



PLANNING COMMISSION
October 15, 2024
6:30 PM
Planning Commission

a. Call to Order

b. Pledge of Allegiance

c. Roll Call

d. Consent Agenda

1. Minutes from September 17, 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 Chapters 12.40 and 17.50 SWMC to Update Tree Standards
2. Proposed Amendments to Title 17 SWMC to Update Residential Parking Standards
3. Proposed Amendments to Chapter 2.90 and Title 17 SWMC to Add Regulations for Cottage Clusters

h. New Business

i. Adjournment

PLANNING COMMISSIONERS

Pat Huggins	Matthew Desvoigne	Danielle Freiburger
Joe Fattizzi	Jessica Jasper	Joe Franett
		Cassandra Sexson

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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.

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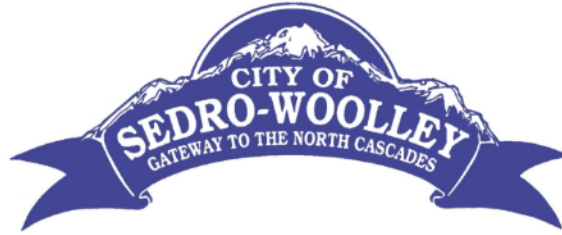
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Regular Meeting of the Planning Commission
September 17, 2024 - 6:30 PM

a. Call to Order

Planning Commission Chair, Joe Franett, called the meeting to order at (6:31pm).

b. Pledge of Allegiance

c. Roll Call

1. Welcome New Planning Commissioner, Jessica Jasper

Planning Commission Chair, Joe Franett, welcomed the new Planning Commissioner, Jessica Jasper.

Present Commissioners:

- Commissioner Cassandra Sexson
- Commissioner Jessica Jasper
- Commissioner Patrick Huggins
- Commissioner Joe Franett
- Commissioner Joe Fattizzi
- Commissioner Danielle Freiburger
- Commissioner Matthew Desvoigne

Absent Commissioners: None

Present staff:

- Planner Nicole McGowan
- Assistant Planner Ashton Sandoval Oaks
- Community Development Director Tom Glover
- Permit Technician Nicole Pfluger

Members of the public in attendance: None

d. Consent Agenda

1. Minutes from July 16, 2024 Planning Commission Meeting
Minutes from the July 16, 2024 meeting were approved with edits.

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.'

6:36pm opened general public comments.

- No participants online.
- No participants in attendance.
- Staff did not receive any written comments.

6:37pm closed general public comments.

f. Public Hearing(s)

1. Proposed Amendments to Chapters 12.40 and 17.50 SWMC to Update Tree Standards
Assistant Planner, Ashton Sandoval Oaks, provided a summary of changes made to the draft amendments. Said changes included language defining the public right-of-way between the planting strip to be both that area between the sidewalk and the curb, and the sidewalk and the property line; what qualifies as a nuisance tree, and explicitly clarified that the city does not have the authority to remove a nuisance tree outside of the right-of-way which does not constitute an immediate danger to public safety or property.

Public Hearing opened at 6:37pm. No participants in attendance.
Closed at 7:03pm.

- Commissioner Huggins proposed a warning to homeowners about the removal of nuisance trees.
- Commissioner Fattizzi proposed a lien or payback system for economically stressed individuals.
 - Community Development Director, Tom Glover, suggests mechanisms may already be in place. Staff will look into the Public Works policies to determine the existing framework for nuisance abatement.
- Commissioner Fattizzi asks for the City to have verbiage for accountability.
- Commissioner Sexson's proposed verbiage for a tree removal plan: Homeowners will get the option first to remove the tree at their own cost and if they don't comply within an amount of time, then the City will remove the tree. The cost of the tree removal will then be charged to the homeowners.
- Commissioners and staff discussed how to spread awareness to the public about existing

policies already in place (e.g., pamphlets, flyers, door hangs, etc.)

- At the next meeting, discuss SWMC 12.40.080: Care and disposition of existing trees. Staff was tasked with ensuring the landowner is notified and to determine who will pay for what and how.
- Discussion of shrubs, vegetation, and landscaping in the right-of-way ensues. Planner, Nicole McGowan, voiced that this point of the discussion is a separate issue for which language does not belong within the Street Trees chapter.
- No requested changes to Chapter 17.50 SWMC as of now.

2. Proposed Amendments to Chapter 17.24 SWMC to Add a Minimum Commercial/Retail Floor Area Requirements for First Floor Area Facing Primary Street Frontage in the Central Business District

Planner, Nicole McGowan, provided background on the City Council's request to increase the minimum Commercial floor area requirements to 75% as opposed to 50%.

Public hearing opened at 7:09pm.

No public participants were in attendance.

Closed at 7:22pm.

Commissioners and staff discussed the following:

- What is allowed within the 75%?
- Current use of upper levels in current commercial buildings within the CBD.
- ADA accommodation requirements, specifically elevator requirements and undue hardship for remodels of older buildings, as well as fire suppression.
- Parking requirements in the Central Business District (CBD).

Commissioner Fattizzi makes a motion to recommend that the City Council approve the proposed amendment specifically to SWMC 17.24.010 to add a minimum commercial/retail space on the first floor area facing primary street frontage in the central business district.

- Commissioner Freiburger seconds the motion.
- Motion passes 7-0.

g. Unfinished Business

1. Proposed Amendments to Chapter 2.90 and Title 17 SWMC to Add Regulations for Cottage Clusters

Planner, Nicole McGowan, gave an introduction to RCW 39.89.02 which defines permanently affordable housing and explains how incentives can be included to promote long-term affordable cottage housing development.

- Commissioners voiced concern about who would be policing the affordability of the development.
- Discussion of development incentives, density bonus', redefining zones, and subdivision.
 - Conditions of approval were discussed as alternative options versus impact fee reduction or density incentives.
 - Commissioner Sexson proposed limiting cottage clusters to R-15 zoning to preserve neighborhoods.
- Discussion of who is responsible for affordable housing, and how to give the option of home ownership or building of wealth.
- Community Development Director, Tom Glover, explained how planning staff efforts are focused on developing a portfolio of different kinds of strategies to address the housing crisis in the city. The state is requiring cities to accommodate housing for all income bands.

No requests for changes at this time. Planning Commission to read through draft regulations and come up with a discussion structure for the next meeting.

Field trip to LaConner or Bellingham to explore more examples of cottage housing was discussed.

h. New Business

1. Proposed Amendments to Title 17 SWMC to Update Residential Parking Standards
Assistant Planner, Ashton Sandoval Oaks, provides background on the City Council's request to update current residential parking standards.

- Discussion began on a portion of the proposed changes.
- Commissioners requested to continue review and discussion on next month's agenda.

Motion to table discussion on the proposed update to residential parking standards until the next meeting by Commissioner Sexson.

- Commissioner Huggins seconds the motion.
- Motion passes 7-0.

i. Information/Discussion Items

1. September 19, 2024 Housing Forum Invitation
The housing forum on August 24th was very successful. Invitation for Planning Commission to attend the next housing forum meeting on September 19th at 6pm.

j. Adjournment

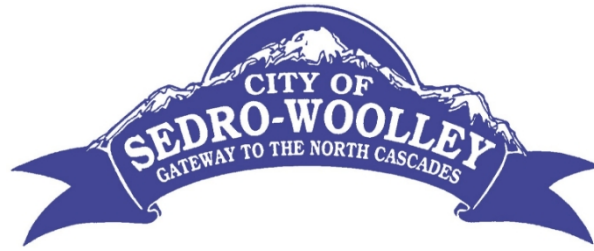
(Time 8:45pm)

ATTEST:

Joe Franett, Planning Commission Chair

APPROVED:

Planning Commission Secretary



Planning Commission Agenda Item

Agenda Item No.: g.1.

Date: October 15, 2024

From: Ashton Sandoval Oaks, Assistant Planner

Subject: Proposed Amendments to Chapters 12.40 and 17.50 SWMC to Update Tree Standards

RECOMMENDED ACTION:

Review the revisions to the proposed amendments. Propose any suggested changes or recommend the amendments undergo a Public Hearing during the November 19th, 2024 Planning Commission meeting.

ISSUE:

Should the Planning Commission recommend that the City Council approve and adopt the proposed amendments to Chapter 12.40 and 17.50 SWMC to update the city's tree standards?

BACKGROUND/SUMMARY INFORMATION:

These proposed amendments are intended to strengthen, add clarity, and rectify inconsistencies within the city's tree standards. A public hearing was held for this item on May 21st, 2024. At that meeting, the Planning Commission identified additional areas that warranted substantial changes to the draft before a motion could be made to recommend it for Council approval. The requested changes were made and presented at the June meeting, at which the Planning Commission requested that two more minor revisions be made; the first to further strengthen and clarify Section 12.40.080 SWMC regarding nuisance tree identification, authority, and requirements for removal/mitigation and the other for grammatical sense. Discussion was also held regarding the possibility of adding language to Section 17.50.100 SWMC to encourage developers to consider a wider range of stormwater management facilities, including but not limited to rain gardens, bioswales, and other landscaping techniques, intended to reduce impervious surface runoff in a manner that is both cost-effective and serves a secondary recreational or aesthetic function. It was decided that this topic is unrelated to the topic at hand and would be addressed separately in a future meeting.

Planning staff was tasked with incorporating said revisions, then preparing for a second public hearing at the next meeting on September 17th, 2024. During that meeting, the Planning Commission noted that the notification process of nuisance tree removal was unclear, and requested staff revise the proposed amendments to clearly outline the notification and removal process of nuisance trees. These requested revisions have been included in the draft code amendment, and are attached herein as **Attachment**

1. The revisions refer to the nuisance abatement process codified under 18.40 SWMC, attached herein as **Attachment 2.** There are no proposed changes to Chapter 18.40 SWMC; the chapter has been attached for reference purposes only.

The proposed amendments are also supported by and implement the following goals and policies from the Land Use and Transportation Elements of the City's Comprehensive Plan:

Land Use Element

Goal LU4: To [...] preserve the characteristics of the natural environment.

Goal LU5: To preserve community character.

Policy LU5.8: Encourage high standards of appearance in all residential areas and in other high visibility areas.

Transportation Element

Goal T1: To provide safe, passable streets within the City of Sedro-Woolley.

Goal T4: To encourage alternate modes of transportation in accordance with the principals outlined in the city's adopted Complete Streets Resolution 952-17 and SWMC Chapter 15.40.030.

Policy T4.8: Continue existing program to construct missing sidewalk links, repair existing sidewalks, and other improvements to support pedestrian transportation.

FISCAL IMPACT, IF APPROPRIATE:

None anticipated.

ATTACHMENTS:

1. Draft Amendments 5 (10-15-24)
2. Chapter 18.40 - (NO CHANGES)

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](#)

[12.40.120130 Inspection and appeal.](#)

[12.40.130140 Reserved rights.](#)

12.40.010 Purpose.

It is hereby declared that the preservation and development of the beauty of nature is essential to the progress and growth of the city. It is the policy of the city to plant and maintain, and to encourage the planting and maintenance of, desirable trees and other plantings to enhance the beauty of the community for the health, welfare and safety of its citizens. The council has become concerned with the proper selection, location and care of trees planted in ~~planting~~~~parking~~ strips, other public places and adjacent areas, and has studied ways to eliminate problems connected with adequate street illumination, safety to the community.

preservation of public utilities, and providing the greatest aesthetic value to the city. The ordinance codified in this chapter is adopted for the purpose of establishing rules and regulations relating to the planting, care and maintenance of such trees. (Ord. [1382-00](#) § 1, 2000)

12.40.020 Definitions.

As used in this chapter, the following words and phrases shall have the meanings ascribed to them:

A. "Owner" means the legal owner of real property fronting or abutting on any property of the city and any lessees of such owner, including fee owner and holder of a purchaser's interest in a real estate contract.

~~B. "Parking strip" means that part of the public street or avenue, or right-of-way not covered by sidewalks, lying between the property line and the curb or that portion of the street or avenue being used for vehicular traffic.~~

B. "Planting strip" means that part of the public right-of-way lying between the sidewalk and back of curb, or lying between the sidewalk and the adjacent property boundary, which contains ground cover supportive of plant material.

C. "Public property" means all roads, streets, avenues, alleys, public rights-of-way, tree lawns, ~~plantingparking~~ strips or any public property or portion thereof of the city. (Ord. [1382-00](#) § 2, 2000)

12.40.030 Permission to plant trees.

All trees, shrubs and plants planted in any public place or right-of-way shall be with prior permission of the city and in accordance with the provisions of this chapter. No tree shall be planted in any ~~plantingparking~~ strip or public property less than ~~five~~four feet wide. No tree shall be planted closer to any curb or sidewalk than the following: small trees, two feet; medium trees, three feet; and large trees, four feet. On streets that do not have curbs and/or sidewalks or planters, the city shall approve the location of new trees consistent with street and sidewalk standards. No tree shall be planted within ~~twenty feet of another tree or within~~ twenty-five feet of a street light or intersection. No street tree shall be planted closer than twenty feet from any fire hydrant. Trees planted under utility lines shall not exceed a maximum mature height of twenty-~~five~~ feet. ~~Only No street tree other than small~~ and medium trees may be planted under or within ten lateral feet of any overhead utility wire, or over or within five lateral feet of any underground water line, transmission line, or other utility, provided the trees' mature height is less than or equal to twenty feet. (Ord. [1382-00](#) § 3, 2000)

Tree Size	Small, Narrow	Medium	Large
Minimum Planting Strip Width	5 feet	7 feet	10 feet
Average Tree Spacing	20 feet	30 feet	40 feet
Minimum Tree Setback from Vehicular traffic	2 feet from back of curb	3 feet from back of curb	4 feet from back of curb
Minimum Vertical Sidewalk Clearance	8 feet	8 feet	8 feet
Minimum Vertical Road Clearance	14 feet	14 feet	14 feet
Maximum Tree Height within 10 feet of an Overhead Utility	20 feet	20 feet	<i>Large trees prohibited</i>
Maximum Tree Height within 5 feet of an Underground Utility	20 feet	20 feet	<i>Large trees prohibited</i>

12.40.040 Utility right-of-way.

Notwithstanding any other provision of this chapter, all trees shall be placed and maintained in such a manner as not to interfere with any utility franchise, license or right-of-way granted, or to be granted, by the city. (Ord. [1382-00](#) § 4, 2000)

12.40.050 Removal of trees and shrubs.

The stumps and roots of trees or shrubs removed under the authority of this chapter shall be removed below the surface of the ground so that the top of the stump shall not project above the surface of the ground. The remaining roots shall be treated with a suitable compound to prevent future sprouting or growth. Roots from trees planted on public property or adjacent private property, which have disrupted or broken the adjacent street surface, sidewalk or curb, shall be repaired at the adjacent property owner's expense. (Ord. [1382-00](#) § 5, 2000)

12.40.060 Trimming overhanging trees—Duty of property owner.

All property owners within the corporate limits of the city shall, at their own expense, keep all trees, brush and other foliage from projecting out over the public streets and sidewalks and alleys so as not to interfere, in any way, with the use of street construction, utility franchises right-of-way and license, and cleaning equipment, nor shall the same interfere with sidewalk traffic or create a hazardous situation insofar as the same obstructs the view of motorists using the public streets. (Ord. [1382-00](#) § 5, 2000)

It shall be the responsibility of the adjacent property owner of the sidewalk to regularly trim street trees off the sidewalk to provide a vertical clearance of eight feet above the surface so as not to constitute a hazard or impediment to the progress or vision of anyone traveling on public property.

