

Preliminary Draft of amendments to the SMC standards for Planned Unit Developments (SMC 17G.070) (7th draft) Title 17G Administration and Procedures

Chapter 17G.070 Planned Unit Developments

Section 17G.070.010 Purpose

A. General Purpose.

The purpose of the planned unit development provisions are to encourage innovative planning and flexible design standards that results in: a more infill and mixed use development; economically diverse and affordable housing; options; improved protection of open space; and critical areas and transportation options and preserve the existing landscape and amenities that may not otherwise be protected through conventional development. These provisions provide:

1. Flexibility.

Provide a means for creating planned environments through the application of flexible standards, such as modifications to setbacks permitted uses and site development standards and parking that facilitates innovative planning practices that will result in new development that is of a type, scale, orientation and design that maintains or improves the character, economic development and aesthetic quality and livability of the neighborhood.

2. Efficiency.

Design that facilitates Facilitate the efficient use of land, urban infill, and transportation alternatives that promotes pedestrian, pedestrians, bicyclist and public transit; and encourages energy conservation.

3. Affordable Housing.

To Flexible design standards that encourage affordable housing in all types of neighborhoods that is in an environment that is safe, clean and healthy. This is accomplished through the provision of flexibility in utility design standards, road design standards, site development standards and zoning density and permitted uses.

4. Diverse Housing.

Promote urban infill and a wide range of housing types and housing diversity to meet the social, economic and functional needs of our community in all areas of the City.

5. Open Space.

To acquire, operate, enhance and protect a diverse system of parks, trails, view sheds, corridors, parkways, urban forests, recreational, cultural, historic and open space areas for the enjoyment and enrichment of all.

6. Economic Feasibility.

Increase economic feasibility and encourage revitalization and investment by fostering the efficient arrangement of land use; allowing flexible site buildings

~~and circulation systems including public transit, open space and utilities. and road standards; and allowing flexibility in utility design.~~

7. Resource Preservation.
Preserve critical areas and agriculture through the use of a planning procedure that can tailor the type and design of a development to a particular site.

Commentary

Item 1 – Changes to purpose statement:

The edits to the purpose statements reflect the changes that are proposed to be made to the rest of the PUD code. For example, purpose statement number 1 related to flexibility is being changed because the draft proposes to allow limited retail sales and service uses in the multifamily residential zone.

Section 17G.070.020 Applicability

The planned unit development is a project permit application for an overlay zone that may be used on a lot of any size.

Section 17G.070.030 Development Standards

A. Permitted Uses.

Any permitted or conditional use allowed in the base zoning districts of the subject property plus additional uses including the following:

1. ~~Low Density Residential Zoning Districts.~~

In the RA, RSF and RTF zoning districts, an applicant with a planned unit development approval may develop the site to contain these additional uses:

a. Single-family attached residential units;

b. In the RTF zone, duplexes and attached duplexes;

~~b-c.~~ Accessory uses directly serving the planned unit development only and which are customary or associated with, but clearly incidental to, the residential uses permitted in the zone including:

i. community building with indoor and/or outdoor recreation facilities;

ii. recreational vehicle and personal storage area;

iii. consolidated guest parking facilities.

2. ~~Medium and High density Residential Zoning Districts.~~

In the RMF and RHD zoning districts, an applicant with a planned unit development approval may develop any uses permitted in the RSF, RTF, RMF and RHD zones together with these ~~the site to contain these~~ additional uses:

~~a. Accessory uses directly serving the planned unit development only and which are customary or associated with, but clearly incidental to, the residential uses permitted in the zone including:~~

~~i. community building with indoor and/or outdoor recreation facilities;~~

~~ii. recreational vehicle and personal storage area;~~

~~iii. consolidated guest parking facilities.~~

a. Retail Sales and Service uses and Office uses are permitted subject to the following limitations:

i. The PUD site is larger than 10 acres.

ii. Individual Retail Sales and Service uses and Office uses shall not exceed a floor area of three thousand square feet each and the site area developed with Retail Sales and Service uses and Office uses shall not exceed five (5) percent of the total PUD site area.

iii. Sites developed with Retail Sales and Service uses and Office uses shall have frontage on a street that is designated as a collector or higher classified arterial.

iv. The Retail Sales and Service uses and Office uses in the PUD shall not be permitted until 60 percent of the approved residential units are completed.

v. A 100 percent increase in the amount of Retail Sales and Service uses and Office uses is allowed when Retail Sales and Service uses and Office uses are physically built under residential uses in a mixed use building with ground floor Retail Sales and Service uses and Office uses.

vi. Outdoor sales and display and outdoor storage areas are not permitted except outdoor seating is allowed for restaurants and cafes.

3. Commercial Zones.

~~PUDs are not permitted in the eCommercial and office-zones including Ccenter and Corridor (CC) and the dDowntown (DT) zones.~~

4. Industrial Zones.

In the PI zones, an applicant with a planned unit development approval may develop the site to contain all of the uses permitted by right in the underlying zone and, in addition, up to fifty percent of the total gross floor area may be devoted to housing units provided these are built above the ground floor.

5. More Than One Base Zone.

- a. When a site contains land that is in more than one zoning district, the allowed Residential and conditional uses at the required minimum and maximum densities, if applicable, shall be proportionate to the land within the development site devoted to each zoning district.
- b. An applicant for a PUD may shift allowed residential densities around the site to protect and preserve critical areas while providing the overall maximum density permitted by the underlying zoning district. Residential structure types are limited as prescribed by the underlying zoning category. The concept and detailed plans shall explicitly illustrate such physical re-configuration of the site and shall be used as the basis for all subsequent land use reviews.

Commentary

Item 2 – 17G.070.030 - Changes to permitted uses:

- Adds attached duplexes to the list of uses allowed in a PUD in the RTF zone.
- Adds Retail Sales and Service uses to the list of uses allowed in a PUD in the RMF and RHD zones. The Infill Housing Task Force discussed various options that may be considered by the Plan Commission. Comments included the minimum site size and that it should be reduced or increased. Some supporting comments suggested increasing the allowed floor area and percentage of site area that may be developed with Retail Sales and Service uses.

Here are some examples from other cities regarding how Retail Sales and Service uses in PUDs in residential zones are addressed are provided below:

- Spokane county – not allowed
- Liberty Lake – not allowed
- Spokane Valley – neighborhood commercial allowed on 10+ acre sites
- Vancouver, WA – not allowed
- Portland- allowed if the area is deficient in support commercial opportunities
 - services will be primarily for the residents of the surrounding neighborhood
 - small scale retail and service uses for nearby residential areas
- Tacoma – not allowed

The task force did not reach a consensus on this proposal. The option of allowing Retail Sales and Service uses is a policy choice that is presented in the draft.

Item 3 –17G.070.030.A.4.b. - Density calculation when more than PUD is in more than one zone:

- Adds clarification that residential density may be shifted around a site proposed to be developed as a PUD. This provision would allow the option of developing higher density in parts of a PUD provided that the overall density of the site is not exceeded. The types of structures allowed would be limited in accordance with the underlying zone. For example, multifamily structures would not be allowed in the RSF zone.

B. Density.

1. Densities Required.

An applicant with a planned unit development approval may develop the site subject to the minimum and maximum density provisions of the base zone, as contained in Title 17C SMC, plus a maximum of ten percent density bonus per the provisions below under SMC 17G.070.030(B)(5).

2. Density Exception.

For properties with a designated critical area or properties located in agricultural lands designation of the City's comprehensive plan, the minimum density requirement may be waived by the hearing examiner based on the following criteria:

- a. The development of the site with the critical area would not allow sufficient minimum lot size under the base zone requirements because critical area setbacks and buffers would reduce minimum lot sizes below those required by the base zone.
- b. The development of the site would require reducing buffers, setbacks or other dimensional modifications due to the location of designated critical areas; and
- c. The protection of the agricultural lands or critical area would be more effective by clustering the homes and structures to the minimum area necessary.

3. Calculating Density.

The calculation of density for a planned unit development is the net area based on the total area of subject property, less the area set aside for right-of-way, tracts of land reserved for private streets and dedicated tracts reserved for stormwater facilities. The calculation of density is rounded down to the next whole number.

4. Transfer of Development Rights.

An applicant for a planned unit development may shift allowed residential densities to another site to protect and preserve designated critical areas and agricultural lands while providing the overall maximum density permitted by the underlying zoning district, pursuant to the regulations and procedure contained in chapter 17D.070 SMC, Transfer of Development Rights.

5. Density Bonuses.

- a. An applicant for a planned unit development may apply for a residential density bonus of ten percent above the maximum density allowed in the underlying base zone for developing affordable housing units that meet or exceed the HUD standards for affordable units.
- b. The density bonus may be granted based on a one percent ratio of bonus density for the project for each one percent of affordable housing that is provided.
- c. Affordable housing units are required to be dispersed throughout the project and shall not be congregated all in one building, when more than one building is proposed.

