



AGENDA

City Council Study Session

6:30 PM - Monday, February 4, 2019

City Hall Council Chambers, Sammamish, WA

Page		Estimated Time
	CALL TO ORDER	6:30 pm
	TOPICS	
2 - 28	1. Discussion: Klahanie Park Master Plan View Agenda Item	
29 - 109	2. Discussion: Recommendations of the Planning Commission on permanent updates to Development Regulations View Agenda Item	
	ADJOURNMENT	10:00 pm

City Council meetings are wheelchair accessible. American Sign Language (ASL) interpretation is available upon request. Please phone (425) 295-0500 at least 48 hours in advance. Assisted Listening Devices are also available upon request.

Agenda Bill

City Council Study Session

February 04, 2019



SUBJECT:	Klahanie Park Master Plan Discussion		
DATE SUBMITTED:	January 23, 2019		
DEPARTMENT:	Parks & Recreation		
NEEDED FROM COUNCIL:	<input type="checkbox"/> Action <input type="checkbox"/> Direction <input checked="" type="checkbox"/> Informational		
RECOMMENDATION:	Authorize the City Manager to execute a contract with Hough, Beck and Baird (HBB) for planning and design services for the master plan of Klahanie Park at the February 5, 2019 City Council Regular Meeting.		
EXHIBITS:	1. Exhibit 1 - Klahanie Park Site Plan 2. Exhibit 2 - PowerPoint Presentation		
BUDGET:			
Total dollar amount	\$169,000	<input checked="" type="checkbox"/>	Approved in budget
Fund(s)	Parks Capital Improvement Fund	<input type="checkbox"/>	Budget reallocation required
		<input type="checkbox"/>	No budgetary impact
WORK PLAN FOCUS AREAS:			
<input type="checkbox"/> Transportation	<input type="checkbox"/> Community Safety		
<input checked="" type="checkbox"/> Communication & Engagement	<input type="checkbox"/> Community Livability		
<input type="checkbox"/> High Performing Government	<input checked="" type="checkbox"/> Culture & Recreation		
<input checked="" type="checkbox"/> Environmental Health & Protection	<input type="checkbox"/> Financial Sustainability		

NEEDED FROM COUNCIL:

Klahanie Park Master Plan Discussion

KEY FACTS AND INFORMATION SUMMARY:

The purpose of this discussion is to introduce the City Council to the Master Plan project at Klahanie Park.

Summary:

The 2018 PRO Plan, adopted by City Council in February 2018, identified the Master Plan at Klahanie Park as the second highest priority for park planning projects in the Parks Capital Improvement Plan

(CIP) for 2018-2023. The first priority, the YMCA Property Development Plan, was completed June 2018.

In 2016, Klahanie Park came under City ownership with an annexation. Since that time, modest improvements have been made at the park on an as needed basis. Having been in use for nearly 25 years with only minor improvements, park features are nearing the end of their life cycle or are in need of major repair. A master plan will be the City's first attempt to look at potential improvements to this park in a comprehensive manner utilizing a process that involves the entire community. It will also enable the city to consider how a previous County park will best incorporate into Sammamish's overall park system.

Project Background:

Klahanie Park is a 64-acre park located in the southeast section of the City. The park is comprised of natural turf fields including two multi-purpose sports fields, one baseball field and a cricket pitch. Additionally, the park features a small play structure, restrooms, parking, a segment of King County's East Plateau Regional Trail, natural areas and Queen's Bog, which is one of roughly fifty bogs located in Washington State.

The park was built by a Homeowners Association and transferred to King County in 1994 following construction. In January 2016, Klahanie Park was transferred to the City as part of the Klahanie annexation. Since annexation, improvements have been made to the park, which include drainage modifications to the baseball field, installation of the City's first cricket pitch, turf aeration of the two multi-purpose sports fields and minor renovations to the restrooms.

Following annexation, the City took over field reservations for the two multi-purpose fields and baseball field. In addition, the City introduced annual recreation events during the summer, such as Shakespeare in the Park and KidsFirst.

Consultant Selection & Master Plan Process:

In October 2018, a Request for Proposals (RFP) was published for consultant services to complete the master plan for Klahanie Park. Based on the quality of previous planning and design work with projects of similar nature, and the experience and qualifications of their staff, Hough, Beck and Baird Inc. (HBB) was selected through the consultant selection process for the project.

As typical, a twelve to eighteen-month effort is anticipated for the master plan process and shall engage public involvement, with participation from the community at large, City staff, Parks & Recreation Commission, City Council, and community stakeholders. The master plan process will consist of three phases as described below:

Phase 1 Site Investigation and Analysis

Evaluate existing site conditions, identify sensitive areas, complete site studies, and develop an overall understanding of the site. During this initial phase, a survey will be developed and used to assist with the development of initial park concepts for public discussion.

Phase 2 Park Program

Following survey development, the first public meeting will be held to present site analysis, initial survey results, and provide the community an opportunity to share their hopes, dreams and concerns for the park.

Based upon the results of site analysis, City staff input, technical input and initial public input, a preliminary park design program will be developed that details proposed uses, design character and criteria.

Phase 3 Master Plan Development

The remaining public engagement will take place during the third phase of the master plan process. Two to three Master Plan alternatives will be prepared, based upon the approved design program. This will include a narrative that summarizes the existing conditions, design alternatives, cost implications and regulatory criteria, and identifies issues which will require further study at the next stage of project development.

Based upon feedback from the community, Parks & Recreation Commission, and City Council, the alternatives will be revised in to one preferred Master Plan alternative with a preliminary cost estimate. The final deliverable will be a Master Plan Report, with final project drawings and narrative, project process, project phasing scenarios and phase costs.

Timeline:

- Consultant Selection and Project Kickoff: Winter 2019
- Site Investigation & Analysis: Spring 2019
- Park Program: Summer 2019
- Master Plan Development: Fall 2019
- SEPA Review: Winter 2020
- Master Plan Adoption: Spring 2020

Parks & Recreation Commission Recommendation:

At the January 9, 2019 Parks & Recreation Commission meeting, staff discussed the master plan project at Klahanie Park. The Commission voted unanimously to recommend the City Council proceed with a contract for planning and design services with Hough, Beck and Baird Inc. (HBB) for the master plan of Klahanie Park.

Next Steps:

A contract with Hough, Beck and Baird (HBB) for planning and design services for the master plan at Klahanie Park is scheduled for approval by the City Council at the February 5, 2019 Regular Meeting.

FINANCIAL IMPACT:

\$250,000 is allocated in the 2018-2019 Parks CIP budget for the Klahanie Park Master Plan and is inclusive of all planning and design costs. The professional services consultant contract amount is **\$169,000** and the funding authorization currently being requested.

OTHER ALTERNATIVES CONSIDERED:

Not approving the consultant contract to complete the Klahanie Master Plan project.

RELATED CITY GOALS, POLICIES, AND MASTER PLANS:

[2018 Parks, Recreation & Open Space \(PRO\) Plan](#)



Klahanie Park



Pictometry, King County



Klahanie Park Master Plan

Presentation to City Council
February 4, 2019

Sammamish
Parks and Recreation

Overview

What we will be discussing

- What is a Master Plan?
 - The Master Plan Process
- Klahanie Park
 - Existing Conditions
- Klahanie Park Master Plan
 - 2018 – 2023 Parks CIP
 - Project Timeline
- Q & A

WHAT IS A MASTER PLAN?

3

MASTER PLAN TO COMMUNITY PARK:

The Master Plan Process



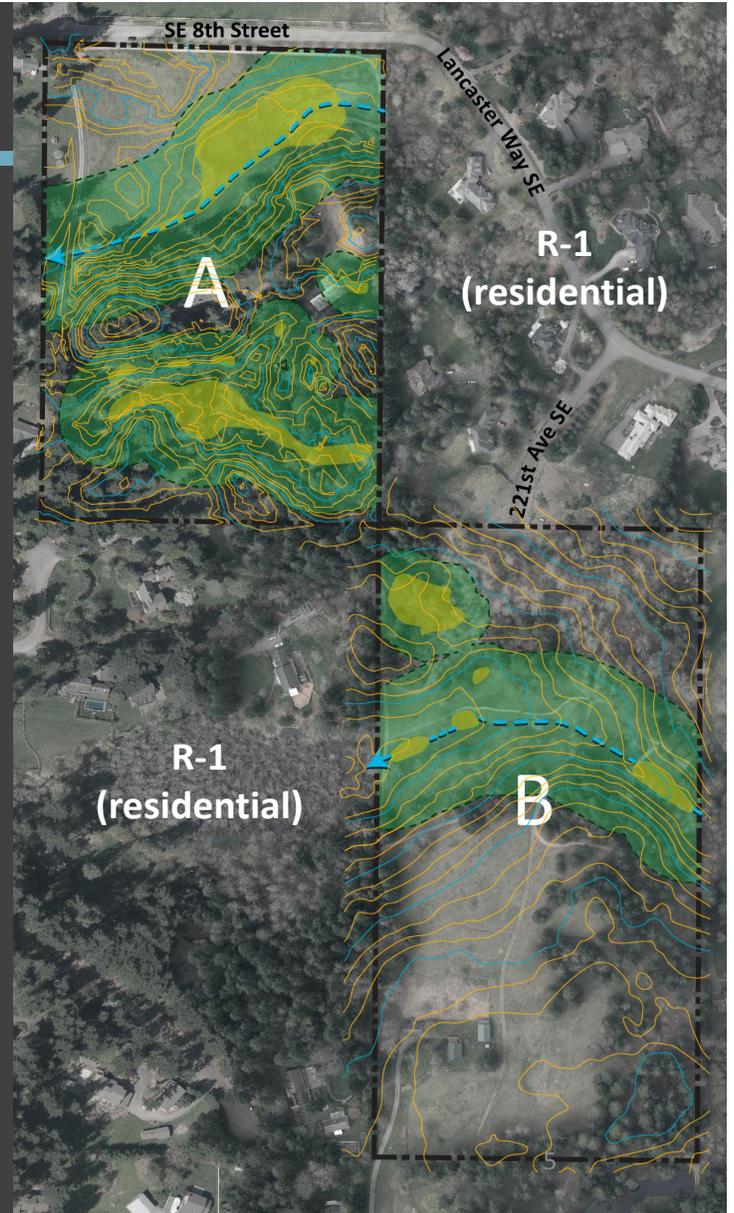
Site Analysis & Project Scoping

- Evaluate Existing Conditions
- Complete Site Studies
- Park Classification
- Case-Studies

MASTER PLAN TO COMMUNITY PARK:

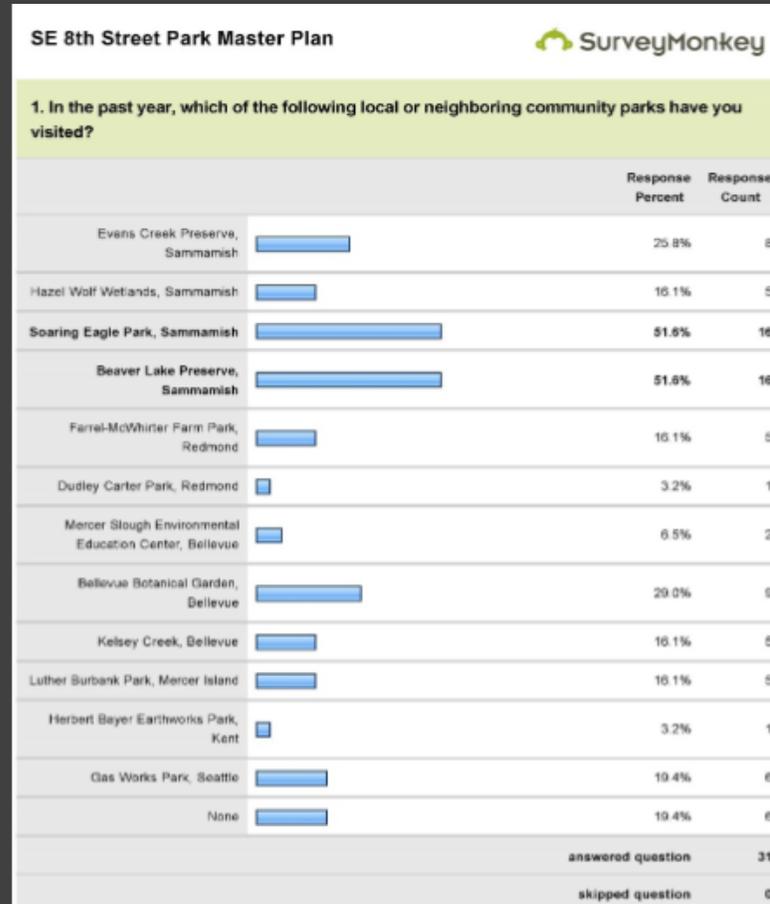
Site Studies

- Wetland & Stream Reconnaissance
- Topographic Study
- Geotechnical Investigation
- Adjacent Land-Use



MASTER PLAN TO COMMUNITY PARK:

The Master Plan Process



Site Analysis & Project Scoping

- Evaluate Existing Conditions
- Complete Site Studies
- Park Classification
- Case-Studies

Community Survey

MASTER PLAN TO COMMUNITY PARK:

The Master Plan Process



Site Analysis & Project Scoping

- Evaluate Existing Conditions
- Complete Site Studies
- Park Classification
- Case-Studies

Community Survey

Public Meeting #1

- Hopes, Dreams & Concerns
- Opportunities & Constraints

MASTER PLAN TO COMMUNITY PARK:

The Master Plan Process



Site Analysis & Project Scoping

- Evaluate Existing Conditions
- Complete Site Studies
- Park Classification
- Case-Studies

Community Survey

Public Meeting #1

- Hopes, Dreams & Concerns
- Opportunities & Constraints

Public Meeting #2 & #3

- Schematic Concepts
- Project Goals & Objectives
- Design Alternatives
- City Council & Parks Commission Updates

MASTER PLAN TO COMMUNITY PARK:

Design Alternatives – Big Rock Park Site B



Preferred Master Plan

1



2



3



MASTER PLAN TO COMMUNITY PARK:

The Master Plan Process



Site Analysis & Project Scoping

- Evaluate Existing Conditions
- Complete Site Studies
- Park Classification
- Case-Studies

Community Survey

Public Meeting #1

- Hopes, Dreams & Concerns
- Opportunities & Constraints

Public Meeting #2 & #3

- Schematic Concepts
- Project Goals & Objectives
- Design Alternatives
- City Council & Parks Commission Updates

State Environmental Policy Act (SEPA)

MASTER PLAN TO COMMUNITY PARK:

The Master Plan Process



Site Analysis & Project Scoping

- Evaluate Existing Conditions
- Complete Site Studies
- Park Classification
- Case-Studies

Community Survey

Public Meeting #1

- Hopes, Dreams & Concerns
- Opportunities & Constraints

Public Meeting #2 & #3

- Schematic Concepts
- Project Goals & Objectives
- Design Alternatives
- City Council & Parks Commission Updates

State Environmental Policy Act (SEPA)

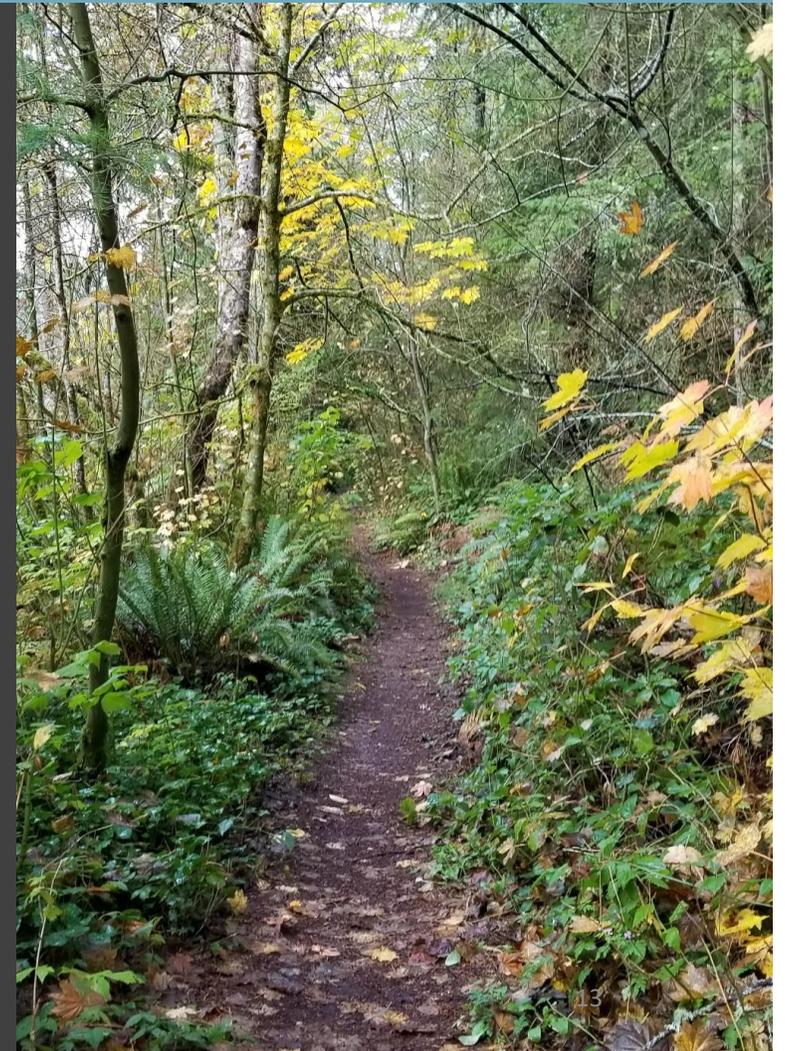
Master Plan Adoption

KLAHANIE PARK EXISTING CONDITIONS

KLAHANIE PARK:

Timeline

- 1994 – Park transferred to King County following construction by Homeowner’s Association (HOA)
- 2016 – Klahanie Park transferred to City
- 2017 – Minor drainage improvements completed at baseball field
- 2019 – Master Plan commences



KLAHANIE PARK:

Vicinity Map

Sammamish Commons



Pine Lake Park

Beaver Lake Park

Klahanie Park

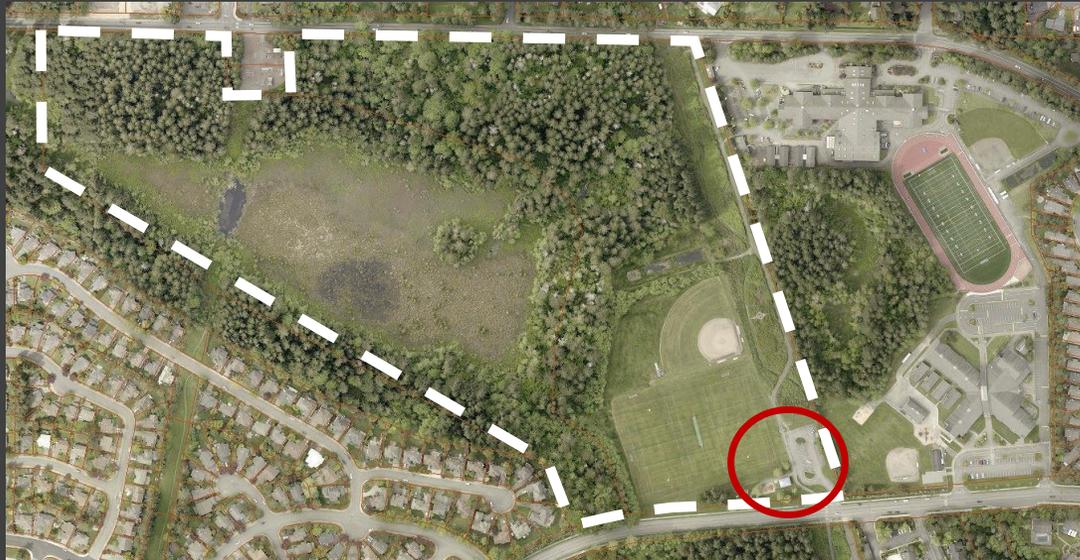
KLAHANIE PARK:

Existing Conditions



KLAHANIE PARK:

Existing Conditions



Park Entry & Parking Lot



Play Structure

KLAHANIE PARK:

