

City of College Place, Washington
Ordinance 22-xxx Exhibit A
Potential Amendments to the Unified Development Code
June 3, 2022

The following amendments are under review by the College Place Planning Commission. Following a public hearing, the Planning Commission will consider all comments and make a recommendation to the City Council. If approved by the City Council, the College Place Municipal Code Title 14 Unified Development Code would be amended to include the following highlighted provisions:

Section 14.50.030 Table of Permitted Uses

	<i>SFR</i>	<i>MFR</i>	<i>MHP</i>	<i>DMU</i> (3)	<i>GC</i>	<i>LI</i> (2)	<i>UD</i> (4)	<i>PU</i>	
<i>Dwelling units (3+), Multiple</i>		<i>P</i>		<i>P</i>	<u><i>P</i></u>		<i>P</i>		
<i>Dwelling unit, Single</i>	<i>P</i>	<i>P</i>	<u><i>A (9)</i></u>	(5)			(5)		
<i>Dwelling units (duplex), Two</i>	<i>P</i>	<i>P</i>		(5)			(5)		

(9) One single-family dwelling for the primary use of a manager or caretaker responsible for maintaining or operating the property.

A. Table 14.60.030 Density, Dimension, Area, Height, and Setback Standards.

Zoning District	Maximum Density (DU/acre) (15)	Minimum Lot Size (sq. ft.) (1)	Minimum Lot Width (4)	Maximum Building Height (2)	Maximum Lot Coverage (4)	Setbacks		
						Front Yard (3)	Side Yard (3)	Rear Yard (3)
<i>Single-Family Residential (SFR)</i>	7	6,000 (5) (6)(7)	60' (6)	35'	35% (5)	20' (7)	5' (9)	20' (8)
<i>Multi-Family Residential (MFR)</i>	<u>34 (16)</u>	None (6)(7)	50' (6)	35'	35%	20' (7)	5' (9) (10)	15' (8) (10)
<i>Downtown Mixed-Use (DMU)</i>	(16)	None (11)	50'	None	100%	None (12)	None	None
<i>General Commercial (GC)</i>	(16)	None (11)	50'	None	100%	None	None (13)	None (13)
<i>Light Industrial (LI)</i>		None (11)	50'	None	100%	None	None (14)	None (14)
<i>University District (UD)</i>	(16)	None (11)	50'	None	100%	None	None	None
<i>Public Uses (PU)</i>		None	50'	None	100%	None	None	None

Table Footnotes:

- (1) Critical areas and their buffers shall not be included in lot size, ~~and lot coverage~~ calculations.
 - a. ~~The maximum lot coverage requirement shall include the footprint of all buildings.~~
- (2) Building heights are measured from the average elevation of the proposed finished grade around the building to the highest point of a flat roof and to the mean height between eaves and ridge of a pitched roof or to the mean height of any parapet or false front.
- (3) Building setbacks shall be from property lines, or from critical area buffers when present.
 - a. Buildings must also be set back 2' from easements.
 - b. No building, or foundation may encroach into a setback or easement.
 - c. Ramps, or other devices necessary for access for the disabled and elderly, which meet Washington State Rules and Regulations for Barrier Free Design, may be permitted in all required setbacks.
- (4) ~~Lot width means the dimension of the lot ~~line~~ at the front property line, unless otherwise provided in this Title. ~~street; or, in an irregularly shaped lot, the dimension across the lot at the building setback line; or, in a corner lot, the narrow dimension of the lot at a street or building setback line~~~~
- (5) ~~For duplexes:~~
 - a. ~~The minimum lot size is 7,500 square feet.~~
 - b. ~~The maximum lot coverage is 45%.~~
- (6) For cottage housing and townhouses, the minimum lot size and lot width requirements may be waived by the Community Development Director, provided that the density, lot coverage, and setback requirements can reasonably be met.
- (7) Garages must be set back at least 20' from the front property line, but setback for the residential portion of buildings may be reduced to 15', if:
 - a. The single-family residence includes a front porch open on three sides and is at least four feet deep; or
 - b. A 5' wide or larger planter strip is installed along the street frontage in accordance with City standards.