C. Dimensional Requirements of the Base Zone.

The dimensional requirements of the base zone standards apply to a PUD except as follows:

1. Lot Dimensional Standards.

- a. The minimum lot size, lot depth and lot width standards may be modified, ~~except that no lot shall be less than fifty feet deep or less than eighteen feet wide.~~
- b. The lot frontage requirements may be modified to allow the lots to be served by a private street or private access, rather than a public street as required under SMC 17C.110.200(F), provided that the director of engineering services has determined that private streets or private access can serve the subject lots in the planned unit development. A private street or private access that does not conform to Chapter 17H.010 Street Development Standards may be approved through a Design Variance Request under SMC 17H.010.020.

2. Lot Coverage and FAR.

The lot coverage by buildings and the floor area ratio (FAR) provisions may be modified.

3. Setbacks.

a. Front and rear yard setbacks.

- i. Front and rear yard setbacks for structures located within eighty feet of the perimeter of the project shall be the same as required by the base zone.
- ii. Front and rear yard setbacks in the remainder of the project may be modified, except that a minimum front or rear yard setback of twenty feet is required for any garage or carport that opens facing a street or an alley.
- iii. Above and below ground parking structures used in conjunction with a mixed use or multifamily residential project may modify front yard setbacks, if sufficient queuing to enter the structure is provided on-site.

b. Side Yard Setbacks.

- i. Side yard setbacks may be modified, except that a side yard setback of twenty feet is required for any garage or carport that opens facing a street.
- ii. Above and below ground parking structures used in conjunction with a mixed use or multifamily residential project may modify side yard setbacks, if sufficient queuing to enter the structure is provided on-site.

4. Building Height. Except as provided below, ~~b~~Building height allowed in the base zone cannot be modified, waived or varied through the planned unit development process.

- a. Changes to the height limits in the underlying zone require a rezone processed concurrently with the planned unit development.
 - b. In the RMF zone, the wall height for a mixed-use commercial building may be increased to 35 feet. Such a building is exempt from the height transition requirements of SMC 17C.110.215.C.3.
5. Off-street Parking.
The minimum number of off-street parking stalls may be modified based upon sufficient evidence that the occupancy of the project will not require the number of off-street parking stalls specified for that use under chapter 17C.230 SMC, Parking and Screening.
6. Signs.
The number, type and size of signs cannot be modified through a planned unit development.
7. Fencing.
Perimeter fencing for a planned unit development is permitted except the maximum height of fencing along ~~the entire primary~~ a street frontage of the planned unit development may not exceed forty-two inches. When a fence is along a street frontage, usable pedestrian access shall be provided spaced a minimum of one every 300 feet.
8. Gates.
If the director of engineering services approves of private streets in the planned unit development, based on the criteria of SMC 17H.010.090, gates may be permitted in a planned unit development.
9. Lot Access. The lot access requirements of SMC 17C.110.208.D apply to lots in a PUD. If a lot abuts a public alley, then vehicle access shall be from the alley.
- D. Infrastructure.
All public or private streets, paving, curbs, sidewalks, utilities, stormwater, lights and similar facilities shall be developed according to City standards, unless specifically modified by the city engineer. Waivers, variances or modifications to the private or public street standards, utilities, and other infrastructure through a planned unit development shall be approved by the city engineer are not allowed. An approved design variance request form shall be submitted with the PUD application.
- E. Common Open Space.
In exchange for the approval of more intense residential development, higher densities, smaller lots and relaxed development standards, the developer of a planned unit development is required to provide common open space for the active and passive recreational activities of residents, employees and visitors. Such space shall be aggregated wherever feasible and shall consist of a combination of landscaped and hard-scaped areas. Such common open space shall include some combination of the following: plazas, arbors, sitting areas, picnic areas, playing fields and trails to accommodate a variety of active and passive activities and promote visual interest.
1. In planned unit developments, the following requirements shall apply:

- a. At least ten percent of the gross area of the site must be devoted to such open space. Such space must be fully accessible to the residents, employees, visitors and/or other users of the site. Reduction of this standard in PUDs is prohibited and a variance cannot be sought to reduce this requirement.
 - b. Fenced yards associated with buildings immediately adjacent to designated open space, landscaping in parking lots, or fenced stormwater facilities shall not count toward the total open space requirement.
 - c. Environmentally-constrained land within the planned unit development, including wetlands, geologically hazardous areas, fish and wildlife habitats and frequently flooded areas may be used to meet up to fifty percent of the total requirement specified in subsection (E)(1)(a) above, provided that these areas are either accessible to pedestrians to the extent practical or are visually accessible from adjacent and adjoining common open space.
2. The common open space designated to meet this requirement shall be permanently maintained by and conveyed to one of the following:
- a. A homeowners' or property owners' association as regulated by state law.
 - b. A public agency that agrees to maintain the common open space and any buildings, structures or improvements placed within it.
- F. Subdivision.

When a planned unit development is combined with a division of land including a short plat, long plat or binding site plan, the requirements of chapter 17G.080 SMC are required to be met, along with the following:

1. Lot size transition: including SMC17C.110.200(C), transition requirements for lot sizes in the RA and RSF zones. The transition requirement cannot be waived or modified through the planned unit development process.
2. Through lots: Lots shall be configured in a way that development can be oriented toward streets to increase the safety and enjoyment of pedestrians and bicyclists. A new PUD/subdivisions shall not "turn its back" on a collector, minor or principal arterial street. Through lots are allowed only where both front lot lines are on local access streets. The minimum front lot line and minimum width standards apply to one frontage of the through lot.

Commentary

Item 4 – 17G.070.030.C.1. – Lot Dimensional Standards:

- Subsection 17G.070.030.C.1.a. removes the minimum lot dimension limitation for lots in a PUD.
- Subsection 17G.070.030.C.1.b. allows lot frontage on an approved private access provided that a design variance request is approved.

Item 5 – 17G.070.030.C.4. – Building Height:

- Subsection 17G.070.030.C.4.a. provides the option of changing the building height limit in a PUD through a rezone process.
- Subsection 17G.070.030.C.4.b. applies to mixed-use commercial buildings in the RMF zone, and allows the maximum wall height to be increased from 30 feet to 35 feet and provides an exemption to the height transition requirements for such buildings.

Item 6 – 17G.070.030.C.7. – Fencing:

- Subsection 17G.070.030.C.7. requires usable pedestrian access spaced at a minimum of 300 feet.

Item 7 – 17G.070.030.C.9. – Lot Access:

- Subsection 17G.070.030.C.9. requires vehicle access from the alley if a lot abuts a public alley.

Item 8 – 17G.070.030.D. – Infrastructure:

- Subsection 17G.070.030.D. allows modifications to infrastructure standards to be approved by the city engineer.

Item 9 – 17G.070.030.F. – Subdivision:

- Subsection 17G.070.030.F.1. provides that the lot size transition requirements of the zoning code may not be waived or modified through the PUD process.
- Subsection 17G.070.030.F.2. requires lots to be configured in a way that development can be oriented toward streets to increase the safety and enjoyment of pedestrians and bicyclists. A new PUD/subdivisions shall not “turn its back” on a collector, minor or principal arterial street. Through lots are allowed only where both front lot lines are on local access streets.

Section 17G.070.100 Design Standards

A. Purpose.

The base zone development standards are designed for most standard lots and uses in the City. A planned unit development may be used to request different development standards that are needed for sites which contain unusual topography, critical areas, resource lands, historic and cultural sites and developments that require flexibility in the development standards to achieve a superior design which can implement the goals and policies of the City’s comprehensive plan. A planned unit development may also be used to encourage economic development and infill opportunities as described in Section 17G.070.010.

B. Applicability.

The standards of the .100’s series of this section apply to the site design and uses in the planned unit development. The design standards apply to all planned unit developments, whether allowed by right, allowed with limitations, or subject to a conditional use review.

C. The design standards and guidelines found in this chapter follow the design standards administration, SMC 17C.110.015. All projects must address the pertinent design standards and guidelines. Design standards are in the form of Requirements (R), Presumptions (P), and Considerations (C). Regardless of which term is used, an applicant must address each guideline. The City will expect to see how the design of a project has responded to every one of the guidelines. An

applicant may seek relief through Chapter 17G.30.SMC, design departures for those eligible standards and guidelines contained in the zoning code.