12.40.070 Clear vision area.

A clear vision area shall be maintained on the corners of all property adjacent to the intersection of two streets or of a street and a private drive or street, alley or railroad. A clear vision area shall contain no planting, fence or other temporary or permanent obstruction exceeding three feet in height, measured from the top of the curb, or where no curb exists, from the established centerline grade of the street. Taller trees may be permitted if all branches and foliage to a height of eight feet above the top of the curb or sidewalk and fourteen feet above the street are removed. No tree shall be planted closer than twenty feet from any public or private street corner, measured from the nearest intersection curb or curblane. ~~No street tree shall be planted closer than twenty feet from any fire hydrant.~~ (Ord. [1382-00](#) § 6, 2000)

12.40.080 Care and disposition of existing trees.

Any hazardous or nuisance trees in existence on the effective date of the ordinance codified in this chapter shall be removed or rectified by the property owner. The city may remove, or cause to be removed, at the expense of the abutting land owner, a tree or part of a tree which is in an unsafe condition or constitutes a public nuisance, or which by reason of its nature is injurious to utilities, sidewalks, capital facilities, or other public improvements, or which otherwise satisfies the criteria of types of nuisances as defined in 8.16.020 SWMC. If a hazardous or nuisance tree is not deemed an immediate danger to public safety or property, the city may require a report conducted by a certified arborist be submitted to the Public Works Department to determine whether such tree shall be removed and by what means. Hazardous or nuisance trees deemed immediately dangerous to public safety or property shall be removed at the expense of the abutting land owner. The final decision to remove a hazardous or nuisance tree shall be made by the Public Works Director. The city may, but is not required, to contribute to the cost of removal and replanting by payment or in-kind services. (Ord. [1382-00](#) § 7, 2000)

The city does not hold the authority to require removal of trees which are located outside of the public right-of-way, or which cause hazardous or nuisance conditions outside of the public right-of-way, or which do not constitute an immediate danger to public safety or property.

12.40.090 Short plats, subdivisions and planned unit residential development—Tree planting in rights-of-way.

Other than distances noted above from street corners and utilities, developers of short plats, subdivisions and PRUDs are required to plant trees in plantingparking strips per the following requirements: Small tTrees shall be planted every twenty feet on average ~~(at a minimum~~

~~depending on the size of the tree), medium trees every thirty feet on average, and large trees every forty feet on average,~~ with ground cover or shrubs to be used liberally. In the instance of commercial or industrial planned unit development adjacent to residentially zoned property, trees must be planted a maximum of fifteen feet on-center and in conformance with the remainder of the landscaping requirements established in Section [17.50.080](#) of the Sedro-Woolley Municipal Code. (Ord. [1382-00](#) § 8, 2000)

12.40.100 Prohibited trees.

Street trees must not become a nuisance or be a disruption to city infrastructure or public safety and general welfare. It is unlawful to plant in or on any ~~planting~~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 twenty feet at maximum height. Recommended trees that meet this requirement are identified below with "UT" (i.e. utility tree).

A. Small, ~~or~~ narrow street trees (~~minimum average~~ spacing: twenty feet, ~~minimum planting strip width: five feet, minimum tree setback from vehicular traffic: two feet from back of curb~~):

~~1. Ash (flowering ash);~~

~~2. Flowering Cherry (nonfruit bearing);~~

~~3. Laurel (California Laurel);~~

~~4. Magnolia (Evergreen magnolia);~~

~~5. Myrtle (Oregon myrtle);~~

~~6. Oak (Holly oak).~~

1. American Hornbeam (UT);

2. American Smoke Tree (UT);

3. Ash (Flowering ash);

4. Dogwood (Eddie's White Wonder dogwood [UT], Pacific dogwood [UT]);

5. Dove-tree;

6. Magnolia (Little Gem magnolia [UT]);

7. Maple (Bigtooth maple, Buckeye maple [UT], Burgundy Lace Japanese maple [UT], David's maple, Paperback maple [UT], Rocky Mountain maple [UT], Three Flower maple [UT], Trident maple [UT], Vine maple [UT]);

8. Myrtle (Sarah's Favorite Crape myrtle [UT]);

9. Oak (Crimson Spire oak);

10. Redbud (Oklahoma redbud) (UT);

11. Sourwood;

12. Washington Hawthorn (UT).

B. Medium Size Street Trees (minimum average spacing: thirty feet, minimum planting strip width: seven feet, minimum tree setback from vehicular traffic: three feet from back of curb):

1. ~~Ash (Flame, Golden Desert, etc.);~~

2. ~~Beech (Rivers Purple beech);~~

3. ~~Birch (Paper birch, River birch);~~

4. ~~Crabapple (Flowering crabapple);~~

5. ~~Gum (sweet gum);~~

6. ~~Honey Locust;~~

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);~~

~~13. Yellowwood;~~

~~14. Village green.~~

1. Ash (Flame, Golden Desert);

2. Beech (Rivers Purple beech);

3. Birch (Paper birch, River birch);

4. Crabapple (Flowering crabapple) (UT);

5. Ginkgo Biloba (*male species only*);

6. Laurel (California laurel);

7. Linden (Littleleaf linden);

8. Magnolia (Kobus magnolia);

9. Maple (Autumn Blaze, Autumn Flame, Hedge maple [UT], Norwegian Sunset, October Glory, Pacific Sunset, Red maple, Sugar maple);

10. Redbud (Eastern redbud [UT], Forest Pansy redbud [UT]);

11. Village Green Zelkova;

12. Yellowwood.

C. Large Boulevard Trees (~~minimum average~~ spacing: forty feet, minimum planting strip width: ten feet, minimum tree setback from vehicular traffic: four feet from back of curb):

~~1. Beech (European beech, etc.);~~

~~2. Chestnuts (Chinese chestnuts, Ft. McNair Pink Horsechestnut);~~

~~3. Maidenhair tree;~~

~~4. Sycamore maple;~~

~~5. Oak (Red oaks);~~

~~6. Tulip tree.~~

1. Beech (European beech, etc.);
2. Chestnut (Chinese chestnut, Fort McNair Pink Horsechestnut);
3. Elm (American elm, Athena Classic elm, Frontier elm, Homestead elm) (*Dutch Elm Disease resistant species only*);
4. Linden (Silver linden);
5. Maple (Sycamore maple);
6. Oak (Chinkapin oak, Garry oak, Oregon White, Red oak, Scarlet oak);
7. Shawnee Brave Bald Cypress;
8. Sweet Gum;
9. Tulip Tree.

Small, Narrow	Medium Sized	Large Boulevard	Trees Recommended beneath Overhead Utility Lines	Prohibited Street Trees
American Hornbeam	Ash (Flame, Golden Desert)	Beech (European beech, etc.)	American Hornbeam	Big-Leaf Maple
American Smoke Tree	Beech (Rivers Purple beech)	Chestnuts (Chinese chestnuts, Ft. McNair Pink Horsechestnut)	American Smoke Tree	Cottonwood
Buckeye Maple	Birch (Paper birch, River birch)	Elm (American elm, Athena Classic elm, Frontier elm, Homestead elm) (Dutch Elm Disease resistant only)	Buckeye Maple	Elkhorn
Burgundy Lace Japanese Maple	Crabapple (flowering crabapple)	Gum (Sweet gum)	Burgundy Lace Japanese Maple	Fruit- or nut-bearing trees
Dogwood (Eddie's White Wonder dogwood, Pacific dogwood)	Ginkgo Biloba (male only)	Oak (Red oak, Oregon White, Chinkapin, Scarlet oak, Garry oak)	Crabapple (Flowering Crabapple)	Mountain Ash
Dove-Tree	Laurel (California Laurel)	Shawnee Brave Bald Cypress	Eastern Redbud	Oregon Maple
Flowering Ash	Linden (Littleleaf linden)	Silver Linden	Eddie's White Wonder Dogwood	Poplar
Little Gem Magnolia	Magnolia (Kobus Magnolia)	Sycamore maple	Forest Pansy Redbud	Willow
Maple (Bigtooth Maple, David's maple, Paperback maple, Rocky Mountain maple, Trident maple, Vine maple)	Maple (Autumn Blaze, October Glory, Norwegian Sunset, Pacific Sunset, Autumn Flame, Hedge maple, Red maple, Sugar maple)	Tulip Tree	Hedge Maple	
Oak (Crimson Spire oak)	Redbud (Eastern redbud, Forest Pansy redbud)		Little Gem Magnolia	
Oklahoma Redbud	Village Green Zelkova		Oklahoma Redbud	
Sarah's Favorite Crape Myrtle	Yellowwood		Pacific Dogwood	
Sourwood			Paperback Maple	
Three Flower Maple			Rocky Mountain Maple	
Washington Hawthorn			Sarah's Favorite Crape Myrtle	
			Three Flower Maple	
			Trident Maple	
			Vine Maple	
			Washington Hawthorn	

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)

12.40.120 Planting standards.

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

B. Where street trees are planted in the planting strip of the public right-of-way 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 such infrastructure from future damage.

12.40.130~~120~~ 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 as outlined in 18.40 SWMC 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)

12.40.140~~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)

Chapter 17.50

LANDSCAPING

Sections:

[17.50.010 Purpose.](#)

[17.50.020 Applicability.](#)

[17.50.030 Site landscaping required review.](#)

[17.50.040 Minimum site requirements.](#)

[17.50.050 Prohibited uses.](#)

[17.50.060 Landscaping plan submittal requirements.](#)

[17.50.070 Minimum landscape material specifications.](#)

[17.50.080 Low impact development option.](#)

[17.50.090 Maintenance of plant materials.](#)

[17.50.100 Stormwater ponds.](#)

[17.50.110 Existing site vegetation.](#)

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17.50.010 Purpose.

A. A provision of quality landscaping is necessary to maintain property values, enhance the appearance of the city, mitigate impacts of development such as erosion and light/glare, promote natural systems, improve air quality, provide habitat, reduce noise, reduce the impacts on storm drainage systems, and provide a buffer between land uses.

B. Landscaping can be provided as a tool to be used in partnership with potential developers and citizens in Sedro-Woolley to enhance the community. (Ord. [1517-05](#) § 1 (part), 2005)

17.50.020 Applicability.

- A. The requirements of this chapter shall be imposed at the time of land use permit review, including: land alteration or land development such as subdivisions, short subdivisions, a change in lot coverage, a change in area devoted to parking and circulation, and projects requiring design review.
- B. This chapter does not apply to a permit for a single-family dwelling less than one acre, unless restrictions have been placed on clearing and site design under separate permit authority.
- C. This chapter does not apply to areas within the central business district (CBD) which is bounded on the north and west by the railroad tracks, on the south by State Street, and on the east by Puget Avenue. This area is substantially developed on zero setbacks from the right-of-way, making it impractical to provide on-site landscaping which would satisfy the purpose and intent of this chapter. Businesses located in this exempt area are encouraged to participate in other projects and improvements programs to enhance and improve the character and appearance of the city. (Ord. [1517-05](#) § 1 (part), 2005)

17.50.030 Site landscaping required review.

The planning director shall use the Sedro-Woolley design and development guidelines landscaping section as it pertains to that zone as a guide for design and layout when reviewing applications.

- A. The director shall perform landscape review for all applications, permits and land use actions.
- B. The public works department shall review all landscape and irrigation system designs. Irrigation shall be designed in accordance with Skagit PUD No. 1. (Ord. [2032-22](#) § 14, 2023; Ord. [1593-07](#) § 1, 2007; Ord. [1517-05](#) § 1 (part), 2005)

17.50.040 Minimum site requirements.

- A. In no case shall the total amount of landscaping be less than ten percent of the total site area. For subdivisions, the total amount of landscaping shall be not less than ten percent of the combined net lot area plus ten percent of the site open space. Developments may include any critical area and/or shoreline buffer areas when calculating landscape area if native vegetation is enhanced.
- B. Stormwater detention dry ponds can only be included in the minimum landscaping area if low impact development techniques are used.
- C. Zoning/Use Classification—Percent of Gross Site Area.

Residential 15	20%
Residential in Mixed Commercial	20%
Mixed Commercial (excluding the CBD)	15%
Industrial	10%
Commercial uses in industrial district	15%
Public	10%
PRD's and CUP's	As required by planning commission

(Ord. [1517-05](#) § 1 (part), 2005)

17.50.050 Prohibited uses.

The following uses are not permitted in required landscape areas:

- A. Parking of motor vehicles or recreational vehicles, including: campers, travel trailers, motor homes, boats or trailers;
- B. Installation of impervious surfaces;
- C. Storage of materials, including, but not limited to, hazardous waste, industrial equipment, and supplies. (Ord. [1517-05](#) § 1 (part), 2005)

17.50.060 Landscaping plan submittal requirements.

If the landscaped and irrigated area on the subject property exceeds five hundred square feet, or if the applicant requests the low impact development option, the director shall require approval of the proposed landscape plan by a privately retained licensed landscape architect, Washington Certified Nurseryman or Washington Certified Landscaper. All landscaping plans shall be prepared in accordance with the following requirements:

- A. Ten sets of landscape plans drawn to a scale of one inch equals fifty feet or larger (e.g., one inch equals thirty feet, one inch equals twenty feet). The plan should include a bar scale for reference;
- B. Name and address or location of the project;
- C. Vicinity map;
- D. Scale, north arrow and date of the plan;

- E. All property lines, easements, rights-of-way, streets, walks, vehicular drives, parking lots, existing and proposed structures, building entrances, freestanding lights, service or loading areas, signs, overhead and belowground utilities, open spaces, plazas, and recreation amenities with materials noted;
- F. Location, sizes and species of existing vegetation within landscape areas. Natural areas should be designated as such;
- G. Location of all trees, shrubs and ground cover to be planted;
- H. Any proposed or existing physical elements (such as fencing, curbing, benches, etc.) that may affect the overall landscape;
- I. Parking layout, including circulation, driveway location, parking stalls and curbing;
- J. Existing and proposed contours (maximum five-foot intervals, two feet contours preferred), elevations, and delineation of any critical areas;
- K. Dimensioned landscaped areas;
- L. Location of irrigation system, source of water, and type of irrigation system;
- M. A legend that shows symbols and type of plantings;
- N. All plant materials shall be shown on the landscaping plan at three-quarters mature size in appropriate relation to the chosen scale of the plan;
- O. The plan shall state the estimated date for installation and completion of all plantings and finish materials;
- P. The landscape plan shall identify the location and dimensions of any designated environmentally sensitive areas and required buffers;
- Q. A plant schedule shall be included which indicates the scientific and common names, quantities, sizes and spacing for all plants in the landscape plan. Quantities are not required on a preliminary landscape plan;
- R. Planting details including installation and maintenance notes and or requirements;
- S. PUD approval for irrigation systems;
- T. Identify type and number of significant trees; identify those significant trees to be saved and those to be removed and identify replacement stumpage. (Ord. [1517-05](#) § 1 (part), 2005)

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 ~~strip~~ width: ~~ten feet~~; five feet for small trees, seven feet for medium trees, and ten feet for large trees;
2. ~~Maximum~~ Spacing: Trees shall be planted at an average of ~~twenty~~ thirty feet apart ~~for small trees, an average of thirty feet apart for medium trees, and an average of forty feet apart for large trees~~, with ground cover or shrubs used liberally;
3. Plant ~~V~~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: ~~two~~ three-inch caliper;
2. Evergreen trees: six-foot minimum height ~~range~~;
3. Vine maples and other multi-stemmed trees: seven-foot minimum height;
4. Medium and tall shrubs: twenty-four-~~to thirty~~-inch minimum height;
5. Ground cover: four-~~inch~~ minimum heightes (approximately eighteen inches on center);
6. Shall not interfere with sight distance;
7. Shall not be installed within ~~two~~ 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~~ small trees, within

three feet of back of curb for medium trees, or within four feet of back of curb for large trees. (Ord. [1517-05](#) § 1 (part), 2005)

F. Where trees are to be planted in the planting strip of the public right-of-way or 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.

