



## Planning Commission Agenda

Wednesday, February 2, 2021 at 7:00 PM  
City Hall Council Chambers  
700 Highway 2, Leavenworth, WA

Join the Zoom Meeting using one of the three options:

(1) connect via the Zoom app: Meeting ID: 999 2949 1100 Passcode: 225225

(2) use the web link:

<https://zoom.us/j/99929491100?pwd=b1ZqSUtLNGR3STd1TmNHWndCcDFaQT09> OR

(3) call in: 1-253-215-8782. Alternative call-in phone numbers may be used, visit zoom website for more information: [https://us02web.zoom.us/u/kOFTNV2hD](https://us02web.zoom.us/j/99929491100?pwd=b1ZqSUtLNGR3STd1TmNHWndCcDFaQT09)

The public is encouraged to attend via zoom. If that is not possible, please contact City Hall, at least one day prior to the meeting for special arrangements.

Staff will open the zoom hosting site approximately 10 minutes prior to the meeting for people to assemble. The public is encouraged to submit written comments prior to the meeting by sending to the Development Services Manager - [dsmanager@cityofleavenworth.com](mailto:dsmanager@cityofleavenworth.com); comments via email will need to be submitted by no later than 6:00 PM on the meeting day, in order for them to be received and prepared for submission into the record. Comments received through US Mail or delivered to City Hall will be included if they are received prior to the meeting.

### 1. Call Meeting to Order, 7:00 pm

### 2. Roll Call: *Planning Commission Chair: Steven Booher (position #1 – expiration 2022)*

*Planning Commission Commissioners: Kenny Renner-Singer (#2 - 2023), Andy Lane (#3 –2024), Pete Olson (#4 - 2025), Angie Harrison (#5 - 2025), Colin Forsyth (#6 - 2022) and Alison Miller (#7 - 2022)*

### 3. Review and approval of Minutes – January 5, 2022 (sent separately)

a. **Motion:** *Planning Commission moves to approve the January 5<sup>th</sup> minutes.*

### 4. Discussion regarding the 2022 Docket

### 5. Remanded Items - Duplex Amendment & R8 Designation/Zoning

a. **Review of General Comments & Responses**

### 6. Affordable Low-Income Housing Incentives Workshop

### 7. Future Meeting Considerations

a. Hearing - Affordable Low-Income Housing Incentives (March)

b. Remanded Duplex and R8 Designation/Zoning items (March)

c. Remanded 1589 Development Standards

d. Townhomes and Triplexes (RCW 36.70A.070)

e. Driveway and on-site parking requirements to accommodate a greater variety of housing types

### 8. Open Discussion Items, at the Chair's discretion

### 9. Adjournment

*All Planning Commission meetings are open to the public*

General Comment/Concern for R 8 Zoning	
1	<p>Concern about adequate infrastructure</p> <p>Leavenworth Public Works Memo notes that infrastructure (water/sewer/stormwater) have been adequately planned and all new development is reviewed at the time of application and required to provide corresponding level of services consistent with the city planning documents. It is noted that existing facilities (outside the new wastewater treatment and some piping) are dated and require maintenance or repair. This work is ongoing and is factored into new development reviews.</p>
2	<p>Concern about traffic increases/bike &amp; ped needs</p> <p>Additional housing will increase the number of vehicles on the road, pedestrians and bikers. However, the City's contracted engineer reviewed the full buildout option of 1,330 residents and found the city streets are adequate, see memo. There were concerns noted about the intersections with the highway and comments from Washington State Department of Transportation acknowledging the need to address these as they develop. WSDOT also noted support for density increases within urban areas.</p>
3	<p>Concern about density and fire risk</p> <p>Discussions with Fire District 3 noted the pros/cons of density increases and fire, including: better response times but potential increase in calls; increase tax base of staffing/equipment; newer developments ability to meet higher road standards (width for access); more hydrants. Worth noting, the existing wetlands through the proposed R8 zoning have the potential to provide a natural fire break area.</p>
4	<p>Concern about loss of green spaces</p> <p>The intent of a city is to provide urban (higher density) living. This is off-set by city &amp; private parks/green space and rural lands. Encouraging development within the city helps reduce demand in the rural lands (however, rural development is driven by the County regulations which include smaller suburban lots (as low as 2.5 and 1.25 acres - smaller with cluster developments).</p>
5	<p>Concern with loss of larger lots (space &amp; character); relates to concern about CC&amp;R lot size limits</p> <p>CC&amp;R (covenants) are private agreements between property owners, not used by the city when reviewing city permits/applications. There are some areas north of the City which limit lot sizes to no less than half or one acre lots. The pending city regulations do not change covenants. Historically, individuals who want larger lots buy more than one and create the residence and amenities they want. For example, several of the lots on Birch are made up of multiple 30' lots. New potential 8,000 square foot lots would have the same option. There is no maximum lot size.</p>

