly by the homeowner's association.

D. The homeowner's association documents shall address storage and parking of RVs, trailers, boats, ATVs, etc. Such vehicles shall not be stored on city streets, rights-of-way, driveways or side yards. Screened, community-owned storage areas for such vehicles may be provided.

E. The homeowner's association documents shall include restrictions on parking of vehicles in grassed, landscaped or gravel areas. Parking on private and HOA-owned land shall be constructed of concrete, asphalt or concrete pavers.

F. The homeowner's association documents shall require the maintenance of private fences visible from the public right-of-way.

17.43.110 Phasing.

If an applicant wishes to phase their THC project, the following minimum criteria shall be used in approving a phasing plan:

A. A phasing plan shall be reviewed and approved as part of the preliminary THC process. The hearing examiner shall specifically approve the phasing plan as part of the preliminary THC process. If a project has already received preliminary THC approval and the applicant wishes to phase their project, the applicant shall have a major modification approved through the hearing examiner.

B. To approve a phasing plan, each phase (at a minimum) shall include:

1. Infrastructure such as roads and utility systems to ensure enhanced circulation and public safety as determined by the Public Works Director.

2. Usable open space areas shall be included within each phase proportionate with the size of each phase. For example, if twenty-five percent of the overall acreage of the THC is in a particular phase, twenty-five percent of both the usable open space areas (active and inactive) shall be created/installed as part of that phase.

THC Permitting & Impact Fee's

Tiny Home Community (in addition to Short/Long Plat/Final Plat fees)

\$1000.00 + \$15/lot

PRD: \$2000 + \$15/lot (for comparison)

Short Plat: \$1000

Long Plat: \$2000 + \$150/lot

Final Plat: \$500

School impact/administrative fee –

\$4,461 for single family units + \$35 admin fee (set by the school district, city is not authorized to add a fee specific for tiny homes)

Parks Impact fee -

205 to < 450 sq. ft.: 30% of standard SFR (\$690.90)

≥ 450 sq. ft.: 61% of standard SFR (\$1404.83)

Traffic Impact fee –

Closest fitting rates with respect to traffic generation:

- ADU < 450 sq. ft.- Non-CBD: \$1319, CBD: \$734 (30% DU)
- ADU ≥ 450 sq. ft.- Non-CBD: \$2682, CBD: \$1491 (61% DU)

No ITE rate exists for ADUs. The ADU trip rates were added to the rate schedule by staff, modeled consistent with “Clackamas County Residential TSDC Analysis” (2019) and use the same 30% and 61% models as parks impact and general facility charge. It makes the most sense to have the tiny home rates match the ADU rates. Will change these to read “Accessory Dwelling Unit/*Tiny Home* (≥ 450 sf)” and “Accessory Dwelling Unit/*Tiny Home* (< 450 sf)” in City of Sedro-Woolley 2024 Traffic Impact Fee Rate Schedule – Residential in the Master Fee Schedule.

General Facility (Sewer) –

ERU currently \$9626 (changes annually)

205 to < 450 sq. ft.: 30% ERU (\$2887.80)

≥ 450 sq. ft.: 61% ERU (\$5871.86)

THCs are also subject to special utility connection fees identified by geographic area in the Master Fee Schedule.

Fire Impact fee -

\$0.28 per square foot

Police Mitigation Fee –

\$505.76 per unit

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10. Additional Standards for Tiny Home Communities (THC)

SITE DESIGN

Intent

To create density and infill housing in residential zones while promoting an affordable option for long term/permanent housing, integrated with Sedro-Woolley's existing residential building types and configurations. In addition, the purpose of this section is to promote the development of shared and sustainable communities that encourage maximum efficiency in the layout of streets, stormwater facilities, utility networks, other public improvements, and create and/or preserve usable open space for the enjoyment of the occupants and the general public through innovative site layout and the use of clustering.



FRONT YARDS / ENTRANCES

Intent

To provide separation between buildings and the public pedestrian realm where the front yard functions as usable outdoor space and provides a clear, welcoming, and safe entry for pedestrians from the sidewalk into the building.