17.50.080 Low impact development option.

The purpose of this option is to provide an additional landscaping option that has the potential to reduce impacts on the existing stormwater drainage infrastructure, and aid in meeting Endangered Species Act requirements. Low impact development strives to protect or restore the natural hydrology of the site so that the overall integrity of the watershed is protected. Low impact development is encouraged by the city of Sedro-Woolley because it:

- A. Protects the environment;
- B. Reduces costs to developers;
- C. Makes communities more attractive;
- D. Uses vegetation and small-scale hydraulic controls to capture, treat and infiltrate stormwater on site.

More specific information about low impact development will be available as requested through the planning and public works departments. (Ord. [1517-05](#) § 1 (part), 2005)

17.50.090 Maintenance of plant materials.

The following performance standards shall apply to all landscape areas of which this chapter applies:

- A. The property owner shall replace any unhealthy or dead plant materials in conformance with the approved landscape development proposal and shall maintain all landscape material.
- B. An assignment of funds or performance bond shall be for one hundred twenty-five percent of the estimated improvements. The funds shall remain in place until the last required planting of the subject development has been planted. Only then, the assignment of funds or performance bond shall be reduced as a maintenance guarantee in an amount that is fifty percent of the original assignment of funds for performance. The maintenance guarantee shall include maintenance during the guarantee period and replacement of dead or unhealthy plants at the conclusion of the guarantee period. The length of the guarantee shall be no less than one year with an eighty percent survival rate and always cover at least one growing season (May

through September). The end date of the assignment of funds or performance bond shall be determined by the city and applicant.

C. Maintenance of landscaping intended for screening purposes shall be pruned or altered to maintain planting health only, not to maximize retail visibility or minimize screening.

D. The required landscaping must be installed prior to issuance of the temporary certificate of occupancy unless the director determines that an assignment of funds or performance bond, for a period of not more than a year, will adequately protect the interests of the city. (Ord. [1517-05](#) § 1 (part), 2005)

17.50.100 Stormwater ponds.

A. Site improvements meant to control water runoff shall be designed, when reasonably possible, to fulfill multiple functions including:

1. Regulate stormwater discharge;
2. Improve water quality;
3. Provide wildlife habitat;
4. Provide an aesthetic amenity;
5. Provide passive recreation opportunities such as walking or sitting areas; sports fields or fountains;
6. Provide shade for water temperature mitigation.

B. Any required site drainage plan, including conceptual plans, shall include the location and landscape design of stormwater ponds.

C. Stormwater ponds shall be used as aesthetic features in the site master plan. The following shall be considered when designing ponds:

1. Reduce the need for fencing by designing safe ponds which have side slopes less than 3:1 and normal water depths less than twenty-four inches;
2. Create ponds that are irregular in shape;
3. Design the pond to blend in with the surrounding environmental conditions;
4. Provide a topographic bench around the perimeter of the pond for safety;

5. Retain any existing high quality vegetation around perimeter of site;
6. Provide a pedestrian walkway and seating areas around perimeter;
7. Utilize landscaping to provide shade, create habitat, and add screening;
8. No landscaping below one-hundred-year storm elevation.

These guidelines do not replace standards for stormwater retention/detention pond design. (Ord. [1517-05](#) § 1 (part), 2005)

17.50.110 Existing site vegetation.

Significant existing trees and shrubs shall be incorporated into the landscaping. "Significant trees" shall be those eight inches evergreen and ten inches deciduous trees in diameter at a point five feet above ground level. The site plan for the project shall include the location of significant trees, and shall identify which trees will be retained on the site. Care shall be taken in the grading and construction process so as not to disturb the roots and drip line of existing trees to be retained, and to ensure proper irrigation. Orange construction fencing will be constructed outside the drip line of existing trees. If significant trees cannot be incorporated into the site design because of street or building design, such trees shall be replaced with equivalent stumpage for over ten percent reduction as approved by the city planner. (Ord. [1517-05](#) § 1 (part), 2005)

17.50.120 Screening requirements.

A. Purpose. The requirements of this section are intended to reduce the visual impacts and incompatible characteristics of:

1. Abutting properties with different land use classifications;
2. Service areas and facilities, including loading and storage areas;
3. Any other use or area as required under this section or by the planning commission;
4. Oncoming or glaring headlights when required by the public works department.

B. Landscaping. Screen planting shall consist of evergreen trees planted a maximum of fifteen feet on center; deciduous trees for seasonal color and texture planted a maximum of fifteen feet on center; and medium-sized shrubs (three to five feet at maturity) at five feet on center and ground cover plants at a density to form an effective barrier to cover eighty-five percent of the ground surface within two years. Irrigation must be installed for all screening areas.

C. Minimum Width. The landscaped screening area shall be thirty feet wide and vegetation shall be eighty percent sight-obscuring at time of planting and one hundred percent within two years that extends a minimum of six feet above the adjacent sidewalk or road right-of-way unless the use of an earth berm, fence, or wall is incorporated into the screening, as provided below:

1. Earth Berm Alternative. If an earth berm that extends a minimum of six feet above the adjacent sidewalk or road right-of-way is incorporated into the screening plan, the width of the screening area may be reduced to fifteen feet with landscaping per subsection B of this section.
2. Fence Alternative. If a fence that extends a minimum of six feet above the adjacent sidewalk or road right-of-way is incorporated into the screening plan, the width of the screening area may be reduced to fifteen feet with landscaping per subsection B of this section. The fence shall be subject to design approval by the planning director.
3. Wall Alternative. If a wall that extends a minimum of six feet above the adjacent sidewalk or road right-of-way is incorporated into the screening plan, the screening area may be reduced to ten feet with landscaping per subsection B of this section. Screen walls shall be constructed with masonry, block, or textured concrete, subject to design approval by the planning director.

D. Uses Requiring Screening. Screening is required to protect adjacent properties from probable negative impacts of any permitted or conditional use in a zone. Screening shall be required in the following instances:

1. Developments located in zones on the left side of the chart, below, shall provide screening when adjoining zones specified on the right side of the chart.

Zone to Be Developed	Zone to Be Screened
Residential-15 (R-15)	Any other residential zone
Public	Any residential zone
Mixed commercial	Any residential zone
Industrial	Any residential zone, mixed commercial zone, public zone

2. Mobile home parks shall have screening installed around the perimeter of the development in the required open space buffer, which shall not be less than twenty feet in width.

3. Unless otherwise required through the conditional use process, screening is not required along public rights-of-way except in the industrial zone. Screening along public rights-of-way is required in the industrial zone when the zoning across the public right-of-way is zoned anything other than industrial.

E. Any material that enhances the visual appearance and screening may be utilized. All screening materials are subject to design review as per Chapter [15.44](#). (Ord. [1664-10](#) § 2 (Exh. D), 2010; Ord. [1517-05](#) § 1 (part), 2005)

17.50.130 Street tree requirement.

The applicant of a project requiring a land use permit or design review by the city shall provide street trees in the public right-of-way abutting the property in accordance with SWMC Chapter [12.40](#). (Ord. [1517-05](#) § 1 (part), 2005)

17.50.140 Parking lot landscaping.

The provisions of this section are intended to soften the visual effect created by large expanses of barren asphalt; increase the amount of permeable surface; and reduce the quantity and speed of runoff from the site:

- A. Area of Application. The provisions of this section shall apply to the interior of parking areas providing twenty or more spaces;
- B. Required Area. Fifteen square feet of landscaping per parking space;
- C. Minimum Width. Planting islands shall have a minimum width of eight feet;
- D. Location of Plantings Areas. Parking area landscaping shall be located at the ends of parking columns, between the parking stalls oriented in the same direction as the stalls, or between rows of parking to break up and define parking areas;
- E. Tree and Shrub Requirements. A minimum of one tree shall be required for every one hundred fifty square feet, or fraction thereof, of required landscaped area. Deciduous trees shall have a clear trunk at least five feet above ground and a minimum size of two inches diameter breast high (dbh). Low shrubs shall be provided on the perimeter of the landscaping islands, in addition to other ground cover or flowers. Other landscape materials shall comply with the general provisions of this section;
- F. Landscape Protection. Any trees, shrubs, or plants which are susceptible to damage by pedestrian or motor vehicles shall be protected by appropriate curbs, tree guards or other protective devices;

G. Pedestrian walkways may be included in landscaped areas and the standards of this section modified to accommodate them. (Ord. [1517-05](#) § 1 (part), 2005)

Chapter 18.40

ABATEMENT

Sections:

[18.40.010 Abatement by the city.](#)

18.40.010 Abatement by the city.

A. The city may abate a condition that was caused by or continues to be a civil code violation when:

1. The terms of any voluntary compliance agreement pursuant to Chapter [18.20](#) have not been met; or
2. A notice of violation and order has been issued pursuant to Chapter [18.15](#), no appeal was timely and properly filed and the required correction has not been completed; or
3. An order by any court of competent jurisdiction has been entered; or
4. The condition is subject to summary abatement as provided for in this section.

B. Summary Abatement. Whenever any nuisance causes a condition, the continued existence of which constitutes an immediate threat to the public health, safety, or welfare or to the environment, the city may summarily and without prior notice abate the condition. Notice of such abatement, including reason for it, shall be given to the person responsible for the code violation as soon as reasonably possible after the abatement. No right of action shall lie against the city or its agents, officers, or employees for actions reasonably taken to prevent or cure any such immediate threats.

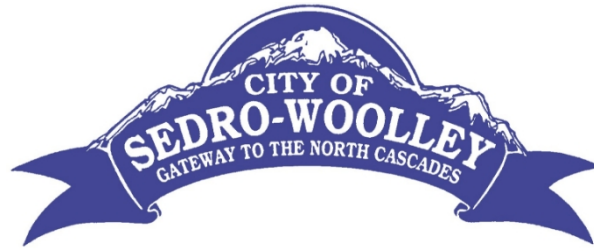
C. Authorized Action by the City. Using any lawful means, the city may enter upon the subject property and remove or correct the condition that is subject to abatement. The city may seek such judicial process as it deems necessary to effect the removal or correction of such condition.

D. Recovery of Costs and Expenses. The costs, including incidental expenses, of correcting the violation shall be billed to the person responsible for the civil code violation and/or owner, lessor, tenant, or other person entitled to use and/or control of the property and shall be payable to the city within thirty calendar days. The term "incidental expenses" includes but is not limited to personnel costs, both direct and indirect and including attorney's fees; costs incurred in documenting the violation; hauling, storage, and disposal expenses; actual expenses and costs of the city in preparing notices, specifications, and contracts, and in accomplishing and/or contracting and inspecting the work; and the costs of any required printing and mailing.

All such costs and expenses shall constitute a lien against the affected property, as set forth in Chapter [18.45](#).

E. Account of Costs. The director shall keep an itemized account of costs incurred by the city in the abatement of any violation under this title. Upon completion of any abatement work, the director shall prepare a report specifying a legal description of the real property where the abatement work occurred, the work done for each property, the itemized costs of the work, including legal and incidental expenses, and interest accrued.

F. Code Compliance and Abatement Fund—Authorized. All monies collected from the assessment of civil penalties and for abatement costs and work, except those monies designated for the critical areas mitigation fund as set forth in Chapter [17.65](#), shall be allocated to support expenditures for abatement, and shall be accounted for through either creation of an account in the fund or other appropriate accounting mechanism. (Ord. [1670-10](#) § 1 (part), 2010)



Planning Commission Agenda Item

Agenda Item No.: g.2.

Date: October 15, 2024

From: Ashton Sandoval Oaks, Assistant Planner

Subject: Proposed Amendments to Title 17 SWMC to Update Residential Parking Standards

RECOMMENDED ACTION:

Review and discuss the proposed amendments to Title 17 SWMC to update residential parking standards and propose any recommended changes.

ISSUE:

Should the Planning Commission recommend that the City Council approve and adopt the proposed amendments to Title 17 SWMC to update the required amount of off-street parking, visitor parking, and parking maximums for residential uses in all zones?

BACKGROUND/SUMMARY INFORMATION:

At the June 26, 2024 City Council meeting, staff presented Amendments to Title 17 SWMC to address Work/Live units for adoption by City Council. At this meeting, councilmembers expressed concerns regarding an insufficient amount of off-street parking for residential uses, including Work/Live and multifamily dwelling units. Currently, Title 17 SWMC defines the minimum required off-street parking for residential uses.

As the cost of housing continues to rise, some families choose to relocate themselves into smaller, more affordable dwelling units that may possess an insufficient amount of off-street parking for the size of the household residing in the dwelling. To combat excessive parking in the public right-of-way, the proposed amendments (included herein as **Attachment 1**) are intended to increase the required amount of off-street parking for residential uses. City councilmembers and concerned citizens alike have also noted a lack of visitor parking for multifamily structures. A minimum visitor parking requirement has been incorporated into the draft amendment for these structures. Despite the lack of parking that is perceived in Sedro-Woolley, parking minimums are continually being reduced or outright eliminated across the country for the purpose of allowing more buildable land capacity for affordable housing, among other reasons. To ensure parking does not dominate those areas of Sedro-Woolley that are designed for their small-town character and walkable nature, parking maximums are proposed only for residential uses in the Central Business District (CBD) and Urban Village Mixed-Use (UVMU) Overlay Zone. These proposed amendments to Title 17 will ensure that sufficient parking is provided for all residential uses without detriment to the historic character of the city or adjacent properties.

A slide deck will be presented during the October 17th, 2024 Planning Commission meeting to provide

a visual component to the proposed municipal code amendments (included herein as **Attachment 2**).