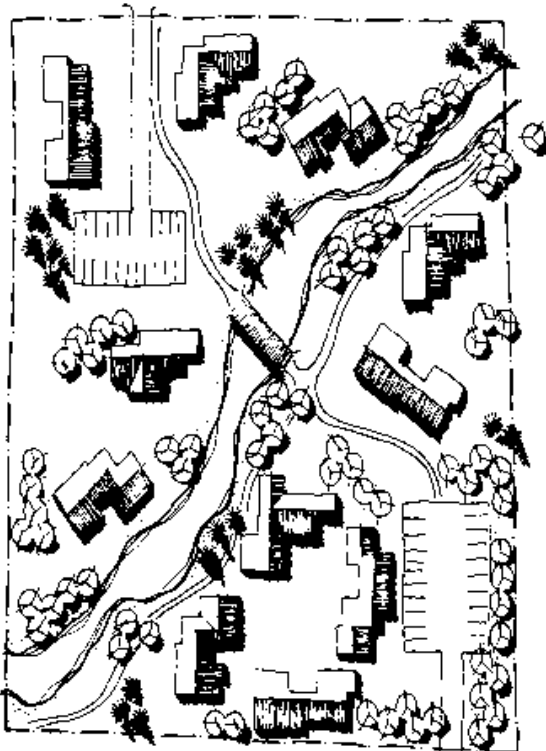
Section 17G.070.115 Plan and Code Conformance

A. Purpose.

To allow a planned unit development to produce a more desirable and economically efficient development that generally conforms to the policies of adopted plans and the purposes of the PUD section ~~development standards of the base zone~~ by allowing modifications of the development standards.

B. Design Standards.

1. The proposed approach should achieve a more efficient, aesthetic, functional development and be compatible with the surrounding area, while remaining within the overall desired housing density ranges and land area coverage standards. (P)
2. The development should consider the incorporation of opportunities to conserve energy or utilize alternative energy sources. (C)
3. The proposed development shall be designed to encourage economy and efficiency in the provision and maintenance of utilities and transportation routes and in the provision of quality affordable housing. (R) **Staff note: Delete the graphic below.**

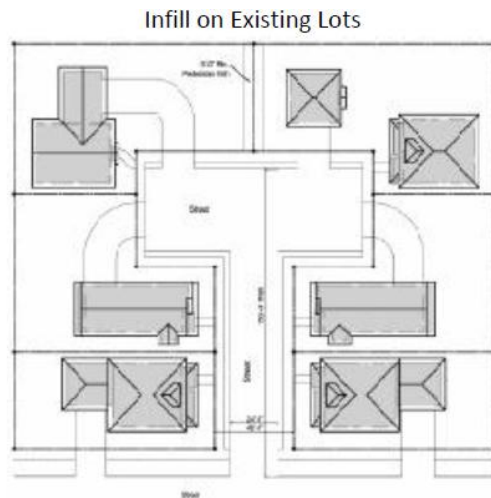


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Section 17G.070.120 Significant Features

A. Purpose.

To preserve significant physical features of a particular site. The topography, wetlands, rock outcrop, critical slopes, vegetation or other unique features can pose physical constraints for standard platting and development. The preservation of significant features, and/or garden soils, wildlife habitat, open space and scenic resources, can lend uniqueness to a development, and be a benefit to the community in general.

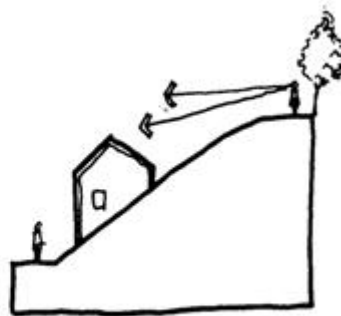


B. Design Standards.

1. Unique landforms should be preserved by the layout of the development. (P)
2. The layout of the development shall preserve or appropriately mitigate impact to identified critical areas, including areas that are geologically hazardous, wetlands, recharge the aquifer, conserve wildlife habitat or prone to flooding. (R)
3. The development shall recognize and incorporate significant physical, historical and cultural features, such as rock outcroppings, view-sheds and historic sites. (C) The placement of buildings and improvements should not block or adversely affect defined views and vistas either onto or from the property of this project. (P)

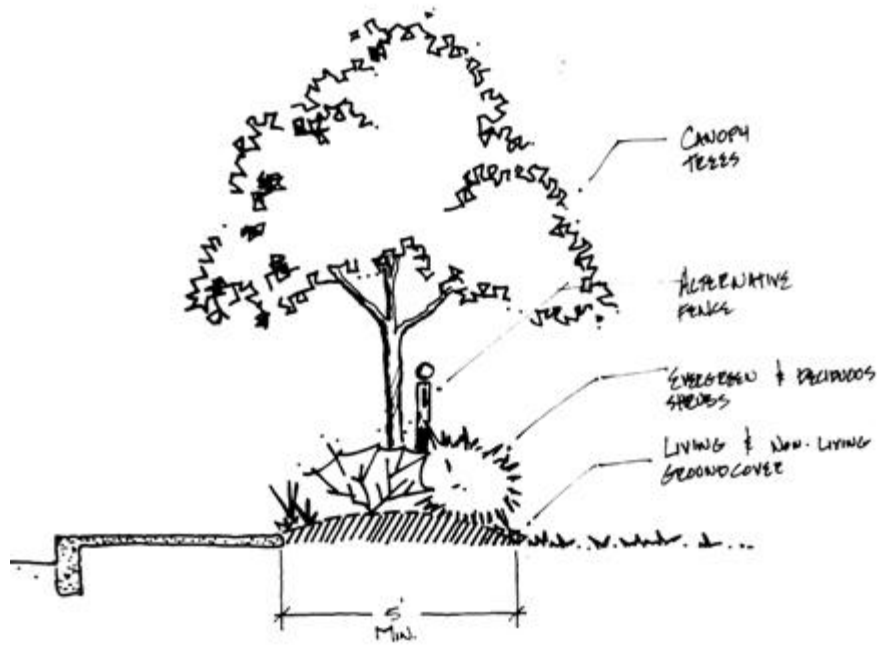


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- The development shall preserve native vegetation, and significant stands of existing mature trees. (P) Staff note: Delete the graphic below.



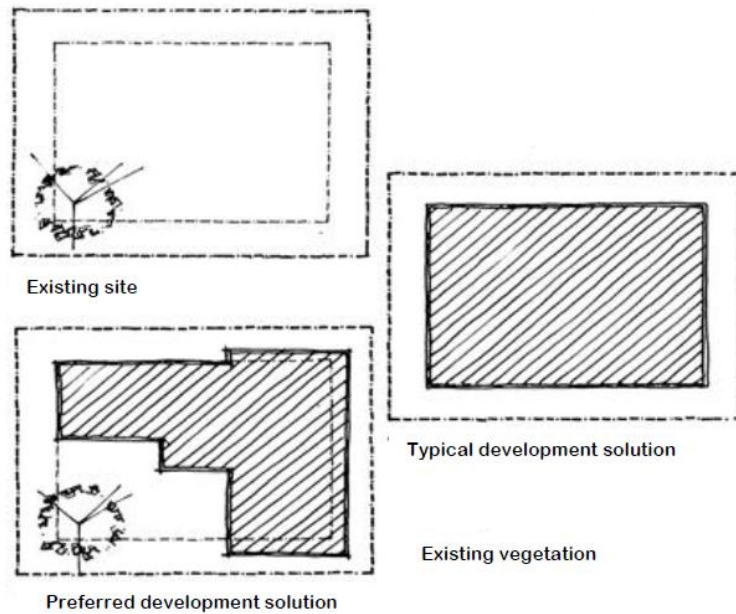
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- Project elements (lots, building, access drives, parking facilities, walkways and service area) shall be located in a manner that protects, enhances or minimizes impacts to natural site features. (P)

Section 17G.070.125 Site Preparation

A. Purpose.

To consider the resulting impact of the development on surrounding properties by the proposed layout, preparation and construction of the planned unit development. Any new development in an area will have an impact on the surrounding properties. Along with the flexibility permitted in the PUD concept comes the responsibility to make sure that the relaxation of these standards does not have the detrimental impact that the standards were designed to avoid, While the PUD provides options for the developer, it also is to insure adequate protection and benefit for the public.