Standards

Required:

1. Primary building entries shall be clearly identifiable and visible from the street, with well-defined walkways from pedestrian routes to building entries.
2. Landscaping shall screen undesirable elements such as views to adjacent commercial or industrial development, utility boxes, outdoor storage areas, and dumpsters.
3. Developments which utilize a clustered arrangement shall orient buildings around a common open space with a common vehicle entrance onto the primary street.
4. If primary building entries face the street, a clearly marked and well-maintained walkway shall connect the entry to the sidewalk.
5. At least 50% of the common open space shall be designed to receive at a minimum four hours of sunlight on December 21st.
6. Corner lots have two front setbacks. For buildings on corner lots, the façade of the side of the house that is not the front of the building must meet the design requirements for facades facing a right-of-way as detailed under Building Design below.

Guidelines

Encouraged:

1. Front yards should include an entrance sequence between the sidewalk and the building including elements such as, trellises, site furnishings, low hedges, landscaped borders, and special paving.
2. All landscape areas should include a wide range of plant materials including perennials and flowering shrubs. A minimum 40% of plant material used should provide seasonal color or interest.
3. Accent lighting should be used to highlight special focal points, building/site entrances, public art and special landscape features, open spaces, and walkways.
4. Signage identifying building address should be visible from the street and public pedestrian walkway.

DESIGN OF RIGHT-OF-WAY IMPROVEMENTS AND DRIVEWAYS

Intent

To enhance pedestrian and non-motorized transportation safety by consolidating driveways while providing for adequate vehicular and service access.

Standards

Required:

1. If internal access can be provided within the development, vehicle access shall be from the internal drive. Internal drives shall be designed to be narrowed to the width of two lanes.
2. Closely spaced adjacent driveways in the same development shall be combined for joint access, unless the City Engineer finds consolidation is impractical or will cause a hazard.
3. Driveways which access onto public streets should be shared with at least one adjacent property to minimize access points and to increase the amount of on-street parking available.
5. Locations of driveways shall be designed into the master plan and civil construction plans for the tiny home community. Locations of street trees and driveway curb-cuts shall be identified at the time the civil construction plans are approved. Rolled curbs are not permitted.
6. Minimize obstructions to pedestrian movement and the number of vehicular turning movements.

INDIVIDUAL OUTDOOR SPACES

Intent

To provide private, outdoor space as distinct from common spaces that encourages a sense of ownership by residents.

Standards

Required:

1. Outdoor spaces such as yards, decks, terraces, and patios shall be delineated from common space. Delineation may consist of walls, fences, berms, hedges, and landscaping.
2. Outdoor spaces used to meet these standards shall not be located within required landscape buffer areas.
3. Outdoor spaces shall not be located adjacent to dumpster enclosures, loading/service areas, or other incompatible uses.

Guidelines

Encouraged:

1. Walls, hedges, and fences used to define outdoor private spaces should be a minimum of 4 feet high and with 75% visually permeable elements, such as open rails, ironwork, or trellis treatment to encourage interaction between neighbors.
2. Where landscape areas are provided, plant materials shall be a mixture of deciduous and evergreen varieties. A minimum 20% of plant varieties shall provide year-round color, texture and/or other special interest.

BUILDING DESIGN

HOUSE SIZE IN RELATION TO LOT SIZE

Intent

To ensure that development of tiny home communities with small lot sizes are not overbuilt.

Standards

Required:

1. For tiny home communities, maximum lot coverage with structures on individual lots shall not exceed 50% in the R-5, R-7, and R-15 zones.

ROOF PITCH (MINIMUM/MAXIMUM)

Intent

To maintain the residential scale and character of neighborhoods.

Standards

Required:

1. Structures shall incorporate pitched roof forms having slopes between 3:12 and 14:12 (not applicable to porches and dormers).

Guidelines

Encouraged:

1. Gables facing the street are encouraged.

WINDOWS

Intent

To maintain a lively and active street face.

Standards

Required:

1. Windows shall be provided in façades facing streets, comprising at least 20% of the façade area. Tiny homes that include a garage door with windows shall only need to provide glazing in 10% of the façade area.

Guidelines

Encouraged:

1. Windows should have visually prominent trim, at least 3" in width.
2. Other decorative window features are encouraged, such as:
 - a) arched window
 - b) mullions
 - c) awnings
 - d) flower box
3. A variety of window sizes and shapes that contribute to overall composition are also encouraged.

ARTICULATION OF WALLS AND FAÇADE DESIGN

Intent

To provide visual variety along the street façade.

Standards

Required:

1. Buildings shall include articulation along the façades facing and visible from public rights-of-way, including internal access drives. Flat blank walls are prohibited.