The proposed amendments are also supported by and implement the following purpose, goals, and policies from the Sedro-Woolley Comprehensive Plan and City of Sedro-Woolley Complete Streets Policy (City Council Resolution 952-17):

Urban Village Mixed-Use Overlay Subarea Plan (appendix C of Land Use Element, 2016 Comprehensive Plan)

Purpose: The UVMU will provide for more efficient use of resources providing for a mixed-use site plan to include [...] walkability, convenience, [...] and reduced dependence on motorized vehicles.

Goal UVMU2: Encourage commerce by creating a pedestrian-friendly environment that accommodates shoppers, employees and residents.

Transportation Element (2016 Comprehensive Plan)

Goal T3: To benefit social wellbeing and economic development through street design.

Policy T3.7: Provide accessible on-street parking for residential development. Provide off-street parking for multi-family residential development consistent with proposed density.

Goal T4: To encourage alternate modes of transportation in accordance with the principals outlined in the City's adopted Complete Streets Resolution 952-17 and SWMC Chapter 15.040.030.

City of Sedro-Woolley Complete Streets Policy (City Council Resolution 952-17)

Policy: The City will plan for, design, construct, operate, and maintain an appropriate and integrated transportation system that will meet the needs of motorist[s], pedestrian[s], bicyclists, wheelchair users, transit vehicles and riders, freight haulers, emergency responders, and residents of all ages and abilities.

FISCAL IMPACT, IF APPROPRIATE:

None anticipated.

ATTACHMENTS:

1. Draft Amendments 2 (10-15-24)
2. 10-15-24 presentation

Chapter 17.36

OFF-STREET PARKING AND LOADING

[...]

17.36.030 Number of spaces required.

The number of required off-street parking spaces shall be as follows, computed to the nearest whole number:

- A. Housing reserved for persons sixty years of age and older: one per dwelling unit;
- B. Group homes: one per resident between the ages of sixteen and fifty-nine, inclusive, excluding persons unable to drive due to disability, plus .5 per such younger, older or disabled person; except that bed and breakfasts and similar transient guest facilities shall provide one space per transient unit plus two for the residing family;
- C. All housing other than the above: ~~two per dwelling unit;~~

<u>Dwelling Unit Type</u>	<u>Required resident parking stalls per dwelling unit</u>	<u>Required guest parking stalls (not required for single-family homes)</u>
<u>ADUs</u>	<u>1 parking stall</u>	<u>Not required</u>
<u>Duplex (one or fewer bedrooms)</u>	<u>2 parking stalls</u>	<u>Not required</u>
<u>Duplex (two or more bedrooms)</u>	<u>3 parking stalls</u>	<u>Not required</u>
<u>Townhouse (one or fewer bedrooms)</u>	<u>1.75 parking stalls</u>	<u>1 parking stall per 6 resident parking stalls</u>
<u>Townhouse (two or more bedrooms)</u>	<u>2.5 parking stalls</u>	<u>1 parking stall per 6 resident parking stalls</u>
<u>Studio Apartment/Single-Family Home</u>	<u>1.5 parking stalls</u>	<u>1 parking stall per 6 resident parking stalls.</u>

<u>1-bedroom Apartment/Single-Family Home</u>	<u>1.75 parking stalls</u>	<u>1 parking stall per 6 resident parking stalls.</u>
<u>2-bedroom Apartment/Single-Family Home</u>	<u>2 parking stalls</u>	<u>1 parking stall per 6 resident parking stalls.</u>
<u>3-bedroom Apartment/Single-Family Home</u>	<u>2.5 parking stalls</u>	<u>1 parking stall per 6 resident parking stalls.</u>
<u>4-bedroom (or more) Apartment/Single-Family Home</u>	<u>3 parking stalls</u>	<u>1 parking stall per 6 resident parking stalls.</u>

When residential developments contain multiple dwelling unit types listed above, the required amount of parking shall be individually determined for each residential unit and summed in total. When the required amount of parking stalls for residential units is a fraction of a whole number, the required amount shall be rounded up to the next integer.

D. Offices (excluding health care offices) and banks: One per three hundred square feet gross floor area plus five vehicle storage spaces per drive-through window;

E. Eating and drinking establishments: one per seventy-five square feet of area open to the public, including outdoor service areas, plus additional as specified by the zoning administrator for drive-through capability;

F. Low-intensity sales and service (lumber, building supplies, feed and grain, large appliances, furniture, motor vehicles, boats, machinery, dry-cleaning, sign making, shoe and clothing repair, locksmiths, photography, saw-sharpening, etc.): one per four hundred square feet of gross floor area plus additional as specified by the Zoning Administrator for outdoor sales and activity areas;

G. High intensity sales and service (food, clothing, hardware, household goods, drugs, arts and crafts, auto parts, sporting goods, office equipment, books, plants, jewelry, liquor, musical instruments, barber and beauty shops, laundromats, etc.): one per two hundred fifty square feet of gross floor area open to the public;

H. Churches and funeral homes: one per four occupants at maximum design capacity;

I. Places of public assembly other than the above (auditoriums, stadiums, halls, clubs, theaters, indoor recreation, bus stations, etc.): one per three occupants at maximum design capacity;

J. Hospitals and residential health care facilities: one per three beds;

K. Health care offices and clinics including veterinarians: six per doctor, dentist or other principal personnel;

L. Day care and preschool facilities: one per worker at maximum shift plus adequate loading space.

M. Industry, wholesaling, warehousing, nonpassenger transportation facilities except ministorage: one per 1.5 workers on maximum shift;

N. Open air activities, schools, plant nurseries, public utilities, outdoor recreation, ministorage, drive-through facilities (food, carwash, service stations, etc.) and all other uses not otherwise specified: to be determined by the zoning administrator. (Ord. [1013](#) § 3.01.03, 1985)

[...]

Chapter 17.20

MIXED COMMERCIAL (MC) ZONE

[...]

17.20.060 Parking for residential uses in the MC zone.

A. The parking requirements for residential uses in the MC zone shall be as follows:

<u>Dwelling Unit Type</u>	<u>Required resident parking stalls per dwelling unit</u>
Studio	4 1.5 spaces
1 bedroom	2 spaces
2 bedrooms	2 2.5 spaces
3 bedrooms	3 spaces
4 or more bedrooms	4 spaces
Visitor/overflow spaces	1 additional space per 8 units 1 additional parking stall per 6 resident parking stalls

When the required amount of parking stalls for residential units is a fraction of a whole number, the required amount shall be rounded up to the next integer. Parking spaces counted for residential use shall not also be counted towards non-residential parking requirements of SWMC Ch. 17.36 for this zone. (Ord. [1484-04](#) § 7 (part), 2004)

Chapter 17.21

URBAN VILLAGE MIXED-USE (UVMU) OVERLAY

[...]

17.21.080 Parking—General.

A. Intent. The intent of the UVMU overlay is to encourage commerce by creating a pedestrian-friendly environment that accommodates both shoppers and its residents. Providing adequate parking without creating large expanses of parking lots in front of commercial businesses is key to the success of the UVMU overlay.

The creation of a mixed-use parking district shall be encouraged. Parking may be constructed and maintained for motor vehicles, bicycles or other non-motorized transportation, lease parking and/or other parking that promotes alternatives to driving single-occupant motor vehicles. New development may utilize a shared parking arrangement subject to review and approval by the planning director.

Partially underground parking structures are encouraged with either landscape or constructed buffers to minimize visual impacts of parking. The Sedro-Woolley design standards and guidelines apply to location and design of parking lots.

Private driveways, garages and garage entrances shall be at rear and side of buildings; unless deemed unfeasible by civil engineer or planning director.

The city may enter into a developer agreement (or similar binding agreement) and collect in-lieu fees to develop and manage a mixed-use parking district.

B. Off-street parking shall be provided for residential dwellings, commercial and retail uses in the UVMU overlay. Off-street parking for residential use shall be limited with parking stall maximums to reduce automobile dependency and overexpansion of asphalt. (Ord. [1931-19](#) § 2 (Exh. A) (part), 2019)

[...]

17.21.090 Parking for residential uses in the urban village mixed-use zone.

Subject to any shared parking as approved under Section [17.21.080](#), parking shall be provided as follows:

Table 17.21.090(1)

Townhouse:	1 space per bedroom up to 2 bedrooms, 0.5 space per additional bedroom over 2 bedrooms
Apartment or condominium:	
Studio	1.2 per dwelling unit
One bedroom	1.5 per dwelling unit
Two bedroom	1.7 per dwelling unit
Three bedroom or larger	1 space per bedroom up to 2 bedrooms, 0.5 space per additional bedroom over 2 bedrooms

(Ord. ~~1931-19~~ § 2 (Exh. A) (part), 2019)

<u>Dwelling Unit Type</u>	<u>Required resident parking stalls per dwelling unit</u>	<u>Maximum resident parking stalls per dwelling unit</u>	<u>Required guest parking stalls</u>
<u>Townhouse (one or fewer bedrooms)</u>	<u>1.75 parking stalls</u>	<u>3 parking stalls</u>	<u>1 parking stall per 6 resident parking stalls</u>
<u>Townhouse (two or more bedrooms)</u>	<u>2.5 parking stalls</u>	<u>4 parking stalls</u>	<u>1 parking stall per 6 resident parking stalls</u>
<u>Studio Apartment</u>	<u>1.5 parking stalls</u>	<u>2 parking stalls</u>	<u>1 parking stall per 6 resident parking stalls</u>
<u>1-bedroom Apartment</u>	<u>1.75 parking stalls</u>	<u>3 parking stalls</u>	<u>1 parking stall per 6 resident parking stalls</u>
<u>2-bedroom Apartment</u>	<u>2 parking stalls</u>	<u>3.5 parking stalls</u>	<u>1 parking stall per 6 resident parking stalls</u>
<u>3-bedroom Apartment</u>	<u>2.5 parking stalls</u>	<u>4 parking stalls</u>	<u>1 parking stall per 6 resident parking stalls</u>
<u>4-bedroom (or more) Apartment</u>	<u>3 parking stalls</u>	<u>4.5 parking stalls</u>	<u>1 parking stall per 6 resident parking stalls</u>

When residential developments contain multiple dwelling unit types listed above, the required amount of parking shall be individually determined for each residential unit and summed in total. When the required amount of parking stalls for residential units is a fraction of a whole number, the required amount shall be rounded up to the next integer.

[...]

Chapter 17.22

TRANSITIONAL MIXED COMMERCIAL OVERLAY

[...]

17.22.060 Parking for residential uses in the MC zone.

The parking requirements for residential uses in the MC zone shall be as follows:

<u>Dwelling Unit Type</u>	<u>Required resident parking stalls per dwelling unit</u>
Studio	4 1.5 spaces
1 bedroom	2 spaces
2 bedrooms	2 2.5 spaces
3 bedrooms	3 spaces
4 or more bedrooms	4 spaces
Visitor/overflow spaces	1 additional space per 8 units 1 additional parking stall per 6 resident parking stalls

When the required amount of parking stalls for residential units is a fraction of a whole number, the required amount shall be rounded up to the next integer. Parking spaces counted for residential use shall not also be counted towards nonresidential parking requirements of Chapter [17.36](#) for this overlay. (Ord. [1664-10](#) § 2 (Exh. F))

Chapter 17.24

CENTRAL BUSINESS DISTRICT (CBD) ZONE

[...]

17.24.050 Parking.

A. Intent. To encourage the creation of a downtown parking district administered by the city. It would be authorized to collect in-lieu parking fees from new residential uses downtown and use that revenue, with any other revenue it generates, to manage a downtown parking district. The district may construct and maintain downtown parking for motor vehicles and bikes, lease parking, or otherwise monitor the provision of adequate parking and/or promotion of alternatives to driving.

B. The goal of the central business district is to create a pedestrian-friendly environment and to encourage commerce. Parking requirements in the downtown shall be as follows:

1. Except for new construction as described in subsection (B)(2) of this section, parking for new buildings in the central business district shall be provided as follows:

Tier 1	New buildings with: • 10 or fewer residential units • 4,000 square feet or fewer of commercial space	Residential units associated with commercial/retail use: no off-street parking required. Commercial uses: standard off-street parking per Chapter 17.36 . Public uses: no off-street parking required.
Tier 2	New buildings with: • 11 or more residential units • More than 4,000 square feet of commercial space	Residential units associated with commercial/retail use: reduced off-street parking. Commercial uses: standard off-street parking per Chapter 17.36 . Public uses: no off-street parking required.

2. Parking for new buildings located within the area bounded on the north and west by the railroad rights-of-way, on the south by the alley in between State and Warner Streets, and on the east by Puget Avenue/4th Avenue shall be provided as follows:

Tier 1	New buildings with: • 10 or fewer residential units • 4,000 square feet or fewer of commercial space	Residential units associated with commercial/retail use: no off-street parking required. Retail and restaurant uses: no off-street parking required. Public uses: no off-street parking required. All uses not described: standard off-street parking per Chapter 17.36
Tier 2	New buildings with: • 11 or more residential units	Residential units associated with commercial/retail use: reduced off-street parking. Retail and restaurant uses: no off-street parking required.

	More than 4,000 square feet of commercial space	Public uses: no off-street parking required. All uses not described: standard off-street parking per Chapter 17.36
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3. Reduced residential parking standards referenced in subsections (B)(1) through (2) of this section are as follows:

<u>Dwelling Unit Type</u>	<u>Required resident parking stalls per dwelling unit</u>	<u>Maximum resident parking stalls per dwelling unit</u>	<u>Required guest parking stalls</u>
Studio	1 space	1.5 spaces	1 additional parking stall per 10 resident parking stalls
1 bedroom	1 space	2 spaces	1 additional parking stall per 10 resident parking stalls
2 bedrooms	1.5 spaces	2.5 spaces	1 additional parking stall per 10 resident parking stalls
3 or more bedrooms	1 space per bedroom up to 2 bedrooms, 0.5 space per additional bedroom over 2 bedrooms	3 spaces	1 additional parking stall per 10 resident parking stalls

Rooms indicated on building plans as “office,” “extra room,” “play room” or other rooms that may reasonably be considered for use as a bedroom may be counted as bedrooms for parking purposes by the planning director. [When the required amount of parking stalls for residential units is a fraction of a whole number, the required amount shall be rounded up to the next integer.](#)

4. New commercial or retail development may propose a shared parking arrangement to the planning director for review and approval.

5. Parking for residential buildings that do not include commercial uses, as allowed per Section [17.24.010](#)(A)(3), shall be accessed from the alley when an alley exists. The number of spaces required for residential buildings that do not include commercial uses shall be as follows:

<u>Dwelling Unit Type</u>	<u>Required resident parking stalls per dwelling unit</u>	<u>Maximum resident parking stalls per dwelling unit</u>	<u>Required guest parking stalls</u>

Studio	4 <u>1.5</u> spaces	<u>2 spaces</u>	<u>1 additional parking stall per 6 resident parking stalls</u>
1 bedroom	2 spaces	<u>3 spaces</u>	<u>1 additional parking stall per 6 resident parking stalls</u>
2 bedrooms	2 <u>2.5</u> spaces	<u>3.5 spaces</u>	<u>1 additional parking stall per 6 resident parking stalls</u>
3 bedrooms	3 spaces	<u>4 spaces</u>	<u>1 additional parking stall per 6 resident parking stalls</u>
4 or more bedrooms	4 spaces	<u>5 spaces</u>	<u>1 additional parking stall per 6 resident parking stalls</u>

Rooms indicated on building plans as "office," "extra room," "play room" or other rooms that may reasonably be considered for use as a bedroom may be counted as bedrooms for parking purposes by the planning director. When the required amount of parking stalls for residential units is a fraction of a whole number, the required amount shall be rounded up to the next integer.

