

Planning Commission Docket

2018 Cycle of Amendments

Comprehensive Plan Map Amendment (new item)

Staff is requesting a revision to the 2018 Cycle of Amendments to include a review of the Comprehensive Plan map for three parcels of land, 9139, 9125 and 9111 Icicle Road (property identification numbers 67192, 67193 and 67194). These properties are currently designated Recreation Public Zone; however, the city has expressed a desire to surplus these parcels for residential use. Staff expects to propose a Residential Low Density 6,000 District (RL 6) designation matching the property to the west of Icicle Road. This action requires amendment of the Comprehensive Plan followed by amendment to the zoning map. If approved, this map amendment would be reviewed at a public hearing before the Planning Commission in January and forwarded to the City Council for action after the 60-day State agency review.

Housing Affordability Task Force Recommendations

1. LMC - Review standards and criteria to allow for innovations for a Planned Unit Development (PUD)

- i. Reduce or remove the 5-acre minimum. Consider no size limits.

The size of the property may not be relevant. Many cities use size standards in a PUD to encourage master planning of larger lots rather than ‘carving up’ large parcels in a Hodge-podge manner contrary to thoughtful planning.

- ii. Allow density bonus

Many jurisdictions encourage the protection of critical areas or other public benefit with the use of density incentives. For example: 150% bonus for the continued protection of a wetland. Address parking and snow storage.

- iii. Define “public good” to include affordable housing

Clear understanding of public good or public benefit needs to be created. One person’s “good” may be differing from another, and removing some of the subjective nature of such allows for clear expectations.

- iv. Establish what Leavenworth defines as affordable housing (see below)

See below, and if used for PUD or other areas to demonstrate a public benefit, the criteria, definition and/ or standard will need to reflect Leavenworth’s interests.

- v. No conversion of accessory structure or garage to ADU (must be permitted first)

With most of PUD’s dimensional standards may be reduced or there may be standards modified for a flexible development option. A garage is a parking stall. If such is removed after considered in the land use decision, there may be no area for parking, and the burden is transferred to the neighbors.

2. LMC - Definition specific to City of Leavenworth “Affordable Housing”

- i. Look to the Housing Assessment for guidance

The Burke housing assessment speaks to housing cost burdens and may provide direction for the creation of affordable housing that reflects Leavenworth’s needs and desires that is distinct from that of the Federal or State standards and definitions.... Or programs.

- ii. Consider “Workforce housing”

Workforce housing can refer to any form of housing, including ownership of single or multi-family homes, as well as occupation of rental units. Workforce housing is generally understood to mean “affordable housing” for households with earned income that is insufficient to secure quality housing in reasonable proximity to the workplace. The term "workforce" is meant to connote those who are gainfully employed, a group of people who are not typically understood to be the target of affordable housing programs. Workforce housing, then, implies an altered or expanded understanding of affordable housing. Workforce housing is commonly targeted at "essential workers" in a community i.e. police officers, firemen, teachers, nurses, medical personnel. Some communities define "essential" more broadly to include service workers, as in the case of resort communities where one finds high real estate costs and a high number of low-paying service jobs essential to the local economy. Workforce housing may be targeted more generally at certain income levels regardless of type of employment, with definitions ranging from 50% to 120% of Area Median Income (AMI).

3. LMC - Creation of Code to allow Sub-lot, Common wall construction and /or zero lot line building standard.

The term Zero Lot Line refers to the placement of a home on its lot so that one wall of the structure is on the property boundary. Building house designs in this manner helps to increase the side yard space, while at the same time leaves very little space on one of the sides of the home between the neighboring house. Many residential developments build on Zero Lot Line lots to maximize space. Narrow lot house plans are often a good choice for Zero Lot line style lots.

- i. Create code language to allow for smaller lot ownership on common (shared) wall construction site (condominium, Binding Site Plan, and setbacks) (Look to examples in East Wenatchee and Arlington for additional options)

See above and below.