Existing Conditions



Cricket Pitch & Multi-Purpose Sports Fields



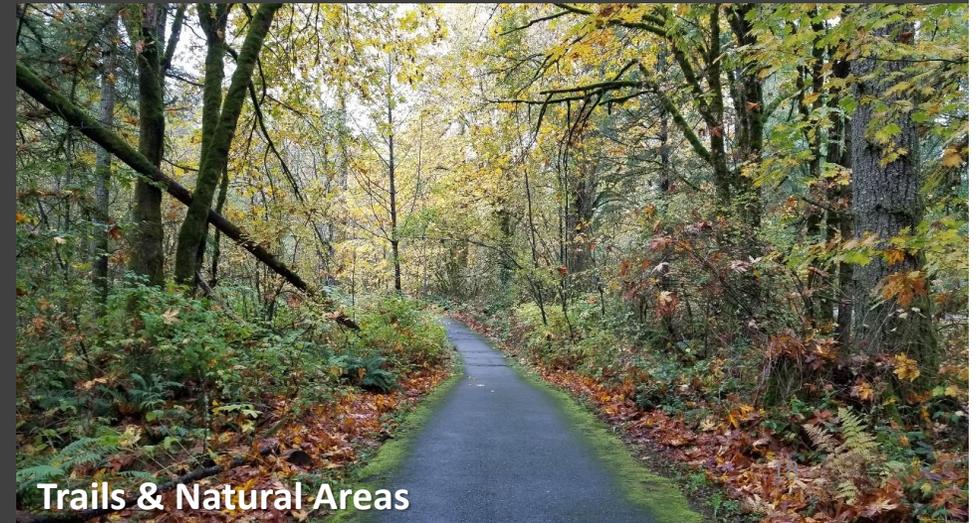
Baseball Field

KLAHANIE PARK:

Existing Conditions



East Plateau Regional Trail



Trails & Natural Areas

KLAHANIE PARK MASTER PLAN

KLAHANIE PARK:

2018 – 2023 Parks CIP

PARKS PLANNING PROJECTS				2018	2019	2020	2021	2022	2023	6-Year Total
21	A	PK-n	YMCA Property Development Plan Preliminary plan for recreation facility improvements for property meeting YMCA/City lease agreement requirements.	\$100,000						\$100,000
22	A	PK-34	Klahanie Park Master Plan Complete Master Plan for Klahanie Park. Includes consultant, site analysis, public engagement and final plan.	\$50,000	\$200,000					\$250,000
23	A	PK-n	Athletic Field Study Complete a community-wide gap analysis and prioritized implementation plan for outdoor athletic facilities.	\$50,000						\$50,000
24	A	PK-n	Park Systemwide Wayfinding program Unified directional signage for wayfinding to and through parks.	\$12,000	\$45,000					\$57,000
25	B	PK-n	Lower Commons - Master Plan Update Update to reflect changed use with Town Center, Green Spine, Regional Stormwater	\$25,000	\$75,000					\$100,000
26	C	PK-46	Indoor Field House - Feasibility Study Feasibility study to include an operations analysis for an indoor field house to be considered on the YMCA/Pine Lake Property.		\$100,000					\$100,000
27	C	PK-n	Environmental Interpretation/Habitat Certification Interpretative and habitat certification signage within the parks			\$25,000				\$25,000
(B) SUBTOTAL PARKS PLANNING PROJECTS				\$237,000	\$420,000	\$25,000	\$0	\$0	\$0	\$682,000

KLAHANIE PARK:

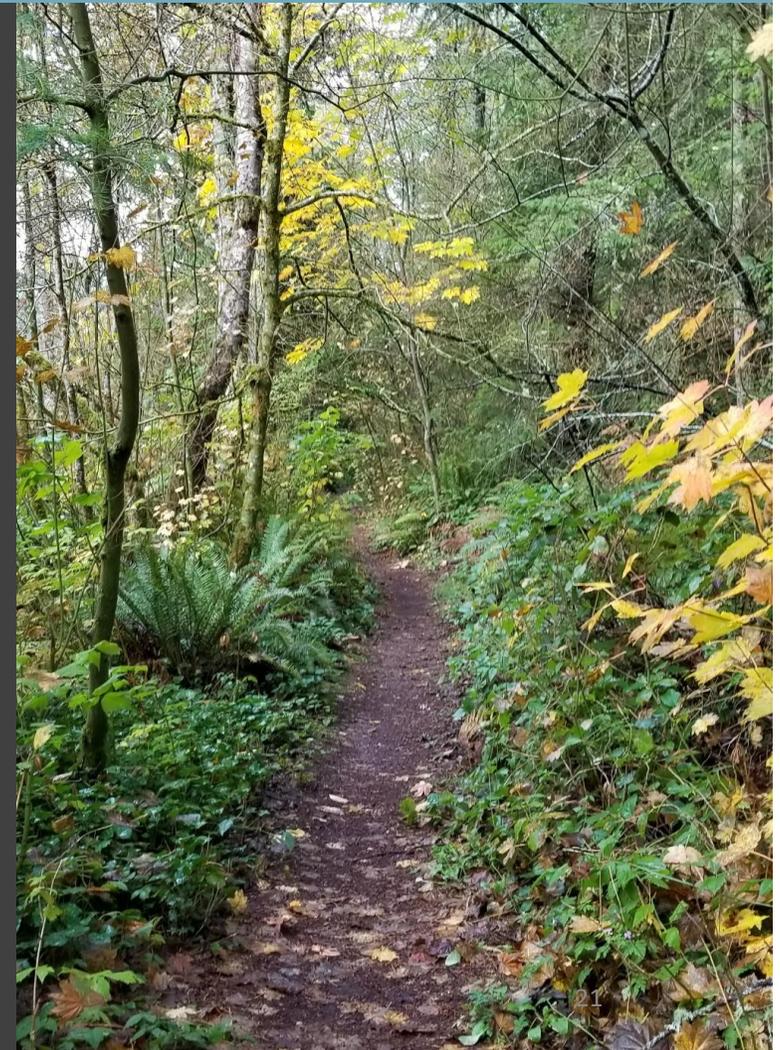
Next Steps

Next Steps

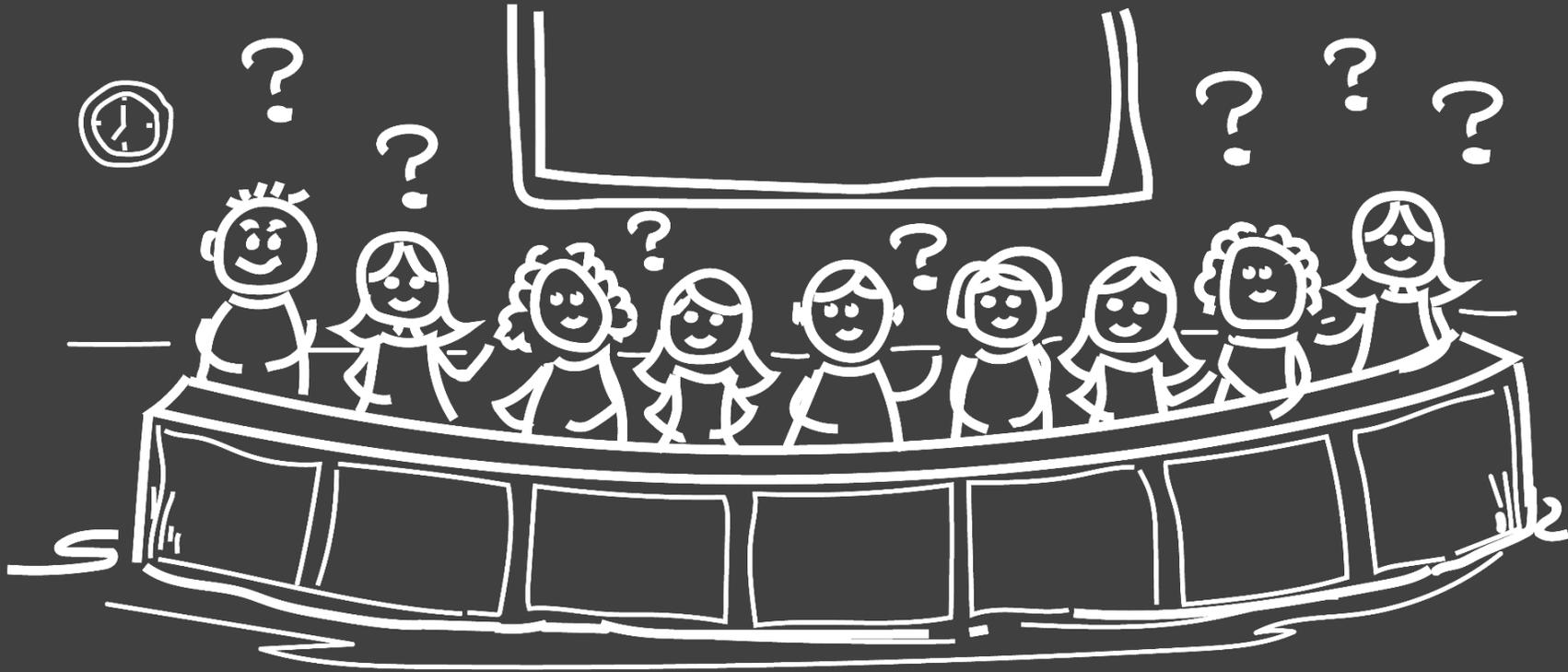
1. Execute a contract for planning & design services
2. Begin site investigation & analysis
3. Develop community survey

Project Timeline

Consultant Selection & Project Kickoff:	Winter 2019
Site Investigation & Analysis:	Spring 2019
Park Program:	Summer 2019
Master Plan Development:	Fall 2019
SEPA Review:	Winter 2020
Master Plan Adoption:	Spring 2020



QUESTIONS?



Agenda Bill
 City Council Study Session
 February 04, 2019



SUBJECT:	A study session to receive the recommendations of the Planning Commission on permanent updates to Development Regulations.		
DATE SUBMITTED:	February 01, 2019		
DEPARTMENT:	Community Development		
NEEDED FROM COUNCIL:	<input type="checkbox"/> Action <input type="checkbox"/> Direction <input checked="" type="checkbox"/> Informational		
RECOMMENDATION:	Receive the Planning Commission recommendations on permanent updates to Development Regulations in preparation for February 11, 2019 Public Hearing with City Council.		
EXHIBITS:	1. Exhibit 1 - Planning Commission Public Hearing Comments 01-31-2019 2. Exhibit 2 - Planning Commission Recommended Proposed Permanent Development Regulations 01-31-2019 3. Exhibit 3 - Draft Code Amendments - Redline Version		
BUDGET:			
Total dollar amount	N/A	<input type="checkbox"/>	Approved in budget
Fund(s)	N/A	<input type="checkbox"/>	Budget reallocation required
		<input checked="" type="checkbox"/>	No budgetary impact
WORK PLAN FOCUS AREAS:			
<input type="checkbox"/> Transportation	<input type="checkbox"/> Community Safety		
<input type="checkbox"/> Communication & Engagement	<input checked="" type="checkbox"/> Community Livability		
<input checked="" type="checkbox"/> High Performing Government	<input type="checkbox"/> Culture & Recreation		
<input checked="" type="checkbox"/> Environmental Health & Protection	<input type="checkbox"/> Financial Sustainability		

NEEDED FROM COUNCIL:

A study session to receive the recommendations of the Planning Commission on permanent updates to Development Regulations.

KEY FACTS AND INFORMATION SUMMARY:

Summary Statement:

On September 18, 2018, the City Council adopted Ordinance O2018-468 amending the Sammamish Municipal Code (SMC) Chapters 16.15, 21A.15, 21A.25, 21A.30, 21A.35 and 21A.40 for a six-month period related to

Interim Development Regulations for setbacks, clearing and grading, street frontage, building height measurement, density rounding, fence height and off-street parking. After completion of the required Public Hearing on November 6, 2018, the City Council adopted Ordinance O2018-471 containing subsequent amendments to the Interim Development Regulations effective until the end of the six-month period allowed by emergency ordinance and directed staff to begin the formal legislative review process to consider permanent updates to Development Regulations. The Interim Development Regulations implemented by Ordinance O2018-468 and Ordinance O2018-471 will expire on March 17, 2019 if no action is taken prior to this date to (1) adopt permanent Development Regulations or (2) extend the Interim Development Regulations.

After the adoption of the Interim Development Regulations, the Planning Commission completed its first study session. Commencing the formal legislative review process, the Planning Commission completed a total three study sessions and a Public Hearing on considering permanent updates to Development Regulations. The Planning Commission has discussed alternatives, selected options to be included for consideration, and on January 17, 2019 directed staff to finalize code language for Public Hearing. On January 31, 2019 the Planning Commission held a Public Hearing on the proposed permanent updates to Development Regulations and voted 6-0 to forward a recommendation to City Council for the adoption of such. The purpose of the upcoming February 4, 2019 City Council Study Session is to receive the Planning Commission recommendations on permanent updates to Development Regulations in preparation for February 11, 2019 Public Hearing with City Council.

Background:

Following the passing of Ordinance O2018-471 on November 6, 2018, and with direction to begin the formal legislative review process, proposed permanent updates to Development Regulations have been developed for consideration by the Planning Commission through the following progression:

1. Community Focus Group: Staff organized a focus group to collect additional feedback from the community. The focus group consisted of Sammamish citizens and members of the building community. The focus group met on December 6, 2018. Feedback from the focus group has been incorporated into the proposed permanent updates to Development Regulations.
2. Planning Commission Study Sessions: A total of four study sessions on Development Regulations were completed by the Planning Commission. These study sessions included an overview on the adopted Interim Development Regulations, results of community outreach (focus group), and have prompted discussion by the Commission regarding potential permanent regulations. During these study sessions, the Planning Commission reviewed the concepts included in the adopted Interim Development Regulations (O2018-468 and O2018-471) and provided feedback regarding additional changes that should be considered. During the fourth and final study session, the Planning Commission directed staff to finalize code language to be brought forward for consideration at the Public Hearing. See Planning Commission meeting agendas for [October 4, 2018](#); [December 13, 2018](#); [January 3, 2019](#); and [January 17, 2019](#).
3. Planning Commission Public Hearing: On January 31, 2019 the Planning Commission completed a Public Hearing on the proposed permanent updates to Development Regulations. Written public comments received prior to / during the Public Hearing are included as **Exhibit 1**. During this meeting, the Planning Commission reviewed the final directed changes made to the proposed permanent updates to Development Regulations, complete the Public Hearing, deliberate on the proposed permanent updates to Development Regulations and vote on forwarding a recommendation to City Council for the adoption of such. In addition to the 6-0 recommendation of the Planning Commission supporting the proposed

permanent updates to Development Regulations, the Planning Commission is also recommending the following items be considered for future phases of Development Regulations updates:

- a. Adding a daylight plane restriction on building envelope.
 - b. Adding a restriction on building height based on building segments.
 - c. Adding a landscape requirement for setback areas of project sites that front arterial streets.
 - d. Adding a restriction on grading around the perimeter of a site to better blend the existing grade of an adjacent property into the finished grade of a project site and better protect trees and existing vegetation around the perimeter of a project site.
 - e. Clean up amendments such as grammar and word choice, as presented through public comment (Exhibit 1).
4. **Legal Review:** The proposed permanent updates to Development Regulations are currently under review with the City Attorney. Although staff have made a clean copy of the proposed permanent updates to Development Regulations recommended by the Planning Commission and included as **Exhibit 2**, a strike draft version of such will be available on Monday February 4, 2019 and will be added to the City Council packet at that time as Exhibit 3. Final amendments recommended by the City Attorney will be incorporated into the proposed permanent updates to Development Regulations for the City Council Public Hearing on February 11, 2019.

Summary of Proposed Permanent Updates to Development Regulations:

Changes proposed are generally organized by topic (e.g. density rounding, setbacks, fences, building height, etc...). The primary focus is on operative language used, the secondary focus is on dimensional settings (these can be adjusted as needed). Ancillary associated changes were also made where needed that did not change code operation or outcome (e.g. changing word "street setback" to "front yard setback"). Proposed changes are generalized as follows. Draft code language is included as **Exhibit 2**.

1. **Chapter 16.15 – Clearing and Grading**
 - a. Added prohibition on work in critical areas, when allowed, without first obtaining a permit.
 - b. Added prohibition on mass grading.
 - c. Added restrictions on excavation and fill to qualify what is considered mass grading and to clarify what is allowed:
 - i. Fill is limited to five feet and may be allowed up to eight feet in exceptional circumstances.
 - ii. Exceptional circumstances are defined.
 - iii. Excavation is limited to ten feet.
 - iv. Exceptions were added for road construction or necessary underground infrastructure and structures that do not change the surface elevation.
 - d. Added design standard for garages on sloped sites.
 - e. Added restriction prohibiting speculative clearing before construction permits are issued.
2. **Chapter 21A.15 – Technical Terms and Land Use Definitions**
 - a. Updated definitions for consistency and clarity.
3. **Chapter 21A.25 – Building Height**
 - a. Changed method of building height measurement to average existing grade.
 - b. Limited façade height to 40 feet with specific exceptions.
 - c. Added 18 foot height restriction for stand alone detached accessory dwelling units.

4. Chapter 21A.25 – Setbacks

- a. Changed designation of setbacks from “street” and “interior” to “front”, “side”, and “rear”.
- b. Created three categories for setbacks – see SMC 21A.25.030(A) and (B):
 - i. General setback for all structures
 - ii. Unique setback for primary detached dwellings (e.g. homes)
 - iii. Unique setback for detached accessory dwelling units (aka dadu’s)
- c. Added method to reduce side and rear setbacks with neighbor agreement when adjacent parcel under different ownership.

5. Chapter 21A.25 – Density

- a. Clarified that decimals are truncated at two numbers past the decimal point.
- b. Added a system of graduated rounding.
 - i. ≥ 10 units before rounding fractions round up at $\geq .51$
 - 1. Example: 11.65 = 12
 - 2. Example: 11.41 = 11
 - ii. ≤ 9 units before rounding fractions round up at $\geq .71$
 - 1. Example: 4.85 = 5
 - 2. Example: 4.69 = 4
 - iii. $\geq 25\%$ units townhomes or duplexes round up when fraction $\geq .21$
 - 1. Example: 8 lot short-subdivision with one 2-unit townhomes rounds up when fraction $\geq .21$ (e.g. base calculation of 7.22 = 8 units when project includes at least one 2-unit townhome)
 - 2. Example: 40 lot long-subdivision with five 2-unit townhomes rounds up when fraction $\geq .21$ (e.g. base calculation of 19.22 = 20 units when project includes at least five 2-unit townhomes)

6. Chapters SMC 21A.25 and 21A.30 – Fence Heights

- a. Added allowance for fences up to eight feet.
 - i. Limited to 32 feet in length along any setback line.
 - ii. Requires agreement with affected neighbor.
 - iii. Requires building permit.
 - iv. May not cause inconsistency with other adopted codes or standards.

7. Chapter SMC 21A.40 – Parking

- a. Added requirement that one additional parking space be provided for each new lot created through subdivision process in R-4 and R-6 zones.
- b. Added clarifying language regarding where the parking must be located with priority hierarchy.

8. Chapter SMC 21A.25 – Street Frontage

- a. Added requirement that all new lots created through subdivision process in R-1, R-4, and R-6 zones be designed to include 30 feet of street frontage on a public or private street.
- b. Added flexibility allowing averaging of street frontage across project with a minimum of 20 feet and cumulative average of 30 feet.

Exhibit 1 - January 31 PC Public Hearing Written Public Comment
 City Council Study Session
 February 4, 2019

David Pyle

From: Gina Clark <GClark@mbaks.com>
Sent: Thursday, January 31, 2019 5:17 PM
To: Shanna Collins; Sara Estiri; Melonie Anderson; Eric Brooks; Roisin O'Farrell; Rituja Indapure; Larry Crandall; Mark Baughman
Cc: David Pyle; Jeffrey Thomas; Cheryl Paston; Jason Ritchie; Ramiro Valderrama-Aramayo; Pam Stuart; Chris Ross; Christie Malchow; Karen Moran; Tom Hornish
Subject: Letter for public comment re: phase I amendments development regulations
Attachments: Draft Development Regs PC Public Comment Jan 31, 2019.docx

Attached, please find written comments for the public record for the January 31, 2019 Planning Commission hearing. I've attached it and have cut and paste it in the body of this email in case you cannot receive attachments.

Many thanks,
 Gina

January 31, 2019

Honorable Shanna Collins, Chair
 City of Sammamish Planning Commission
 801 228th Ave. S.E.
 Sammamish, WA 98075

RE: Proposed Draft Development Regulations

Dear Chair Collins and Sammamish Planning Commissioners:

The Master Builders Association of King and Snohomish Counties (MBAKS) appreciates the opportunity to submit public comment regarding the proposed draft development regulations. With nearly 2,900 members, MBAKS is the largest local homebuilder's association in the United States, dedicated to building quality and attainable housing throughout the region.

We respectfully request the following from Planning Commission and submit the proposed amendments for consideration.

- A. MBAKS thanks the City for amending portions of the development regulations and for the opportunity to participate in the public input process but believes more vetting of complex issues is necessary to reach a balanced and implementable Code.**

MBAKS appreciates the effort city staff has taken to draft the development regulations, as well as the time they've placed into working with the Commission on these incredibly complex and challenging land use issues.