B. Design Standards.

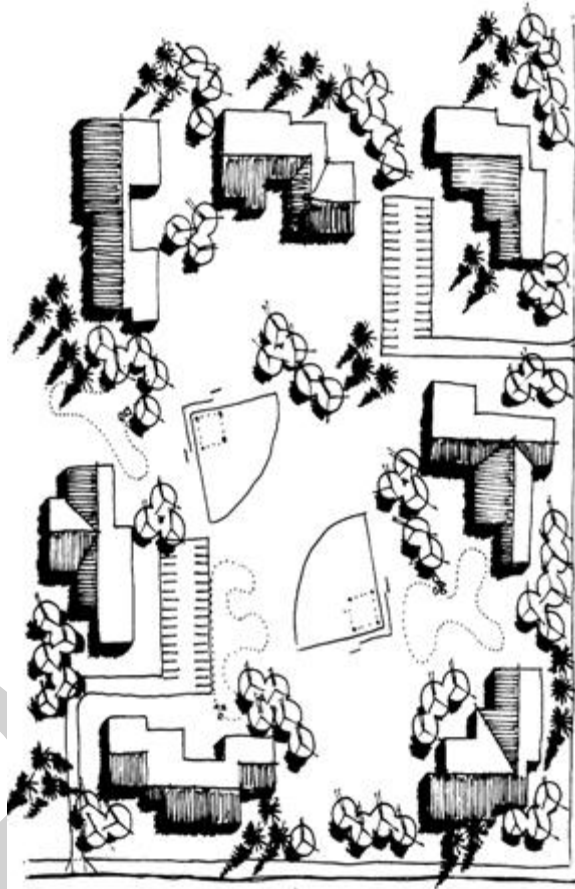
1. Structures, roadways and other site improvements shall be designed to blend with the natural topography with minimal disturbance and grade changes. Large cuts and fills requiring tall or long retaining walls are to be avoided. (P)
2. The finished site grading shall transition smoothly to the contours of the adjacent properties and terracing should be used in areas where severe grading is necessary. (P)
3. To conserve energy, buildings shall be orientated to take advantage of solar gain. (C)
4. The project design shall minimize impervious surfaces. (P)
5. Stormwater management areas should be designed to be integral features of the overall project. (R)
6. Public open space included within the PUD should be adequate in area and dimensions for active, as well as passive, recreation of the residents according to accepted recreational use per capita standards. (P)

Commentary

Item 10 – 17G.070.125.B.6. – Design Standards:

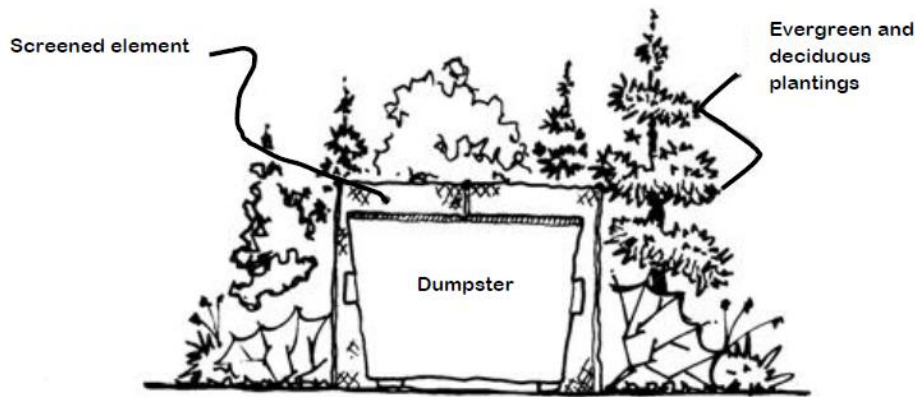
- Subsection 17G.070.125.B.6. removes the reference to providing public open space within a PUD adequate in area and dimensions for active, as well as passive, recreation of the residents according to accepted recreational use per capita standards. Section 17G.070.030.E requires at least 10 percent of the gross area to be devoted to common open space in PUD's. There is not a requirement to include public open space within a PUD.

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7. Project service elements such as storage areas, trash enclosures, maintenance facilities and similar features shall be screened from view from the street and adjoining properties using dense landscaping and architecturally compatible building materials. (R)



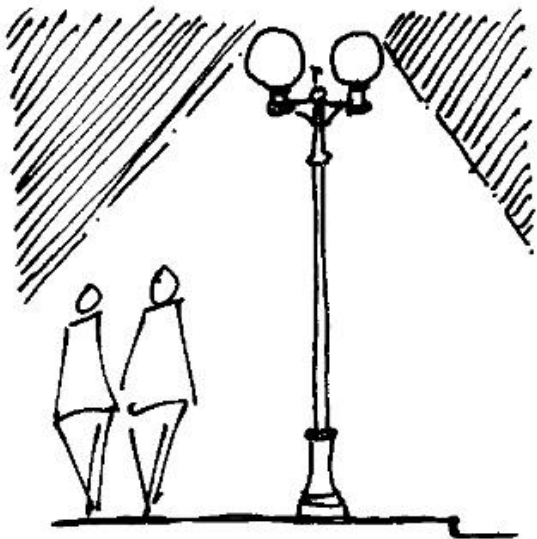
8. The proposed site design shall take into consideration, and be compatible with, the functional operation, orientation, site design and architectural expression of the surrounding developments, or that adequate transition and/or buffers be provided to and from the site. (P)

Section 17G.070.130 Landscaping

A. Purpose.

Landscaping is intended to enhance the overall appearance of planned unit developments. The landscaping should improve the residential character, break up large expanses of paved areas and structures, provide privacy to the residents and reduce stormwater runoff.

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B. Design Standards.

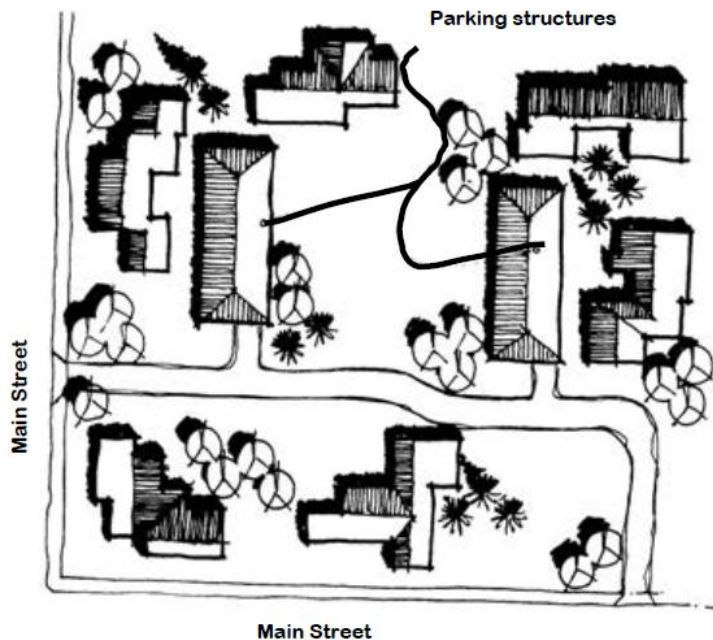
1. Appropriate landscaping shall be provided to replace existing vegetation that cannot be retained because of grading and/or construction requirements. (P)

2. Landscaping and fencing around the perimeter of the PUD shall be designed to act as a transition between the PUD and adjacent properties and integrate the PUD into the neighborhood as opposed to creating a barrier between the PUD and the neighborhoods. (P)
3. Appropriate landscaping shall be provided to screen undesirable elements and views such as storage areas, trash enclosures, utility boxes, maintenance facilities and similar features from view from the street and adjoining properties. (R)
4. Parking areas shall feature deciduous trees that at maturity will shade seventy percent of the paved surface of the parking lot. (R)
5. Landscaped areas shall feature drought tolerant and preferably native plan materials. (P)
- ~~6. Landscaping and fencing around the perimeter of the PUD shall be designed to act as a transition between the PUD and adjacent properties and integrate the PUD into the neighborhood as opposed to creating a barrier between the PUD and the neighborhood. (P)~~

Section 17G.070.135 Compatibility with Surrounding Areas

A. Purpose.

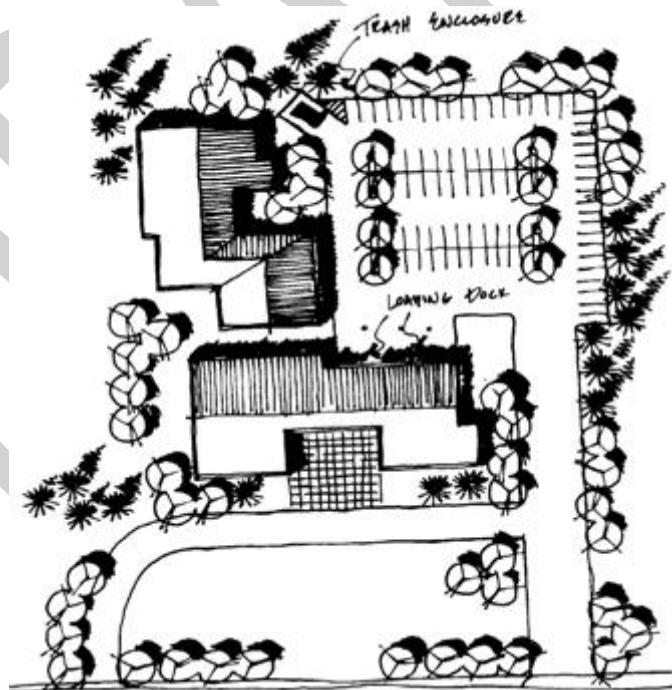
For a PUD to be compatible with, and an integral part of the surrounding area. Although a completely homogeneous neighborhood is not necessary or desirable, a reasonable level of compatibility to the surroundings should be achieved. Diversity in style and density can help create an interesting and vibrant community. When combined with a respect for, and acknowledgment of, existing forms, siting and details, a new development can quickly “belong” in a particular community. A new development should be done in a manner that complements the existing area.