6. There shall be a minimum off-street parking apron of twenty-five feet in length directly in front of all garage doors for residential buildings that do not include commercial uses per Section [17.24.010](#)(A)(3). (Ord. [1979-21](#) § 1 (Exh. A), 2021; Ord. [1664-10](#) § 2 (Exh. B) (part), 2010; Ord. [1451-03](#) § 6)

Chapter 17.28

INDUSTRIAL (I) ZONE

[...]

17.28.070 Parking for work/live units in the industrial zone.

The parking requirements for work/live units in the industrial zone shall be as follows:

<u>Dwelling Unit Type</u>	<u>Required resident parking stalls</u>
Studio	2 spaces
1 bedroom	2 spaces
2 bedrooms	2.5 spaces
3 bedrooms	3 spaces
4 or more bedrooms	4 spaces
Visitor/overflow spaces	1 additional space per 6 units <u>1 additional parking stall per 6 residential parking stalls.</u>

Work/live units shall provide parking per the table above for the residential use based on the number of bedrooms in the unit. Work/live units shall also provide parking spaces for the business use per the development standards in Section [17.36.030](#).

Parking spaces counted for the residential portion of the work/live unit shall not be counted towards the parking requirements of Chapter [17.36](#) for the business portion. When the required amount of parking stalls for residential units is a fraction of a whole number, the required amount shall be rounded up to the next integer. (Ord. [2046-23](#) § 4, 2024)

Chapter 17.16

RESIDENTIAL 15 (R-15) ZONE

[...]

17.16.050 Parking for residential uses in R-15 zone.

The parking requirements for residential uses in the R-15 zone shall ~~be as follows:~~ comply with the parking requirements outlined in 17.36.030 SWMC.

Studio	1 space
1 bedroom	2 spaces
2 bedrooms	2 spaces
3 bedrooms	3 spaces
4 or more bedrooms	4 spaces
Visitor/overflow spaces	1 additional space per 8 units

In all cases, there shall be a minimum off-street parking apron of twenty-five feet in length directly in front of all garage door entrances when accessing a street 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.

Parking spaces counted for residential use shall not also be counted towards nonresidential parking requirements of Chapter [17.36](#) for other uses in this zone. (Ord. [1906-18](#) § 1, 2018; Ord. [1484-04](#) § 6 (part), 2004)

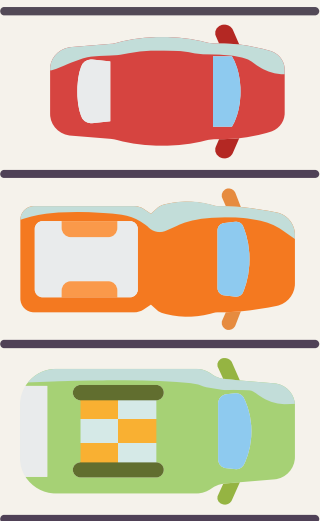
[...]



October 15th, 2024

RESIDENTIAL PARKING STANDARDS

**Proposed Amendments to the
Sedro-Woolley Municipal Code**



PURPOSE

- City Council and concerned citizens have identified a lack of parking for residence and visitor use, particularly for multifamily structures.
- The cost of housing is rising. In response, some households are choosing to move into smaller dwellings.
- Parking maximums are proposed for those zones with increased pedestrian traffic to prevent overexpansion of asphalt.

STANDARDS THROUGHOUT THE COUNTY 3

AS OF JULY 12TH, 2024

Mount Vernon

Dwelling Unit Type	Required Off-Street Parking
Studio apartment	1
1-bedroom apartment	1.5
2-bedroom (or more apartment)	2
SFRs, Duplexes, Townhouses	4

Burlington

Dwelling Unit Type	Required Off-Street Parking
Studios, 1- and 2-bedroom apartments and townhouses, & all dwellings in Downtown Area	1
1- and 2-bedroom apartments	1.5
3-bedroom (or more) duplex or townhouse	2
3-bedroom (or more) apartment	4

Anacortes

Dwelling Unit Type	Required Off-Street Parking
Cottage	1.5
1-bedroom non-SFR	1 - 1.5
2-bedroom non-SFR	1.4 - 2
3-bedroom (or more) non-SFR	1.6 - 2.5

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CHANGES TO ALL PARKING REQUIREMENTS

- When the minimum parking requirement is a **fraction** of a whole number (ex.: 9.25), the required parking shall be **rounded up** to the next integer (ex.: 10) in all cases.
- **Visitor parking** shall be provided for all dwelling unit types, excluding ADUs, Duplexes, and SFRs. The amount of visitor parking is determined by the underlying zone.
- **No** proposed parking changes for non-residential uses.
- Parking shall be determined according to **dwelling unit type & bedroom count**.



CHAPTER 17.36

5

OFF-STREET PARKING & LOADING

- Parking space requirement determined by **dwelling unit type & bedroom count** (tables on next slides).
- Adds requirement for **visitor parking** at the rate of 1 visitor parking stall for ever 6 resident parking stalls.
 - ADUs, Duplexes, and SFRs are **not required** to provide visitor parking.
- Separate parking requirements for R-15 is eliminated. Parking in R-15 will be determined according to 17.36 SWMC.



17.36 SWMC: OFF-STREET PARKING & LOADING

Dwelling Unit Type	OLD Required Off-Street Parking	NEW Required Off-Street Parking
ADU	1	1
Duplex (1 or fewer bedrooms per unit)	2	2
Duplex (2 or more bedrooms per unit)	2	3
Townhouse (1 or fewer bedrooms)	2	1.75
Townhouse (2 or more bedrooms)	2	2.5

Dwelling Unit Type	OLD Required Off-Street Parking	NEW Required Off-Street Parking
Studio apartment/SFR	2	1.5
1-bedroom apartment/SFR	2	1.75
2-bedroom apartment/SFR	2	2
3-bedroom apartment/SFR	2	2.5
4-bedroom (or more) apartment/SFR	2	3

Guest parking for all dwelling unit types shall be 1 visitor parking stall per 6 resident parking stall (excluding ADUs, Duplexes, & SFRs).

CHAPTER 17.20 & 17.22: MIXED COMMERCIAL & TRANSITIONAL MIXED COMMERCIAL OVERLAY

- Minor updates to parking for residential use in the MC and TMCO zone.
- **No changes** to parking for commercial or industrial uses.
- **Increased visitor parking** requirement to 1 visitor stall per 6 residential parking stalls.

Dwelling Unit Type	OLD Required Off-Street Parking	NEW Required Off-Street Parking
Studio	1	1.5
1-bedroom	2	2
2-bedroom	2	2.5
3-bedroom	3	3
4-bedroom (or more)	4	4

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17.21 URBAN VILLAGE MIXED-USE

8

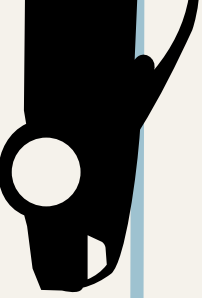
Changes

- Increased residential parking requirements (no changes to commercial parking).
- Added **visitor parking requirement**: 1 visitor parking stall per 6 resident parking stalls.
- Creation of **parking maximums** to reduce automobile dependency and overexpansion of asphalt.

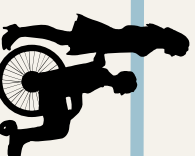
Why?

- **Parking maximums** will encourage pedestrian-scale urban design.
- The UVMU Subarea Plan (Appendix C of Land Use Element of 2016 Comprehensive Plan) states:

“The UVMU will provide for more efficient use of resources providing for an integrated mixed-use site plan to include [...] **walkability** [...] and **reduced dependence on motorized vehicles**,” (p. 5).



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17.21: URBAN VILLAGE MIXED-USE OVERLAY

Dwelling Unit Type	OLD Required Off-Street Parking	NEW Required Off-Street Parking	NEW Maximum Resident Parking Stalls
Townhouse (studio)	1	1.75	3
Townhouse (1-bedroom)	1	1.75	3
Townhouse (2-bedroom)	2	2.5	4
Townhouse (3-bedrooms)	2.5	2.5	4
Townhouse (4 or more bedrooms)	3	2.5	4

Dwelling Unit Type	OLD Required Off-Street Parking	NEW Required Off-Street Parking	NEW Maximum Resident Parking Stalls
Studio apartment	1.2	1.5	2
1-bedroom apartment	1.5	1.75	3
2-bedroom apartment	1.7	2	3.5
3-bedroom apartment	2.5	2.5	4
4-bedroom (or more) apartment	3	3	4.5

17.24: CENTRAL BUSINESS DISTRICT

17.24.050 (B) SWMC reads as follows:

The goal of the central business district is to create a **pedestrian-friendly environment** and to encourage commerce...

2 Residential Parking Sections for Off-Street Parking for **New Construction** in CBD:

Reduced Residential Parking for Mixed-Use Structures with 11 (or more) residential units as permitted by 17.24.050 (B) SWMC

- **No changes** to the minimum parking requirement
- Addition of **parking maximums** intended to preserve the pedestrian-friendly environment of the CBD
- Addition of **visitor parking requirement: 1** visitor parking stall per 10 resident parking stalls.

Parking for Standalone Residential Structures as permitted by 17.24.010 (A) (3) & 17.24.050 (B) (5) SWMC

- **Small increase** to the minimum parking requirement
- Addition of **parking maximums** intended to preserve the pedestrian-friendly environment of the CBD
- Addition of **visitor parking requirement: 1** visitor parking stall per 6 resident parking stalls.

17.24: CENTRAL BUSINESS DISTRICT

PARKING FOR RESIDENTIAL USE IN MIXED-USE DEVELOPMENT (17.24.050 (B) (3) SWMC)

Dwelling Unit Type	OLD Required Off-Street Parking	NEW Required Off-Street Parking	NEW Maximum Resident Parking Stalls
Studio	1	1	1.5
1-bedroom	1	1	2
2-bedroom	1.5	1.5	2.5
3-bedroom (or more)	2.5	2.5	3

PARKING FOR RESIDENTIAL USE IN RESIDENTIAL-ONLY DEVELOPMENT (17.24.050 (B) (5) SWMC)

Dwelling Unit Type	OLD Required Off-Street Parking	NEW Required Off-Street Parking	NEW Maximum Resident Parking Stalls
Studio	1	1.5	2
1-bedroom	2	2	3
2-bedroom	2	2.5	3.5
3-bedroom	3	3	4
4-bedroom (or more)	4	4	5

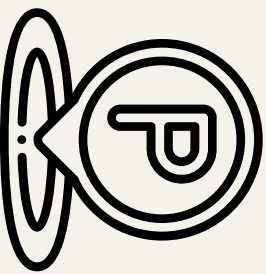
17.28:

INDUSTRIAL

- **Minor update** to parking for residential use in the Industrial zone
- **No changes** to parking for industrial uses
- Increased **visitor parking requirement** to 1 visitor stall per 6 residential parking stalls

Dwelling Unit Type	OLD Required Off-Street Parking	NEW Required Off-Street Parking
Studio	2	2
1-bedroom	2	2
2-bedroom	2	2.5
3-bedroom	3	3
4-bedroom (or more)	4	4

Sedro-Woolley Planning Dept.



GENERAL OVERVIEW

1

Residential parking is now determined according to **dwelling unit type** and **bedroom count**

2

Required parking is **increased** for the majority of dwelling unit types.

3

Visitor parking requirements are added for residential uses, excluding ADUs, duplexes, and SFRs.

4

Parking **maximums** are created for the **UVMU** & **CBD**, the zones intended for pedestrian-scale design and reduced dependency on motorized vehicles.

5

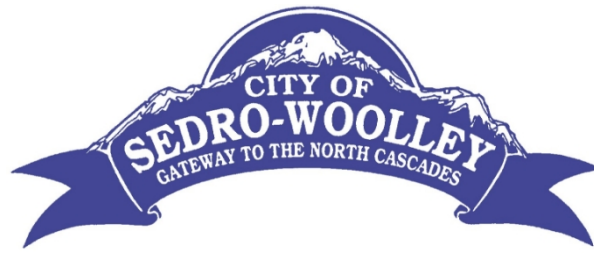
No changes to non-residential parking



Sedro-Woolley Planning Dept.

THANK YOU

Questions and Discussion



Planning Commission Agenda Item

Agenda Item No.: g.3.

Date: October 15, 2024

From: Nicole McGowan, Planner

Subject: Proposed Amendments to Chapter 2.90 and Title 17 SWMC to Add Regulations for Cottage Clusters

RECOMMENDED ACTION:

Review and discuss Anacortes' Cottage Housing regulations, compare with current amendment language, and consider revisions to simplify criteria. Review and discuss guidance from Municipal Research and Services Center (MRSC) regarding possible fee reductions for affordable housing developments and consider revisions to incentivize development of long-term affordable cottage housing.

ISSUE:

How can the Cottage Cluster code be simplified without detracting from the vision for the appearance and function of Cottage Clusters? How can the City incentivize the development of long-term affordable cottage housing?

BACKGROUND/SUMMARY INFORMATION:

On September 9, 2024, North Star held a meeting with developers of Skagit Valley at which the Planners from each jurisdiction of Skagit County shared what each of their respective cities are doing to address the housing challenge. North Star is a public-private partnership uniting governments, non-profits, first-responders, housing/health organizations, and community leaders. Rather than managing the crises of homelessness and untreated behavioral health, members of North Star are working to solve them by pooling resources, coordinating action, and streamlining essential community services. As you know, jurisdictions have been working together to address the region's housing needs while also working to comply with the Growth Management Act (GMA). The intent of the September 9 meeting was to get feedback from the developers to identify whether cities are aiming in the right direction with current efforts and what potential gaps may need to be filled. At this meeting, Sedro-Woolley shared insight on our current work on new Cottage Cluster regulations. Kevin Maas with Glacier Energy, a development company based in Mount Vernon, spoke of Cottage Housing projects he has done in Anacortes using their new regulations. It was recommended that Sedro-Woolley review Anacortes' regulations and consider changes to our draft code language aimed at simplifying the regulations. Anacortes' Cottage Housing regulations are included herein as **Attachment 1**. Sedro-Woolley's latest draft of Cottage Cluster regulations are included as **Attachment 2** for comparison. It is important to retain Sedro-Woolley's vision for the appearance and function of Cottage Clusters to ensure these developments will not hinder the preservation of local neighborhood character while also

ensuring such developments are not over-regulated. The goal is to create additional variety of affordable housing stock in the City. Over-regulation, such as overly-restrictive site and building design standards, excessive permitting fees/procedures, and other stringent requirements could drive up construction costs, making these homes less affordable for the average buyer or renter. Developers might also lose interest in cottage housing projects if the regulatory environment becomes too cumbersome or financially prohibitive, resulting in fewer projects and the exacerbation of housing shortages. There is also the risk of limiting design flexibility and innovation - cottage housing is meant to be adaptable to different lot sizes and community needs. Over-regulation can hinder creative solutions that could enhance both affordability and livability.