Unlike with the emergency development regulation process, the Planning Commission has the opportunity to be included in the regular and normal course of city business and the public input process, adding valuable dialogue, debate and feedback to the regulations.

**Exhibit 1 - January 31 PC Public Hearing Written Public Comment
City Council Study Session
February 4, 2019**

However, these regulations are extremely complex and will have lasting impacts on the character, aesthetics and affordability of the city for years to come while also seriously influencing the way industry designs and builds. MBAKS is very aware of the layers of detail and consequences these types of regulations have once adopted and implemented. As such, industry wants to work closer with the city throughout the remainder of this process to ensure a more balanced, predictable, flexible and usable code for all.

The Planning Commission listened to staff about where the code has been, why it's now here, and where it's going. Industry would have welcomed more interaction and meetings with Commissioners and staff to educate, answer questions, and to talk about how these regulations will work in practice.

MBAKS would like this opportunity to be afforded to industry, Councilmembers and the community as this issue is moving at a quick pace through March 5th to adopt amendments that could further improve development, on-the-ground implementation, design and community character.

B. Progress has been made to improve the regulations, but additional amendments must be adopted.

From a substantive standpoint, the interim emergency development regulations severely impacted several key areas like mass grading, setbacks and access tract elimination. Having the regulations brought into the normal public input process has amended some of the more erroneous language that was originally adopted in haste last fall.

But more work is needed to craft balanced, efficient, fair and workable code. As such, MBAKS respectfully submits the following suggestions and amendments and welcomes any questions or feedback as the process continues.

Density – MBAKS requests the city change the round-up of .50 to short plats and .7 to long plats. There is much greater value in this for a short plat than a long plat which will help smaller property owners more so than the larger development owners.

Setbacks – MBAKS requests the maximum setback in R4 and R6 for a home greater than 4,000 SF should be 20' in total; homes between 2,500-4,000 SF should be 15' in total, and homes under 2,500 SF should be 10' total. To do any less is to dramatically impact property values, sorely miss density targets in the Urban Growth Area with scarce available land, and further increase housing costs.

And with all the other code requirements and constraints (tree retention, storm water detention ROW widths, impervious limits, lot coverage), the setbacks as currently proposed do not leave room for property owners to subdivide anywhere near the R4 or R6 zoning designation. Again, this further devalues the land and property rights, not just to big developers but to anyone owning property within Sammamish.

Grading – The language within this section is remains subjective, risky, unpredictable and uncertain, both for the applicant and the city. For example, the “tops and toes of cut and fill slopes shall be set back from property boundaries as far as necessary.” What measure or who (city or applicant?) determines “as necessary?” What are the measurable or predictable criteria for “necessary” that avoids risk and uncertainty for both the applicant and city? Define “large quantities” and “large areas.”

The language is simply too ambiguous for both applicant and city. A potential applicant in our industry would not make an investment in Sammamish with this language. A developer would not put upwards of several hundreds of thousands of dollars into due diligence into a piece of property to have a subjective determination risk a project and their investment. Industry is willing to work with the city on quantifying a measurable standard, metrics and/or language to help reduce risk, offer predictability and certainty for the applicant, city and community not only for grading, but throughout the entire code.

Parking – There really is no need for these parking requirements as Sammamish has ample of parking. The old regulations prior to the interim emergency development regulations provided for sufficient parking between current road standards for R4 and R6 as well as garage/driveway parking. Parking increases the cost of projects, it creates more environmental impacts through more impervious surface, and takes away the opportunity to provide community open space. In addition, the proposed language continues to leave much subjectivity to the reviewer and applicant.

**Exhibit 1 - January 31 PC Public Hearing Written Public Comment
City Council Study Session
February 4, 2019**

cc: Sammamish City Council
Larry Patterson, Interim City Manager
Jeffrey Thomas, Director of Community Development
Cheryl Patson, Interim Director of Public Works
Melonie Anderson, City Clerk
Sara Estiri, Management Analyst, Planning Commission

Exhibit 1 - January 31 PC Public Hearing Written Public Comment
 City Council Study Session
 February 4, 2019

David Pyle

From: Mary Wictor <wictormary@gmail.com>
Sent: Thursday, January 31, 2019 1:14 PM
To: Sara Estiri; Planning Commission; David Pyle; Jeffrey Thomas
Subject: Public Hearing P.C. 1-31-2019 draft Permanent Development Regs ~ M. Wictor inputs

Dear Honorable Planning Commissioners & City Staff:
Exhibit 1 is 29 pages, and full P.C. packet 35 pages

I understand emails are working with the City, but that attachments cannot be opened by Staff at this time 1/31/19. So, I have entered my input as text below.
 Please use my inputs for the Public Hearing and consider making changes as suggested before recommending to City Council, or in materials that go to Council.

Typos / Errors / Omissions, plus a few Questions

Page 1 of 29: (3) Any grading ... delete extra comma ',' before ';'

Page 5 of 29: (p) Hours of Operation... lists 7am to 7pm. Shouldn't it also include days like M-F? and/or weekend?

Page 5 of 29: 21A.15.350 suggest adding the acronym ... "Accessory Dwelling Unit (ADU)."

Page 6 of 29: 21A.15.351 suggest adding the acronym ... "Detached Accessory Dwelling Unit (DADU)". [Industry terms in construction.]

Question: with all the Setbacks and changes, is it clear how close a DADU can be built to a primary Single Family Residence (for example).

Page 6 of 29: need a comma ',' within text for 21A.15.726.1 Lot Line, front yard. 3rd line begins "street," ... add the missing comma.

Page 6 of 29: 21A.15.728 Lot line, side yard. The word "delineate" needs an 's' to make it plural as "delineates"

Page 8 of 29: Suggest moving Rear Yard in 1st chart to after Side Yard minimums for Structure Setbacks to be more consistent with patterns that follow.

Page 12, 22, & 25 of 29, 1st example pg12 ... 21. {may have others places where the text is same/similar (I think I noticed at least 3) throughout 29 pages}:

Corrected as "The agreement shall be recorded **with King County Recorder** prior to permit issuance." The recording is by KC Recorder (not records) as part of the Clerk and Recorder's office (I believe is what the City code intends).

Also, the permit issuance is by the City and NOT by King County Records. So, move the bolded text above as I've shown vs the original below:

Original text says, "*shall be recorded prior to permit issuance with King County Records.*" Agreement needs to be recorded with KC prior to permit issue.

Page 14 of 29: Table below 21A.20.040 has Maximum Lot Depth/Width Ratio ... but the two left columns have 10ft and 10ft. Ratio's don't have any unit.

{Page 15 of 29: Table 1st cell in 1st row under STANDARDS is blank... this is perhaps a page/format/layout error as I think it is to be Max Structure Height.}

Page 16 of 29: (4) *Lot area shall be the total horizontal land area contained within the boundaries of the lot; and*

Question: Does this mean a lot on sloped topography will mathematically be smaller than it's physical land dimensions? [Perhaps I am misreading this.]

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On page 16 I had noted somewhere that I read only 30% of front yard was required to be landscaped. (But I can't find that in writing this up today.)

Question: If a front yard is only required to be 30% landscaped... what will the other 70% look like? Would it be allowed to be barren/devoid of plants, etc?

Question: On page 29 of 29, 21A.40.055 about Parking... one on-street space... would/should this apply to any/all Lot(s) that already exist (e.g., Tamarack, etc)?

Question: Has and will the City of Sammamish ever declare a parcel/lot as "unbuildable", (I know King County sometimes has/did)? If these draft permanent regulations are adopted... they may impact use of existing lots, making something that was buildable without variances into something requiring variances (or RUEs). There is the potential that Reasonable Use Exceptions (RUEs) will be on the rise if this occurs. Has City Staff carefully considered this potential intention/unintentional impact?

Questions / Concerns

Page1 (of 29)

I want the City code/regulations to **use four (4) feet instead of "five" feet with regard to Grading** (and I am NOT referring to any "five" feet for setbacks).

Please change "five" to "four" for all the following uses:

Page 1 (1) related to excavation... and unsupported height of five (use four) feet after completion...

Page 2 (10) related to excavation... cut slope not greater than five (use four) feet in height...

Page 3 (2) (a) draft perm. regs do talk about five feet and four feet. But leaves open the possibility of 4ft being left unsupported as only over 4ft is required to be engineered. Concern for 4ft and even less in geo-hazard areas where land disturbance (removing and adding fill, grading) are key for erosion, landslide, slopes, etc. [Rockerries (and/or retaining walls, I think) do NOT require a permit until over 4ft in height.]

[I searched the 35-page packet for "five feet" and have listed the items related to excavation/cut/fill for grading, but not sure I haven't missed others.]

Also, as I have provided before... the City of Redmond uses four-feet (not five) and also ties in stormwater concepts with Clear & Grade/Development code.

FENCES

Page4 (of 29)

As I stated at prior P.C. meetings and showed example photos of fences, no permit is required for fences up to 6ft, and I think transparency/openings should be allowed (and even encouraged) where fences might be installed by builder or property owner(s). There are a lot of stormwater ponds and access roads that have fences and/or gates... but are made of open black wire mesh, for example. Change/delete below. (or perhaps I do not understand the intent/application of):

(m) Fencing. Fencing, where required by the director, to protect life, limb, and property, shall be installed with lockable gates that must be closed and locked when not working the site. The fence must be no less than five feet in height and the fence material shall have no horizontal opening larger than two inches.

See/review also Page 26 of 29 (c) relating to "open-work" and "solid-work style fence" with 10ft ... I'm not sure about suggesting any changes on this part?

Page22 (of 29) Missing/omission... please add:

Fences (with ... up to 8ft or without permit ... up to 6ft) shall NOT be placed or built over utility or other easement areas. [I don't believe that people think about where utilities are or lie underground when they want a fence and just hire out someone to build it.]

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Consider supplementing text on Page 24 of 29 (b) An easement area shall be free of permanent structures and other obstructions...

"and provide utility access" add text at end of sentence. Utilities often need to be accessed not just by that property, but by others adjacent or in same area.

GENERAL on Fencing:

I would like to see the City put in a "General Comment" on Fences... and I suggest: While fences are allowed, sometimes desirable, and may even be needed (e.g., safety) ... use of a fence is counter to connectivity, wildlife, interacting within and between communities and neighborhoods. Fences separate and divide, and make our landscape into cubicles. Fences can screen things and add privacy, but they can also block light (solar access). Even when/if needed or desired, artistic and/or more open style fence materials improve aesthetics. Having breaks in a-length-of fencing allows access and helps wildlife. There are also wildlife-friendly types of fencing. It would seem that often, planning before building and using plants and landscaping can avoid fences altogether. Lastly, with the Urban Forestry Management Plan, the City will be considering concepts and code that are counter-intuitive to building a fence or the need to maintain it. {Surely CODE does not contain statements like this, but I think it is important to have this written somewhere people will need to read it before putting a fence up.}

[I note electric fences are allowed, but I am not personally sure about use of these in residential non-farm/non-livestock areas. Buried dog/pet e-fences ok.]

CONCERNS

Page3 (of 29)

(b) Regarding driveways and slopes (is 25% the right percent?). Plus, requiring "the most direct connection" means perpendicular (90 degrees). In sloped areas, it is often and typical to curve the driveway and have it enter the roadway (public or private) at a slant or angle other than a right-angle. [Many examples in City.]

Page5 (of 29)

"Slopes and setbacks shall be determined by the director." At this point in reviewing the draft, I had noticed that quite a lot of things are being left up to the City Engineer or Director. Is this really best/appropriate... and does City Staff (particularly the City Engr and Director) feel comfortable with this as stated/written?

CONCERNS

Page1 (of 29)

How **big** is "large" quantities and "large" areas? Does this need to be better or more defined in SMC 16.15.020(16.1) Mass Grading?

Regulations and code need to work for major/large subdivisions known as "long" plats (>=10 lots), "short" plats (2-9 lots in UGA), and even single Lots or small building projects on an individual parcel/property.

Particularly, for a single lot/home in a critical area ANY land disturbance can have impacts... even at less than 10%, 25%, and 50%, etc. Example for R-4:

Also, at **64%** of R-4 Lot (10,890 SF) = 7,000SF and will require a Drainage Review for "land disturbance" even on flat land that is not encumbered by ECAs

At 2,000SF (**18.4%** of R-4 Lot) will require a drainage review for "impervious surfaces" of that amount even on flat land not in and ECAs.

At 500SF (**4.5%** of true R-4 Lot) will require a drainage review in "historic plat" (Inglewood) and/or "Land Hazard Drainage Area" (Tamarack & wider in City)

Notes: Inglewood neighborhood is a "historic plat" (< 1977) recorded 1889... so existing lot sizes can be as small as 25x100=2500SF

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Tamarack was recorded by the King County Assessor in 1964 (before 1977 when King County 1st required drainage) and lots are generally R-4 in size.

There are also a large number of lots/homes around Beaver Lake, Pine Lake, Lake Sammamish, etc and tend to be longer and skinnier lots.

[All the other "lakes" in Sammamish are officially termed as "wetlands" in adopted code for Sammamish.]

I am glad to see the "code cleanup/correction" for ensure a permit is required for ANY Clearing or ANY Grading in a Critical Area.

IMPORTANT--It is important to require a permit (trigger at a threshold), but then also to have meaningful requirements. For example, in critical areas clearing limits must be set before any work is done... and maintained throughout the project. Grading and removing/adding fill disturb the land and need stability. Stormwater and drainage can be impacted too along with nearby septic systems.

Thus, I am concerned and wonder if the drafted permanent development regulations wording and existing adopted/effective City code prevents the following:

- A builder/owner just going out and moving amounts of soil in their yard or removing fill (earth), or bringing in fill-- especially in any critical area(s) w/o permit
- A house, building, or structure being constructed without sufficient support (cuts/slopes that either leak water, impact septic, or move/fall over time)
- Building or maintaining a house without any landscaping in front, side, and/or rear yards ... or that only a % (30?) of the yard will be required to have landscaping
- Owners using lots of pesticides to kill off blackberries and weeds, and then never re-vegetating their land (bad for water quality, erosion, stormwater)
- Builders or owners just putting down beauty bark scantily without any plants or vegetation for a "yard"--landscaping should be required for every non-vacant lot
- use of impervious sheeting (like black plastic) covering large amounts of yard/soil and then just putting bark, mulch, compost on top of the sheeting (this is "hidden" impervious)
- Temporary Erosion and Sediment Control (ESC) does seem to be required by the City, but often needs to be checked up on and/or enforced. In my experience, there does seem to be a lack in at least some instances where there is no requirement for landscaping or permanent erosion/sediment control.

[Example, page 3 of 29, item 16.15.090 Op Conds & Stds of perf... (1) is "permanent" erosion and sediment control required to ensure its implemented?]

If the existing City codes and these draft permanent development regulations prevent these seven (7) '-' concerns above, then they can be adopted. However, if there are loopholes or instances that can fall through the code without regulation for cut/fill of slopes, clearing vegetation, re-grading during maintenance, or things getting built without landscaping being required... then more work and changes are needed. All these concerns plus my 8th below affect stormwater/drainage.

RESTORATION PERIOD with Bonding (Surety Performance)?!

An 8th item that is a concern is I do not believe the City of Sammamish has a "restoration" period or timeframe for bonded surety performance. I know the City of Bellevue has a 1-year performance/surety bond so that a project can be finished and signed off... but a whole year must go by to "prove" the implementation before the bonding is returned. This should be done whether it is a small/large multi-lot project, or even for a single family home or structure being built. Building in a critical area should avoid and/or mitigate any impacts, especially to downhill and adjacent neighbors. This should be "proven" through a wet season.

Still on Page 1 of 29:

b) Clarify 1st sentence, 1st paragraph under SMC 16.15.050 Clearing and Grading permit required -- Exceptions.

Note: Added 1st sentence is NOT an "exception"... a permit shall be required for any work in a critical area!

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It is not clear to me that the text in the sentence covers all these cases, please review and make changes to ensure these are all covered/permit required:

A clearing and grading permit in any critical area must be required for ALL of the following instances:

+development

+even maintenance of land/yards... e.g., NO permit is required for rockeries <= 4ft, but cuts on slopes can cause problems even for "small" grading changes

+ANY Clearing (> 0 SF) OR

+ANY Grading (> 0 cu yd)

Movement of any soils is land disturbance, and is "grading" or "re-grading" of the land. This is very key in "erosion" areas and near "landslide hazard areas".

Missing? Bringing in Fill. AND removing Fill/land/earth/soil.

If development, re-development, or even just maintenance of yard requires bringing-in (and/or removing Fill)... then a permit should be required. This is especially true for any critical area (GeoHazards: slopes, erosion, landslide areas, (seismic?) and also wetlands, streams/buffers, CARAs, etc).

NOTE: Clearing and Grading are and can be differentiated from "augmentations" for Landscaping, and potentially even soil amendments (?)

Also, in all the stormwater reading and research I have done, I learned that "mulch" (and compost) which can have high Phosphorous (P) and be "bad".

These are water quality concerns ... I refer you to the City's own newer regulations and code adopted in Dec 2016 effective 1-1-2017+:

Landscaping (& maintenance) -- refer to O2016-429 for LID (pronounced "L.I.D") - Low Impact Development, see Ordinance pages 21-22 of 71:

(a) Be augmented with a two-inch layer of stabilized compost...

... (iii) Measure pH value.

(3) Landscape areas, except turf or areas of established groundcover, shall be covered with at least two inches of City-approved mulch to minimize evaporation. [I do not know if the City also has a list of "approved" mulch types. Is Compost similar?]

King County Surface Water Design Manual (KCWSDM) 2016 Pages 90 and 862 of 1115:

<https://your.kingcounty.gov/dnrp/library/water-and-land/stormwater/surface-water-design-manual/SWDM%202016%20complete%20document%20FINAL%20first%20errata%206%2015%202016.pdf>

Unsure where to give this input, but I'm including it here so Commissioners / Council and City Staff are aware of this unique attribute of Sammamish:

https://www.sammamish.us/attachments/pagecontent/36873/2_WaterQuality.pdf

The link above at the City website is a one-page PDF that shows where these 1,000 year old or more bogs are located in our City, (and 1 in unincorp KC too.)

Intent Sphagnum bog wetlands support unique vegetation communities that are extremely sensitive to changes in alkalinity and nutrients from surface water inputs. The most effective way to prevent ... the bog protection menu seeks to minimize certain changes in the chemistry of developed area runoff to protect this unique vegetation... best to avoid discharge to sphagnum bog wetlands whenever possible. Permeable pavements that are tributary to sphagnum bog wetlands should be types other than Portland cement (PCC) permeable pavement ... (Sphagnum bog info continues on Page 90)

(Page 862:) **Causes of High pH:** *High pH levels at construction sites are most commonly caused by the contact of stormwater with poured or recycled concrete, cement, mortars, and other Portland cement or lime containing construction materials. (See BMP D.2.2.1, Concrete Handling for more information on concrete handling procedures). The principal caustic agent in cement is calcium hydroxide (free lime).*

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I plan to attend the Planning Commission meeting at 6:30pm tonight and also speak during the Public Hearing. My inputs here are long and detailed, but I hope that City Staff and Commissioners will give full consideration tonight and/or after the meeting so that these items might be addressed going to City Council.

Thank you for all the work and discussion on this topic.

Best Regards, Mary Wictor 425-283-7253 mobile
425-836-9819 home/office

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David Pyle

From: James Eastman <eastman78@hotmail.com>
Sent: Thursday, January 31, 2019 5:00 PM
To: Planning Commission; Planning Commission
Cc: David Pyle
Subject: Tonight's meeting

Hi planning commission,

Attached is a photo from a friends ADU from traditional home magazine. I would like to talk to the photo tonight but due to the ransom attack unable to give a live presentation.

My presentation tonight will request a 1' increase in adu height for every extra 1' setback. On some of the large lots in town the New height limits are not necessary.

Thanks

James Eastman

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David Pyle

From: James Eastman <eastman78@hotmail.com>
Sent: Thursday, January 31, 2019 5:09 PM
To: Planning Commission; Planning Commission
Cc: David Pyle

I'm not sure if my photos went through I'm re-sending.