B. Design Standards.

1. The architectural style and detailing of any entrance monument, fencing materials and any structure, other than single-family detached homes and duplexes, should incorporate significant elements and details of the architecture in the surrounding areas, particularly regarding form, size, color and materials. Chain link fencing is particularly discouraged. (P)
2. The design standards of SMC 17C110.400 shall apply to any attached housing of three or more units and any multi-family building within a PUD. (R)
3. The design standards of SMC 17C.110.500 shall apply to any common buildings within a PUD.
4. Driveways and open parking areas should be integrated into the overall design and should not be the dominant features along the street frontages. (P)
5. Parking structure entrances should preferably be accessed from streets within the development rather than from public streets and their appearance should be minimized and integrated into the overall design. (P)
6. Entrance signage shall be in character with the proposed and surrounding developments. (P) ~~(R)~~

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Section 17G.070.140 Community Environment

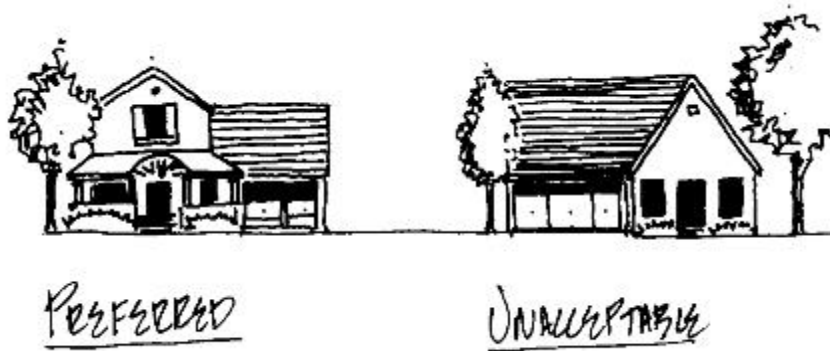
A. Purpose.

To create usable and interesting open spaces, good pedestrian circulation and safety

and create a sense of community that encourages neighbors to interact through the placement of buildings within a planned unit development. PUDs are often designed to somewhat function as a community in and of themselves. While this might be preferable for the residents thereof, the development itself must be considered as part of a larger community fabric. This consideration could have an impact on such elements as pedestrian and vehicular circulation, building orientation, intersection locations, etc. Within the development, the tighter placement of buildings, designated open spaces and reduced road widths create the perfect opportunity to reinforce a community feeling and inter-dependence of neighbors in the particular PUD. It has been observed that people out in the street in front of their homes not only deter crime, but also enable people to get to know one another and become better neighbors.

B. Design Standards.

1. The entryways of the buildings should be well defined and oriented to the street. (P)

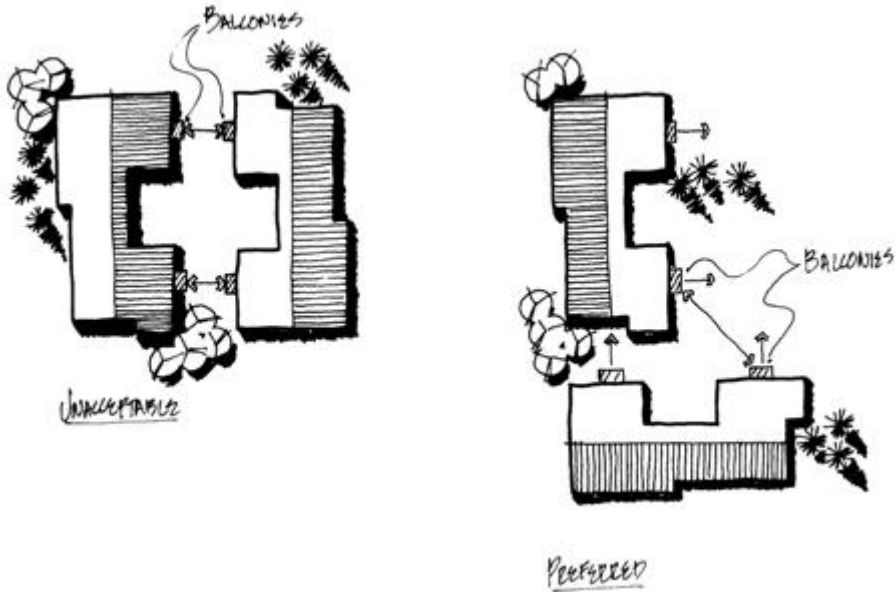


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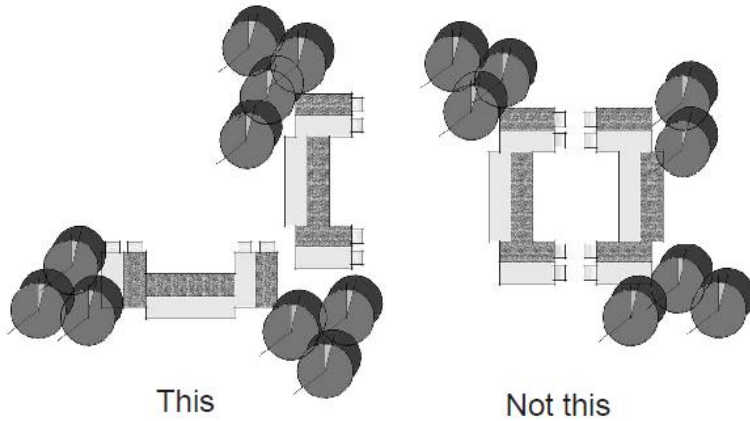


Better defined entry way.

2. The building elevations, with particular attention to the street-facing façade, shall be articulated by the use of color, arrangement, materials or architectural details to give visual interest to the structure. (R)
3. The buildings should be located and oriented in a manner that takes into consideration the preservation of privacy for the occupants. (P)

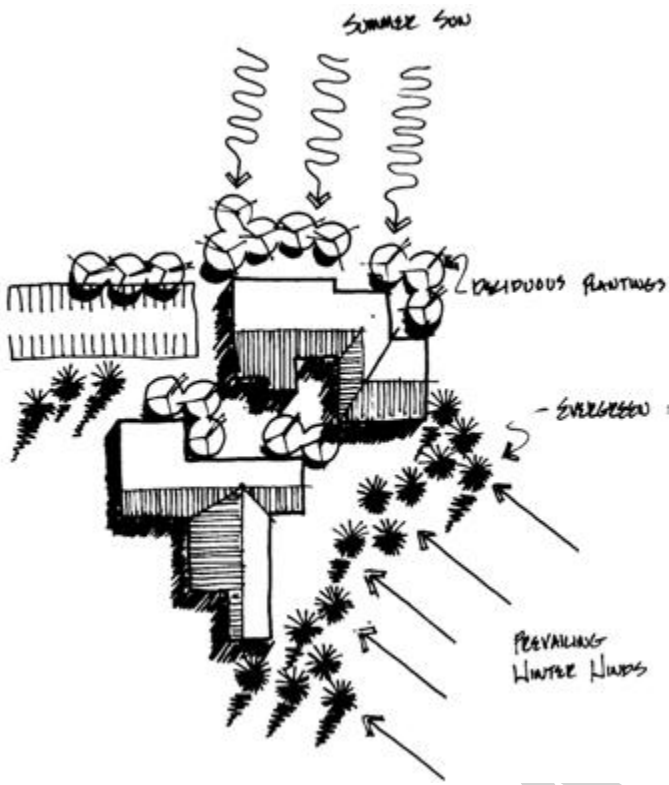


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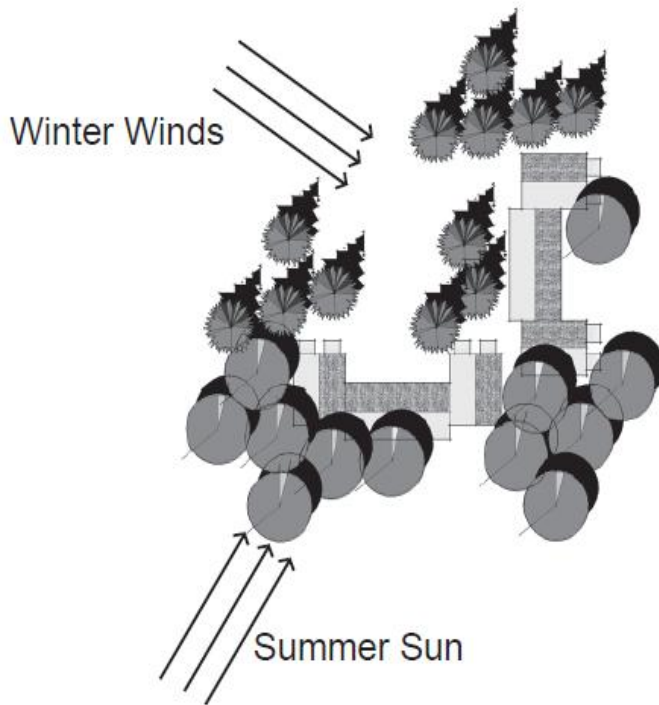


Better preservation of privacy.