- ii. Common wall agreements

A partition erected on a property boundary, partly on the land of one owner and partly on the land of another, to provide common support to the structures on both sides of the boundary. Each person owns as much of a party wall as is situated on his or her land. The wall is subject to cross-easements—reciprocal rights of use over the property of another—in favor of each owner for the support of his or her building or for the maintenance of the wall. A party wall can also be owned by adjoining tenants pursuant to a Tenancy in Common, or the wall can belong entirely to one of the adjoining owners, subject to an Easement or a right in the other owner to have it maintained as a dividing wall between the two tenements.

- iii. The open side may need additional area (greater setback)

To retain some of the characteristics of a traditional neighborhood. Yard space may need to be changed when using the Zero Lot Line provisions. This allows for recreation and sense of separation for privacy.

- iv. Explore and consider the “townhome” construction and private land ownership as an alternative to the “condominium” model.

A new Code section (rather than the Horizontal Property Regimes Act (Condominiums) will needed to be developed that allows for Zero Lot Line development. See Common wall agreements for guidance.

- v. Develop code language for common wall construction. Also consider a requirement of requiring a 7-foot setback on side yard opposite of the common wall construction.

See above

- 4. LMC - Consider the inclusion of triplex / 4-plex within differing zones and the possible use of a Conditional Use Permit (CUP)

Triplex / 4-plex are traditionally considered multi-family structures and reserved for the multi-family district. These may look and function closer to a duplex or large SFR that can retain the characteristics of a SFR in a low density residential district. As such and with clear criteria, can a Triplex / 4-plex be an allowed use (with a CUP) in a residential neighborhood. The design and standards may be (in appearance) that of a SFR while accommodating 3-4 families. Address parking and snow storage.

- 5. LMC + - Identify potential areas for expansion of the multi-family district.

This is a Zoning Map and Land Use Designation Amendment. This can be positive, be proactive in the community, and meet a clear objective that may support a growing need of Leavenworth. Multi-family districts typically are considered for the development of apartments at high density which are not necessarily second homes, are efficient use of space, are efficient use of infrastructure and services, and allow for housing that may support the folks that work in the City. The benefits continue with the understanding of change or impacts.

Placeholder: Private amendments

Zoning & Code Changes

If the above updates are completed, then begin

6. LMC – Stormwater updates consistent with the Stormwater / Wetland Master Plan
 - i. LMC – 16.08.340 - .360, 16.08.640, and 16.08.750 Critical Areas
 - ii. LMC – 14.14.090 General road and utility standards.
 - iii. LMC – 14.14.120 Storm drainage standards.
 - iv. LMC – 17.14.015 References to LMC Title 14, Development Standards
 - v. LMC – 17.14.070 Storm drainage
 - vi. LMC – 13.88.060 Pretreatment for storm sewer discharge.

Housing Affordability Task Force Recommendations (cont.)

7. LMC - Review Multifamily and Residential Zoning.
 - i. Review lot standards.
 - ii. Review what can be done to promote the development of existing vacant multifamily zoned lands? These maybe be large acreage tracts or individual lots
 - iii. 30-ft width Zones
 - iv. Yard setbacks
 - v. Building modulation standards and/or architectural features that allow for visual improvements (no unobstructed walls to full height with small lots below 6,000 sqft – no ‘boxes’ for homes)
 - vi. Revise “single family residential” to “single dwelling unit” or similar terms. The use of “family” is complex and changing; and “dwelling and residential” means the same, but dwelling is more accurate to the use.
 - vii. New zoning district
 - viii. Change setbacks
 1. Snow storage and/or hold snow on roof
 2. Mechanical equipment
 3. Emergency Services Access
8. LMC - Change parking and access standards.

- i. Review alley access as the primary / optional access
 1. No new alley construction; or
 2. clear standards for existing for use (density threshold – then street)
- ii. Set standards for allowing access from alleys (snow storage).
- iii. Allow for the creation of private alley / easement?
- iv. Review and/or remove standard that stops “backing on to city streets” for multifamily (non-residential) development. (Small scale 4-plex maximum?)
- v. Review parking standards and criteria with consideration of snow storage and other aspects for additional units (may need more parking with high compact density)
- vi. Off-site parking/common/cluster parking
- vii. If allowing parking in rear with an approved alley, then allow a reduced front setback. Establish criteria.
- viii. Consider “sea of parking” with parking / access changes for the front.