Thanks

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James

3:19



traditionalhome.com



TRADITIONAL HOME

BROWSE

SEARCH

TRADITIONAL HOME DESIGN BEAUTIFUL HOMES

Meticulously Restored Tudor House in Utah



3:17



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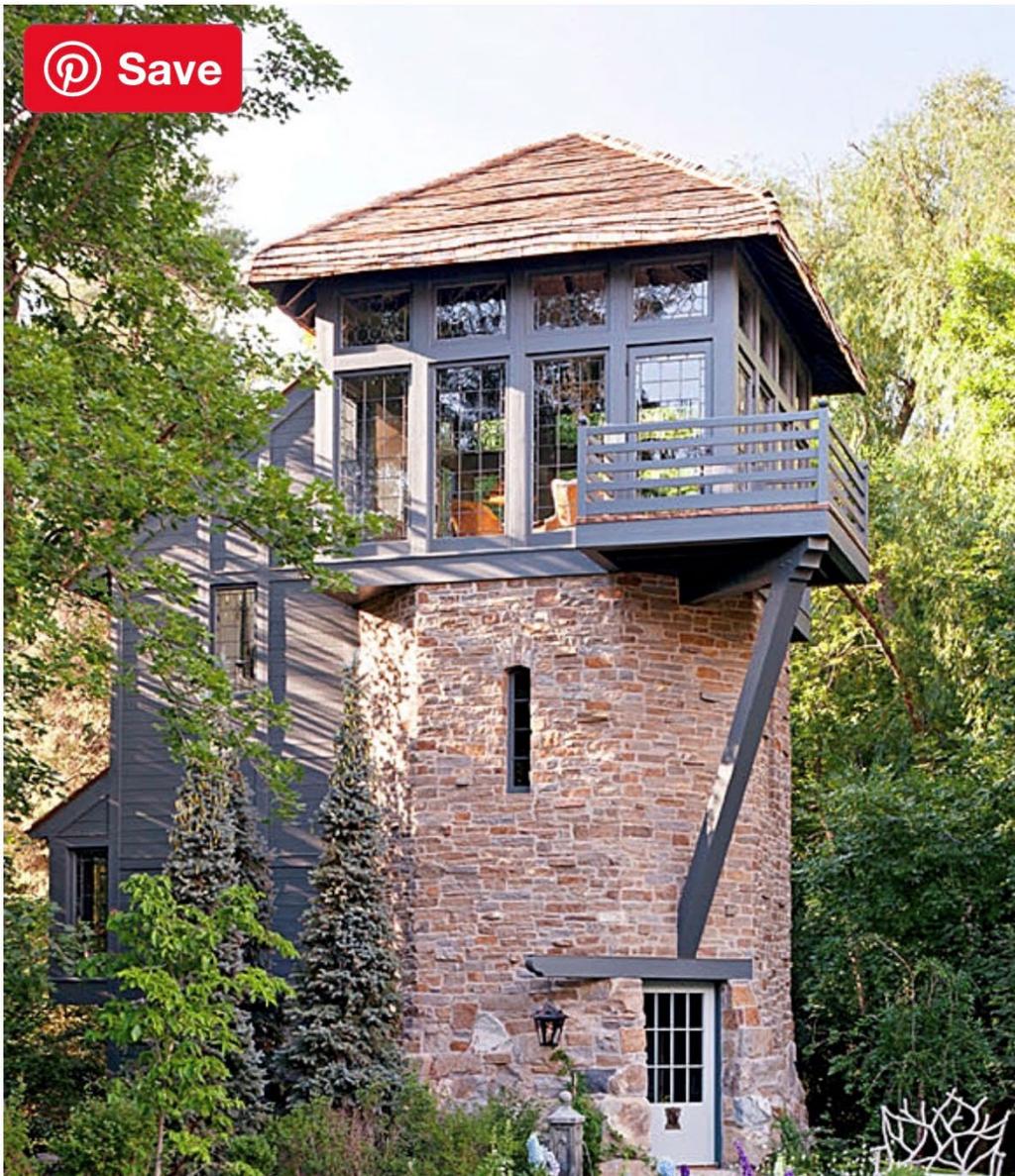


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**Exhibit 2 - Draft Proposed Permanent Development Code Amendments
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**Development Code Update
Draft Proposed Permanent Development Code Amendments**

**Chapter 16.15
CLEARING AND GRADING**

...

SMC 16.15.020(16.1) Mass Grading.

“Mass Grading” means the movement or redistribution of large quantities of earth over large areas.

...

SMC 16.15.050 Clearing and grading permit required – Exceptions.

For development or clearing and grading activity located within critical areas and associated regulatory buffers as defined by SMC 21A.50, no person shall do any clearing or grading without first having obtained a clearing and grading permit. For development or clearing and grading activity located outside of critical areas and associated regulatory buffers as defined by SMC 21A.50, no person shall do any clearing or grading without first having obtained a clearing and grading permit except for the following:

- (1) An on-site excavation or fill for basements and footings of a building, retaining wall, parking lot, or other structure authorized by a valid building permit. This shall not exempt any fill made with the material from such excavation nor exempt any excavation having an unsupported height greater than five feet after the completion of such structure;
- (2) Maintenance of existing driveways or private access roads within their existing road prisms; provided, that the performance and restoration requirements of this chapter are met and best management practices are utilized to protect water quality;
- (3) Any grading within a publicly owned road right-of-way,;
- (4) Clearing or grading by a public agency for the following routine maintenance activities:
 - (a) Roadside ditch cleaning, provided the ditch does not contain salmonids;
 - (b) Pavement maintenance;
 - (c) Normal grading of gravel shoulders;

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- (d) Maintenance of culverts;
 - (e) Maintenance of flood control or other approved surface water management facilities;
 - (f) Routine clearing within road right-of-way;
- (5) Cemetery graves;
- (6) Any clearing or grading that has been approved by the director as part of a commercial site development permit and for which a financial guarantee has been posted;
- (7) The following activities are exempt from the clearing requirements of this chapter and no permit shall be required:
- (a) Normal and routine maintenance of existing lawns and landscaping, including up to 50 cubic yards of top soil, mulch, or bark materials added to existing landscaped areas;
 - (b) Normal and routine horticultural activities associated with commercial orchards, nurseries, or Christmas tree farms subject to the limitations on the use of pesticides in critical areas as set out in Chapter [21A.50 SMC](#). This does not include clearing or grading in order to develop or expand such activities;
 - (c) Normal and routine maintenance of existing public park properties and private and public golf courses;
 - (d) Pruning and limbing of vegetation for maintenance of above-ground electrical and telecommunication facilities;
- (8) The cutting and removal of any coniferous tree of less than eight inches DBH or any deciduous tree of less than 12 inches DBH;;
- (9) The pruning, limbing, and general maintenance of trees outside of environmentally critical areas and buffers, consistent with the requirements of Chapter 21A.37 SMC;
- (10) An excavation that is less than two feet in depth or does not create a cut slope greater than five feet in height and steeper than one unit vertical in two units horizontal (66.7 percent slope), that does not exceed 50 cubic yards on any one lot and does not obstruct a drainage course;
- (11) A fill less than one foot in depth and placed on natural terrain with a slope flatter than one unit vertical in five units horizontal (20 percent slope), or less than three feet in depth, not intended to support structures, that does not exceed 50 cubic yards on any one lot and does not obstruct a drainage course;

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(12) Normal routine maintenance of existing single-family drainage systems, including but not limited to excavation to replace existing pipes, catch basins and infiltration trenches, that does not exceed 50 cubic yards on any one lot and does not obstruct a drainage course; and

(13) Installation of sanitary septic systems with King County health district approval and inspection.

...

16.15.090 Operating conditions and standards of performance.

(1) Any activity that will clear, grade, or otherwise disturb the site, whether requiring a clearing or grading permit or not, shall provide erosion and sediment control (ESC) that prevents, to the maximum extent possible, the transport of sediment from the site to drainage facilities, water resources, and adjacent properties. Erosion and sediment controls shall be applied as specified by the temporary ESC measures and performance criteria and implementation requirements in the City's erosion and sediment control standards.

(2) Cuts and fills shall conform to the following provisions unless otherwise approved by the director:

(a) No mass grading shall be allowed and alterations to existing grade shall be minimized. Excavation shall not exceed ten feet. Fill shall not exceed five feet subject to the following provisions: all fill in excess of four feet shall be engineered; engineered fill may be approved in exceptional circumstances by the Director to exceed five feet. In no instance shall fill exceed a maximum of eight feet. Exceptional circumstances are: (1) instances where driveway access would exceed 15 percent slope if additional fill retained by the building foundation is not permitted; or (2) where the five-foot fill maximum generally is observed but limited additional fill is necessary to accommodate localized undulations or variations in existing topography. The excavation and fill limitations of this part shall not apply to road construction or necessary underground infrastructure and structures that do not change the surface elevation (e.g. vaults, utility trenches, foundations, basements, etc.).

(b) Garages on sites sloping uphill shall be placed below the main floor elevation where feasible to reduce grading and to fit structures into existing topography. Garages on sites sloping downhill from the street may be required to be placed as close to the right-of-way as feasible and at or near street grade. On slopes in excess of 25 percent, driveways shall be designed to minimize disturbance and should provide the most direct connection between the building and the public or private street.

(c) On sites where development is proposed or anticipated, land clearing shall not take place until a construction permit is approved, addressing all land use requirements and presenting final engineering design consistent with applicable development standards and adopted Public Works Standards

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- (d) Slope. No slope of cut and fill surfaces shall be steeper than is safe for the intended use and shall not exceed two horizontal to one vertical, unless otherwise approved by the director.
- (e) Erosion Control. All disturbed areas including faces of cuts and fill slopes shall be prepared and maintained to control erosion in compliance with subsection (1) of this section.
- (f) Preparation of Ground. The ground surface shall be prepared to receive fill by removing unsuitable material such as concrete slabs, tree stumps, brush, and car bodies.
- (g) Fill Material. Except in an approved sanitary landfill, only earth materials that have no rock or similar irreducible material with a maximum dimension greater than 18 inches shall be used.
- (h) Drainage. Provisions shall be made to:
- (i) Prevent any surface water or seepage from damaging the cut face of any excavations or the sloping face of a fill;
 - (ii) Carry any surface waters that are or might be concentrated as a result of a fill or excavation to a natural watercourse, or by other means approved by the City engineer.
- (i) Bench/Terrace. Benches, if required, at least 10 feet in width shall be back-sloped and shall be established at not more than 25 feet vertical intervals to control surface drainage and debris. Swales or ditches on benches shall have a maximum gradient of five percent.
- (j) Access Roads – Maintenance. Access roads to grading sites shall be maintained and located to the satisfaction of the City engineer to minimize problems of dust, mud, and traffic circulation.
- (k) Access Roads – Gate. Access roads to grading sites shall be controlled by a gate when required by the director.
- (l) Warning Signs. Signs warning of hazardous conditions, if such exist, shall be affixed at locations as required by the director.
- (m) Fencing. Fencing, where required by the director, to protect life, limb, and property, shall be installed with lockable gates that must be closed and locked when not working the site. The fence must be no less than five feet in height and the fence material shall have no horizontal opening larger than two inches.
- (n) Setbacks. The tops and the toes of cut and fill slopes shall be set back from property boundaries as far as necessary for safety of the adjacent properties and to prevent damage resulting from water runoff or erosion of the slopes.

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The tops and the toes of cut and fill slopes shall be set back from structures as far as is necessary for adequacy of foundation support and to prevent damage as a result of water runoff or erosion of the slopes.

Slopes and setbacks shall be determined by the director.

(o) Excavations to Water-Producing Depth. All excavations must either be made to a water-producing depth or grade to permit natural drainage. The excavations made to a water-producing depth shall be reclaimed in the following manner:

(i) The depth of the excavations must not be less than two feet measured below the low water mark.

(ii) All banks shall be sloped to the water line no steeper than three feet horizontal to one foot vertical.

(iii) All banks shall be sloped from the low-water line into the pond or lake with a minimum slope of three feet horizontal to one foot vertical to a distance of at least 25 feet.

(iv) In no event shall the term "water-producing depth" as herein used be construed to allow stagnant or standing water to collect or remain in the excavation.

(v) The intent of this provision is to allow reclamation of the land that will result in the establishment of a lake of sufficient area and depth of water to be useful for residential or recreational purposes.

(p) Hours of Operation. Hours of operation, unless otherwise authorized by the director, shall be between 7:00 a.m. and 7:00 p.m.

...

**Chapter 21A.15
TECHNICAL TERMS AND LAND USE DEFINITIONS**

...

21A.15.350 Dwelling unit, attached accessory.

"Dwelling unit, attached accessory" means a separate, complete dwelling unit attached to or contained within the structure of the primary dwelling.

...

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21A.15.351 Dwelling unit, detached accessory.

“Dwelling unit, detached accessory” means a separate, complete dwelling unit contained within a separate structure that is accessory to the primary dwelling unit on the premises.

...

21A.15.428 Existing grade.

“Existing grade” means the existing elevation of land prior to any cuts and fills or other disturbances, which may, at the discretion of the Director, be determined by a topographic survey or soil sampling.

...

21A.15.726 Lot coverage.

“Lot coverage” is the amount of a lot that a building footprint may cover. Lot coverage is expressed as a percent of the total lot area that a building or buildings may cover; for example, a 45 percent lot coverage standard indicates that 45 percent of the area of a lot may be covered by a building or combination of buildings.

...

21A.15.726.1 Lot Line, front yard.

“Lot Line, front yard” means the property boundary or property line abutting a street right-of-way. For property that does not abut a street right-of-way and abuts an access easement or private street the front yard is that property boundary or property line from which the lot gains primary access.

...

21A.15.727 Lot line, rear yard.

“Lot line, rear yard” means the property boundary or property line opposite the front yard lot line. Provided, lots with more than one front yard, or triangular shaped lots with three sides, shall have no rear yard lot line.

...

21A.15.728 Lot line, side yard.

“Lot line, side yard” means the property boundary or property line that delineate the property boundaries along the side portion of the property.

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...

21A.15.1070 Setback.

“Setback” means the minimum required distance between a structure or a building and a specified line such as a or property, lot, access easement, or buffer line that is required to remain free of structures or buildings. (Ord. O2013-350 § 1 (Att. A); Ord. O2003-132 § 10)

...

21A.15.1071 Setback, structure.

“Setback, structure” means the minimum required distance between a structure and a specified line such as a property line, lot line, access easement line, or buffer line that is required to remain free of structures or buildings.

...

21A.15.1072 Setback, single detached dwelling unit

“Setback, single detached dwelling unit” means the minimum required distance between a single detached dwelling unit and a specified line such as a property line, lot line, access easement line, or buffer line that is required to remain free of structures.

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21A.15.1073 Setback, detached accessory dwelling unit

“Setback, detached accessory dwelling unit” means the minimum required distance between a detached accessory dwelling unit and a specified line such as a property line, lot line, access easement line, or buffer line that is required to remain free of structures.

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Chapter 21A.25
 DEVELOPMENT STANDARDS – DENSITY AND DIMENSIONS

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21A.25.030 Densities and dimensions – Residential zones.

A. Residential Zones.

Z O N E S	RESIDENTIAL					
	URBAN RESIDENTIAL					
STANDARDS	R-1 ⁽¹³⁾	R-4	R-6	R-8	R-12	R-18
Maximum Density DU/Acre (11)	1 du/ac	4 du/ac (5)	6 du/ac	8 du/ac	12 du/ac	18 du/ac
Minimum Density (2)				85% (14)	80% (14)	75% (14)
Minimum Lot Width	35 ft (6)	30 ft (6)	30 ft (6)	30 ft	30 ft	30 ft
Minimum Front Yard Structure Setback (7)(22)	20 ft (25)	15 ft (16)(25)	15 ft (16)(25)	10 ft	10 ft	10 ft
Minimum Rear Yard Structure Setback (8)(21)(22)	10 ft	10 ft	10 ft	10 ft	5 ft	5 ft
Minimum Side Yard Structure Setback (2)(8)(12)(21)(22)	10 ft	10 ft	10 ft	10 ft	5 ft	5 ft

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	RESIDENTIAL					
	URBAN RESIDENTIAL					
Z O N E S						
STANDARDS	R-1⁽¹³⁾	R-4	R-6	R-8	R-12	R-18
Minimum Front Yard Single Detached Dwelling Setback (7)(12)	20 ft (6)(25)	15 ft (6)(16)(23) (25)	15 ft (6)(16) (24)(25)	10 ft	10 ft	10 ft
Minimum Side Yard Single Detached Dwelling Setback (2)(8)(12)(21)	25 ft	8 ft (23)	8 ft (24)	5 ft (26)	5 ft	5 ft
Minimum Rear Yard Single Detached Dwelling Setback (8)(21)	30 ft	15 ft (23)	15 ft (24)	20 ft	20 ft	20 ft
Minimum Side Yard Detached Accessory Dwelling Setback (17)(27)	5 ft	5ft	5 ft	5 ft	5 ft	5 ft
Minimum Rear Yard Detached Accessory Dwelling Setback (17)(27)	5 ft	5 ft	5 ft	5 ft	5 ft	5 ft
Maximum Structure Height (3)(15)	35 ft (20)	35 ft (20)	35 ft (20)	35 ft (20)	60 ft	60 ft 80 ft (10)

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Z O N E S	RESIDENTIAL					
	URBAN RESIDENTIAL					
STANDARDS	R-1⁽¹³⁾	R-4	R-6	R-8	R-12	R-18
Maximum Detached Accessory Dwelling Structure Height	18 ft	18 ft	18 ft	18 ft	18 ft	18 ft
Maximum Impervious Surface: Percentage (4)	30% (9)			75%	85%	85%
Minimum Yard Area (18)		45%	35%			
Maximum Lot Coverage (19)		40%	50%			

B. Development Conditions.

1. Also see SMC 21A.25.060.
2. These standards may be modified under the provisions for zero lot line and townhouse developments.
3. Netting or fencing and support structures for the netting or fencing used to contain golf balls in the operation of golf courses or golf driving ranges are exempt from the structure height requirements; provided, that the maximum height shall not exceed 75 feet.
4. Applies to each individual lot. Impervious surface area standards for:
 - a. Regional uses shall be established at the time of permit review;
 - b. Nonresidential uses in residential zones shall comply with SMC 21A.25.130;

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- c. Lot may be increased beyond the total amount permitted in this chapter subject to approval of a conditional use permit.
5. Mobile home parks shall be allowed a base density of six dwelling units per acre.
6. All lots located within the R-1, R-4, and R-6 zoning districts created under Title 19A SMC must abut a public or private street and shall be orientated so that the average street frontage or average front yard width of each lot created equals the minimum lot width requirements pursuant to SMC 21A.25.030(A) with no individual lot having a street frontage or front yard abutting the street of less than 20 ft.
7. At least 20 linear feet of driveway shall be provided between any garage, carport or other fenced parking area and the street property line. The linear distance shall be measured along the center line of the driveway from the access point to such garage, carport or fenced area to the street property line.
8. For townhouse and apartment development, the setback shall be a minimum of 20 feet along any property line abutting R-1 through R-8.
9. Lots smaller than one-half acre in area shall comply with standards of the nearest comparable R-4 through R-8 zone. For lots that are one-half acre in area or larger, the impervious surface area allowed shall be 10,000 square feet or 30 percent of the property, whichever is greater. On any lot over one acre in area, an additional five percent of the lot area may be used for buildings related to agricultural or forestry practices. For lots smaller than two acres but larger than one-half acre, an additional 10 percent of the lot area may be used for structures which are determined to be medically necessary, provided the applicant submits with the permit application a notarized affidavit, conforming with the requirements of SMC 21A.70.170(1)(b). Public projects shall be subject to the applicable impervious surface provisions of the R-4 zone.
10. The 80-foot maximum structure height is to be used only for projects in the R-18 zone using residential density incentives and transfer of density credits pursuant to this title.
11. Density applies only to dwelling units and not to sleeping units.
12. Vehicle access points from garages, carports or fenced parking areas shall be set back from the property line on which a joint use driveway is located to provide a straight line length of at least 30 feet as measured from the center line of the garage, carport or fenced parking area, from the access point to the opposite side of the joint use driveway.
13. All subdivisions and short subdivisions in the R-1 zone shall be required to be clustered away from critical areas or the axis of designated corridors such as urban separators or the wildlife habitat network to the extent possible and a permanent open space tract that includes at least 50 percent of the site shall be created. Open space tracts shall meet the provisions of SMC 21A.30.030.

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14. See SMC 21A.25.090.

15. Subject to the increase in maximum structure height permitted pursuant to Chapter 21A.85 SMC, low impact development incentives, and SMC 21A.30.020.

16. Thirty percent of the area contained within the front yard setback shall be landscaped. This part of the front yard setback area may be used to comply with the minimum yard area percentage.

17. When constructed in accordance with SMC 21A.20.030 (5).

18. For the purposes of this section, "yard" is any surface area that is not structured or hardened. Yard areas may be landscaped, contain uncovered decks of less than 18 inches above grade, and artificial turf, but do not include areas covered by pervious concrete or other similar materials.

19. The maximum lot coverage may be increased by five percentile points once, if a covered outdoor living space or an accessory dwelling unit is built on site. For the purposes of this section, a covered outdoor living space includes any structure with a roof that is not fully enclosed by walls.

20. For new single-family residential homes and additions in Single-Family Land Use Districts, the maximum height of any individual building façade is 40 feet. Facades taller than 40 feet may be permitted when architectural modulation is provided that includes:

- a. An upper story balcony, porch, deck, exterior stairway, or other functional architectural feature; and
- b. A floor line projection (e.g. skirt roof), roof ledger, window fenestrations, pillars, columns, or similar architectural design features (such as bay windows, window seats, or awnings) to provide articulation and reduce massing effects.