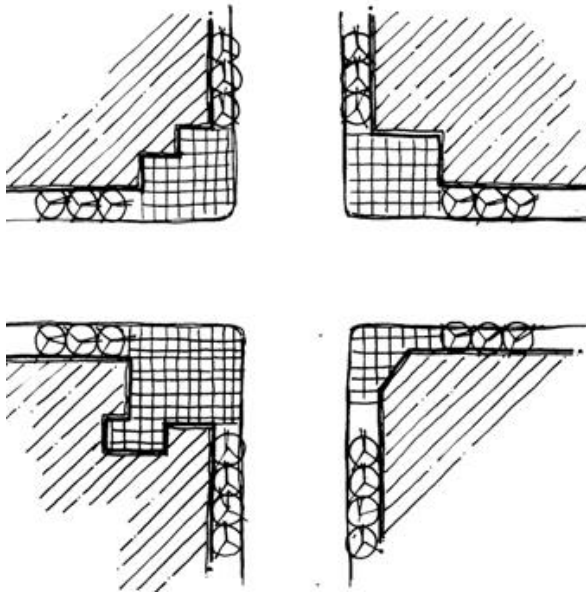
4. Driveways, garages and open parking areas shall be integrated into the overall design to ensure that they are not dominant features along street frontages. (R)
5. Garages wider than twenty-five feet shall meet the articulation requirements in the multifamily design standards. (R)
6. Energy conservation should be addressed by the building's solar orientation and the planting of appropriate landscape materials in proper locations. (C)



Note: Delete the above graphic and replace with the graphic below.

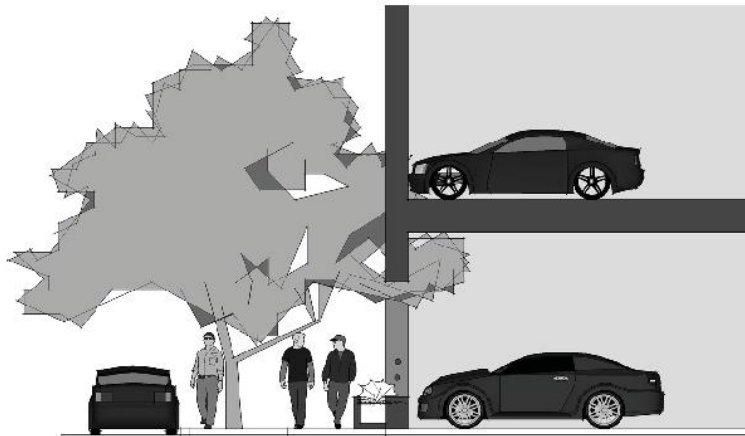


- 7. Off-street service entrances should preferably be accessed from alleyways or the rear of the buildings. (C)
- 8. Multiple buildings on the same project site shall be placed and designed to create a cohesive visual and functional relationship integrated with adequate surrounding open spaces. ~~(R)~~ (C)
- 9. Any joint use public facilities or common spaces should be conveniently located for the occupants or other intended users. (P)
- 10. Improvements fronting any intersection within the development should contribute to the intersection being recognized as a focal point. Surface parking lots that front on the intersection are discouraged. (C)



- 11. Any ground floor parking within a structure should be buffered from view on the street facing sides by another use, architectural treatment or landscaping. (P)

Note: Add the graphic below.

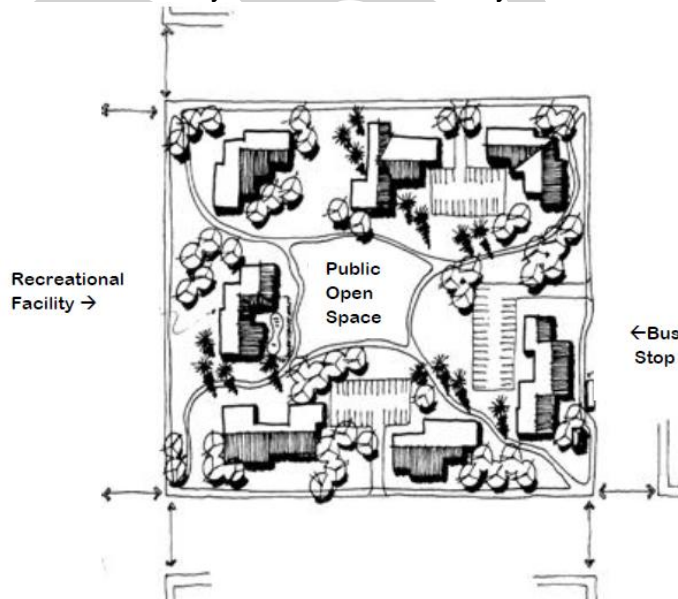


Shield street front parking in parking garages

Section 17G.070.145 Circulation

A. Purpose.

To facilitate vehicular and pedestrian circulation to, and within a project, by utilizing existing systems and patterns wherever possible and be developed in a manner that establishes connections with adjacent areas. PUDs are often designed to be isolated from the surrounding community. This is likely due to the desire to have a controlled and safe environment. Creating safety within the PUD by incorporating automobile slowing elements is appropriate, however the elimination of “through” vehicles will not necessarily achieve the sought after safety. Any safety that might be achieved for the residents of the PUD might be offset by inconvenience and possibly less safety for the surrounding area due to restricted vehicular circulation. Especially where existing patterns are established or are reasonably projected to occur. A greater level of safety is often achieved by visible human activity.



B. Design Standards.

1. All buildings and common spaces shall be served by a pedestrian circulation system that connects to an existing or planned citywide sidewalk path or trail system. (R)
2. The development shall connect with the existing or planned street system of the surrounding area, and maintain consistency in street naming patterns. (R)
3. Circulation systems shall be designed to be simple and clearly understandable. (P)



Attached Homes on a "T" Court

4. Circulation systems shall be designed for the pedestrian/bicyclists first, followed by public transportation, and finally for automobiles. (P)
5. Circulation systems shall be designed to enhance interconnectivity with adjacent developed and undeveloped properties. (P)
6. Convenient access to existing or planned public transportation systems shall be considered and incorporated into the development. (C)
7. Parking structure entrances shall be located in a manner that will result in the least impediment of traffic. (P)

Section 17G.070.150 Lighting

A. Purpose.

To ensure that site lighting contributes to the character of the site and does not disturb adjacent development. Lighting should be in scale with surrounding uses and with appropriate shielding, lighting could add safety and ownership to a site, the street or common open space, thus deterring crime. Lighting should not create off-site glare, often caused by lighting in parking areas, building security and general building lighting.

B. Development Standards.

1. All exterior light fixtures and illuminated signs shall be designed, located, installed and directed in a manner as to prevent objectionable light and glare across property lines and to residential units within the PUD. (R)
2. All parking area lighting will be full cut-off type fixtures. A full cut-off type fixture is defined as a luminaire or light fixture that; by the design of the housing, does not allow any light dispersion or direct glare to shine above a ninety degree, horizontal plane from the base of the fixture. (R)
3. Uplighting shall be limited to accent lighting of architectural features, landscaping features, flagpoles and directed in a manner that the minimal light is dispersed into the night sky or adjacent properties. (P)
4. "Period" style light fixtures shall be full cut-off type fixtures or limited to one thousand lumen output. A full cut-off type fixture is defined as a luminaire or light fixture that; by the design of the housing, does not allow any light dispersion or direct glare to shine above a ninety degree, horizontal plane from the base of the fixture. (P)
5. Light fixtures on poles shall not exceed sixteen feet in height and shall follow the Illuminating Engineering society of North America's guidelines for fixture height below. (P)

Mounting Height	Lumen* Maximums
6'	500-1000 lumens
8'	600-1600 lumens
10'	1000-2000 lumens
12'	1600-2400 lumens
16'	2400-6000 lumens

*Lumen: A unit used to measure the actual amount of light that is produced by a lamp (bulb). The lumen quantifies the amount of light energy produced by the lamp at the lamp, not by the energy input, which is quantified by the "wattage." For example, a 75-watt incandescent lamp can produce 1000 lumens while a 70-watt high-pressure sodium lamp produces 6000 lumens. Lumen output is listed by the manufacturer on the packaging. Reference – IESNA RP 33-99; Lighting for Exterior Environments.