<p>Concern about yards/lot coverage; relates to large houses on small lots; snow storage areas</p>	<p>The proposed changes do not change the existing yard and lot coverage requirements. There are new developments on Pine and Pinegrass Streets where the city sidewalk is located within an easement. This greatly affects the perception of lot coverage. City regulations have been modified so that future subdivisions will not provide sidewalks in an easement.</p> <p>The size of houses in relation to the size of land is not proposed to change.</p> <p>Snow storage is generally the first 10' of a property line (where no parking is permitted). While some historical lots do not have this space, all new developments are required to document parking outside of the first 10'.</p>
<p>6 Concern that changes will not provide more housing</p>	<p>The proposed change is intended to promote more options for housing. An existing one-acre lot in the RL12 zone would result in an option for three residential lots, changing to R8 would provide the option for five residential lots.</p> <p>The proposed change is one of several proposed tools to achieve more diverse housing and increase housing stock.</p>
<p>7 Concern with loss of quality of life</p>	<p>Quality of life is a very broad term with broad meaning to people. A community is a living group of individuals, businesses, networks; it will continue to evolve with the times. The proposed amendment to lot size is intended to bring housing to a broader group of residents (workers, families, individuals).</p>
<p>8 Request to consider regional housing options</p>	<p>This option may be part of future policy direction; however, it would have a high likelihood of increasing traffic and transportation costs.</p>
<p><b>General Comment/Concern for Duplexes</b></p>	
<p>9 Concern duplexes will not fit with the neighborhood</p>	<p>Leavenworth has several duplexes throughout the community. The design of duplexes is up to the developer but must meet the residential design requirements.</p>
<p>10 Request a new moderate zone for duplexes, triplexes and townhomes with buffers</p>	<p>Per changes in State law, the planning commission will be reviewing triplexes and townhomes (among other items). Duplexes are currently permitted in all residential zones; the only question was on what lot size</p>
<p>11 Concern with duplexes (ADUs) becoming B&amp;Bs</p>	<p>Current zoning requires B&amp;Bs to obtain a Conditional Use Permit. There are 13 in the city; if the number of B&amp;Bs becomes too large, the Council may consider changes to the number, location or allowance of B&amp;Bs. The current code allows an ADU to be used as a B&amp;B. A duplex, on the other hand, is not a single-family dwelling, and therefore cannot be used as a B&amp;B.</p>
<p><b>General Comment/Concern about process</b></p>	

12	Concern with zoom meeting format	The zoom format has some limitation but has provided more flexibility for participation. When the City is able, we anticipate all meetings becoming a combination of zoom and in-person.
13	Concern about need for more housing/population	The Housing Needs Assessment (2020) documented that the need for housing extends beyond required population projections. It needs to include workforce, affordable and demands from second home owners, see the HNA for more details.
14	Concern about speed/timing of proposed changes (size of the review packets vs time to review, understand and respond)	Remand provided more time with the Planning Commission and Staff to review and discuss. Housing information has been added to the city housing webpage. Additional workshops and time to discuss with BERK and staff has been provided. Finally, additional outreach (mailer to all addresses within the zip code and radio and web announcements) has been made.
15	Concern with 35' height	The 35' height limit appears to have been established with the original zoning code. The method for measuring uses the international building code (measuring to the mid-point of a pitched roof or the highest point of a flat roof). The Housing Action Plan encourages a review of the building standards to encourage more housing options. This item may be addressed at that time (or sooner depending on policy direction).
16	Concerns with McDevitt proposal	There was a notable amount of confusion about the pending McDevitt development proposal, current zoning options, and the pending R8 and other housing amendments. These items are not related. The McDevitt site has been under design review for years and should be submitted this winter. It uses existing zoning options, such as cluster development, to create smaller lots while retaining open space wetland area.

## LMC 18.42 Affordable Low-Income Housing Incentive Program – Draft Code Option

### **18.42.010 Purpose**

The Affordable Housing Incentive Program is intended to provide incentives to developing and building housing for purchasers or renters who work in service industry jobs, such as, cashiers, hotel staff and retail and restaurant workers, which make up the majority of employees within Leavenworth. By providing housing incentives, as authorized by RCW 36.70A.540, the city intends to improve the quality of life for all residents of varying income levels by supporting health, increasing financial stability, reducing travel demands, and expanding population diversity.

### **18.42.020 Applicability**

- A) Notwithstanding any other provision in this Title 18, affordable housing developments are permitted in all zoning districts and encouraged within planned developments and commercial district mixed use incentives developments.
- B) Affordable housing developments serve:
  - 1) Low-income renters with incomes of 50 percent or less of the county median family income, adjusted for family size.
  - 2) Low-income owner-occupied households with incomes of 80 percent or less of the county median family income, adjusted for family size.
  - 3) Notwithstanding item (1) and (2), the City Council may increase, through a public hearing, low-income rental housing up to eighty percent of the county Area Median Income (“AMI”) or low-income owner occupancy housing up to one hundred percent of the county AMI.
- C) Rental units, for occupiers meeting the criteria of B) 1)-3), are for the purposes of this chapter affordable housing.

### **18.42.030 Other Affordable Housing Options**

The following list of options is provided for overall education of what the City of Leavenworth has developed in support of affordable housing units. Use of these options, or others, is not a required part of this affordable housing chapter.