2. Horizontal façades longer than 20 feet shall be articulated into smaller units, reminiscent of the residential scale. Vertical façades of more than one story of living area shall also be articulated into smaller units or the stories be otherwise differentiated. At least two of the following methods shall be included:

- a) Distinctive roof forms
- b) Changes in materials
- c) Window patterns
- d) Color differentiation
- e) Recesses / offsets

3. Garage door openings must be at least 8 feet in height.

4. Standard siding material must be used over all structural sheathing. Structural sheathing may not also be the exterior siding.

5. A variety of siding materials shall be used on the façade(s) of the building that faces the street, any internal drives or other pedestrian way.

6. Eaves of 16" or greater.

Guidelines

Encouraged:

- 1. Stone or brick on the building façade.
- 2. Covered front porches or decks.
- 3. Soffits under eaves.

SITE DESIGN & LOCATION OF GARAGES

Intent

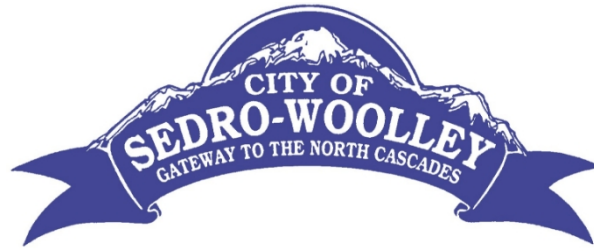
To ensure street-facing façades are appealing and development at a smaller scale is well-planned.

Standards

Required:

- 1. Building setbacks from the front lot line shall be a minimum of 20 feet. Front porches may be 10 feet from property line.
- 2. When feasible, garages are to be located in a clustered arrangement at a central location within the development boundaries. If not feasible, garage doors facing the street or internal access drive shall be set back at least 25 feet from the property line or sidewalk. In such case, building floor area shall extend at least 3 feet closer than the face of the garage doors.

3. Driveway slopes shall not be greater than 12.5%.
4. Required parking serving a tiny home community may be provided either in a community parking area located in a central location within the development boundaries or within individual lot lines. Two spaces are required per dwelling unit.



Planning Commission Agenda Item

Agenda Item No.: h.1.

Date: April 16, 2024

From: Nicole McGowan, Planner

Subject: Proposed Amendments to Chapter 12.40 SWMC and SWMC 17.50.070 to Update Tree Standards

RECOMMENDED ACTION:

Review and discuss proposed amendments to Chapter 12.40 SWMC and SWMC 17.50.070 to update tree standards and propose any recommended changes.

ISSUE:

Should the Planning Commission recommend that the City Council approve the proposed amendments to Chapter 12.40 SWMC and SWMC 17.50.070 to update the city's tree standards?

BACKGROUND/SUMMARY INFORMATION:

The Public Works and Planning Departments have both had issues with trees being planted too close to underground utility lines or sidewalks or issues with trees that grow exceptionally high being planted underneath overhead utility lines and posing a fire hazard. One reason for this is that some of the trees currently listed under SWMC 12.40.110 - Recommended Trees do not fit well into their respective categories. For instance, trees that should be considered medium-sized trees due to trunk diameter or maximum height are currently listed under "small or narrow street trees." Additionally, neither Chapters 12.40 nor 17.50 SWMC include specific regulations to require developers to install root barriers to protect sidewalks or underground utilities from future damage. The requirement for root barriers does exist in the Public Works Department standards, but is not referenced within the applicable areas of the municipal code.

The proposed amendments (included herein as **Attachment 1**) are intended to address these issues by reworking the recommended trees section to include trees more fitting for each category (small, medium and large) and including minimum landscape strip widths for each of those categories to clarify where such trees belong. A note ("UT") has also been added to those trees which are suitable to be located underneath overhead utility lines. Additionally, the proposed amendments indicate that it is required to install root barriers where trees are planted between the walking route of the sidewalk and curb edge, within five feet of a pedestrian walkway in general and/or within five feet of an underground utility line, per the Public Works Department standards. The Public Works Department standards include a detail showing how to install root barriers appropriately (see **Attachment 2**).

Making these changes will help to ensure that the Planning Department can properly review landscape plans to prevent the issues described above before the trees are installed and ensure that new street trees will not require city crews to constantly go out to trim hazard trees.

FISCAL IMPACT, IF APPROPRIATE:

None.