6. Parking lots and sidewalks shall meet the Illuminating Engineering society of North America's (IES) recommended average horizontal illumination levels below. (P)

Recommended average Horizontal Illuminance Levels:

Task	Minimum*	Maximum*	Uniformity Ratio**
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Parking Lots	.2 fc	1.5 fc	4:1
Pedestrian Ways	.5 fc	1.5 fc	10:1

*Footcandle (fc): the basic unit of illuminance (the amount of light falling on a surface). One footcandle is equivalent to the illuminance produced on one square foot of surface of one candle at a distance of one foot. Horizontal footcandles measure the illumination striking on a horizontal plane.

**Uniformity Ratio: The average level of illumination in relation to the lowest level of illumination for a given area. Example: A ratio of 4:1 for the given area, the lowest level of illumination (1) shall be no less than “4 times less” than the average (4) level of illumination. Reference – IESNA RP-33-99; Lighting for Exterior Environments.

7. Outdoor lighting should create a safe environment for the residents of the project without glare and annoyance to surrounding area residents and motorists, and which is architecturally integrated with the building style, materials and colors. (C)

Section 17G.070.200 Application Process

A. Predevelopment Meeting.

A predevelopment meeting is recommended for planned unit development proposals. The purpose of a predevelopment meeting is to acquaint the applicant with the applicable provisions of this chapter, minimum submission requirements and other plans or regulations, which may affect the proposal.

B. Community Meeting and Public Notice.

Prior to submittal of the application, the applicant shall conduct a community meeting. The applicant shall hold the community meeting no more than one hundred twenty days prior to the submission of the application. All public notice and format of the meeting shall be given in accordance with the procedures set forth in chapter 17G.060 SMC for a Type III application.

~~C. Design Review.~~

~~The application is required to be reviewed by the design review board. The application may proceed through the design review process prior to submittal to the director. The evaluation of the application by design review shall be complete prior to the end of the public comment period initiated by the notice of application. The application to design review shall contain the information specified in chapter 17G.040 SMC and SMC 17G.070.200(D). The design review board makes recommendations to the hearing examiner on the conformance of the planned unit development with the applicable goals, policies and design standards. The report of the design review board is made available to the hearing examiner by the close of the public comment period.~~

Commentary

Item 11 – 17G.070.200.C. – Application Process – Design Review:

- Subsection 17G.070.200.C. is proposed to be removed from the PUD code. The requirement for review of PUDs by the Design Review Board was previously removed from the Spokane Municipal Code related to Design Review Board Administration and Procedures (17G.040).

D. Application Requirements for Preliminary Planned Unit Development.

An application for a concept plan for a planned unit development shall contain the information required under SMC 17G.060.070(A) and (B)(5). In addition, the application materials shall contain information related to existing conditions on the site, presented in narrative, tabular and/or graphic formats.

1. Vicinity map that identifies the type, design and characteristics surrounding uses within four hundred feet of the site boundary, including zoning designations.
2. Site description includes the following information provided in narrative, tabular and/or graphic formats:
 - a. Topography and natural resources including one hundred year flood plain; drainage patterns and courses; wetlands, rivers, springs and other water bodies; significant stands of trees or individual trees with a caliper greater than six inches; designated fish and wildlife habitat, and natural hazards such as steep slopes greater than sixteen percent, and unstable, impermeable or weak soils. Exhibits must include a site plan with no greater than five foot contours.
 - b. Open space inventory including all natural and landscaped areas.
 - c. Inventory of cultural, historic and/or archaeological resources on the site, if any.
 - d. Existing buildings, if any, including use, location, size and date of construction.
 - e. Existing on-site pedestrian, bicycle and vehicular circulation system, if any.
 - f. Inventory of existing vehicular and bicycle parking spaces and location of surface and structured parking facilities, if any.
 - g. Location and size of all public and private utilities on the site including water, sanitary sewer, storm water retention/treatment facilities, and electrical, telephone and data transmission lines.
 - h. Location of all public and private easements.
3. Detailed description of the transportation system within and adjacent to the site including:
 - a. street classification of all internal and adjacent streets;
 - b. transit service availability;

- c. baseline traffic impact study prepared by a licensed engineer to include information as required by the city's traffic engineer.
4. Analysis of existing infrastructure capacity on and in the vicinity of the site.
5. Planning History.
Summary of all previous known land use cases affecting the applicant's property and a list of all outstanding conditions of approval that either have not been addressed in the past and/or that remain in force at the time of the application.
6. Proposed Development Plan.
Description of all proposed development within the planned unit development, presented in narrative, tabular and graphic formats.
 - a. Descriptions of the mix of uses, including number of units and/or total gross square feet devoted to each, and approximate building envelopes.
 - b. All other Conceptual description of site improvements including the approximate size and location of walls, barriers and fences; surface and structured parking facilities; bicycle parking facilities; on-site pedestrian, transit and vehicular circulation; transit stops and pedestrian/transit amenities; and open space and landscaped areas.
 - c. The conceptual location of new and/or expanded existing public and private infrastructure including water, sanitary sewer, stormwater management facilities; and electrical, telephone and data transmission lines. This includes wireless telecommunications facilities.
7. Summary of transportation facilities including:
 - a. Traffic impact study prepared by a licensed engineer that describes traffic impacts associated with each phase of development and at full build-out of the project, and a plan for accommodating this traffic in compliance with chapter 17D.010 SMC, Concurrency Certification. The city's traffic engineer shall determine the specific content of the traffic impact study.
 - b. Parking impact study describing the parking demand associated with each phase of the development and at full build-out of the project, and a mitigation plan for accommodating parking demand on the site.
 - c. Concurrent or proposed street vacations, with a description of potential parking and traffic/pedestrian impacts, if any, and appropriated measures to mitigate these impacts.
 - d. A circulation plan showing existing and proposed pedestrian and vehicular patterns.
8. Plan for protecting designated environmental, historic/cultural and open space resources.

9. Design standards that will govern the orientation and design of buildings and other improvements include but are not limited to the following:
 - a. A statement of the projects overall design concept and intent.
 - b. Schematic building floor plans, when germane to achieving a design objective.
 - c. Conceptual building elevations, architectural detail including fencing, signs and other structures.
 - d. Cross-sections of the site showing spatial relationships between all major elements (buildings, landscaping, light standards, etc.).
 - e. A conceptual landscape plan sufficient in detail necessary to convey the concept plan (landscape areas, hardscape, lighting and streetscape elements).
 - f. Lighting and signage plan for the entire site, which indicates locations, illumination, design and spatial relationship to other site amenities including buildings; and
 - g. Graphic depiction of each type of sign.

E. Review of the Preliminary Planned Unit Development.

1. The application shall be reviewed in accordance with the procedures set forth in chapter 17G.060 SMC for a Type III application.
2. Adjustments.
Adjustments to numerical development standards in the underlying zoning district shall meet the criteria contained in SMC 17G.060.170(C), SMC 17G.060.170(D)(3) and SMC 17G.070.200(F)(2)(a-c) in lieu of requirements for variances contained in SMC 17G.060.170(E)(1). The exception to this is a request to exceed the maximum height permitted in the underlying zone, which will require a concurrent rezone per chapter 17G.060.SMC, for a Type III project permit application.
3. Concurrent Reviews.
An applicant may file two or more related requests concurrently. These concurrent reviews will be reviewed by the procedure type of the highest level, that is, if one review is subject to a Type III process and the other a Type II process, both will be subject to a Type III review process.
4. Conditions of Approval.
The review authority shall impose any conditions of approval necessary to mitigate potentially adverse impacts on surrounding properties to the greatest extent practicable.
5. The decision on the PUD by the hearing examiner shall be forwarded to the city council. The approval of the PUD by the city council shall be by an ordinance that adopts the planned unit development, any conditions and amends the official zoning map to reflect the location of the planned unit development with a 'PUD' symbol on the map.
6. Modification of an Approved Concept Plan.
There are three ways in which a concept plan may be modified:

a. Minor Modification.