9. LMC - Revise Cluster Subdivisions

- i. Density bonus
- ii. Admin process
- iii. Clarify criteria and standards
- iv. Clarify phased subdivisions.

10. LMC - Consider modification of the current code language to allow for two ADU’s on property’s or allowing triplexes to be considered on Low Density Residential (RL 6, 10, 12) Zones. Consideration needs to be given to lot size, lot coverage and parking requirements.

11. LMC - Consider creating incentives for the construction and development of less than 700 SF homes.

Other Zoning & Code Changes

1. LMC - Chapter 14.14 - private driveway.

Reduce from 20ft to 16ft paved surface (discuss alternative materials), and deviation option to reduce to 14ft. Regardless, 2ft compacted gravel shoulders and address snow storage

12. LMC - ADU conversions and setbacks from alley

Although the Council Completed amendments to address this topic, there is a request to continue a study / review.

Attachment A

1. LMC - Enforcement / Ticketing Code update – Resolution No. 7-2012 SOP regarding enforcement update (new)
2. City Map Amendments.
 - a. The Pine Village KOA Comp Plan amendment from R to TC.
 - b. "Split Zoning" clean-up city-wide."

Review the existing land use maps and revised to remove "bisected" properties; and consider the use of alleys as delineators

3. LMC - Sign Code Update (revisit)

As necessary, update the sign code to address Reed v. Town of Gilbert, 576 U. S. (2015) and subsequent court decisions.

4. LMC – Update (revisit) the OWBAT Substantial Alteration threshold.

Exempt sprinkler costs or other similar life safety improvements from the calculations of substantial alterations. Expand Admin Deviations and flexibility in review of remodels in regarding to "triggering" the threshold for total exterior compliance with the OWBAT.

5. Wildfire Plan

Planning project to incorporate wild fire prevention measures within the planning documents and city code for Leavenworth and the Urban Growth Area. City of Wenatchee and other examples.

6. LMC - Allow Bed and Breakfast in the Commercial Districts.

Study B&B as an allowed use in the Commercial District, and what standards and permitted outright, or consistently applied CUP?

7. LMC - Change the parking standards to reflect "enclosure" and area calculations.

Current LMC excludes uncovered areas in floor area calculations. this may be acceptable for many occasions, but does not address the number of people to accommodate parking needs of a development. Also, "lot coverage" may be impacted by definition of floor area. Address Landscaping standards.

8. LMC - Create and review "Short Term Adult Care Facility."

Define the use, determine permitting level, and determine the appropriate zoning district(s).

9. LMC - Create a use matrix and remove standards within definitions.

Modify the allowed uses lists into a chart.

10. LMC - Swimming pools.

The Accessory uses does not list swimming pools, but the Department policy is to allow them as accessory uses to residential units. This is true for Motels, Hotels, Bed/Breakfast, and other similar lodging facilities.

11. LMC - Review the LMC regarding Festival and Event Standards (Public and Private Property).

January 17, 2018

The Department applies (regularly) protective conditions either administratively or through SEPA regarding construction activity to reduce or remove impacts to known festivals, events and weekends. This may need to be considered for incorporation in the LMC.

12. LMC - Update the Transient Business License standards and/or add “Limited fruit stands or other similar stands.”

Consider and study of such to determine if it can be allowed (or not) where and when (duration). For Example: Limit the size and number: 50 sqft or % if private property is available. NO mobile food or other trucks / trailers / etc.

13. Open Space Permitting - Private Parks

Clarify and allow events and festivals in private parks and/or private open space. Amphitheater and more?

14. LMC - Phased Major Subdivisions

Clarify and allow? Establish form and mechanism. Careful review to address the potential for "allocating ERUs" that would be detrimental to other 'timely' (current and active) development. Expire and/or time limits

15. Marijuana State pre-emption

16. B&B density overlay district