ATTACHMENTS:

1. Draft Amendments 1 (4-16-24)
2. Public Works Department Standards - Root Barrier Installation Detail

Chapter 12.40

TREE STANDARDS

Sections:

[12.40.010 Purpose.](#)

[12.40.020 Definitions.](#)

[12.40.030 Permission to plant trees.](#)

[12.40.040 Utility right-of-way.](#)

[12.40.050 Removal of trees and shrubs.](#)

[12.40.060 Trimming overhanging trees—Duty of property owner.](#)

[12.40.070 Clear vision area.](#)

[12.40.080 Care and disposition of existing trees.](#)

[12.40.090 Short plats, subdivisions and planned unit development—Tree planting in rights-of-way.](#)

[12.40.100 Prohibited trees.](#)

[12.40.110 Recommended trees.](#)

[12.40.120 Planting standards](#)

[12.40.13012.40.120 Inspection and appeal.](#)

[12.40.14012.40.130 Reserved rights.](#)

[...]

12.40.100 Prohibited trees.

Street trees must not become a nuisance and/or be a disruption to city infrastructure and/or the public/general welfare. It is unlawful to plant in or on any parking strip or other public property, the following kinds of trees: Poplar, Willow, Cottonwood, fruit-bearing or nut-bearing, Elkhorn, Mountain Ash, Oregon or Big-Leaf Maple. (Ord. [1382-00](#) § 9, 2000)

12.40.110 Recommended trees.

Trees appropriate under overhead utility lines shall be no taller than 20 feet at maximum height. Recommended trees that meet this requirement are identified below with "UT."

A. Small or narrow street trees (minimum landscape strip width: five feet, minimum spacing: twenty feet):

1. Ash (flowering ash);
2. ~~Flowering Cherry (nonfruit bearing);~~ Burgundy Lace Japanese Maple (UT);
3. ~~Laurel (California Laurel);~~ American Hornbeam (UT);

4. Magnolia ("Little Gem" Evergreen magnolia);
5. ~~Myrtle (Oregon myrtle);~~ Three Flower Maple (UT);
6. ~~Oak (Holly oak);~~ Oklahoma Redbud (UT);
7. Buckeye Maple (UT);
8. Washington Hawthorn (UT);
9. Sourwood.

B. Medium Size Street Trees (minimum landscape strip width: seven feet, minimum spacing: thirty feet):

1. Ash (Flame, Golden Desert, ~~etc.~~);
2. Beech (Rivers Purple beech);
3. Birch (Paper birch, River birch);
4. Crabapple (Flowering crabapple) (UT);
5. ~~Gum (sweet gum);~~ Laurel (California Laurel);
6. ~~Honey Locust;~~ Forest Pansy Redbud;
7. Linden (Littleleaf linden);
8. Maple (Autumn Blaze, October Glory, Norwegian Sunset, Pacific Sunset, Autumn Flame, Hedge maple);
9. Maple (Red maple);
10. Maple (Sugar maple);
11. Oak (Scarlet oak, ~~English oak~~);
12. ~~Redwood (Dawn redwood);~~ Eastern Redbud;
13. Yellowwood;
14. Village green;~~;~~

15. Myrtle (Oregon Myrtle);

16. Kobus Magnolia.

C. Large Boulevard Trees (minimum landscape strip width: 10 feet, minimum spacing: forty feet):

1. Beech (European beech, etc.);
2. Chestnuts (Chinese chestnuts, Ft. McNair Pink Horsechestnut);

~~3. Maidenhair tree; Silver Linden;~~

4. Sycamore maple;

5. Oak (Red, ~~oaks~~ Oregon White, Chinkapin, Scarlet oak);

6. ~~Tulip tree.~~ Gum (Sweet Gum).

Adjacent property owners may recommend alternative tree species. These trees will be subject to approval by the city following review of the recommended species. (Ord. [1382-00](#) § 10, 2000)

12.40.130 Planting standards.

Street trees shall be planted in accordance with the standards of SWMC 17.50.070.

Where street trees are planted between the walking route of the sidewalk and curb edge and/or within five feet of an underground utility line, root barriers as required per the Public Works Department standards shall be installed to protect the sidewalk from future damage.