At the September 17, 2024 Planning Commission meeting, discussion was held over a number of topics related to cottage clusters. Most of the conversation revolved around permanent affordable housing, development incentives, and monitoring affordability. With these topics being as complex as they are, the Planning Commission requested additional time to review the draft and research the topics before any requests for changes are made. Planning staff has also done more research to help guide discussion. With respect to incentivizing affordability, the Municipal Research and Services Center (MRSC) provides guidance to jurisdictions looking to incorporate incentives for developers to construct affordable housing projects. Many options exist, including density bonuses, partnerships with nonprofit housing developers and public housing authorities, permit streamlining, reductions/waivers of fees, design standards specific to small-scale development, reduced parking standards, and more. View examples of how other jurisdictions in Washington State have implemented the above strategies here: <https://mrsc.org/explore-topics/housing-homelessness/housing/affordable-housing-techniques>

As long as the profit margin increases for every marginal square foot of construction, builders have an incentive to always build bigger. But, if there are incentives incorporated in code to build smaller, more new houses will be available in that under 1,200 square-foot segment of the market that used to be significant, but now is mostly extinct.

Planning staff requests that the Planning Commission discuss the following:

- Planning Commission has voiced concerns about over-densification within Cottage Clusters. If the density bonus incentive is removed, the replacement incentive(s) should still promote permanent affordable housing projects, self-help projects, close-proximity to public transit, and inclusion of a clubhouse. What strategy/strategies would be best to do so?
- At the last meeting, it was proposed to limit Cottage Clusters to the R-15 zone only. Planning staff highly recommends against this restriction for the following reasons:
 - Limited availability of R-15 zoned land. The City currently has a limited amount of R-15 zoned land, and much of it is already developed or otherwise unsuitable for new projects. By restricting cottage housing to this zone, we would be effectively reducing the opportunity to add much-needed affordable housing in Sedro-Woolley. A broader application of cottage housing across all residential zones would create more opportunities to meet the city's housing needs.
 - Promoting affordable housing city-wide. Cottage housing is designed to offer smaller, more affordable units that are ideal for first-time homebuyers, seniors looking to downsize, or families seeking affordable housing. These benefits should not be confined to just one high-density zone. Allowing cottage housing throughout all residential zones provides flexibility to accommodate different housing needs, without being limited by geography.
 - Maintaining neighborhood character. While concerns about neighborhood character are understandable, cottage housing developments can be designed to blend in with the existing community. Cottage housing often includes thoughtful design standards (e.g., height limitations, architectural compatibility, and landscaping requirements, etc.)

ensuring these homes complement the surrounding neighborhood. By applying design standards that work for Cottage Clusters in all residential zones, we can protect neighborhood character while expanding affordable housing options.

- Supporting Comprehensive Plan goals. Sedro-Woolley's Comprehensive Plan, and even more so after the 2024/25 update, emphasizes the need to diversify housing options, improve housing affordability, and meet the needs of current and future residents. Allowing cottage housing throughout the city aligns with these goals. Limiting it to the R-15 zone would undermine efforts to provide housing equity across neighborhoods and concentrate affordability in specific areas rather than distributing it more evenly across the city.
- Encouraging infill development. Cottage housing supports infill development, allowing for more efficient use of available land. It offers a way to increase housing supply without requiring significant infrastructure expansion, particularly in areas that are already well-served by utilities and transportation. By restricting cottage housing to the R-15 zone, we may miss out on opportunities for sustainable infill development in lower-density areas.
- Community diversity. Allowing cottage housing in all residential zones promotes social and economic diversity within neighborhoods, creating mixed-income communities where a range of housing options can coexist. Restricting it to R-15 could segregate affordable housing into specific areas, reducing overall neighborhood diversity and inclusivity.
- No definition currently exists for "clubhouse." It's recommended to include a definition to identify what the City means by "clubhouse," but also leave the definition a bit open-ended to allow alternative proposals when fitting. The intent for the function of the clubhouse should be clear. Example language: "Clubhouse" means a shared community building which may include uses such as, but not limited to, a multi-purpose entertainment space, recreation center, community kitchen, library, workshop, or similar amenity that promotes shared use and a sense of community."
- Consider simplifying code for both staff and developers. Specific sections of Anacortes' code to consider:
 - Density.
 - Minimum and maximum number of cottages.
 - Setbacks and separation.
 - Common open space.
 - Shared community buildings.
 - Private open space.
 - Access and parking.
 - ADUs not permitted.

No revisions to the draft code are proposed at this time. The intent of this meeting is to discuss potential revisions to include and present at the following meeting(s). If necessary, we can defer this discussion to the following meeting(s) for further consideration before changes are requested.

FISCAL IMPACT, IF APPROPRIATE:

None.

ATTACHMENTS:

1. Anacortes Cottage Housing Code with References

2. Draft Amendments 4 - Cottage Clusters

Anacortes Cottage Housing Regulations (AMC 19.43.040)

*****References for highlighted items have been provided at the end.**

19.43.040 Cottage housing.

A. *Definition.* A small single-family dwelling that is clustered with other similar units sharing a common open space.

B. *Purpose.*

1. Provide opportunities for creative, diverse and high-quality infill development that is compatible with existing neighborhoods.
2. Promote housing affordability and greater choice by encouraging smaller and more diverse home sizes in accordance with the Anacortes comprehensive plan.
3. Support compatibility with existing neighborhoods by promoting high-quality design.
4. Support more efficient use of urban residential land.
5. Enhance the character of the residential neighborhood.
6. Provide usable open space for residents.

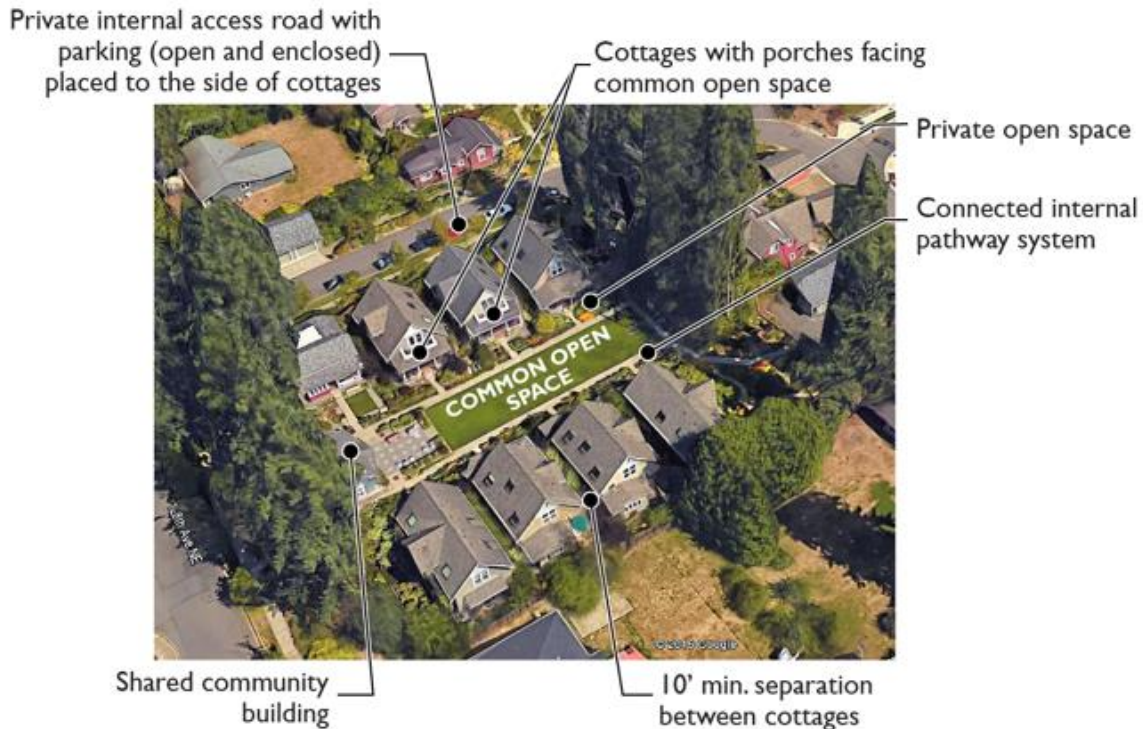
Figure 19.43.040(A)

Cottage housing development examples.



Figure 19.43.040(B)

Cottage housing site plan example.



C. Standards.

1. *Lot Size.* Cottages are exempt from minimum lot area and lot width circle standards, provided they comply with density and design standards herein.

2. *Density.* Due to the smaller relative size of cottage units, each cottage may be counted as one-half a dwelling unit for the purpose of calculating density. For example, a cluster of six cottages would be equivalent to three dwelling units.

3. *Minimum and Maximum Number of Cottages.*

a. Cottage housing developments must contain a minimum of three cottages.

b. Three to 12 cottage structures may make up a cluster. There is no limit on the number of clusters, provided all other standards are met.

c. In the R3, R3A, R4, and R4A zones, attached duplex cottages are allowed.

4. *Setbacks and Separation.*

a. The minimum setbacks set forth in Table 19.42.020 apply to the development frontage and external side and rear property lines of the entire cottage development.

b. Individual cottages must be separated from other cottages by at least 10 feet. Permitted projections into required interior side setbacks in AMC 19.42.140 apply.

c. Cottages must be set back at least five feet from any internal pedestrian path. Permitted projections into required street setbacks in AMC 19.42.140 apply.

d. Cottages must be set back at least 10 feet from any internal access lanes that provide access to four or more cottages. For access lanes serving less than four cottages, at least five feet of separation is required between access lanes and cottages. Permitted projections into required street setbacks in AMC 19.42.140 apply for setbacks to internal access lanes.

5. *Building Height.*

a. Cottages have a maximum building height of 25 feet. All parts of the roof above 18 feet must be pitched with a minimum roof slope of 6:12.

b. Accessory structures in cottage housing developments are subject to the standards in **AMC 19.47.020**.

6. *Cottage Size.* Cottages must contain no more than 1,200 square feet **gross floor area** in total, not including attached garages.

7. *Entries.*

a. Clear and obvious pedestrian access between the sidewalk (or the street if there is no sidewalk) and the building entry is required for new dwellings.

b. All new dwellings must provide a covered pedestrian entry with minimum weather protection of three feet by three feet (a covered porch or recessed entry).

8. *Facade Transparency.* Transparent windows and/or doors are required on at least eight percent of facades featuring the primary entrance and facing streets and common open spaces. For corner lots, this standard is only applied to the elevation containing the primary entrance.

9. *Common Open Space.*

a. *Minimum Size.* Common open space must be at least 400 square feet per cottage.

b. *Minimum Dimensions.* Common open space must have no dimension less than 15 feet. Areas used to meet private open space requirements may not be double-counted as common open space.

c. *Elements.* Common open space may include a lawn, courtyard, plaza, garden, or other shared central open space and may not include parking areas. Common open space must be usable and may not include critical areas or critical area buffers,

including steep slopes. LID stormwater BMPs, like rain gardens, may be integrated in up to 25 percent of the minimum required usable open space area.

d. *Orientation.* Common open space must have cottages abutting on at least two sides. At least 50 percent of the cottages in each cottage housing cluster must abut common open space. Cottages abutting the common open space must be oriented around and have the primary entrance face the common open space.

e. *Access.* Cottages must be within 100 feet walking distance of the common open space and feature a direct pedestrian connection to the common open space.

10. *Shared Community Buildings.*

a. A shared community building may be integrated into the common open space area required in subsection (C)(9) of this section but must not be included in the minimum common open space area calculations.

b. *Nonresidential Use.* A shared community building may include uses such as, but not limited to, a multi-purpose entertainment space, recreation center, kitchen, library, storage space, workshop, or similar amenities that promote shared use and a sense of community. Commercial uses other than day care (see AMC 19.44.010(B)(2)(a)) are prohibited.

c. *Residential Use.* A shared community building may contain one attached accessory dwelling unit (see AMC 19.47.030).

d. *Height.* Shared community buildings have a maximum building height of 25 feet. All parts of the roof above 18 feet must be pitched with a minimum roof slope of 6:12.

e. *Size.* Shared community buildings have a maximum ground floor footprint of 1,200 square feet.

f. *Other Standards.* Except for the height and size exceptions identified in subsections (C)(10)(d) and (C)(10)(e) of this section, shared community buildings are subject to the accessory structure standards in AMC 19.47.020.

11. *Private Open Space.*

a. *Minimum Size.* The minimum private open space adjacent to each cottage must be at least 200 square feet.

b. *Minimum Dimensions.* The private open space must have no dimension less than 10 feet.

- c. *Access.* The private open space must have direct access from the cottage via a door or porch.
- d. The required porch (see subsection (C)(11)(e) of this section) does not count as private open space for the size or dimension requirements of this section. The private open space is encouraged to be located between the cottage and the common open space.
- e. *Porches.* Cottage facades facing the common open space or common pathway must feature a roofed porch at least 70 square feet in size with a minimum dimension of seven feet on any side. Cottages sited between a street and the common open space are also subject to the entry requirements in subsection (C)(7) of this section.
- f. Private open space must be usable and may not include critical areas or critical area buffers, including steep slopes.

12. *Access and Parking.*

- a. Driveway and access requirements are in **AMC Chapter 19.53**.
- b. Off-street parking standards, including guest parking provisions, are set forth in **AMC 19.64.030 and 19.64.040**.
- c. Parking areas must be located to the side or rear of cottage clusters. Parking must not be located between the street and cottages nor between cottages and common open space.
- d. Parking and access lanes must be screened from adjacent residential uses by landscaping or architectural screens. For parking areas and access abutting residential uses, at least five feet of Type A, B, or C landscaping (see AMC 19.65.060) must be provided between the parking area and the abutting residential use.
- e. Parking is encouraged to be consolidated under cover. Uncovered parking must be located in clusters of not more than five adjoining spaces (except where adjacent to an alley). Driveway space in front of private garages is exempt from this provision.
- f. Garages with a footprint of up to 300 square feet may be attached to individual cottages, provided all other standards herein are met. Such garages do not count toward the size limit of cottages. Such garages must not be located adjacent to the common open spaces.

Departures to the garage/common open space standard will be considered, provided the combination of the common open space design, garage location and design, and landscaping/architectural design features helps to create a

common open space that meets the purposes of the standards and the design mitigates the impact of the garages on the common open space.

13. Landscaping. The minimum landscaped area requirements per Table 19.42.020 apply to the whole cottage development rather than for individual cottage dwellings.

