

Summary of the more Substantive Code Amendments

Ordinance amending the Parking Table (17C.230.130):

School District 81 requested that Grade, Elementary, and Junior High Schools increase their maximum allowed parking from “1.5” to “2.5 spaces per classroom.” The Plan Commission voted to allow the increase, as well as add “or per conditional use review.” The conditional use review would allow the conditional use permit decision maker to increase or decrease the number of parking spaces required. There will be an attached minority report that recommends leaving the parking at 1.5, but still allowing the “or per CU review.” All new schools or additions over 1500 square feet have to go through the Type II Conditional Use Permit review. During this review the applicant would need to validate why they need the increase to the maximum number of parking stalls.

**NOTE: This was a topic of lengthy discussion with the Plan Commission.*

Ordinance amending SMC 10.24.080:

Correcting an outdated reference to SMC 11.19 (the former zoning code) and amending the number of animals that constitute a kennel. In order to maintain consistency through the code the number of animals that constitute a Kennel should be read as “five or more.”

Ordinance amending SMC 17A:

Adding new sections for Intent and Purpose, Title, Scope and Application, some of this is carryover from 11.19.

Adding a new Chapter for Map and Text Interpretation, this is carryover from 11.19.

Adding a new Chapter for Interpretations and Minor Adjustments, this is carryover from 11.19.

Adding a new Chapter for Development Agreements, this is a carryover from 11.19.

Adding a definition for “Commercial Vehicle”, this is a carryover from 11.19.

Changing the definition of “Household Pet” from six to four months old when excluding them from the number of pets.

Adding a definition for “Kennel”, this is a carryover from 11.19.

Adding a definition for “Main Assembly Area”, in order to clarify how parking is calculated for religious institutions.

Changing the wording of a “Type II Permit” from “a quasi-judicial” to “an administrative” decision.

Adding a reference for “Commercial Vehicle” under the definition of “Vehicle Types.”

Ordinance amending SMC 17C:

Amending Sections 17C.110.015, 17C.120.015, 17C.130.015 to read “Overcoming a Presumption. A presumption that may be unsuitable for a given project may be waived if an applicant can demonstrate to the planning director that there is a good reason why the presumption is inappropriate. The director may approve an alternative that achieves the intent of the presumption. At the discretion of the applicant, a request to deviate from a presumption may be referred to the design review board pursuant to the procedures set forth in Chapter 17G.030 SMC. ~~((or in))~~ In rare cases involving projects of unusual complexity and/or situations where it is not clear to the director whether or not the proposal satisfies the intent of the design standards and the comprehensive plan, the director, may also refer the ~~((permit))~~ project application to the design review board. ~~((A referral from the director would be in those cases where the complexity of the project and/or the cumulative impacts of deviations result in the project no longer meeting the overall intent of the design standards and the comprehensive plan.))~~

Amend the Residential Land Use Table to allow Daycares outright in RMF and RHD zones.

Amend the Residential Development Table to allow a three foot setback for a lot 40 ft. or less, and a five foot setback for a lot more than 40 ft wide. Currently it reads 40 feet or wider is a five foot setback and less than 40 feet is a three foot setback.

Amend the Residential Development Table to allow a covered accessory structure in the required sideyard setback with a signed waiver from the neighboring property.

Add the provision under residential exceptions to the maximum height standards that states: “Uses approved as a conditional use may have building features such as a steeple or tower which extends above the height limit of the underlying zone. Such building features must set back from the side property line adjoining a lot in a Residential Zone a distance equal to the height of the building feature or one hundred fifty percent of the height limit of the underlying zone, whichever is lower.”

**NOTE: This was a topic of lengthy discussion with the Plan Commission.*

Amending 17C.11.225 Accessory Structures to allow sanitation (sinks and toilets) in garages.

Amending all fence sections in the code to be consistent with regards to height, requirements for visibility at intersections and enclosure for pools.

Amending the Commercial Zone Primary Uses table to allow Community Services in all commercial zones.

Add residential zones to the landscaping requirements for parking, outdoors sales, and outdoor display areas. This was an oversight when the residential code was adopted in 2006.

Amend 17C.210.040 Nonconforming Buildings – Provide the ability to rebuild nonconforming residential structures. Nonconforming residential buildings have resulted from rezoning activities that have occurred over the past 30 years.

**Note: Very important in this economy, because many people are having difficulty selling or refinancing their nonconforming residential buildings because they would not be allowed to be rebuilt with the previously existing number of units if they are destroyed.*

Add Retail sales and service of large items such as appliances, furniture and equipment to have a minimum parking ratio of 1 per 1,000 sq.ft. of floor area and a maximum ratio of 1 per 200 sq.ft. of floor area.

Allow religious institutions an increase in parking per the CUP process.

Allow ADU (Accessory Dwelling Units) in residential zones without having to go through the Type II Conditional Use Process.

Renaming Commercial Animal Kennels to read simply kennels. Allowing veterinarians to have kennels associated with their use outright.

Amend Use-related Regulations to remove Private Social Gatherings from Bed and Breakfast restrictions.

Add a new Chapter that discusses Commercial Vehicle Use and Recreational Camping, this is a carryover from 11.19.

Ordinance Amending SMC 17E:

Correcting an incorrect reference in the Floodplain Chapter.

Ordinance Amending SMC 17G:

Amend Chapter 17G.020 Comprehensive Plan and Development Amendment Procedures to just be a chapter on Comprehensive Plan Amendments and make a new chapter that is for Development Standard Amendments. The Chapter on Comprehensive Plan Amendments is being reworked to clarify and simplify the process.

Adding to Table 17G.060-3 Community Meeting, Public Notice, Review Official, and Expiration for Land Use Permits and 17G.070.210 Time Limits "If a Planned Unit Development is approved together with a Preliminary Plat, the expiration date for the Planned Unit Development shall be the same as the expiration date of the Preliminary Plat."

Adding additional content to the required material for a Binding Site plan application.