- A) LMC 3.42 Affordable Housing Grant/Loan
- B) LMC 3.44 Affordable Housing Funds
- C) Pre-approved Accessory Dwelling Unit construction plans
- D) Manufactured/Tiny home parks
- E) Manufactured home placement
- F) Partnerships with nonprofit housing authorities/groups

### **18.42.040 Requirements for Affordable Housing Options**

Any development of affordable housing for low-income housing units whether rental or owner occupied, shall ensure that each affordable housing unit be retained as affordable housing for a minimum of 50 years from the date of final occupancy. Developers or owners of the housing, as the case may be, shall record a covenant as required by the City to retain the housing as affordable for 50 years from the date of final occupancy.

**18.42.050 Incentives for Affordable Housing**

When a development includes affordable housing for low-income housing units, the project may request any of the following deviations from the standard regulations:

- A) Density, low-income affordable housing units may be provided in the following manner:
  - 1) For residential districts, one additional dwelling unit may be provided for low-income affordable housing. For example, a residentially zoned lot may have a single-family home, an accessory dwelling and one low-income housing unit; or, it may have a single-family home and two low-income housing units; or, it may have three low-income housing units.
  - 2) For Multifamily Residential District, one low-income affordable housing unit per 1,500 square feet may be provided. Any fractional calculation shall be rounded down.
    - i) A combination of market rate and low-income units may be provided when consistent with the following methodology. The Administrator shall determine the required number of low-income units and the maximum number of units based on the lot size for the project. Any fractional calculation shall be rounded down.

Lot Size <sup>a</sup>	Multifamily ( <u>one unit per 2,000 sqft</u> - <del>of lot area</del> <u>per unit</u> )	Low-Income Affordable ( <u>one unit per 1,500 sqft</u> <del> of lot area</del> <u>per unit</u> )	Required number of Low-Income <sup>b</sup>	Maximum number of units <sup>c</sup>
6000	3	4	1	4
10,000	5	6	1	6
20,000	10	13	3	13
43,560	21	29	8	29

<sup>a</sup> Calculated based on a "lot of record", not including any right-of-way or land dedicated for a specific purpose on a plat.  
<sup>b</sup> Difference between Multifamily (2,000 sqft per unit) and Low-Income Affordable (1,500 sqft per unit)  
<sup>c</sup> Number of maximum low-income affordable units

- 3) For the commercial and industrial districts, the minimum or maximum number of dwelling units is not defined.
- B) Lot coverage, when a development includes a minimum of three affordable housing units, the lot coverage may increase to 50% or the underlying zoning requirement, whichever is greater.
- C) For residential zoning districts and multifamily district, sSetbacks, when a development includes at least one affordable housing unit, the front ~~and rear~~-yard setbacks may be reduced to nineteen feet; however, the allowance for a front porch within the front yard setback is not permitted.
- D) Alley access, any development that includes affordable low-income dwellings may have primary vehicular access from the alley; ~~however, where an alley is underdeveloped, improvements may be required~~ when meeting the city's development standards.
- E) Parking, for low-income units shall be calculated as:

- 1) Housing units serving residents with incomes above 51% AMI shall provide one parking space per housing unit
  - 2) Housing units serving residents with incomes below 50% AMI may reduce parking by 50% when located within a ½ mile from a public transit park-n-ride.
  - 3) Any fractional parking shall be rounded up.
- F) Height, within the Tourist Commercial District, may increase to up to 50 feet excepting that the building height shall not exceed 35 feet for the first 30 feet of distance from the property line when adjoining a residential or multifamily district.

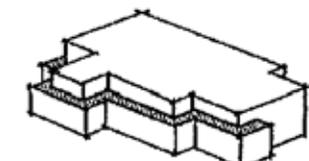
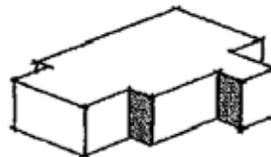
#### 18.42.060 Design Standards for Affordable Housing

All development using this chapter shall meet the following supplemental development standards for low-income affordable housing units:

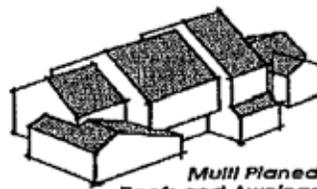
- A) Half of the affordable housing units must be of a similar size and makeup (number of bedrooms and bathrooms) as market rate units within the same development. The remaining half may be smaller or larger than the market rate units within the same development.
- B) Entries and front doors shall be consolidated whenever feasible so that only one entrance or front door is facing a city street.
- C) Corner lots, the development may include driveway access from each city street and/or the alley.
- D) The design of the structures shall include, at least one, articulation of the facade (vertical articulation) or multi-planned roofs to soften the appearance of the structure.



*Vertical Articulation Added*



*Horizontal Articulation Added*



*Multi Planned  
Roofs and Awnings  
Add Desirable Articulation*

- E) Storage, for every dwelling unit under 500 square feet, a separate area for personal storage shall be provided of at least 90 cubic feet, for example: length 5', width 3', height 6'. Area under 4' in height will not be calculated as storage.