21. Reduction of minimum rear yard and/or side yard setbacks shall be granted when agreement with the adjoining affected property owner(s) of a parcel under separate ownership has been reached resulting in an executed agreement including an approved site plan consenting to a reduction of setback. The agreement shall be recorded prior to permit issuance with King County Records. The agreement shall reference the parcel number of all affected properties and conform to a format specified by the Director. Provided, no side or rear setback may be reduced to less than five feet. Further provided that setback reductions granted under this part shall not cause for a violation or non-conformance with adopted Construction Codes.

22. Applies to all structures and buildings unless modified for Primary Single Detached Dwelling Units or Detached Accessory Dwelling Units.

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23. R-4 Setbacks for Primary Single Detached Dwelling Units are dynamic. The minimum dimension listed in the table is modified as follows in response to home size:

- a. For single family homes less than 2,500 SF

Front Setback - Not less than 15 ft (20 ft minimum for garages)

Side Setback - An average of 7 ft but at no point less than 5 ft

Rear Setback - An average of 15 ft but at no point less than 8 ft

- b. For single family homes between 2,500 SF and 4,000 SF

Front Setback - Not less than 20 ft

Side Setback - An average of 9 ft but at no point less than 8 ft

Rear Setback - An average of 20 ft but at no point less than 12 ft

- c. For single family homes greater than 4,000 SF

Front Setback - Not less than 25 ft

Side Setback - An average of 12 ft but at no point less than 10 ft

Rear Setback - An average of 25 ft but at no point less than 15 ft

24. R-6 Setbacks for Primary Single Detached Dwelling Units are dynamic. The minimum dimension listed in the table is modified as follows in response to home size:

- a. For single family homes less than 2,500 SF

Front Setback - Not less than 15 ft (20 ft minimum for garages)

Side Setback - An average of 7 ft but at no point less than 5 ft

Rear Setback - An average of 15 ft but at no point less than 8 ft

- b. For single family homes between 2,500 SF and 4,000 SF

Front Setback - Not less than 15 ft (20 ft minimum for garages)

Side Setback - An average of 9 ft but at no point less than 8 ft

Rear Setback - An average of 20 ft but at no point less than 12 ft

- c. For single family homes greater than 4,000 SF

Front Setback - Not less than 20 ft

Side Setback - An average of 12 ft but at no point less than 10 ft

Rear Setback - An average of 25 ft but at no point less than 15 ft

25. The front yard setback along any Arterial Streets shall be 30 feet.

26. Side yard setbacks shall be a minimum of 10 feet when the abutting property is zoned R-1, R-4, or R-6.

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27. Only applies to stand alone detached accessory dwelling units. Does not apply to detached accessory dwelling units that are combined with other structures or improvements such as pool houses, outdoor kitchens, detached garages, covered patios, etc. Standard minimum structure setbacks apply to detached accessory dwelling units that are combined with other structures and improvements.

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21A.25.040 Densities and dimensions – Commercial zones.

A. Commercial Zones.

	Z O N E S	COMMERCIAL		
		NEIGHBORHOOD BUSINESS	COMMUNITY BUSINESS	OFFICE
STANDARDS		NB	CB	O
Maximum Density DU/Acre		8 du/ac (1)	18 du/ac (1)	18 du/ac (1)
Minimum Lot Area				
Maximum Lot Depth/Width Ratio			10 ft	10 ft
Minimum Rear Yard Setback (4)		20 ft (5)	20 ft (5)	20 ft (5)
Minimum Front Yard Setback		10 ft (2)	10 ft (2)	10 ft
Minimum Side Yard Setback (4)		20 ft (5)	20 ft (5)	20 ft (5)
Maximum Structure Height (7)		35 ft	35 ft	45 ft

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	Z O N E S	COMMERCIAL		
		NEIGHBORHOOD BUSINESS	COMMUNITY BUSINESS	OFFICE
STANDARDS		NB	CB	O
		45 ft (3)	60 ft (3)	60 ft (3)
Maximum Floor/Lot Ratio: Square Feet		1/1 (6)	1.5/1 (6)	2.5/1 (6)
Maximum Impervious Surface: Percentage (8)(9)		85%	85%	75%

B. Development Conditions.

1. These densities are allowed only through the application of mixed use development standards and for stand-alone townhouse development in the NB zone on property designated commercial outside of center in the urban area.
2. Gas station pump islands shall be placed no closer than 25 feet to street front lines.
3. This maximum structure height allowed only for mixed use developments and for stand-alone townhouse development in the NB zone on property designated commercial outside of center in the urban area.
4. Required on property lines adjoining residential zones.
5. Required on property lines adjoining residential zones for industrial uses established by conditional use permits.
6. The floor/lot ratio for mixed use developments shall conform to Chapter 21A.30 SMC.
7. Height limits may be increased when portions of the structure or building which exceed the maximum structure height limit provide one additional foot of front, rear, and side yard setback for each foot above the maximum structure height limit, provided the maximum height may exceed 75 feet only in mixed use developments. Netting or fencing and support structures for the netting or fencing used to contain golf balls in the operation of golf courses or golf driving

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ranges are exempt from this additional setback requirement; provided, that the maximum height shall not exceed 75 feet.

8. The impervious surface area for any lot may be increased beyond the total amount permitted in this chapter subject to approval of a conditional use permit.

9. Subject to the increase in maximum height permitted pursuant to SMC 21A.30.020, preferred low impact development incentives.

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21A.25.050 Measurement methods.

The following provisions shall be used to determine compliance with this title:

(1) Front yard setbacks shall be measured from the property line or lot line of an existing edge of a street right-of-way or temporary turnaround, except as provided by SMC 21A.25.170;

(2) Lot widths shall be measured by scaling a circle of the applicable diameter within the boundaries of the lot; provided, that an access easement shall not be included within the circle;

(3) Structure height shall be measured from the average existing grade of land prior to any cuts and fills or other disturbances associated with the proposed project to the highest point of the structure or roof. The average existing grade shall be determined by first delineating the smallest square or rectangle that can enclose the structure or building and then averaging the existing grade elevations taken at the midpoint of each side of the square or rectangle.

(4) Lot area shall be the total horizontal land area contained within the boundaries of a lot; and

(5) Impervious surface calculations shall not include areas of turf, landscaping, natural vegetation, surface water flow control, or water quality treatment facilities.

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21A.25.070 Calculations – Allowable dwelling units, lots or floor area, lot coverage.

Permitted number of units, or lots or floor area shall be determined as follows:

(1) The allowed number of dwelling units or lots (base density) shall be computed by multiplying the site area specified in SMC 21A.25.080 by the applicable residential base density number;

(2) The maximum density (unit or lot) limits shall be computed by adding the bonus or transfer units authorized by Chapter 21A.80 SMC to the base units computed under subsection (1) of this section;

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(3) The allowed floor area, which excludes structured or underground parking areas and areas housing mechanical equipment, shall be computed by applying the floor-to-lot area ratio to the project site area specified in SMC 21A.25.080; and

(4) The allowed lot coverage shall be computed by dividing the total building footprint area by the total lot area. The total building footprint area is computed by adding the horizontal land area covered by a building or combination of buildings on the subject lot. The total building footprint does not include building eaves of up to 18 inches; for eaves and overhangs greater than 18 inches, that portion of the eaves and overhangs that extends beyond 18 inches shall count toward the building footprint.

(5) When calculations other than density calculations result in a fraction, the fraction shall be rounded to the nearest whole number as follows:

(a) Fractions of 0.51 or above shall be rounded up; and

(b) Fractions of .50 or below shall be rounded down; and

(c) For the purpose of the application of this part, rounding is based on a fraction that is truncated to two numbers past the decimal point. For example, 2.50823 is truncated to 2.50.

(6) When density calculations result in a fraction:

(a) For multi-family and attached dwelling projects located in the R-8, R-12, R-18, NB, CB, or O zones with density calculations resulting in a fraction, the fraction shall be rounded to the nearest whole number as follows:

i. Fractions of 0.51 or above shall be rounded up; and

ii. Fractions of 0.50 or below shall be rounded down.

(b) For subdivision proposals with density calculations resulting in 10 or more whole units of density before rounding fractions, the fraction shall be rounded to the nearest whole number as follows:

i. Calculations resulting in fractions of whole units equaling .51 or greater shall round up. For example, a subdivision proposal with a density calculation resulting 11.52 would result in 12 units. A subdivision proposal with a density calculation resulting 11.50 would result in 11 units. A subdivision proposal resulting in a density calculation of less than 10 units of density before rounding fractions (e.g. 9.56) is not eligible for rounding under this section. See Item c below.

ii. Calculations resulting in fractions of whole units equaling .50 or less shall round down. For example, a subdivision proposal with a density calculation resulting 11.52 would result in 12 units. A subdivision proposal with a density calculation resulting 11.50

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would result in 11 units. A subdivision proposal resulting in a density calculation of less than 10 units of density before rounding fractions (e.g. 9.56) is not eligible for rounding under this section. See Item c below.

(c) For subdivision proposals with density calculations resulting in 9 or fewer whole units of density before rounding fractions, the fraction shall be rounded to the nearest whole number as follows:

i. Calculations resulting in fractions of whole units equaling .71 or greater shall round up. For example, a subdivision proposal with a density calculation resulting 4.71 would result in 5 units. A subdivision proposal with a density calculation resulting 4.69 would result in 4 units.

ii. Calculations resulting in fractions of whole units equaling .70 or less shall round down. For example, a subdivision proposal with a density calculation resulting 4.71 would result in 5 units. A subdivision proposal with a density calculation resulting 4.69 would result in 4 units.

(d) For subdivision proposals with density calculations resulting in fractions and where the project design utilizes townhomes or duplexes for at least 25% of the total project units, the fraction shall be rounded to the nearest whole number as follows:

i. Fractions of 0.21 or above shall be rounded up; and

ii. Fractions of 0.20 or below shall be rounded down.

(e) For the purpose of the application of this part, rounding is based on a fraction that is truncated to two numbers past the decimal point. For example, 2.50823 is truncated to 2.50.

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21A.25.100 Adjustment of setbacks.

The purpose and intent of setback adjustments is to provide the flexibility to modify setbacks in all zoning districts for projects associated with a Type II, III, or IV action. Provided, that such modification shall not affect setbacks or other requirements established elsewhere in this title. Approval shall be based on a determination that the adjustment is consistent with the purpose and intent of this title.

(1) Process. Requests for adjustment of setbacks shall only be accepted for projects associated with a Type II, III, or IV action and shall be reviewed and approved concurrent with the related development application. The director may approve an adjustment with a Type II action or recommend approval to the hearing examiner on a request for adjustment of setbacks associated with a Type III or Type IV action based upon the factors listed in subsection (3) of this section and as provided in subsection (4) of this section.

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(2) Review. The applicant shall have the burden of demonstrating that the requested adjustment of setbacks is warranted, that the adjustment is consistent with the purpose and intent of this title and shall provide such documentation to support the request as may be required by the director.

(3) Criteria. In issuing an approval or recommendation on a request for adjustment of setbacks, the director shall consider the following:

- (a) Any site-specific characteristics or constraints affecting the subject property that may warrant the adjustment;
- (b) The consistency of the requested adjustment with other regulatory requirements governing the development application;
- (c) The consistency of the requested adjustment with the policy direction provided by the Sammamish Comprehensive Plan or other adopted policy documents;
- (d) Whether the adjustment of setbacks is compatible in scale and character with existing neighboring land uses;
- (e) Whether the adjustment of setbacks is consistent with the intent and character of the zoning district involved;
- (f) Impacts upon:
 - (i) Adjacent Property Owner(s). The adjustment of setbacks shall not negatively impact the adjacent property owners through incompatible height, bulk, design, color or other features;
 - (ii) Environmentally Critical Areas. The adjustment shall be consistent with the purpose and intent of the environmentally critical area regulations, and shall not negatively impact environmentally critical areas;
 - (iii) Public Services. The adjustment of setbacks shall not negatively impact public services, including emergency access, access to right-of-way, dedicated tracts, or easements;
- (g) The required impervious surface area for the property shall not be exceeded;
- (h) Whether the adjustment allows for the placement of a building to be made on the lot to allow for the retention of an existing significant tree or trees. Significant trees retained through this provision shall be considered protected trees and shall not be removed without replacement;
 - (i) The reductions shall accomplish one or more of the following goals:

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- (i) Allows buildings to be sited in a manner which maximizes solar access;
- (ii) Allows zero lot line, semidetached (common wall construction) or other types of cluster development when allowed and in conformance with the provisions of this code;
- (iii) Coordinates development with adjacent land uses and the physical features of the site;
- (iv) Allows the development proposal to comply with later adopted setback provisions;
or
- (v) Allows development consistent with the scale and character of the existing neighborhood.

(4) Requests for residential and commercial setback adjustments pursuant to this chapter shall be limited to 30 percent of the required setback dimension.

(5) Public notification of requests for residential and commercial setback adjustments shall be included in the project public notice as required by SMC 20.05.060 and SMC 20.05.090.

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21A.25.120 Measurement of setbacks.

(1) Side Yard Setback. The side yard setback is the setback between a structure and any lot line to which neither the street nor rear yard setback applies. The side yard setback is measured from a side yard lot line to a line parallel to and measured perpendicularly from the side yard lot line at the depth prescribed for each zone. Four-sided corner lots abutting streets on two sides shall have two side setbacks and no rear setback.

(2) Front Yard Setback. The front yard setback is measured between a structure and the front yard lot line. The front yard setback is measured from a front yard lot line to a line parallel to (offset to) and measured perpendicularly from the front yard lot line at the depth prescribed for each zone. In lots adjoining two or more front yards, including corner lots, the minimum front yard setback shall apply to all such street frontages.

(3) Rear Yard Setback. The rear yard setback is the setback measurement between a structure and the rear yard lot line. Four-sided lots adjoining more than one street shall have no rear yard setback. In triangular lots with one street frontage, the rear setback shall be measured from the shorter of the lot lines not adjoining the street.

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21A.25.140 Setbacks – Livestock buildings and manure storage areas.

(1) The minimum setback for any building used to house, confine or feed swine shall be 90 feet. If a greater dimension is specified within this code the greater dimension shall apply.

(2) The minimum setback for any building used to house, confine or feed any other livestock shall be 25 feet. If a greater dimension is specified within this code the greater dimension shall apply.

(3) The minimum setback for any manure storage area shall be 35 feet. If a greater dimension is specified within this code the greater dimension shall apply.

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21A.25.150 Setbacks – Modifications

The following setback modifications are permitted:

(1) When the common property line of two lots is covered by a building(s), the setbacks required by this chapter shall not apply along the common property line; and

(2) When a lot is located between lots having nonconforming front yard setbacks, the required front yard setback for such lot may be the average of the two nonconforming setbacks or 60 percent of the required front yard setback, whichever results in the greater front yard setback.

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21A.25.190 Setbacks – Projections and structures allowed.

Provided, that the required setbacks from regional utility corridors of SMC 21A.25.160, as allowed in the environmentally critical areas of SMC 21A.50.210, the adjoining half-street or designated arterial setbacks of SMC 21A.25.180 and the sight distance requirements of SMC 21A.25.220 are maintained, structures may extend into or be located in required setbacks, as follows:

(1) Fireplace structures, bay or garden windows, enclosed stair landings, closets, or similar structures may project 30 inches into a rear yard or front yard setback and 18 inches into a side yard setback, provided such projections are:

(a) Limited to two per facade; and

(b) Not wider than 10 feet.

(2) Uncovered porches and decks that exceed 18 inches above the finished grade may project five feet into the front yard setback.

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(3) Uncovered porches and decks not exceeding 18 inches above the finished grade may project to the street property line.

(4) Eaves may not project more than:

(a) Twenty-four inches into a rear yard or front yard setback; or

(b) Eighteen inches across a lot line in a zero lot line development, provided there are appropriate easements, and that any neighboring building and its associated eaves are 10 feet from the lot line; or

(c) Eighteen inches into a side yard setback.

(5) Fences with a height of six feet or less may be located in the rear and side yard setbacks except that fences up to eight feet in height and not exceeding 32 linear feet for the segment exceeding six feet along any side or rear yard line may be located in the rear and side yard setbacks. Fences exceeding six feet within the rear or side yard setback shall only be allowed when located along a side or rear yard line shared with a property under separate ownership and when an agreement with the adjoining affected property owner(s) has been reached resulting in an executed agreement including an approved site plan and maintenance agreement consenting to a fence of up to eight feet recorded prior to building permit issuance with King County Records. Agreements shall reference the parcel number of all affected properties and conform to a format specified by the Director. Provided, no fence shall exceed eight feet. Further provided that fence height granted under this part shall not cause for a violation or non-conformance with adopted Construction Codes. Fences are limited to four feet in height in the front yard setback and shall be consistent with the sight distance requirements of SMC 21A.25.220. For corner or a-typical shaped lots with more than one front yard a fence of six feet or less may be located within the front setback along the street frontage that does not provide access to the property when located outside of the vision clearance triangle.

(6) Rockeries, retaining walls and curbs may project into or be located in any setback provided these structures:

(a) Do not exceed a height of six feet in the R-1 through R-18 zones;

(b) Do not exceed the building height for the zone in commercial zones, measured in accordance with the standards established in the International Building Code, SMC Title 16; and

(c) Are in accordance with the requirements in Chapter 21A.50 SMC, Environmentally Critical Areas.

(7) Fences located on top of rockeries, retaining walls or berms are subject to the requirements of SMC 21A.30.190;

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(8) Telephone poles and lines; power poles and lines; cable TV and Internet lines; light and flagpoles; trellises not exceeding eight feet in height, not wider than 10 feet; culverts; underground water facilities; underground sewer facilities; and accessory facilities for the provision of utilities, such as drains, but excluding electrical and cellular equipment cabinets, and similar utility boxes and vaults;

(9) The following may project into or be located within a setback, but may only project into or be located within a rear yard or side yard setback area if an agreement documenting consent between the owners of record of the abutting properties is recorded with the King County department of records and elections prior to the installment or construction of the structure:

(a) Sprinkler systems, heat pumps, air conditioning units, electrical and cellular equipment cabinets and other similar utility boxes and vaults;

(b) Security system access controls;

(c) Structures, except for buildings, associated with trails and on-site recreation spaces and play areas required in SMC 21A.30.140 and 21A.30.160 such as benches, picnic tables and drinking fountains; and

(d) Surface water management facilities as required by Chapter 9.04 KCC as adopted by SMC Title 13.

(10) Mailboxes and newspaper boxes may project into or be located within front yard setbacks;

(11) Fire hydrants and associated appendages;

(12) Metro bus shelters may be located within front yard setbacks;

(13) Unless otherwise allowed in SMC 21A.45.060(1), freestanding and monument signs four feet or less in height, with a maximum sign area of 20 square feet may project into or be located within front yard setbacks; and

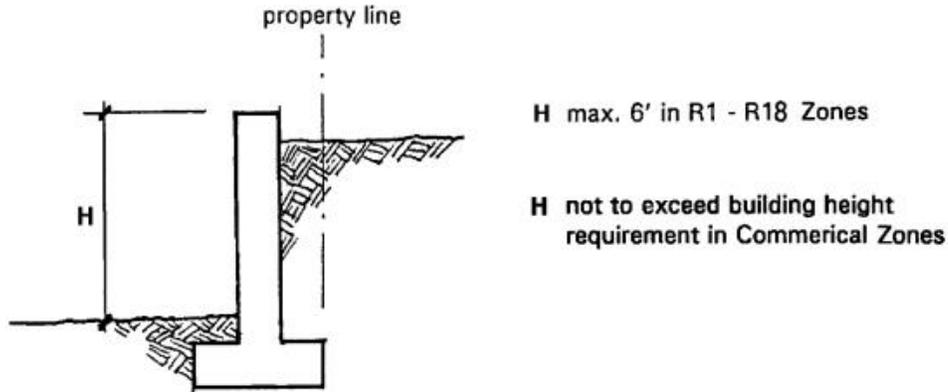
(14) Storm water vaults, structures, and conveyance systems, both above and below ground, provided such projections are:

(a) Consistent with setback, easement and access requirements specified in the current Surface Water Design Manual; or

(b) In the absence of said specifications, not within 10 feet of the property line for storm water vaults and structures, and not within five feet of the property line for conveyance systems.

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RETAINING WALL IN SETBACK



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**Chapter 21A.30
 DEVELOPMENT STANDARDS – DESIGN REQUIREMENTS**

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21A.30.020 Lot segregations – Zero lot line development.