12.40.13020 Inspection and appeal.

A. The city may inspect any tree upon or which overhangs any public property or lawn to determine whether the same or any portion thereof is in such a condition as to constitute a hazard or impediment to the progress or vision of anyone traveling on public property. Any tree or part thereof growing upon private or public property, but overhanging or interfering with the use of public property that endangers life, health, safety or property, or is otherwise in violation of this chapter, is hereby declared to be a public nuisance. The city shall by written notice require the adjacent property owner to abate the nuisance by trimming, destroying or removal, at the owner's cost and expense. The property owner shall have thirty days from the date of the notification of the nuisance to remove or trim the hazardous or nuisance tree. If the adjacent property owner does not cause the nuisance to be corrected or removed, the city may abate the nuisance and the cost shall be assessed to the adjacent property owner.

B. Appeals from the city determination that a nuisance exists may be made by any citizen or the adjacent property owner within ten days after the property owner is notified of the city determination. Such determination may be appealed to the city council at the next regularly scheduled meeting. Action taken by the city council on such appeal shall be final.

C. If the owner of such private property does not correct or remove such nuisance within thirty days after receipt of written notice from the city, they shall be guilty of a civil infraction, and subject to a monetary penalty of not more than the amount listed in the master fee schedule adopted by resolution of the city council. Each day for which the violation is allowed to continue shall be a separate offense. Nothing contained in this chapter shall be deemed to impose any liability upon the city, its officers or employees, nor to relieve the owner of any private property from the duty to keep any tree upon his property or under his control in such a condition as to prevent it from constituting a public nuisance as defined in this section. (Ord. [2013-22](#) § 36, 2022; Ord. [1382-00](#) § 11, 2000)

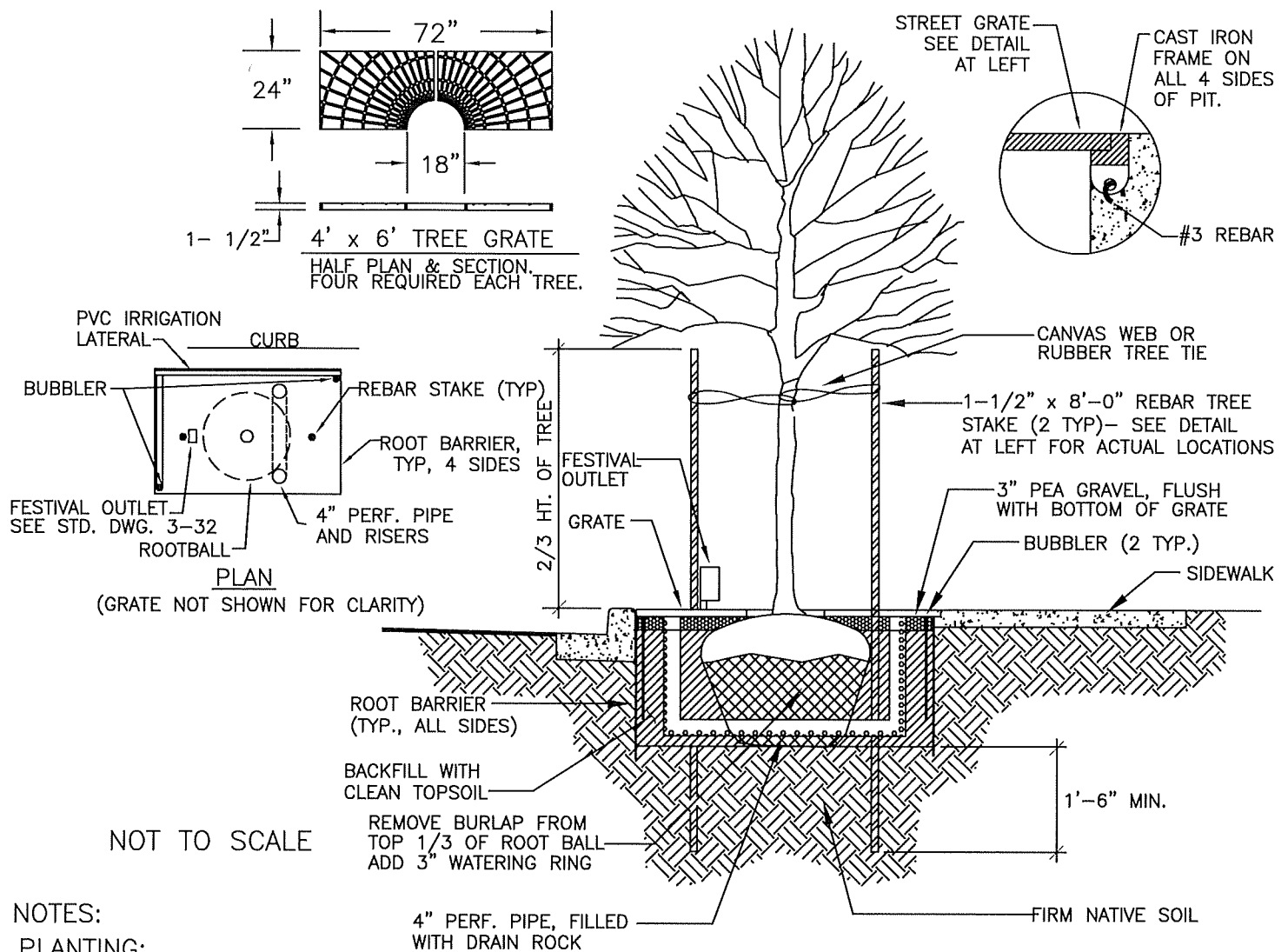
12.40.130 Reserved rights.