The director shall be the review authority on modifications to an approved concept plan, if the modification complies with the following requirements:

- i. Modification of the location of an approved building, providing the modification complies with the applicable base zone development and design standards, as modified in the concept plan approval, and all relevant conditions of approval.
- ii. Removal of building approved in the concept plan approval.
- iii. A new building of any size in any location that replaces a building approved but not constructed, provided there is no net increase in total building ~~coverage~~ square footage and there is compliance with the applicable base zone design and development standards, as modified in the concept plan approval, and all relevant conditions of approval.
- iv. Change in residential density by five percent or less, provided the project still complies with the minimum and maximum residential density required in the underlying zone, unless a density bonus has been granted, subject to SMC 17G.070.030(B)(5), in which case the modified density shall not exceed the total bonus density.
- v. Relocation of open space of up to twenty-five percent of required total as long as the total amount is not reduced.
- vi. Reduction or increase of parking by five percent or less.

b. Moderate Modification.

The following shall be reviewed by means of a Type II project permit application, using procedures contained in chapter 17G.060 SMC:

- i. New buildings or building addition up to five thousand gsf not contained in the concept plan approval, provided the modification complies with the applicable base zone use, design and development standards, as modified in the concept plan approval.
- ii. Change in residential density by more than five percent but less than ten percent, provided the project still complies with the minimum and maximum residential density required in the underlying zone, unless a density bonus has been granted, subject to SMC 17G.070.030(B)(5), in which case the modified density shall not exceed the total bonus density.

- iii. Reduction or increase of parking by at least five percent but no more than ten percent.
- c. Major Modification.
The following shall be reviewed by means of a Type III project permit application review using procedures contained in chapter 17G.060 SMC:
 - i. New building or building additions greater than five thousand gsf, not anticipated and not contained in the concept plan approval.
 - ii. Change in residential density by more than ten percent, provided the project still complies with the minimum and maximum residential density required in the underlying zone, unless a density bonus has been granted, subject to SMC 17G.070.030(B)(5), in which case the modified density shall not exceed the total bonus density.
 - iii. Reduction or increase of parking by more than ten percent.
 - iv. Decrease in the amount of open space approved in the concept plan.
 - v. New uses not included in the concept plan approval.

Commentary

Item 12 – 17G.070.200.E.6.a.iii. – Minor Modification:

- Subsection 17G.070.200.E.6.a.iii. is proposed to be changed from building coverage to building square footage. The intent of this section is to guide the director in determining the difference between minor and major modifications to approved PUDs. The measurement in this case is proposed to change to building square footage because square footage provides a better measure of building intensity than building coverage.

F. Preliminary Planned Unit Development Approval Criteria.

1. To receive approval for a planned unit development concept plan, the applicant shall demonstrate compliance with all of the decision criteria of SMC 17G.060.170(C) and (D)(34).
2. ~~Adjustments to numerical development standards of the base zone may be processed as part of the request for concept if the applicant can demonstrate compliance with all of the following approval criteria:~~
 - a. ~~The adjustment(s) is warranted given site conditions and/or characteristics of the design.~~
 - b. ~~The benefits accruing from the implementation of the adjustment outweigh any potential adverse impacts.~~
 - c. ~~Any impacts resulting from the adjustment are mitigated to the extent practical.~~

Commentary

Item 13 – 17G.070.200.F.2. – Preliminary Planned Unit Development Approval Criteria:

- Subsection 17G.070.200.F.2. is proposed to be deleted. The decision criteria referenced in 17G.070.200.F.1. and found in SMC 17G.060.170(C) and (D)(4) are adequate for the review of PUD proposals. The additional criteria for review of adjustments to numerical development standards are superfluous.

G. Phasing.

A planned unit development may be developed in phases. A master-phasing plan should be submitted with the concept plan for approval by the hearing examiner; however, a preliminary planned unit development that has received approval may be subsequently modified to be developed in phases, subject to approval of the director. The master phasing plan for a planned unit development may be approved by the hearing examiner or the director provided:

1. in no case shall the total time period for construction of all phases exceed five years, except as provided in SMC 17G.070.210(B), as measured from the date of approval of the original concept development plan until the date that building permit(s) for the initial phase is(are) obtained;
2. the phasing plan includes all land identified within the boundary of the planned unit development;
3. the sequence of the phased development is identified on the plan;
4. each phase has reasonable public or private infrastructure to support the uses contained in that phase;
5. each phase constitutes an independent planning unit with facilities, adequate circulation, and any requirements established for the entire planned unit development; and
6. the director of engineering services approves the necessary documents so that all road improvement requirements are assured for that phase.

H. Final Planned Unit Development Review Process.

1. Development Plan Review Submission Requirements.

At the time of construction of a project or phase of development that was approved as part of the concept development plan, the applicant shall submit the following documentation demonstrating that the proposed project or phase is in substantial compliance with that contained in the original approval by means of a site plan review. An application submitted for a detailed development shall include the following:

- a. Detailed site plan.
- b. Elevations of all buildings.
- c. Landscape plan.

- d. Erosion control plan.
- e. Stormwater management plan.
- f. Narrative documenting the following:
 - i. Compliance with all development and design standards in the base zone, as modified in the initial concept plan approval.
 - ii. Compliance with all relevant conditions of approval.
 - iii. Consistency with traffic, parking and infrastructure plans contained in the initial concept plan approval.

2. Final Approval Process.

- a. The detailed site plan, and phases thereof, shall be reviewed by the director, for conformance of the detailed site plan with the approval criteria of SMC 17G.060.170 and the conditions of the hearing examiner. When a planned unit development is combined with a subdivision, the requirements of chapter 17G.080 SMC, Subdivisions, for a final plat, short plat or binding site plan shall be met.
- b. The detailed site plan, and phases thereof, shall be recorded with the Spokane County auditor's office.
- c. Modification of a Detailed Development Plan.
 - i. Minor modification of a detailed development plan, as defined in SMC 17G.070.200(E)(6)(a) shall be processed as an administrative review.
 - ii. Moderate modification of a detailed development plan, as defined in SMC 17G.070.200(E)(6)(b) shall be processed as a Type II review, per chapter 17G.060 SMC.
 - iii. Major modification of a detailed development plan, as defined in SMC 17G.070.200(c) shall trigger the need for a review of a new concept plan as a Type III project permit application, per chapter 17G.060 SMC.

I. Filing.

Once the final detailed development plan of the planned unit development has been reviewed, approved and signed by the applicable departments and owners, the applicant shall file the final development plan with the county auditor within ten days of approval. No permits shall be issued for the planned unit development until conformed copies have been submitted to the planning services department.

Section 17G.070.210 Time Limits

A. Time Limit on Filing of Detailed Development Plans.

Within five years after the date that the conceptual development plan is approved, the

applicant shall prepare and file with the director detailed development plans of all phases, to be reviewed pursuant to SMC 17G.070.220, except as provided under subsection (B) below.

B. Extensions of Time.

1. No less than thirty days before the expiration of the five-year approval period, the applicant may request from the director a one time extension of up to one year by means of a Type I project permit application process, using procedures contained in chapter 17G.060 SMC. The applicant shall comply with all of the following:
 - a. No changes have been made on the original conceptual development plan as approved by the hearing examiner.
 - b. The applicant must have finalized at least one phase.
 - c. The applicant shall demonstrate that construction plans have been submitted and are under review for acceptance by the City prior to submission for extension or that the applicant is in the process of installing infrastructure for the development.
 - d. The project shall be consistent with the comprehensive plan.
 - e. The applicant shall demonstrate that there are no significant changes in conditions that would render approval of the extension contrary to the public health, safety or general welfare; and
 - f. The project shall have a valid concurrency certification.

Section 17G.070.220 Vesting

A. Applicability.

A planned unit development shall be reviewed under this chapter, the zoning, development and other land use control ordinances contained in Title 11 SMC and Title 17 SMC of the Spokane Municipal Code, and any uncodified ordinances modifying the same, in effect on the date a concept plan application has been deemed fully complete by the City. For the purposes of this section, a vested concept plan application shall mean that the applicant is entitled to implement the planned unit development or any portion of it described in the application under the zoning, development and land use ordinances applied by the City in its review of the planned unit development application.

B. Subsequent Regulations.

An applicant may have the option of subjecting its development to any subsequently enacted land use ordinances. However, should an applicant choose to subject its development to a subsequently enacted land use ordinance, this shall have the effect of subjecting the development to all land use ordinances enacted after the application is vested. In order for the director to grant such a request, the applicant must demonstrate how later enacted ordinance(s) will benefit both the project and the City while maintaining consistency with the comprehensive plan and will not be significantly detrimental to the health, safety, or general welfare of the City. The director shall review and either approve the request or determine if a new application must be submitted.