In any R zone or in the NB zone on property designated commercial outside of center in the urban area, rear yard and side yard setbacks may be modified during subdivision or short subdivision review as follows:

(1) If a building is proposed to be located within a normally required rear yard or side yard setback in the NB zone:

- (a) An easement shall be provided on the abutting lot of the subdivision that is wide enough to ensure a 10-foot separation between the walls of structures on adjoining lots, except as provided for common wall construction;
- (b) The easement area shall be free of permanent structures and other obstructions that would prevent normal repair and maintenance of the structure’s exterior;
- (c) Buildings utilizing reduced setbacks shall not have doors that open directly onto the private yard areas of abutting property. Windows in such buildings shall not be oriented toward such private yard areas unless they consist of materials such as glass block,

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textured glass, or other opaque materials, and shall not be capable of being opened, except for clerestory-style windows or skylights; and

(d) The final plat or short plat shall show the approximate location of buildings proposed to be placed in a standard setback area.

(2) If a building is proposed to be located within a normally required rear yard or side yard setback in an R zone:

(a) The residential development must qualify for the attached housing incentive provided in SMC 21A.85.040;

(b) An easement shall be provided on the abutting lot of the subdivision that is wide enough to ensure a 10-foot separation between the walls of structures on adjoining lots, except as provided for common wall construction;

(c) The easement area shall be free of permanent structures and other obstructions that would prevent normal repair and maintenance of the structure's exterior;

(d) Buildings utilizing reduced setbacks shall not have doors that open directly onto the private yard areas of abutting property. Windows in such buildings shall not be oriented toward such private yard areas unless they consist of materials such as glass block, textured glass, or other opaque materials, and shall not be capable of being opened, except for clerestory-style windows or skylights; and

(e) The final plat or short plat shall show the approximate location of buildings proposed to be placed in a standard setback area.

...

21A.30.190 Fences.

Fences are permitted as follows:

(1) Fences with a height of six feet or less may be located in the rear and side yard setbacks except that fences up to eight feet in height and not exceeding 32 linear feet in length for the segment exceeding six feet along any side or rear yard line may be located in the rear and side yard setbacks. Fences exceeding six feet within the rear or side yard setback shall only be allowed when located along a side or rear yard line shared with a property under separate ownership and when an agreement with the adjoining affected property owner(s) has been reached resulting in an executed agreement including an approved site plan and maintenance agreement consenting to a fence of up to eight feet recorded prior to building permit issuance with King County Records. Agreements shall reference the parcel number of all affected properties and conform to a format specified by the Director. Provided, no fence shall exceed eight feet. Further provided that fence height granted under this part shall not cause for a violation or non-conformance with adopted

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Construction Codes. Fences are limited to four feet in height in the front yard setback and shall be consistent with the sight distance requirements of SMC 21A.25.220. For corner or a-typical shaped lots with more than one front yard a fence of six feet or less may be located within the front setback along the street frontage that does not provide access to the property when located outside of the vision clearance triangle and sight distance requirements of SMC 21A.25.220.

(2) Fences located on a rockery, retaining wall, or berm within a required setback area are permitted subject to the following requirements:

(a) In R-1 through R-18 zones:

(i) The total height of the fence and the rockery, retaining wall or berm upon which the fence is located shall not exceed a height of 10 feet. The maximum height of 10 feet may be increased to 12 feet in accordance with section (1) above. This height shall be measured from the top of the fence to the ground on the low side of the rockery, retaining wall or berm; and

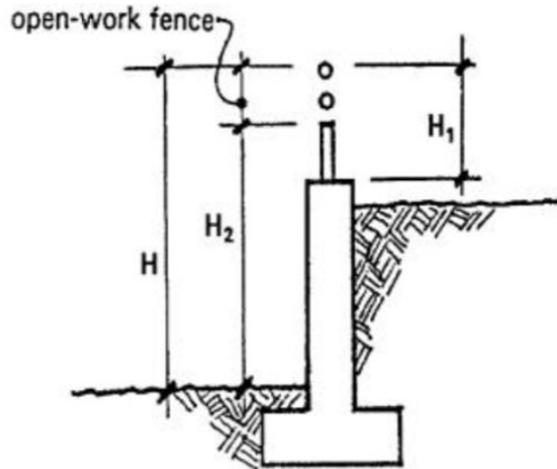
(ii) The total height of the fence itself, measured from the top of the fence to the top of the rockery, retaining wall or berm, shall not exceed six feet. The maximum height of six feet may be increased to eight feet in accordance with section (1) above.

(b) In the R-18 and commercial zones, the height of the fence, measured from the top of the fence to the top of the rockery, retaining wall or berm, shall not exceed six feet.

(c) Any portion of the fence above a height of eight feet, measured to include both the fence and the rockery, retaining wall, or berm (as described in subsection (1)(a)(i) of this section), shall be an open-work fence. The height of the solid-work style fence may be increased to 10 feet in accordance with section (1) above.

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RETAINING WALL WITH FENCE IN SETBACK



H max. 10' in R1 – R18 Zones
 (may be increased to 12 feet)

H1 max. 6' in all Zones
 (may be increased to 8 feet)

H2 max. 8' for wall & Solid-work fence in all Zones
 (may be increased to 10 feet)

(3) Fences located on a rockery, retaining wall or berm outside required setback areas shall not exceed the building height for the zone.

(4) Electric fences shall:

(a) Be permitted in all zones; provided, that when placed within R-4 through R-18 zones, additional fencing or other barriers shall be constructed to prevent inadvertent contact with the electric fence from abutting property;

(b) Comply with the following requirements:

(i) An electric fence using an interrupted flow of current at intervals of about one second on and two seconds off shall be limited to 2,000 volts at 17 milliamp;

(ii) An electric fence using continuous current shall be limited to 1,500 volts at seven milliamp;

(iii) All electric fences in the R-4 through R-18 zones shall be posted with permanent signs a minimum of 36 square inches in area at 50-foot intervals stating that the fence is electrified; and

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(iv) Electric fences sold as a complete and assembled unit can be installed by an owner if the controlling elements of the installation are certified by an A.N.S.I. approved testing agency.

(5) Except as specifically required for the necessary security related to a nonresidential use, no barbed or razor-wire fence shall be located in any R-4 through R-18 zone.

...

Chapter 21A.35
DEVELOPMENT STANDARDS – LANDSCAPING AND IRRIGATION

...

21A.35.050 Landscaping – Side and rear lot lines.

The required width of perimeter landscaping along the side and rear yard lot lines shall be provided as follows:

- (1) Twenty feet of Type I landscaping shall be included in a commercial or industrial development along any portion adjacent to a residential development;
- (2) Five feet of Type II landscaping shall be included in an attached/group residence development, except that along portions of the development adjacent to property developed with single detached residences or vacant property that is zoned R(1-8), the requirement shall be 10 feet of Type II landscaping;
- (3) Ten feet of Type II landscaping shall be included in an industrial development along any portion adjacent to a commercial or institutional development; and
- (4) Ten feet of Type II landscaping shall be included in an institutional use, excluding playgrounds and playfields, or an above-ground utility facility development, excluding distribution or transmission corridors, when located outside a public right-of-way. (Ord. O99-29 § 1)

...

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**Chapter 21A.40
DEVELOPMENT STANDARDS –
PARKING AND CIRCULATION**

...

21A.40.055 Parking for new lots created under Title 19A SMC.

All new single-family residential lots, created pursuant to the provisions of Title 19A SMC and located within the R-4 and R-6 zones, shall provide one on-street parking space along the street frontage of each lot within the project's public or private streets. If, through demonstration of design alternatives considered by the applicant on-street parking is proven infeasible, required parking may be permitted in alternative locations in the following order of preference: within a common shared space to be managed by the HOA; or within the driveway that services each new lot.

...

DRAFT

**Development Code Update
Draft Code Amendments - January 31, 2019**

**Chapter 16.15
CLEARING AND GRADING**

...

SMC 16.15.020(16)(a) Mass Grading.

(16) "Grading and clearing permit" means the permit required by this chapter for grading and clearing activities, including temporary permits.

(a) "Mass Grading" means the movement or redistribution of large quantities of earth over large areas.

...

SMC 16.15.050 Clearing and grading permit required – Exceptions.

For development or clearing and grading activity located within critical areas and associated regulatory buffers as defined by SMC 21A.50, no person shall do any clearing or grading without first having obtained a clearing and grading permit. For development or clearing and grading activity located outside of critical areas and associated regulatory buffers as defined by SMC 21A.50, no person shall do any clearing or grading without first having obtained a clearing and grading permit except for the following:

(1) An on-site excavation or fill for basements and footings of a building, retaining wall, parking lot, or other structure authorized by a valid building permit. This shall not exempt any fill made with the material from such excavation nor exempt any excavation having an unsupported height greater than five feet after the completion of such structure;

(2) Maintenance of existing driveways or private access roads within their existing road prisms; provided, that the performance and restoration requirements of this chapter are met and best management practices are utilized to protect water quality;

(3) Any grading within a publicly owned road right-of-way, ~~provided this does not include clearing or grading that expands further into a critical area or buffer;~~

(4) Clearing or grading by a public agency for the following routine maintenance activities:

(a) Roadside ditch cleaning, provided the ditch does not contain salmonids;

- (b) Pavement maintenance;
 - (c) Normal grading of gravel shoulders;
 - (d) Maintenance of culverts;
 - (e) Maintenance of flood control or other approved surface water management facilities;
 - (f) Routine clearing within road right-of-way;
- (5) Cemetery graves; ~~provided, that this exception does not apply except for routine maintenance if the clearing or grading is within a critical area as regulated in Chapter [21A.50 SMC](#);~~
- ~~(6) Minor stream restoration projects for fish habitat enhancement by a public agency, utility, or tribe as set out in Chapter [21A.50 SMC](#);~~
- ~~(7)~~ Any clearing or grading that has been approved by the director as part of a commercial site development permit and for which a financial guarantee has been posted;
- ~~(8)~~ The following activities are exempt from the clearing requirements of this chapter and no permit shall be required:
- ~~(a)~~ Normal and routine maintenance of existing lawns and landscaping, including up to 50 cubic yards of top soil, mulch, or bark materials added to existing landscaped areas ~~subject to the limitations in critical areas and their buffers as set out in Chapter [21A.50 SMC](#);~~
 - ~~(b)~~ ~~Emergency tree removal to prevent imminent danger or hazard to persons or property;~~
 - ~~(c)~~ Normal and routine horticultural activities associated with commercial orchards, nurseries, or Christmas tree farms subject to the limitations on the use of pesticides in critical areas as set out in Chapter [21A.50 SMC](#). This does not include clearing or grading in order to develop or expand such activities;
 - ~~(d)~~ Normal and routine maintenance of existing public park properties and private and public golf courses. ~~This does not include clearing or grading in order to develop or expand such activities in critical areas;~~
 - ~~(e)~~ ~~Removal of noxious weeds from steep slope hazard areas and the buffers of streams and wetlands subject to the limitations on such removal and the use of pesticides in critical areas as set out in Chapter [21A.50 SMC](#);~~
 - ~~(f)~~ Pruning and limbing of vegetation for maintenance of above-ground electrical and telecommunication facilities; ~~provided, that the clearing is consistent with the electric,~~

~~natural gas, cable communication and telephone utility exemption in critical areas as regulated in Chapter 21A.50 SMC;~~

~~(98)~~ The cutting and removal of any coniferous tree of less than eight inches DBH or any deciduous tree of less than 12 inches DBH;

~~(409)~~ The pruning, limbing, and general maintenance of trees outside of environmentally critical areas and buffers, consistent with the requirements of Chapter 21A.3537 SMC;

~~(11) The pruning, limbing, and general maintenance of trees in buffers or that are otherwise required to be retained pursuant to Chapter 21A.50 SMC;~~

~~(4210)~~ An excavation that is less than two feet in depth or does not create a cut slope greater than five feet in height and steeper than one unit vertical in two units horizontal (66.7 percent slope), that does not exceed 50 cubic yards on any one lot and does not obstruct a drainage course, ~~excluding work in critical areas and their buffers;~~

~~(4311)~~ A fill less than one foot in depth and placed on natural terrain with a slope flatter than one unit vertical in five units horizontal (20 percent slope), or less than three feet in depth, not intended to support structures, that does not exceed 50 cubic yards on any one lot and does not obstruct a drainage course, ~~excluding work in critical areas and their buffers;~~

~~(4412)~~ Normal routine maintenance of existing single-family drainage systems, including but not limited to excavation to replace existing pipes, catch basins and infiltration trenches, that does not exceed 50 cubic yards on any one lot and does not obstruct a drainage course, ~~excluding work in critical areas and their buffers;~~ and

~~(4513)~~ Installation of sanitary septic systems with King County health district approval and inspection.

...

16.15.090 Operating conditions and standards of performance.

(1) Any activity that will clear, grade, or otherwise disturb the site, whether requiring a clearing or grading permit or not, shall provide erosion and sediment control (ESC) that prevents, to the maximum extent possible, the transport of sediment from the site to drainage facilities, water resources, and adjacent properties. Erosion and sediment controls shall be applied as specified by the temporary ESC measures and performance criteria and implementation requirements in the City's erosion and sediment control standards.

(2) Cuts and fills shall conform to the following provisions unless otherwise approved by the director:

(a) No mass grading shall be allowed and alterations to existing grade shall be minimized. Excavation shall not exceed ten feet. Fill shall not exceed five feet subject to the following provisions: all fill in excess of four feet shall be engineered; engineered fill may be approved in exceptional circumstances by the Director to exceed five feet. In no instance shall fill exceed a maximum of eight feet. Exceptional circumstances are: (1) instances where driveway access would exceed 15 percent slope if additional fill retained by the building foundation is not permitted; or (2) where the five-foot fill maximum generally is observed but limited additional fill is necessary to accommodate localized undulations or variations in existing topography. The excavation and fill limitations of this part shall not apply to road construction or necessary underground infrastructure and structures that do not change the surface elevation (e.g. vaults, utility trenches, foundations, basements, etc.).

(b) Garages on sites sloping uphill shall be placed below the main floor elevation where feasible to reduce grading and to fit structures into existing topography. Garages on sites sloping downhill from the street may be required to be placed as close to the right-of-way as feasible and at or near street grade. On slopes in excess of 25 percent, driveways shall be designed to minimize disturbance and should provide the most direct connection between the building and the public or private street.

(c) On sites where development is proposed or anticipated, land clearing shall not take place until a construction permit is approved, addressing all land use requirements and presenting final engineering design consistent with applicable development standards and adopted Public Works Standards.

(ad) Slope. No slope of cut and fill surfaces shall be steeper than is safe for the intended use and shall not exceed two horizontal to one vertical, unless otherwise approved by the director.

(be) Erosion Control. All disturbed areas including faces of cuts and fill slopes shall be prepared and maintained to control erosion in compliance with subsection (1) of this section.

(ef) Preparation of Ground. The ground surface shall be prepared to receive fill by removing unsuitable material such as concrete slabs, tree stumps, brush, and car bodies.

(dg) Fill Material. Except in an approved sanitary landfill, only earth materials that have no rock or similar irreducible material with a maximum dimension greater than 18 inches shall be used.

(eh) Drainage. Provisions shall be made to:

(i) Prevent any surface water or seepage from damaging the cut face of any excavations or the sloping face of a fill;

(ii) Carry any surface waters that are or might be concentrated as a result of a fill or excavation to a natural watercourse, or by other means approved by the City engineer.

(fi) Bench/Terrace. Benches, if required, at least 10 feet in width shall be back-sloped and shall be established at not more than 25 feet vertical intervals to control surface drainage and debris. Swales or ditches on benches shall have a maximum gradient of five percent.

(gj) Access Roads – Maintenance. Access roads to grading sites shall be maintained and located to the satisfaction of the City engineer to minimize problems of dust, mud, and traffic circulation.

(hk) Access Roads – Gate. Access roads to grading sites shall be controlled by a gate when required by the director.

(il) Warning Signs. Signs warning of hazardous conditions, if such exist, shall be affixed at locations as required by the director.

(jm) Fencing. Fencing, where required by the director, to protect life, limb, and property, shall be installed with lockable gates that must be closed and locked when not working the site. The fence must be no less than five feet in height and the fence material shall have no horizontal opening larger than two inches.

(kn) Setbacks. The tops and the toes of cut and fill slopes shall be set back from property boundaries as far as necessary for safety of the adjacent properties and to prevent damage resulting from water runoff or erosion of the slopes.

The tops and the toes of cut and fill slopes shall be set back from structures as far as is necessary for adequacy of foundation support and to prevent damage as a result of water runoff or erosion of the slopes.

Slopes and setbacks shall be determined by the director.

(lo) Excavations to Water-Producing Depth. All excavations must either be made to a water-producing depth or grade to permit natural drainage. The excavations made to a water-producing depth shall be reclaimed in the following manner:

(i) The depth of the excavations must not be less than two feet measured below the low water mark.

(ii) All banks shall be sloped to the water line no steeper than three feet horizontal to one foot vertical.

(iii) All banks shall be sloped from the low-water line into the pond or lake with a minimum slope of three feet horizontal to one foot vertical to a distance of at least 25 feet.

(iv) In no event shall the term “water-producing depth” as herein used be construed to allow stagnant or standing water to collect or remain in the excavation.

(v) The intent of this provision is to allow reclamation of the land that will result in the establishment of a lake of sufficient area and depth of water to be useful for residential or recreational purposes.

(mp) Hours of Operation. Hours of operation, unless otherwise authorized by the director, shall be between 7:00 a.m. and 7:00 p.m.

...

**Chapter 21A.15
TECHNICAL TERMS AND LAND USE DEFINITIONS**

...

21A.25.150 Setbacks – Modifications

The following setback modifications are permitted:

~~(1) When the common property line of two lots is covered by a building(s), the setbacks required by this chapter shall not apply along the common property line; and~~

~~(2) When a lot is located between lots having nonconforming front yard setbacks, the required front yard setback for such lot may be the average of the two nonconforming setbacks or 60 percent of the required front yard setback, whichever results in the greater front yard setback. (Ord. O2003-132 § 12)~~

...

21A.15.350 Dwelling unit, attached accessory.

“Dwelling unit, attached accessory” means a separate, complete dwelling unit attached to or contained within the structure of the primary dwelling, ~~or contained within a separate structure that is accessory to the primary dwelling unit on the premises.~~

21A.15.351 Dwelling unit, detached accessory.

“Dwelling unit, detached accessory” means a separate, complete dwelling unit contained within a separate structure that is accessory to the primary dwelling unit on the premises.

...

21A.15.428 Existing grade.

“Existing grade” means the existing elevation of land prior to any cuts and fills or other disturbances, which may, at the discretion of the Director, be determined by a topographic survey or soil sampling.

...

21A.15.7267 Lot coverage.

“Lot coverage” is the amount of a lot that a building footprint may cover. Lot coverage is expressed as a percent of the total lot area that a building or buildings may cover; for example, a 45 percent lot coverage standard indicates that 45 percent of the area of a lot may be covered by a building or combination of buildings.

...

21A.15.726.1 Lot Line, front yard.

“Lot Line, front yard” means the property boundary or property line abutting a street right-of-way. For property that does not abut a street right-of-way and abuts an access easement or private street the front yard is that property boundary or property line from which the lot gains primary access.

...

21A.15.727 Lot line, rear yard.

“Lot line, rear yard” means the property boundary or property line opposite the front yard lot line. Provided, lots with more than one front yard, or triangular shaped lots with three sides, shall have no rear yard lot line.

...

21A.15.728 Lot line, side yard.

“Lot line, side yard” means the property boundary or property line that delineate the property boundaries along the side portion of the property.

...

21A.15.1070 Setback.

“Setback” means the minimum required distance between a structure or a building and a specified line such as a property, lot, access easement, or buffer line that is required to remain free of structures or buildings.

...

21A.15.1071 Setback, structure.

“Setback, structure” means the minimum required distance between a structure and a specified line such as a property line, lot line, access easement line, or buffer line that is required to remain free of structures or buildings.

...

21A.15.1072 Setback, single detached dwelling unit

“Setback, single detached dwelling unit” means the minimum required distance between a single detached dwelling unit and a specified line such as a property line, lot line, access easement line, or buffer line that is required to remain free of structures.

...

21A.15.1073 Setback, detached accessory dwelling unit

“Setback, detached accessory dwelling unit” means the minimum required distance between a detached accessory dwelling unit and a specified line such as a property line, lot line, access easement line, or buffer line that is required to remain free of structures.

...

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**Chapter 21A.25
DEVELOPMENT STANDARDS – DENSITY AND DIMENSIONS**

...

21A.25.030 Densities and dimensions – Residential zones.