Nothing in this chapter shall create a property right or interest in the public right-of-way for adjoining owners. The city may amend or repeal all or part of this chapter at any time. (Ord. [1382-00](#) § 12, 2000)

17.50.070 Minimum landscape material specifications.

- A. The applicant shall utilize plant materials that complement the natural character of the Pacific Northwest that are drought tolerant and are adaptable to the climatic, topographic, and hydrologic characteristics of the site.
- B. If the subject property includes a sensitive or critical area, the applicant shall utilize plant species that enhance that sensitive area.
- C. The applicant should utilize plant materials that reduce or eliminate the need for fertilizers, herbicides, or other chemical controls, especially for properties that include wildlife habitat areas, shorelines, or wetlands.
- D. Street trees shall be provided as follows:
 - 1. Minimum planting width: ten feet;
 - 2. Maximum Spacing. Trees shall be planted at an average of thirty feet apart, with ground cover or shrubs used liberally;
 - 3. Plant Varieties. Trees utilized in this area shall be of varieties that do not conflict with underground and overhead utilities. These trees may be selected from the city's suggested list of plant materials, or an approved equivalent.
- E. All plantings shall have the following minimum size at installation:
 - 1. Deciduous trees: three-inch caliper;
 - 2. Evergreen trees: six-foot minimum height range;
 - 3. Vine maples and other multi-stemmed trees: seven-foot minimum;
 - 4. Medium and tall shrubs: twenty-four- to thirty-inch minimum range;
 - 5. Ground cover: four inches (approximately eighteen inches on center);
 - 6. Shall not interfere with sight distance;
 - 7. Shall not be installed within three feet of back of curb for speed less than thirty-five mph and ten feet from back of curb for thirty-five mph or over. (Ord. [1517-05](#) § 1 (part), 2005)

F. Where trees are to be planted within five feet of a pedestrian walkway and/or underground utility line, root barriers as required per the Public Works Department standards shall be installed to protect such infrastructure from future damage.



NOTES:

PLANTING:

1. Remove all compacted soil to planting depth. Do not make hole deeper than root ball.
2. Remove containers, biodegradable pots, synthetic or treated burlap, wire, twine, or ropes. Leave natural burlap in place and fold back. Loosen the roots and spread or cut circling roots.
3. Place top of root ball even with or slightly higher than soil grade on firm soil. Install irrigation.
4. Install perforated drain pipe; fill with drain rock. Pipe shall not extend more than 1/2" above finish grade.
5. Back fill with clean topsoil. Firm soil around the root ball; water slowly and thoroughly.
6. Mulch around tree with 3" pea gravel to bottom of grate.

ROOT BARRIER:

1. Root barrier shall be rigid High Impact Polypropylene treated with UV inhibitors, minimum 18" height, with 1/2" raised vertical ribs 6" on center, or approved equal. Install on all sides.

STAKING:

1. Use 2, 1-1/2" by 8'-0" rebar tree stakes. Do not drive stake through root ball.
2. Attach tree to stake with canvas web belting or rubber, using a figure-8 formation.

TAGS:

1. Remove tags after inspection.



PUBLIC WORKS
DEPARTMENT

CBD STREET TREE WELL
PLANTING DETAIL

DWG. NO.

3-31

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