14. Accessory dwelling units are not permitted in cottage housing developments, except as provided in subsection (C)(10) of this section

***** References for highlighted items:**

AMC 19.42.090 – Minimum lot width circle calculation and exceptions

A. *Purpose.* The purpose of the minimum lot width circle requirement is to:

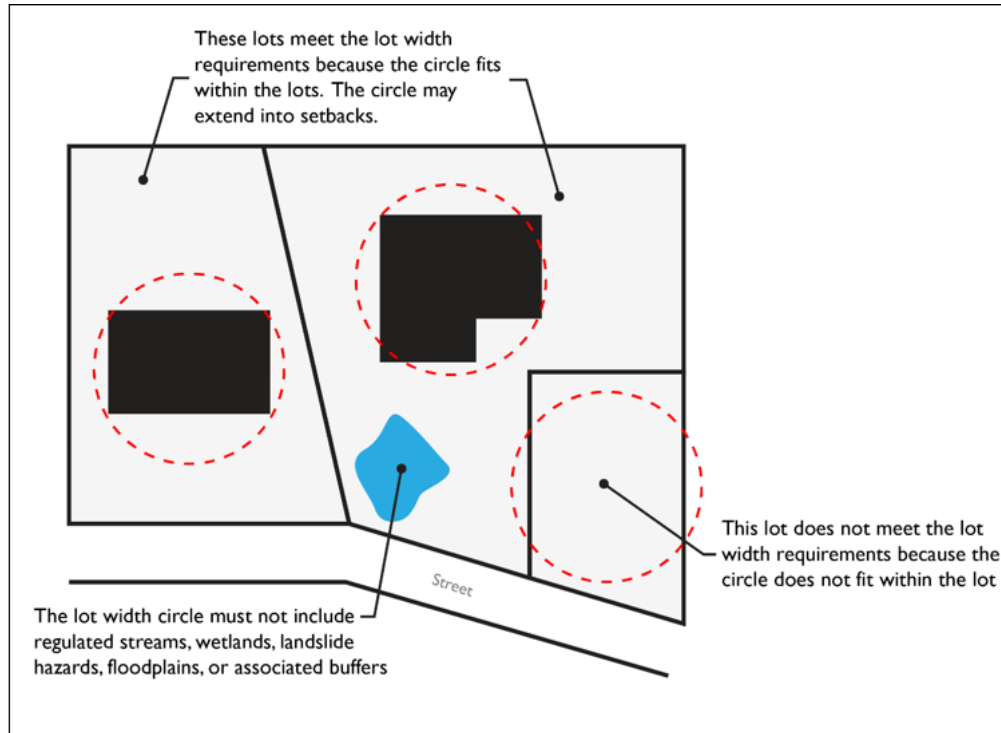
1. Ensure that each lot is wide enough to maintain a consistent and compatible land use pattern in residential neighborhoods; and
2. Ensure that a minimum buildable area is included in each lot created.

B. *Requirement.* Table 19.42.020 identifies the minimum lot width circle diameter that must fit within each newly created lot in residential zones. This circle establishes that at least some portion of a lot must be at least as wide as the minimum lot width. The lot width circle must not include submerged lands, landslide hazard areas and buffers, regulated wetlands and buffers, and Types 1, 2, 3 and 4 streams and buffers.

C. The following lots are exempt from minimum lot width circle standards: duplexes, triplexes, cottage and townhouse developments, where individual units are subdivided into separate lots via unit lot subdivision.

Figure 19.42.090

Minimum lot width circle.



R3, R3A, R4, and R4A zones from Table 19.40.020 (AMC).

Zone Name	Abbreviation	Comprehensive Plan Designation
Residential Medium Density 3	R3	Residential Medium Density
Residential Medium Density 3A	R3A	Residential Medium Density
Residential High Density 4	R4	Residential High Density
Residential High Density 4A	R4A	Residential High Density

**Note: Anacortes allows cottage housing in all residential zones except Residential Low Density 1 (R1) and Old Town (OT) zones. The above dictates where attached duplex cottages are specifically allowed.*

Minimum setbacks from Table 19.42.020.

Measure	R1	R2	R2A	R3	R3A	R4	R4A	OT
Setbacks (feet)								
Street setback, minimum	20	20	20	20	10	10	20	20
Street setback – garage minimum	25	20	20	20	20	20	20	25
Side street setback, minimum	20	10	10	10	10	10	10	10
Interior side setback, minimum	10	5	5	5	5	5	5	5
Interior side setback – upper floors, minimum	10	7.5	7.5	7.5	7.5	7.5	7.5	7.5
Rear setback, minimum	20	20	20	20	20	10	10	20

AMC 19.42.140 - permitted projections into required setbacks.

The following structures may extend into or be located in required setbacks:

- A. Fireplace structures, bay or garden windows, or similar structures may project 30 inches into a street or rear setback, provided such projections are:
 - 1. Limited to two per building elevation.
 - 2. Not wider than 10 feet.
 - 3. Do not extend the floor area or foundation into the setback.
- B. Eaves, cornices, awnings, and window shades may not project more than:
 - 1. Three feet into a street or rear setback.
 - 2. Two feet into the interior side setback.
- C. Covered porches and entries may project up to six feet into the street setback.
- D. Uncovered porches and decks may project up to six feet into the street or rear setbacks.
- E. The following features are permitted within the required street setback:
 - 1. Mailboxes, newspaper boxes, and free neighborhood book exchange boxes.
 - 2. Fire hydrants and associated appendages.
 - 3. Bus shelters.
 - 4. Freestanding signs complying with AMC Chapter 19.67, Signs.
- F. The following features are permitted within any required setback:
 - 1. Utility poles and lines.
 - 2. Underground utilities and sprinkler systems.
 - 3. Light and flagpoles.
 - 4. Trellises and open, unroofed gazebos not exceeding eight feet in height.
 - 5. Electrical equipment cabinets and similar utility boxes and vaults.
 - 6. Stormwater facilities and elements of stormwater best management practices, unless a minimum setback is otherwise specified in this title or in the adopted stormwater management manual.
 - 7. Fences complying with AMC Chapter 19.66, Fences, Walls, and Hedges.

8. Uncovered porches and decks not exceeding 18 inches average height above the finished grade.
9. Rockeries and retaining walls in conformance with the standards in AMC 19.66.080.
10. Enclosures for solid waste collection and storage when in compliance with the standards of AMC 19.62.070(B) and (C).
11. Ramps added to an existing building for the specific purpose of accessibility for persons with disabilities when no other reasonable location is available.

G. No projections are allowed into a regional utility corridor, access easement, or utility easement.

AMC 19.47.020 – accessory structures.

A. *Defined.* A subordinate structure or building, the use of which is incidental and related to that of the main building or use on the same lot.

B. *Accessory Structure Standards.*

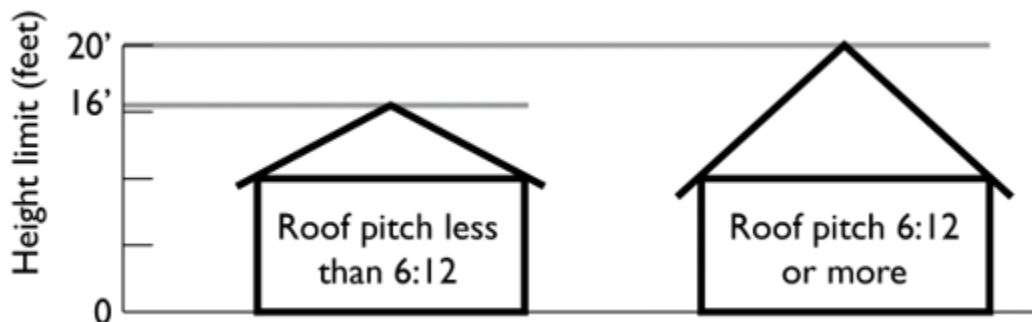
1. *Form and Intensity Standards.*

a. *Height Limits.*

- i. Accessory structures in residential zones must not exceed 16 feet in height, as measured in AMC 19.42.120. The height limit for accessory structures with a roof pitch of 6:12 or greater is 20 feet.
- ii. Accessory structures which include an accessory dwelling unit are subject to the height limits in AMC 19.47.030(C)(5).

Figure 19.47.020(B)(1)(a)

Height limits for accessory structures.



b. *Size Limit.* Accessory structures in all residential zones, except R1, must not exceed 1,000 square feet in size per building except when it includes an accessory dwelling unit (see AMC 19.47.030(C)(4)).

c. Setback requirements for all accessory structures are established in Tables 19.42.020 and 19.42.030, except:

i. Interior side setbacks for accessory structures:

(A) Three feet, for accessory structures no larger than 144 square feet and 12 feet in height.

(B) Five feet for other accessory structures.

ii. Rear setbacks adjacent to a platted alley:

(A) Zero feet for detached accessory structures or that portion of the primary structure that is used as an accessory structure. Exception: Where garage doors or a carport face the alley, the structure must be set back a minimum of 10 feet from the alley property line to allow adequate turning distance for vehicles.

(B) Detached accessory dwelling units (whether they are attached to a garage or freestanding) are subject to the setback standards in AMC 19.47.030.

iii. Rear setbacks not adjacent to a platted alley:

(A) Five feet for accessory structures no larger than 144 square feet and 12 feet in height.

d. Accessory structures associated with single-family dwellings, duplexes, and triplexes must be located to ensure that the minimum usable open space standards of AMC 19.43.030 are met.

2. Tent structures are considered accessory buildings, and may be located within side and rear setbacks, but not in a setback adjacent to a street. Tent structures must be constructed and maintained so as to not present a safety, health, or fire hazard.

3. Antennas erected after January 1, 1996, fall into two categories: (a) amateur radio service antennas and towers under 75 feet that require only a building permit, and (b) those higher than 75 feet that require a conditional use permit. Antennas and towers may not be located within the street or interior side setback areas, but may be located within the rear setback area.

4. Accessory buildings over 144 square feet in residential zones may not be corrugated metal sided.

“Floor area, gross (GFA)” means the floor area within the inside perimeter of the exterior walls of the building under consideration, exclusive of vent shafts and courts, without deduction for corridors, stairways, ramps, closets, the thickness of interior walls, columns, or other features. The floor area of a building, or portion thereof, not provided with surrounding exterior walls shall be the usable area under the horizontal projection of the roof or floor above. The gross floor area does not include shafts with no openings or interior courts.

“Low impact development (LID)” means a stormwater and land use management strategy that strives to mimic the predisturbance hydrologic processes of infiltration, filtration, storage, evaporation and transpiration by emphasizing the following techniques:

1. Conservation.
2. Use of on-site natural features.
3. Site planning.
4. Distributed stormwater best management practices (BMPs) integrated into a project design.

“Rain garden” means a nonengineered shallow, [landscaped](#) depression, with compost-amended native soils and adapted plants. The depression is designed to [pond](#) and temporarily store [stormwater](#) runoff from adjacent areas, and to allow [stormwater](#) to pass through the amended soil profile. See [AMC 19.65.060\(F\)](#) for rain garden design standards.

AMC 19.53 – private driveways and access.

**Note: this chapter covers driveway and access standards for all development. Specific standards on internal circulation are provided for cottage housing, townhouses, and multifamily developments.*

AMC 19.53.050 – internal circulation for cottage, townhouses, and multifamily developments.

Internal shared-access drives for cottages, townhouses, and multifamily development are subject to the following standards:

- A. Internal shared-access drives must be a minimum of 20 feet wide within a minimum 20-foot-wide easement (if applicable). Alternative designs will be considered in consultation with the Fire Department based on whether fire apparatus can enter the site, location and distance of fire hydrants, provision of fire-suppression sprinklers, and water supply availability.

B. Internal shared-access drives may provide direct access to off-street parking spaces and/or incorporate parallel parking spaces, provided the minimum dimensional standards of AMC 19.64.050 are met. Note that certain parking angles may require wider dimensions than those required in subsection A of this section.

C. *Pedestrian Circulation.*

1. *Sidewalk.*

- a. *When Required.* Internal shared-access drives which serve four or more units must include at least one sidewalk on one side of the drive.
- b. *Dimensions.* Sidewalks must be curbed and raised six inches and have a minimum clear width of five feet. Where a sidewalk is adjacent to perpendicular or angled parking, an extra two feet of width must be provided to accommodate parked vehicles overhanging the sidewalk unless wheel stops are installed to prevent parked vehicles from overhanging the curb.
- c. Ramps and other accessibility features must be provided in accordance with the Americans with Disabilities Act of 1990 and the current ADA Standards for Accessible Design.
- d. The sidewalk must connect to a public street and must minimize walking distances to the extent practical.
- e. Use of permeable pavements for sidewalks is required, when feasible.

2. Sidewalks must be separated from structures with at least three feet of landscaping.

Departures will be considered, provided the location and design of the walkway and adjacent building elevation minimize privacy impacts to building residents and enhance the character of the development.

3. Crosswalks are required when a pedestrian pathway crosses an on-site paved area accessible to vehicles. Crosswalks must contain contrasting material (such as concrete) and/or patterns (such as stamped asphalt), excluding painted surfaces.

DEPARTURES will be considered for alternative pedestrian circulation designs that provide an equivalent level of pedestrian safety and comfort. For example, a curbless woonerf (shared street) with special pavement, landscaping, bollards, and other design features may adequately calm traffic speeds and movements.

AMC 19.64.030 – Computation of required parking spaces

AMC 19.64.040 - Number of parking spaces required

**Note: these chapters cover parking requirements for all development. Specific standards for cottage housing from these chapters below.*

Minimum guest parking spaces for cottages: 1 per 4 units (Table AMC 19.64.030(B))

Minimum parking spaces required for cottages: 1.5 per unit (Table AMC 19.64.040)(Again, Anacortes considers cottages to be ½ a unit because of their small size).

“Departure” means a provision allowing for applicants to propose alternative means of compliance with a specific standard on a voluntary basis, provided they meet the purpose of the standard. See AMC 19.20.220 for more information on departures.

Chapter 2.90

CONSOLIDATED PLANNING PROCEDURES*

[...]

2.90.060 Authority and responsibilities.

[...]

C. Planning Director or Designee.

1. Authority. The planning director or designee shall review and act on the following:

- a. Building and grading permits;
- b. Binding site plan approval for commercial or industrial developments;
- c. Environmental review.
 - i. Make threshold determinations for environmental checklists;
 - ii. Authorize circulation of draft environmental impact statements;
 - iii. Approve and issue final environmental impact statements;
 - iv. Approve mitigation conditions for mitigated determinations of nonsignificance and final environmental impact statements;
- d. Interpretation of flood insurance rate map boundaries;
- e. Boundary line adjustments (B.L.A.);
- f. Modifications.
 - i. Minor modifications to previously approved site plan;
 - ii. Modifications of street standards;
 - iii. Minor modifications of landscaping requirements;
 - iv. Minor amendment to PUD_{7.2}

- g. Planned action determinations;
- h. Review of business licenses for home occupations;
- i. Shoreline exemptions;
- j. Shoreline permits;
- k. Short plats – nine or less;
- l. Temporary use permits;
- m. Variances – administrative;
- n. Modifications of the number of required parking stalls and the requirements of the parking, loading and driveway regulations;
- o. Temporary homeless encampment permits;
- p. Design review;
- q. Development authorization applications.
 - i. Accessory Dwelling Unit (ADU) applications;
 - ii. Cottage cluster applications.