A. Residential Zones.

Z O N E S	RESIDENTIAL					
	URBAN RESIDENTIAL					
STANDARDS	R-1 ⁽¹³⁾	R-4	R-6	R-8	R-12	R-18
Maximum Density DU/Acre (11)	1 du/ac	4 du/ac (5)	6 du/ac	8 du/ac	12 du/ac	18 du/ac
Minimum Density (2)				85% (14)	80% (14)	75% (14)
Minimum Lot Width	35 ft (7 6)	30 ft (6)	30 ft (6)	30 ft	30 ft	30 ft
<u>Minimum Front Yard Structure Setback (7)(22)</u>	<u>20 ft (25)</u>	<u>15 ft (16)(25)</u>	<u>15 ft (16)(25)</u>	<u>10 ft</u>	<u>10 ft</u>	<u>10 ft</u>
<u>Minimum Rear Yard Structure Setback (8)(21)(22)</u>	<u>10 ft</u>	<u>10 ft</u>	<u>10 ft</u>	<u>10 ft</u>	<u>5 ft</u>	<u>5 ft</u>
<u>Minimum Side Yard Structure Setback (2)(8)(12)(21)(22)</u>	<u>10 ft</u>	<u>10 ft</u>	<u>10 ft</u>	<u>10 ft</u>	<u>5 ft</u>	<u>5 ft</u>
<u>Minimum Front Yard Single Detached Dwelling Setback (7)(12)</u>	<u>20 ft (6)(25)</u>	<u>15 ft (6)(16)(23) (25)</u>	<u>15 ft (6)(16) (24)(25)</u>	<u>10 ft</u>	<u>10 ft</u>	<u>10 ft</u>
<u>Minimum Side Yard Single Detached Dwelling Setback (2)(8)(12)(21)</u>	<u>25 ft</u>	<u>8 ft (23)</u>	<u>8 ft (24)</u>	<u>5 ft (26)</u>	<u>5 ft</u>	<u>5 ft</u>

Z O N E S	RESIDENTIAL					
	URBAN RESIDENTIAL					
STANDARDS	R-1 ⁽¹³⁾	R-4	R-6	R-8	R-12	R-18
<u>Minimum Rear Yard Single Detached Dwelling Setback (8)(21)</u>	<u>30 ft</u>	<u>15 ft</u> (23)	<u>15 ft</u> (24)	<u>20 ft</u>	<u>20 ft</u>	<u>20 ft</u>
<u>Minimum Side Yard Detached Accessory Dwelling Setback (17)(27)</u>	<u>5 ft</u>	<u>5ft</u>	<u>5 ft</u>	<u>5 ft</u>	<u>5 ft</u>	<u>5 ft</u>
<u>Minimum Rear Yard Detached Accessory Dwelling Setback (17)(27)</u>	<u>5 ft</u>	<u>5 ft</u>	<u>5 ft</u>	<u>5 ft</u>	<u>5 ft</u>	<u>5 ft</u>
<u>Maximum Structure Base Height (3)(15)</u>	<u>35 ft</u> (20)	<u>35 ft</u> (20)	<u>35 ft</u> 45 ft (4020)	<u>35 ft</u> 45 ft (4020)	60 ft	60 ft 80 ft (10)
<u>Maximum Detached Accessory Dwelling Structure Height</u>	<u>18 ft</u>	<u>18 ft</u>	<u>18 ft</u>	<u>18 ft</u>	<u>18 ft</u>	<u>18 ft</u>
Maximum Impervious Surface: Percentage (4)	30% (9)			75%	85%	85%
Minimum Yard Area (18)		45%	35%			

Z O N E S	RESIDENTIAL					
	URBAN RESIDENTIAL					
STANDARDS	R-1⁽¹³⁾	R-4	R-6	R-8	R-12	R-18
<u>Maximum</u> Lot Coverage (19)		40%	50%			

B. Development Conditions.

1. Also see SMC 21A.25.060.

2. These standards may be modified under the provisions for zero lot line and townhouse developments.

3. ~~Height limits may be increased when portions of the structure which exceed the base height limit provide one additional foot of street and interior setback for each foot above the base height limit, provided the maximum height may not exceed 75 feet.~~ Netting or fencing and support structures for the netting or fencing used to contain golf balls in the operation of golf courses or golf driving ranges are exempt from the structure height requirements; provided, that the maximum height shall not exceed 75 feet.

4. Applies to each individual lot. Impervious surface area standards for:

- a. Regional uses shall be established at the time of permit review;
- b. Nonresidential uses in residential zones shall comply with SMC 21A.25.130;
- c. Lot may be increased beyond the total amount permitted in this chapter subject to approval of a conditional use permit.

5. Mobile home parks shall be allowed a base density of six dwelling units per acre.

6. ~~The standards of the R-4 zone shall apply if a lot is less than 15,000 square feet in area. All lots located within the R-1, R-4, and R-6 zoning districts created under Title 19A SMC must abut a public or private street and shall be orientated so that the average street frontage or average front yard width of each lot created equals the minimum lot width requirements pursuant to SMC 21A.25.030(A) with no individual lot having a street frontage or front yard abutting the street of less than 20 ft.~~

7. At least 20 linear feet of driveway shall be provided between any garage, carport or other fenced parking area and the street property line. The linear distance shall be measured along the center line of the driveway from the access point to such garage, carport or fenced area to the street property line.

8. For townhouse and apartment development, the setback shall be a minimum of 20 feet along any property line abutting R-1 through R-8. ~~a. For developments consisting of three or more single detached dwellings located on a single parcel, the setback shall be 10 feet along any property line abutting R-1 through R-8, except for structures in on-site play areas required in SMC 21A.30.160, which shall have a setback of five feet.~~

~~b. For townhouse and apartment development, the setback shall be 20 feet along any property line abutting R-1 through R-8, except for structures in on-site play areas required in SMC 21A.30.160, which shall have a setback of five feet, unless the townhouse or apartment development is adjacent to property upon which an existing townhouse or apartment development is located.~~

9. Lots smaller than one-half acre in area shall comply with standards of the nearest comparable R-4 through R-8 zone. For lots that are one-half acre in area or larger, the impervious surface area allowed shall be 10,000 square feet or 30 percent of the property, whichever is greater. On any lot over one acre in area, an additional five percent of the lot area may be used for buildings related to agricultural or forestry practices. For lots smaller than two acres but larger than one-half acre, an additional 10 percent of the lot area may be used for structures which are determined to be medically necessary, provided the applicant submits with the permit application a notarized affidavit, conforming with the requirements of SMC 21A.70.170(1)(b). Public projects shall be subject to the applicable impervious surface provisions of the R-4 zone.

10. ~~The base height to be used only for projects as follows:~~

~~a. In R-6 and R-8 zones, a building with a footprint built on slopes exceeding a 15 percent finished grade; and~~

~~b. In the R-18 zone using residential density incentives and transfer of density credits pursuant to this title. The 80-foot maximum structure height is to be used only for projects in the R-18 zone using residential density incentives and transfer of density credits pursuant to this title.~~

11. Density applies only to dwelling units and not to sleeping units.

12. Vehicle access points from garages, carports or fenced parking areas shall be set back from the property line on which a joint use driveway is located to provide a straight line length of at least 2630 feet as measured from the center line of the garage, carport or fenced parking area, from the access point to the opposite side of the joint use driveway.

13. All subdivisions and short subdivisions in the R-1 zone shall be required to be clustered away from critical areas or the axis of designated corridors such as urban separators or the wildlife habitat network to the extent possible and a permanent open space tract that includes at least 50 percent of the site shall be created. Open space tracts shall meet the provisions of SMC 21A.30.030.

14. See SMC 21A.25.090.

15. Subject to the increase in maximum structure height permitted pursuant to Chapter 21A.85 SMC, low impact development incentives, and SMC 21A.30.020.

16. Thirty percent of the area contained within the front yard setback shall be landscaped. This part of the front yard setback area may be used to comply with the minimum yard area percentage.

~~17. When constructed in accordance with SMC 21A.20.030(5), lots with three or more interior lot lines shall provide a combination of five foot, seven foot, and 15 foot interior setbacks. Lots with two interior lot lines shall provide a combination of two interior setback widths. For example, a lot with two interior lot lines could provide a five foot and a seven foot interior setback from interior lot lines.~~

18. For the purposes of this section, "yard" is any surface area that is not structured or hardened. Yard areas may be landscaped, contain uncovered decks of less than 18 inches above grade, and artificial turf, but do not include areas covered by pervious concrete or other similar materials.

19. The maximum lot coverage may be increased by five percentile points once, if a covered outdoor living space or an accessory dwelling unit is built on site. For the purposes of this section, a covered outdoor living space includes any structure with a roof that is not fully enclosed by walls.

20. For new single-family residential homes and additions in Single-Family Land Use Districts, the maximum height of any individual building façade is 40 feet. Facades taller than 40 feet may be permitted when architectural modulation is provided that includes:

- a. An upper story balcony, porch, deck, exterior stairway, or other functional architectural feature; and
- b. A floor line projection (e.g. skirt roof), roof ledger, window fenestrations, pillars, columns, or similar architectural design features (such as bay windows, window seats, or awnings) to provide articulation and reduce massing effects.

21. Reduction of minimum rear yard and/or side yard setbacks shall be granted when agreement with the adjoining affected property owner(s) of a parcel under separate ownership has been reached resulting in an executed agreement including an approved site plan consenting to a reduction of setback. The agreement shall be recorded prior to permit

issuance with King County Records. The agreement shall reference the parcel number of all affected properties and conform to a format specified by the Director. Provided, no side or rear setback may be reduced to less than five feet. Further provided that setback reductions granted under this part shall not cause for a violation or non-conformance with adopted Construction Codes.

22. Applies to all structures and buildings unless modified for Primary Single Detached Dwelling Units or Detached Accessory Dwelling Units.

23. R-4 Setbacks for Primary Single Detached Dwelling Units are dynamic. The minimum dimension listed in the table is modified as follows in response to home size:

a. For single family homes less than 2,500 SF

Front Setback - Not less than 15 ft (20 ft minimum for garages)

Side Setback - An average of 7 ft but at no point less than 5 ft

Rear Setback - An average of 15 ft but at no point less than 8 ft

b. For single family homes between 2,500 SF and 4,000 SF

Front Setback - Not less than 20 ft

Side Setback - An average of 9 ft but at no point less than 8 ft

Rear Setback - An average of 20 ft but at no point less than 12 ft

c. For single family homes greater than 4,000 SF

Front Setback - Not less than 25 ft

Side Setback - An average of 12 ft but at no point less than 10 ft

Rear Setback - An average of 25 ft but at no point less than 15 ft

24. R-6 Setbacks for Primary Single Detached Dwelling Units are dynamic. The minimum dimension listed in the table is modified as follows in response to home size:

a. For single family homes less than 2,500 SF

Front Setback - Not less than 15 ft (20 ft minimum for garages)

Side Setback - An average of 7 ft but at no point less than 5 ft

Rear Setback - An average of 15 ft but at no point less than 8 ft

b. For single family homes between 2,500 SF and 4,000 SF

Front Setback - Not less than 15 ft (20 ft minimum for garages)

Side Setback - An average of 9 ft but at no point less than 8 ft

Rear Setback - An average of 20 ft but at no point less than 12 ft

c. For single family homes greater than 4,000 SF

Front Setback - Not less than 20 ft
Side Setback - An average of 12 ft but at no point less than 10 ft
Rear Setback - An average of 25 ft but at no point less than 15 ft

25. The front yard setback along any Arterial Streets shall be 30 feet.

26. Side yard setbacks shall be a minimum of 10 feet when the abutting property is zoned R-1, R-4, or R-6.

27. Only applies to stand alone detached accessory dwelling units. Does not apply to detached accessory dwelling units that are combined with other structures or improvements such as pool houses, outdoor kitchens, detached garages, covered patios, etc. Standard minimum structure setbacks apply to detached accessory dwelling units that are combined with other structures and improvements.

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21A.25.040 Densities and dimensions – Commercial zones.

A. Commercial Zones.

	Z O N E S	COMMERCIAL		
		NEIGHBORHOOD BUSINESS	COMMUNITY BUSINESS	OFFICE
STANDARDS		NB	CB	O
Maximum Density		8 du/ac	18 du/ac	18 du/ac
DU/Acre		(1)	(1)	(1)
Minimum Lot Area				
Maximum Lot Depth/Width Ratio			10 ft	10 ft
<u>Minimum Rear Yard Setback (4)</u>		<u>20 ft</u>	<u>20 ft</u>	<u>20 ft</u>
		<u>(5)</u>	<u>(5)</u>	<u>(5)</u>

	Z O N E S	COMMERCIAL		
		NEIGHBORHOOD BUSINESS	COMMUNITY BUSINESS	OFFICE
STANDARDS		NB	CB	O
<u>Minimum Front Yard Setback</u>		<u>10 ft</u> (2)	<u>10 ft</u> (2)	<u>10 ft</u>
<u>Minimum Street Setback</u>		<u>10 ft</u> (2)	<u>10 ft</u> (2)	<u>10 ft</u>
<u>Minimum Interior Setback (4)</u>		<u>20 ft</u> (5)	<u>20 ft</u> (5)	<u>20 ft</u> (5)
<u>Minimum Side Yard Setback (4)</u>		<u>20 ft</u> (5)	<u>20 ft</u> (5)	<u>20 ft</u> (5)
<u>Base Maximum Structure Height (7)</u>		35 ft 45 ft (3)	35 ft 60 ft (3)	45 ft 60 ft (3)
Maximum Floor/Lot Ratio: Square Feet		1/1 (6)	1.5/1 (6)	2.5/1 (6)
Maximum Impervious Surface: Percentage (8)(9)		85%	85%	75%

B. Development Conditions.

1. These densities are allowed only through the application of mixed use development standards and for stand-alone townhouse development in the NB zone on property designated commercial outside of center in the urban area.
2. Gas station pump islands shall be placed no closer than 25 feet to street front lines.

3. This ~~base-maximum structure~~ height allowed only for mixed use developments and for stand-alone townhouse development in the NB zone on property designated commercial outside of center in the urban area.

4. Required on property lines adjoining residential zones.

5. Required on property lines adjoining residential zones for industrial uses established by conditional use permits.

6. The floor/lot ratio for mixed use developments shall conform to Chapter 21A.30 SMC.

7. Height limits may be increased when portions of the structure or building which exceed the ~~base-maximum structure~~ height limit provide one additional foot of ~~street and interior set backfront, rear, and side yard setback~~ for each foot above the ~~base-maximum structure~~ height limit, provided the maximum height may exceed 75 feet only in mixed use developments. Netting or fencing and support structures for the netting or fencing used to contain golf balls in the operation of golf courses or golf driving ranges are exempt from ~~the-this~~ additional ~~interior~~ setback requirement; provided, that the maximum height shall not exceed 75 feet.

8. The impervious surface area for any lot may be increased beyond the total amount permitted in this chapter subject to approval of a conditional use permit.

9. Subject to the increase in maximum height permitted pursuant to SMC 21A.30.020, preferred low impact development incentives.

...

21A.25.050 Measurement methods.

The following provisions shall be used to determine compliance with this title:

(1) ~~Street setbacks~~ **Front yard** setbacks shall be measured from the property line or lot line of an existing edge of a street right-of-way or temporary turnaround, except as provided by SMC 21A.25.170;

(2) Lot widths shall be measured by scaling a circle of the applicable diameter within the boundaries of the lot; provided, that an access easement shall not be included within the circle;

(3) **Building Structure** height shall be measured from the average ~~finished-existing~~ grade of land prior to any cuts and fills or other disturbances associated with the proposed project to the highest point of the structure or roof. The average ~~finished-existing~~ grade shall be determined by first delineating the smallest square or rectangle that can enclose the structure or building and then averaging the existing grade elevations taken at the midpoint of each side of the square or rectangle; ~~provided, that the measured elevations do not include berms.~~

- (4) Lot area shall be the total horizontal land area contained within the boundaries of a lot; and
- (5) Impervious surface calculations shall not include areas of turf, landscaping, natural vegetation, surface water flow control, or water quality treatment facilities.

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21A.25.070 Calculations – Allowable dwelling units, lots or floor area, lot coverage.

Permitted number of units, or lots or floor area shall be determined as follows:

- (1) The allowed number of dwelling units or lots (base density) shall be computed by multiplying the site area specified in SMC 21A.25.080 by the applicable residential base density number;
- (2) The maximum density (unit or lot) limits shall be computed by adding the bonus or transfer units authorized by Chapter ~~21A.75~~ or 21A.80 SMC to the base units computed under subsection (1) of this section;
- (3) The allowed floor area, which excludes structured or underground parking areas and areas housing mechanical equipment, shall be computed by applying the floor-to-lot area ratio to the project site area specified in SMC 21A.25.080; and
- (4) The allowed lot coverage shall be computed by dividing the total building footprint area by the total lot area. The total building footprint area is computed by adding the horizontal land area covered by a building or combination of buildings on the subject lot. The total building footprint does not include building eaves of up to 18 inches; for eaves and overhangs greater than 18 inches, that portion of the eaves and overhangs that extends beyond 18 inches shall count toward the building footprint.
- (5) When calculations other than density calculations result in a fraction, the fraction shall be rounded to the nearest whole number as follows:
- (a) Fractions of 0.5~~10~~ or above shall be rounded up; ~~and~~
- (b) Fractions ~~below of~~ 0.50 or below shall be rounded down; ~~and~~
- (c) For the purpose of the application of this part, rounding is based on a fraction that is truncated to two numbers past the decimal point. For example, 2.50823 is truncated to 2.50.
- (6) When density calculations result in a fraction:
- (a) For multi-family and attached dwelling projects located in the R-8, R-12, R-18, NB, CB, or O zones with density calculations resulting in a fraction, the fraction shall be rounded to the nearest whole number as follows:

i. Fractions of 0.51 or above shall be rounded up; and

ii. Fractions of 0.50 or below shall be rounded down.

(b) For subdivision proposals with density calculations resulting in 10 or more whole units of density before rounding fractions, the fraction shall be rounded to the nearest whole number as follows:

i. Calculations resulting in fractions of whole units equaling .51 or greater shall round up. For example, a subdivision proposal with a density calculation resulting 11.52 would result in 12 units. A subdivision proposal with a density calculation resulting 11.50 would result in 11 units. A subdivision proposal resulting in a density calculation of less than 10 units of density before rounding fractions (e.g. 9.56) is not eligible for rounding under this section. See Item c below.

ii. Calculations resulting in fractions of whole units equaling .50 or less shall round down. For example, a subdivision proposal with a density calculation resulting 11.52 would result in 12 units. A subdivision proposal with a density calculation resulting 11.50 would result in 11 units. A subdivision proposal resulting in a density calculation of less than 10 units of density before rounding fractions (e.g. 9.56) is not eligible for rounding under this section. See Item c below.

(c) For subdivision proposals with density calculations resulting in 9 or fewer whole units of density before rounding fractions, the fraction shall be rounded to the nearest whole number as follows:

i. Calculations resulting in fractions of whole units equaling .71 or greater shall round up. For example, a subdivision proposal with a density calculation resulting 4.71 would result in 5 units. A subdivision proposal with a density calculation resulting 4.69 would result in 4 units.

ii. Calculations resulting in fractions of whole units equaling .70 or less shall round down. For example, a subdivision proposal with a density calculation resulting 4.71 would result in 5 units. A subdivision proposal with a density calculation resulting 4.69 would result in 4 units.

(d) For subdivision proposals with density calculations resulting in fractions and where the project design utilizes townhomes or duplexes for at least 25% of the total project units, the fraction shall be rounded to the nearest whole number as follows:

i. Fractions of 0.21 or above shall be rounded up; and

ii. Fractions of 0.20 or below shall be rounded down.

(e) For the purpose of the application of this part, rounding is based on a fraction that is truncated to two numbers past the decimal point. For example, 2.50823 is truncated to 2.50.

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21A.25.100 Administrative Adjustment of setbacks.

The purpose and intent of ~~administrative adjustment of setbacks~~ setback adjustments is to provide the flexibility to modify setbacks in all zoning districts ~~at the administrative level, for projects associated with a Type II, III, or IV action. Administrative adjustment of setbacks may modify setbacks established in this chapter;~~ Provided, that such modification shall not affect setbacks or other requirements established elsewhere in this title. Approval shall be based on a determination that the adjustment is consistent with the purpose and intent of this title.

(1) Process. Requests for ~~administrative adjustment of setbacks~~ shall only be reviewed and approved ~~accepted for projects associated with a Type II, III, or IV action and shall be reviewed and approved concurrent with the related development application. The director may approve or recommend an adjustment with a Type II action or recommend approval to the hearing examiner on an administrative a request for~~ adjustment of standards setbacks associated with a Type III or Type IV action based upon the factors listed in subsection (3) of this section and as provided in subsection (4) of this section.

(2) Review. The applicant shall have the burden of demonstrating that the requested adjustment of setbacks is warranted, that the adjustment is consistent with the purpose and intent of this title and shall provide such documentation to support the request as may be required by the director.

(3) Criteria. In issuing an ~~administrative adjustment of setbacks~~ approval or recommendation on a request for adjustment of setbacks, the director shall consider the following:

- (a) Any site-specific characteristics or constraints affecting the subject property that may warrant the adjustment;
- (b) The consistency of the requested adjustment with other regulatory requirements governing the development application;
- (c) The consistency of the requested adjustment with the policy direction provided by the Sammamish Comprehensive Plan or other adopted policy documents;
- (d) Whether the adjustment of setbacks is compatible in scale and character with existing neighboring land uses;
- (e) Whether the adjustment of setbacks is consistent with the intent and character of the zoning district involved;
- (f) Impacts upon:

- (i) Adjacent Property Owner(s). The adjustment of setbacks shall not negatively impact the adjacent property owners through incompatible height, bulk, design, color or other features;
 - (ii) Environmentally Critical Areas. The adjustment shall be consistent with the purpose and intent of the environmentally critical area regulations, and shall not negatively impact environmentally critical areas;
 - (iii) Public Services. The adjustment of setbacks shall not negatively impact public services, including emergency access, access to right-of-way, dedicated tracts, or easements;
- (g) The required impervious surface area for the property shall not be exceeded;
- (h) Whether the adjustment allows for the placement of a building to be made on the lot to allow for the retention of an existing significant tree or trees. Significant trees retained through this provision shall be considered protected trees and shall not be removed without replacement;
- (i) The reductions shall accomplish one or more of the following goals:
- (i) Allows buildings to be sited in a manner which maximizes solar access;
 - (ii) Allows zero lot line, semidetached (common wall construction) or other types of cluster development when allowed and in conformance with the provisions of this code;
 - (iii) Coordinates development with adjacent land uses and the physical features of the site;
 - (iv) Allows the development proposal to comply with later adopted setback provisions;
or
 - (v) Allows development consistent with the scale and character of the existing neighborhood.

~~(4) Adjustment of Setbacks.~~

~~(a) Residential and commercial street setbacks established pursuant to this chapter may be reduced by up to 30 percent;~~

~~(b) Residential interior setbacks may be reduced to a minimum of five feet (where not otherwise authorized); eaves and projections may extend 18 inches into setbacks; provided, that projections may not exceed a width of 10 feet and are limited to two per facade.~~

(4) Requests for residential and commercial setback adjustments pursuant to this chapter shall be limited to 30 percent of the required setback dimension.

(5) Public notification of requests for residential and commercial setback adjustments shall be included in the project public notice as required by SMC 20.05.060 and SMC 20.05.090.

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21A.25.120 Measurement of setbacks.

~~(1) Interior Setback. The interior setback is measured from the interior lot line to a line parallel to and measured perpendicularly from the interior lot lines at the depth prescribed for each zone.~~

~~(2) Street Setback. The street setback is measured from the street right of way or the edge of a surface improvement which extends beyond a right of way, whichever is closer to the proposed structure, to a line parallel to and measured perpendicularly from the street right of way or the edge of the surface improvement at the depth prescribed for each zone.~~

~~(1) Side Yard Setback. The side yard setback is the setback between a structure and any lot line to which neither the street nor rear yard setback applies. The side yard setback is measured from a side yard lot line to a line parallel to and measured perpendicularly from the side yard lot line at the depth prescribed for each zone. Four-sided corner lots abutting streets on two sides shall have two side setbacks and no rear setback.~~

~~(2) Front Yard Setback. The front yard setback is measured between a structure and the front yard lot line. The front yard setback is measured from a front yard lot line to a line parallel to (offset to) and measured perpendicularly from the front yard lot line at the depth prescribed for each zone. In lots adjoining two or more front yards, including corner lots, the minimum front yard setback shall apply to all such street frontages.~~

~~(3) Rear Yard Setback. The rear yard setback is the setback measurement between a structure and the rear yard lot line. Four-sided lots adjoining more than one street shall have no rear yard setback. In triangular lots with one street frontage, the rear setback shall be measured from the shorter of the lot lines not adjoining the street.~~

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21A.25.140 Setbacks – Livestock buildings and manure storage areas.

(1) The minimum ~~interior~~ setback for any building used to house, confine or feed swine shall be 90 feet. If a greater dimension is specified within this code the greater dimension shall apply.

(2) The minimum ~~interior~~ setback for any building used to house, confine or feed any other livestock shall be 25 feet. If a greater dimension is specified within this code the greater dimension shall apply.

(3) The minimum ~~interior~~ setback for any manure storage area shall be 35 feet. If a greater dimension is specified within this code the greater dimension shall apply.

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21A.25.150 Setbacks – Modifications

The following setback modifications are permitted:

(1) When the common property line of two lots is covered by a building(s), the setbacks required by this chapter shall not apply along the common property line; and

(2) When a lot is located between lots having nonconforming front yard setbacks, the required front yard setback for such lot may be the average of the two nonconforming setbacks or 60 percent of the required front yard setback, whichever results in the greater front yard setback.

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21A.25.190 Setbacks – Projections and structures allowed.

Provided, that the required setbacks from regional utility corridors of SMC 21A.25.160, as allowed in the environmentally critical areas of SMC 21A.50.210, the adjoining half-street or designated arterial setbacks of SMC 21A.25.180 and the sight distance requirements of SMC 21A.25.220 are maintained, structures may extend into or be located in required setbacks, as follows:

(1) Fireplace structures, bay or garden windows, enclosed stair landings, closets, or similar structures may project 30 inches into a ~~rear yard or front yard~~~~street~~ setback and 18 inches into ~~an interior~~ a side yard setback, provided such projections are:

(a) Limited to two per facade; and

(b) Not wider than 10 feet;

(2) Uncovered porches and decks that exceed 18 inches above the finished grade may project five feet into the front yard~~street~~ setback;

(3) Uncovered porches and decks not exceeding 18 inches above the finished grade may project to the street property line;

(4) Eaves may not project more than:

(a) Twenty-four inches into a ~~street~~rear yard or front yard setback; or

(b) Eighteen inches across a lot line in a zero lot line development, provided there are appropriate easements, and that any neighboring building and its associated eaves are 10 feet from the lot line; or

(c) Eighteen inches into ~~an interior~~a side yard setback;

(5) Fences with a height of six feet or less ~~may project into or be located in any setback may be located in the rear and side yard setbacks except that fences up to eight feet in height and not exceeding 32 linear feet for the segment exceeding six feet along any side or rear yard line may be located in the rear and side yard setbacks. Fences exceeding six feet within the rear or side yard setback shall only be allowed when located along a side or rear yard line shared with a property under separate ownership and when an agreement with the adjoining affected property owner(s) has been reached resulting in an executed agreement including an approved site plan and maintenance agreement consenting to a fence of up to eight feet recorded prior to building permit issuance with King County Records. Agreements shall reference the parcel number of all affected properties and conform to a format specified by the Director. Provided, no fence shall exceed eight feet. Further provided that fence height granted under this part shall not cause for a violation or non-conformance with adopted Construction Codes. Fences are limited to four feet in height in the front yard setback and shall be consistent with the sight distance requirements of SMC 21A.25.220. For corner or atypical shaped lots with more than one front yard a fence of six feet or less may be located within the front setback along the street frontage that does not provide access to the property when located outside of the vision clearance triangle.~~

(6) Rockeries, retaining walls and curbs may project into or be located in any setback provided these structures:

(a) Do not exceed a height of six feet in the R-1 through R-18 zones;

(b) Do not exceed the building height for the zone in commercial zones, measured in accordance with the standards established in the International Building Code, SMC Title 16; and

(c) Are in accordance with the requirements in Chapter 21A.50 SMC, Environmentally Critical Areas;

(7) Fences located on top of rockeries, retaining walls or berms are subject to the requirements of SMC 21A.30.190;

(8) Telephone poles and lines; power poles and lines; cable TV and Internet lines; light and flagpoles; trellises not exceeding eight feet in height, not wider than 10 feet; culverts; underground water facilities; underground sewer facilities; and accessory facilities for the provision of utilities, such as drains, but excluding electrical and cellular equipment cabinets, and similar utility boxes and vaults;

(9) The following may project into or be located within a setback, but may only project into or be located within ~~an interior-a rear yard or side yard~~ setback area if an agreement documenting consent between the owners of record of the abutting properties is recorded with the King County department of records and elections prior to the installment or construction of the structure:

(a) Sprinkler systems, heat pumps, air conditioning units, electrical and cellular equipment cabinets and other similar utility boxes and vaults;

(b) Security system access controls;

(c) Structures, except for buildings, associated with trails and on-site recreation spaces and play areas required in SMC 21A.30.140 and 21A.30.160 such as benches, picnic tables and drinking fountains; and

(d) Surface water management facilities as required by Chapter 9.04 KCC as adopted by SMC Title 13;

(10) Mailboxes and newspaper boxes may project into or be located within ~~street setbacks~~front yard setbacks;

(11) Fire hydrants and associated appendages;

(12) Metro bus shelters may be located within ~~street setbacks~~front yard setbacks;

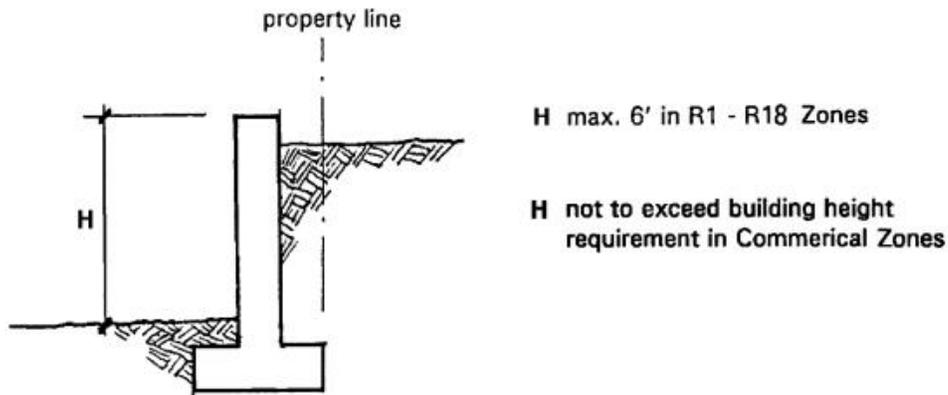
(13) Unless otherwise allowed in SMC 21A.45.060(1), freestanding and monument signs four feet or less in height, with a maximum sign area of 20 square feet may project into or be located within ~~street setbacks~~front yard setbacks; and

(14) Storm water vaults, structures, and conveyance systems, both above and below ground, provided such projections are:

(a) Consistent with setback, easement and access requirements specified in the current Surface Water Design Manual; or

(b) In the absence of said specifications, not within 10 feet of the property line for storm water vaults and structures, and not within five feet of the property line for conveyance systems.

RETAINING WALL IN SETBACK



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**Chapter 21A.30
DEVELOPMENT STANDARDS – DESIGN REQUIREMENTS**

...

21A.30.020 Lot segregations – Zero lot line development.

In any R zone or in the NB zone on property designated commercial outside of center in the urban area, interior rear yard and side yard setbacks may be modified during subdivision or short subdivision review as follows:

(1) If a building is proposed to be located within a normally required interior rear yard or side yard setback in the NB zone:

(a) An easement shall be provided on the abutting lot of the subdivision that is wide enough to ensure a 10-foot separation between the walls of structures on adjoining lots, except as provided for common wall construction;

(b) The easement area shall be free of permanent structures and other obstructions that would prevent normal repair and maintenance of the structure's exterior;

(c) Buildings utilizing reduced setbacks shall not have doors that open directly onto the private yard areas of abutting property. Windows in such buildings shall not be oriented toward such private yard areas unless they consist of materials such as glass block, textured glass, or other opaque materials, and shall not be capable of being opened, except for clerestory-style windows or skylights; and

(d) The final plat or short plat shall show the approximate location of buildings proposed to be placed in a standard setback area.

(2) If a building is proposed to be located within a normally required ~~interior rear yard or side yard~~ setback in an R zone:

(a) The residential development must qualify for the attached housing incentive provided in SMC 21A.85.040;

(b) An easement shall be provided on the abutting lot of the subdivision that is wide enough to ensure a 10-foot separation between the walls of structures on adjoining lots, except as provided for common wall construction;

(c) The easement area shall be free of permanent structures and other obstructions that would prevent normal repair and maintenance of the structure's exterior;

(d) Buildings utilizing reduced setbacks shall not have doors that open directly onto the private yard areas of abutting property. Windows in such buildings shall not be oriented toward such private yard areas unless they consist of materials such as glass block, textured glass, or other opaque materials, and shall not be capable of being opened, except for clerestory-style windows or skylights; and

(e) The final plat or short plat shall show the approximate location of buildings proposed to be placed in a standard setback area.

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21A.30.190 Fences.

Fences are permitted as follows:

~~(1) Fences exceeding a height of six feet shall comply with the applicable street and interior setbacks of the zone in which the property is located, except: fences located on a rockery, retaining wall, or berm within a required setback area are permitted subject to the following requirements:~~

~~(a) In R-1 through R-18 zones:~~

~~(i) The total height of the fence and the rockery, retaining wall or berm upon which the fence is located shall not exceed a height of 10 feet. This height shall be measured from the top of the fence to the ground on the low side of the rockery, retaining wall or berm; and~~

~~(ii) The total height of the fence itself, measured from the top of the fence to the top of the rockery, retaining wall or berm, shall not exceed six feet.~~

~~(b) In the R-18 and commercial zones, the height of the fence, measured from the top of the fence to the top of the rockery, retaining wall or berm, shall not exceed six feet.~~

~~(c) Any portion of the fence above a height of eight feet, measured to include both the fence and the rockery, retaining wall, or berm (as described in subsection (1)(a)(i) of this section), shall be an open work fence.~~

(1) Fences with a height of six feet or less may be located in the rear and side yard setbacks except that fences up to eight feet in height and not exceeding 32 linear feet in length for the segment exceeding six feet along any side or rear yard line may be located in the rear and side yard setbacks. Fences exceeding six feet within the rear or side yard setback shall only be allowed when located along a side or rear yard line shared with a property under separate ownership and when an agreement with the adjoining affected property owner(s) has been reached resulting in an executed agreement including an approved site plan and maintenance agreement consenting to a fence of up to eight feet recorded prior to building permit issuance with King County Records. Agreements shall reference the parcel number of all affected properties and conform to a format specified by the Director. Provided, no fence shall exceed eight feet. Further provided that fence height granted under this part shall not cause for a violation or non-conformance with adopted Construction Codes. Fences are limited to four feet in height in the front yard setback and shall be consistent with the sight distance requirements of SMC 21A.25.220. For corner or a-typical shaped lots with more than one front yard a fence of six feet or less may be located within the front setback along the street frontage that does not provide access to the property when located outside of the vision clearance triangle and sight distance requirements of SMC 21A.25.220.

(2) Fences located on a rockery, retaining wall, or berm ~~outside within a~~ required setback areas ~~shall not exceed the building height for the zone, measured in accordance with the standards established in the Uniform Building Code, SMC Title 16,~~ are permitted subject to the following requirements:

(a) In R-1 through R-18 zones:

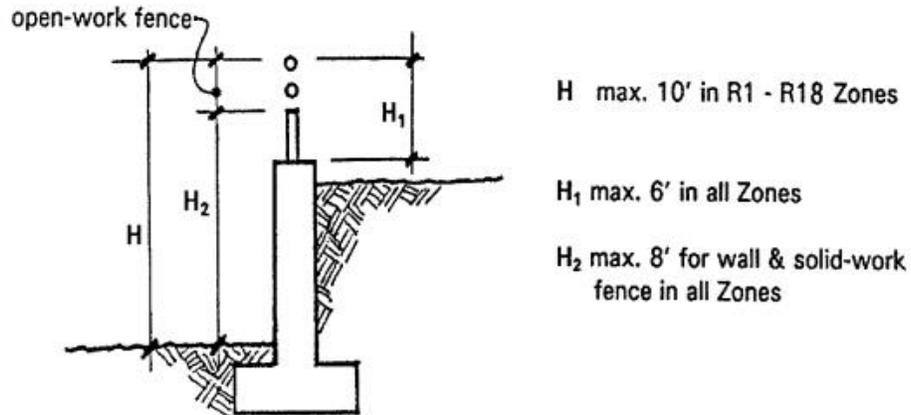
(i) The total height of the fence and the rockery, retaining wall or berm upon which the fence is located shall not exceed a height of 10 feet. The maximum height of 10 feet may be increased to 12 feet in accordance with section (1) above. This height shall be measured from the top of the fence to the ground on the low side of the rockery, retaining wall or berm; and

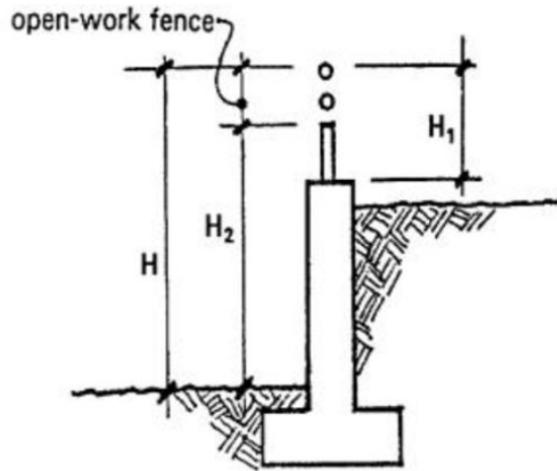
(ii) The total height of the fence itself, measured from the top of the fence to the top of the rockery, retaining wall or berm, shall not exceed six feet. The maximum height of six feet may be increased to eight feet in accordance with section (1) above.

(b) In the R-18 and commercial zones, the height of the fence, measured from the top of the fence to the top of the rockery, retaining wall or berm, shall not exceed six feet.

(c) Any portion of the fence above a height of eight feet, measured to include both the fence and the rockery, retaining wall, or berm (as described in subsection (1)(a)(i) of this section), shall be an open-work fence. The height of the solid-work style fence may be increased to 10 feet in accordance with section (1) above.

RETAINING WALL WITH FENCE IN SETBACK



RETAINING WALL WITH FENCE IN SETBACK

H max. 10' in R1 – R18 Zones
(may be increased to 12 feet)

H1 max. 6' in all Zones
(may be increased to 8 feet)

H2 max. 8' for wall & Solid-work fence in all Zones
(may be increased to 10 feet)

(3) Fences located on a rockery, retaining wall or berm outside required setback areas shall not exceed the building height for the zone.

(34) Electric fences shall:

(a) Be permitted in all zones; provided, that when placed within R-4 through R-18 zones, additional fencing or other barriers shall be constructed to prevent inadvertent contact with the electric fence from abutting property;

(b) Comply with the following requirements:

(i) An electric fence using an interrupted flow of current at intervals of about one second on and two seconds off shall be limited to 2,000 volts at 17 milliamp;

(ii) An electric fence using continuous current shall be limited to 1,500 volts at seven milliamp;

(iii) All electric fences in the R-4 through R-18 zones shall be posted with permanent signs a minimum of 36 square inches in area at 50-foot intervals stating that the fence is electrified; and

(iv) Electric fences sold as a complete and assembled unit can be installed by an owner if the controlling elements of the installation are certified by an A.N.S.I. approved testing agency.

(45) Except as specifically required for the necessary security related to a nonresidential use, no barbed or razor-wire fence shall be located in any R-4 through R-18 zone.

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**Chapter 21A.35
DEVELOPMENT STANDARDS – LANDSCAPING AND IRRIGATION**

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21A.35.050 Landscaping – Interior Side and rear lot lines.

The required width of perimeter landscaping along interior the side and rear yard lot lines shall be provided as follows:

- (1) Twenty feet of Type I landscaping shall be included in a commercial or industrial development along any portion adjacent to a residential development;
- (2) Five feet of Type II landscaping shall be included in an attached/group residence development, except that along portions of the development adjacent to property developed with single detached residences or vacant property that is zoned R(1-8), the requirement shall be 10 feet of Type II landscaping;
- (3) Ten feet of Type II landscaping shall be included in an industrial development along any portion adjacent to a commercial or institutional development; and
- (4) Ten feet of Type II landscaping shall be included in an institutional use, excluding playgrounds and playfields, or an above-ground utility facility development, excluding distribution or transmission corridors, when located outside a public right-of-way.

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**Chapter 21A.40
DEVELOPMENT STANDARDS –
PARKING AND CIRCULATION**

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21A.40.055 Parking for new lots created under Title 19A SMC.

All new single-family residential lots, created pursuant to the provisions of Title 19A SMC and located within the R-4 and R-6 zones, shall provide one on-street parking space along the street frontage of each lot within the project's public or private streets. If, through demonstration of design alternatives considered by the applicant on-street parking is proven infeasible, required parking may be permitted in alternative locations in the following order of preference: within a common shared space to be managed by the HOA; or within the driveway that services each new lot.

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