[...]

2.90.070 Permit classification.

[...]

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			
<u>Cottage Cluster</u>		X				
Design Review with Building Permit	X					

[...]

2. Summary of Permit Processes.

	Type I	Type II	Type III	Type IV	Type V	Type VI	Shoreline Permits and Annexations
Pre-Application Meeting	No	Required for short plats, building permits with street improvements, <u>cottage clusters</u> , and all other non-single-family residential actions	Required, unless waived by director	Required, unless waived by director	No	Required, unless waived by director	Required, unless waived by director
Letter of Completeness	No	Required	Required	Required	No	No	No

	Type I	Type II	Type III	Type IV	Type V	Type VI	Shoreline Permits and Annexations
Notice of Application	No	Required	Required	Required	Required	Required for site-specific projects	See Chapter 35A.14 RCW or the shoreline management master program
Notice of Hearing	Not applicable	Not applicable	Required	Required	Required	Required	See Chapter 35A.14 RCW or the shoreline management master program
Open Record Public Hearing	No	No	Yes, before hearing examiner to render final decision	Yes, before hearing examiner to make recommendation to city council	No	Yes, before planning commission to make recommendation to city council	See Chapter 35A.14 RCW or the shoreline management master program
Recommendation Made By	Not applicable	Not applicable	Not applicable	Hearing examiner	Staff	Planning commission	See Chapter 35A.14 RCW or the shoreline management master program
Final Decision Made By	Planning director	Planning director	Hearing examiner	City council	City council	City council	See Chapter 35A.14 RCW or the shoreline management master program
Notice of Decision	Required unless exempt per Section 2.90.040	Required	Required	Required	Required	Required	See Chapter 35A.14 RCW or the shoreline management master program

	Type I	Type II	Type III	Type IV	Type V	Type VI	Shoreline Permits and Annexations
Judicial Appeal	See Section 2.9 0.090	See Section 2.9 0.090	See Section 2.9 0.090	See Section 2.9 0.090	See Section 2.9 0.090	See Section 2.9 0.090	See Chapter 35A.14 RCW or the shoreline management master program

[...]

2.90.100 Submittal requirements—Specific to application type.

[...]

Table 2.90.100(B)—Land Use Application Submittal Requirements **Note: this table shortened to show proposed submittal requirements for Cottage Cluster Development Authorization only**

SUBMITTAL REQUIREMENTS	TYPE OF APPLICATION	Cottage Cluster
Affidavit of installation of public information sign	<u>1</u>	
Affidavit of mailout	<u>2</u>	
Application fee	<u>X</u>	
<u>Cottage cluster plan, conceptual</u>	<u>1</u>	
Draft homeowners' association documents if applicable	<u>1</u>	
Draft restrictive covenants, if any	<u>1</u>	
Environmental checklist	<u>1</u>	
Existing covenants (recorded copy)	<u>1</u>	
Existing easements (recorded copy)	<u>1</u>	
List of surrounding property owners	<u>1</u>	
Mailing envelopes for property owners (assessor's office list required)	<u>2</u>	
Map of existing conditions of the site	<u>1</u>	
Neighborhood detail map	<u>1</u>	
Parking, lot coverage and landscaping analysis	<u>1</u>	
Postage for each set of mailing	<u>2</u>	
Preapplication meeting summary, if any	<u>1</u>	
Project summary	<u>1</u>	
PUD water availability letter	<u>1</u>	
Site plan, land use review	<u>1</u>	
Title report	<u>1</u>	

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 Cottage Clusters](#)

Chapter 17.04

ADMINISTRATIVE PROVISIONS

[...]

17.04.030 Definitions.

[...]

“Corner lot” means a lot with frontage on more than one public right-of-way, excluding alleys.

“Cottage home” means a small permanent dwelling that is greater than 400 square feet and no larger than 1,200 square feet. Cottage homes must be built in compliance with the Washington State Building Code.

“Dependent relative cottage” means a single-family residence which:

1. Is located on the same lot as another single-family residence;
2. Is inhabited only by the relative of the other single-family residence which relative is only able to safely maintain a separate household due to the support or supervisory care of family members in close proximity;
3. Is designed for ease of removal, dismantling, or conversion to an accessory use after termination of use as a dependent relative cottage; and
4. Meets the setback requirements for an accessory building.

[...]

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

“Park model” means a dwelling that is no larger than 400 square feet, built to American National Standards Institute (ANSI) 119.5 specifications. For the purposes of Chapter 17.120, park models are mounted on a foundation for permanent installation and are used as a primary residence and include a kitchen, bathroom, and sleeping/living area.

“Permanent affordable housing” means housing, regardless of ownership, for which there is a legally binding, recorded document in effect that limits the price at which the owner may sell or restricts the occupancy of the unit to a qualified, low-income household, for a period of at least 40 years for a property used for shelter or rental housing, or for a period of at least 25 years for a property to be owned by a low-income household. These documents include, but are not limited to, affordability covenants, deed restrictions, and community land trust leases. Resale

restrictions exercised by providers of permanently affordable housing can include, but are not limited to:

1. Continuous ownership of land by a public entity or nonprofit housing provider with a lease allowing ownership of the structure by an income-eligible household;
2. A nonpossessory interest or right in real property, such as a deed restriction, restrictive covenant, resale restriction, or other contractual agreement, that ensures affordability.

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

[...]

“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 structures 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.

[...]

“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 home” means a permanent dwelling that is a minimum of 205 square feet and no larger than 400 square feet, including a kitchen, bathroom, and sleeping/living area, and must be built in compliance with the Washington State Building Code.

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

[...]

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](#);
7. Cottage clusters in compliance with Chapter 17.120.

[...]

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](#);
8. Cottage clusters in compliance with Chapter 17.120.

[...]

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;
11. Cottage clusters in compliance with Chapter 17.120.

[...]

Chapter 17.120 **Cottage Clusters**

Sections:

- 17.120.010 Purpose.
- 17.120.020 Zoning districts where permitted.
- 17.120.030 Permitted uses.
- 17.120.040 Permits required.
- 17.120.050 Density.
- 17.120.060 Relationship of design to adjacent areas.
- 17.120.070 Property development standards.
- 17.120.080 Design review.
- 17.120.090 Approval procedure.
- 17.120.100 Approval criteria.
- 17.120.110 Requirement for homeowner's association and restrictive covenants.

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 cottage clusters;
- 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 feel of Sedro-Woolley neighborhoods;
- E. Encourage maximum efficiency in the layout of streets and internal access drives, 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

G. Encourage infill within areas of the city which are characterized by existing development.

17.120.020 Zoning districts where permitted.

Cottage clusters 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 cottage clusters:

A. Cottage homes as defined in SWMC 17.04.030

B. Tiny homes as defined in SWMC 17.04.030

C. Park models as defined in SWMC 17.04.030

17.120.040 Permits required.

A development authorization application is required for all cottage clusters. Application for a cottage cluster shall be made in accordance with the permit procedures established in Chapter 2.90. The director shall have the authority to approve cottage clusters which are consistent with the surrounding neighborhood character and the regulations and provisions herein. It is not the intent of these regulations to provide for cottage clusters on every residential property where there is potential for infill and they shall not be deemed to create a right or privilege to establish or maintain a cottage cluster which is not strictly in compliance with these regulations.

17.120.050 Density.

A. Permitted Density. Density shall be allowed as determined in the underlying zone as shown in the table below.

<u>Underlying Zone</u>	<u>Minimum units allowed</u>	<u>Maximum units allowed</u>
<u>Residential 5</u>	<u>4</u>	<u>8</u>
<u>Residential 7</u>	<u>4</u>	<u>10</u>

<u>Underlying Zone</u>	<u>Minimum units allowed</u>	<u>Maximum units allowed</u>
<u>Residential 15</u>	<u>4</u>	<u>12</u>

Density bonuses may be granted per subsections B-E below, allowing up to 3 additional units on site. Regardless of implementation of density bonuses, cottage clusters shall be limited to a maximum of twelve (12) units.

B. Permanent Affordable Housing Bonus. Cottage cluster developments which provide permanent affordable housing as defined in SWMC 17.04.030 may receive a density bonus of 3 (3) additional units. If sale price limitation is selected, cottage cluster developments which limit the sale of all units to no more than 40% fair market value are eligible for this density bonus. If occupancy restriction is selected, cottage cluster developments which reserve a minimum of 50% of the units for households with incomes at 80% AMI or below are eligible for this density bonus. At the time of cottage cluster permit application, the applicant shall submit documentation of a legally binding document indicating the selected method to be recorded with the Skagit County Auditor upon city approval.

C. Self-Help Bonus. Cottage cluster developments which use self-help approaches to promote affordable housing are encouraged. If a minimum of 25% of the units within the cottage cluster are to be sold through self-help programs as defined in SWMC 17.04.030, the cottage cluster may receive a density bonus of one (1) additional unit. The applicant shall submit documentation of a partnership agreement with the self-help program of choice at the time of cottage cluster permit application.

D. Public Transit Bonus. Cottage cluster development sites that incorporate a bus-stop on or adjacent to the site, or can apply a ride-sharing system equivalent as defined in SWMC 17.04.030, may receive a density bonus of one (1) additional unit. The location of the bus stop must be approved by Skagit Transit.

E. Clubhouse Bonus. Cottage clusters that provide a private clubhouse on site may receive a density bonus of one (1) additional unit. The clubhouse must be owned and maintained by a homeowners' association and must meet the requirements of the Sedro-Woolley Design Standards and Guidelines manual.

17.120.060 Relationship of design to adjacent areas.

A. The design and layout of a cottage cluster development shall respect the relationship of the site with the surrounding neighborhood. All units within the cottage cluster development shall be designed to resemble typical single-family residences as required in the Sedro-Woolley Design Standards and Guidelines manual so as to respect the architectural design of existing adjacent land uses and to minimize any undesirable impact of the cottage cluster on adjacent properties.

B. No cottage cluster development shall be located within 1,000 feet of another cottage cluster development. The 1,000-foot distance shall be measured in a straight line from the nearest property line of the proposed cottage cluster development to the nearest property line of any existing or approved cottage cluster development. An exception to the 1,000-foot separation requirement may be granted if the following conditions are met:

1. The developments are separated by a natural barrier such as a river or significant topographical feature that would prevent them from being perceived as part of the same cluster.
2. The Director determines that the proposed development will not result in an over-concentration of cottage clusters in the area.

17.120.070 Property development standards.

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

B. Minimum lot area requirements. Cottage clusters are exempt from typical minimum lot area requirements of the R-5, R-7 and R-15 zones, provided they comply with the density and development standards herein.

C. Maximum lot coverage. Lot coverage is the percentage of the site covered by structures including all main and accessory buildings. Maximum lot coverage requirements for cottage clusters in the R-5, R-7 and R-15 zones shall be forty (40) percent.

D. Landscaping. The total amount of landscaping for a cottage cluster development shall be a minimum of fifteen (15) percent of the total site area. Cottage cluster developments may include any critical area and/or shoreline buffer areas when calculating landscape area if native vegetation is enhanced.

E. Minimum setbacks. Setbacks for all cottage cluster structures within the R-5, R-7 and R-15 zones shall be as listed below:

1. Front setback or setback to any public street or internal access drive: twenty feet
2. Side setback to property line: five feet
3. Rear setback to property line: ten feet for residences, five for accessory structures
4. Garage Setbacks. Private garages (attached or detached) shall adhere to the setback requirements above. In addition, 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 in length.

5. Minimum distance between structures (including accessory structures): ten feet

F. Maximum building height. Twenty-five feet except twenty feet for accessory buildings.

G. Off-street parking. For residential units between 205 and up to 800 square feet, a minimum of one parking space shall be provided. For residential units over 800 and up to 1,200 square feet, a minimum of two parking spaces shall be provided. Parking may be provided in a community parking area within the development boundaries, immediately adjacent to the residence, or within private garages. A combination of these methods to satisfy parking requirements is acceptable.

H. Open space. Each cottage cluster shall provide open space according to a 1:6 ratio of common open space to units within the cottage cluster, respectively. Common open space areas shall total a minimum of 6,000 square feet for every 6 units. The dispersal of common open space areas on the site is allowable, but no single area shall be less than 2,000 square feet. Land area encumbered by wetlands, fish and wildlife habitat conservation areas and their respective buffers may count as open space.

I. Of the open space required to be provided, seventy-five 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 cottage cluster, or is a direct benefit to the cottage cluster residents. A minimum of fifty percent of the units in a cottage cluster must be oriented around the usable open space area(s). "Usable open space" may not include dwellings, private yards, outdoor storage, streets and any associated rights-of-way, internal access drives, 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 cottage cluster. 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 cottage cluster 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 cottage cluster 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 cottage cluster 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 cottage cluster 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.

17.120.080 Design Review

Cottage clusters shall comply with the design review standards of Chapter 15.44 and the current version of the Sedro-Woolley Design Standards and Guidelines manual for conformance with this and other provisions of the city code.

17.120.090 Approval procedure.

Cottage cluster applications shall be processed as a Type II permit in accordance with the permit procedures established in Chapter 2.90.

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

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 and internal access drives, including parking 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 cottage cluster, 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.

B. A cottage cluster 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 cottage cluster, to allow the reviewing body to incorporate compliance with design standards into its 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 cottage cluster is a required element of the application. The application and approval shall require subsequent construction within the cottage cluster 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 cottage cluster shall be made on forms prescribed by the planning department and which shall be accompanied by a filing fee as required.

D. Administrative Decision. Following review, the director shall make a report of findings and decision with respect to the proposed cottage cluster, and shall give approval, approval with conditions, or disapproval to the proposed cottage cluster. The decision may be appealed as allowed in Chapter 2.90. The director's 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 zoning code for the proposed development;
3. Development in accordance with the Sedro-Woolley comprehensive plan;
4. Compliance with the design standards and guidelines.

17.120.100 Approval criteria.

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

A. Perimeter Design. The perimeter of a cottage cluster 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, Internal Access Drives and Sidewalks. Existing and proposed streets, internal access drives and sidewalks within a cottage cluster shall be suitable to carry the anticipated traffic within the proposed development and the vicinity. The design of the circulation system shall be subject to Public Works Department approval.

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.

17.120.110 Requirement for homeowner's association and restrictive covenants.

To preserve and maintain community facilities and open space, every cottage cluster 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 cottage cluster, 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 cottage cluster, 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 city staff. Upon city staff confirming the adequacy of the restrictive covenants and/or homeowner's association documents, such documents shall be recorded with the county auditor before final approval of the cottage cluster application.

B. The homeowner's association authority shall be established in restrictive covenants applicable to all property within the cottage cluster. Such restrictive covenants shall provide, at minimum, 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, internal access drives, or utilities, and for performance of any other association obligations.

C. 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.

D. 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.

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