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- (8) *Accessory buildings may be located in the rear yard setback up to 5 feet from the property line.*
- (9) *On corner lots, the exterior side yard setback ~~from the street~~ shall be at least 15 feet from the property line.*
- (10) *Multi-story buildings adjacent to single-family residences and parcels in the Single-Family Residential Zone (SFR):*
 - a. *The setback shall be equal to or exceed the height of the building at the eave, not to exceed 20 feet; and*
 - b. *The rear of the building shall be setback from the property line a distance greater than or equal to the height of the building at the eave, not to exceed 20 feet.*
- (11) *There is no minimum lot size, provided that the density, lot width, setback, building height, building separation, and lot coverage requirements can be met.*
- (12) *The maximum front yard setback shall be 10 feet and 15 feet on corner lots.*
- (13) *No setback is required, except when abutting a SFR, MFR, or PUD district, then the following landscaped buffers shall be required in accordance with the provisions of CPMC 14.60.040 Landscaping, Fences and Visibility Standards.*
 - a. *Side yard: 10 feet.*
 - b. *Rear yard: 15 feet.*
- (14) *No setback required except when abutting a SFR, MFR, or PUD then a landscaped buffer equal to the height of the building at eave shall be required in accordance with the provisions of CPMC 14.60.040 Landscaping, Fences and Visibility Standards.*
- (15) *The maximum density for a specific parcel may be calculated as follows, provided that the achieved density will be based on compliance with the provisions of this Title, including minimum lot size, lot width, required improvements, etc.:*
 - a. *Single Family Residential: parcel size (square feet)/43,560 *7 (results ending in .51 or greater may be rounded up).*
 - b. *Multi-Family Residential: parcel size (square feet)/43,560 *12 (results ending in .51 or greater may be rounded up).*
- (16) *The maximum density shall be determined based on compliance with the applicable development standards including building height, setbacks, lot coverage, parking, landscaping, building codes, and the like.*

Section 14.60.180 Housing Standards.

G. *Mixed-Use Commercial and Residential Development.* Residential and commercial uses may be permitted in the same development as a part of a “vertical” mixed use (housing above ground floor commercial) or a “horizontal” mixed use (housing and commercial permitted on the ground floor in buildings) ~~not fronting the street~~, in accordance with the following standards:

~~1. All buildings fronting streets shall have commercial and/or office uses on the ground floor. All residential uses shall be above the ground floor.~~

~~a. The building and site layout shall be designed to maximize the amount of commercial/office uses on the ground floor, as determined by the City.~~

~~b. This vertical mixed-use requirement may be waived for certain buildings based on a finding by the City that topography precludes access to that building from the street.~~

~~2. Buildings not fronting streets need not contain commercial or office uses, based on a finding by the City that the building and site layout has been designed to reasonably maximize commercial and office uses.~~

3. All required off-street vehicle parking, including surface lots and garages, shall be oriented to alleys, placed underground, placed in structures above the ground floor, or located in parking areas located behind or to the side of the building; except that side-yards facing a street (i.e., corner yards) shall not be used for surface parking. All garage entrances facing a street (e.g., underground or structured parking) shall be recessed behind the front building elevation by a minimum of 4 feet. On corner lots, garage entrances should be oriented to a side-street (i.e., away from the arterial or collector street) when access cannot be provided from an alley.

4. A minimum of ~~1,000~~ 400 square feet per dwelling unit shall be designated and permanently reserved as usable common open space in multi-family dwellings with 10 or more units or the voluntary payment to the City in lieu of the permanent reservation of usable open space consistent with the provisions of Section 14.90.040- I. 5.

5. All ground-floor housing units shall have front or rear patios or decks measuring at least 35 square feet. Ground-floor housing means the housing unit entrance (front or rear) is within 5 feet of the finished ground elevation (i.e., after grading and landscaping).

6. A minimum of 75 percent of all upper-floor housing units shall have balconies or porches measuring at least 35 square feet. Upper-floor housing means housing units which are more than 5 feet above the finished grade.

7. Private open space areas shall be oriented toward common open space areas and away from adjacent single-family residences, trash receptacles, parking, and driveways to the greatest extent practicable. See CPMC 14.60.040 Landscaping for additional requirements.

8. All common areas (e.g., walkways, drives, courtyards, private alleys, parking courts, etc.), private stormwater facilities, and building exteriors shall be maintained by the property owner, a homeowner’s or property owner’s association, or other legal entity approved by the City.

9. *The documents creating a homeowners' or property owners association, as regulated by State law, and/or any other documents establishing the maintenance responsibilities for common areas shall be subject to City review and approval by the Community Development Director or his/her designee in consultation with the City Attorney. Such documents may be required to be recorded with the County and to run with the land.*

New Chapter 14.100 Master Planned Developments

Sections:

14.100.010 Introduction.

14.100.020 Applications.

14.100.030 Additional Uses and Alternative Development Standards.

14.100.040 Approval Criteria.

14.100.050 Approved Master Planned Development.

14.100.060 Development Agreement(s).

14.100.070 Modifications to Approved Master Plans.

14.100.010 Introduction. *The purpose of a Master Planned Development is to promote attractive and efficient developments that incorporate a variety of uses, densities and/or building types, provide for economy of shared services and facilities, protect environmentally sensitive areas, encourage the development of public uses and public amenities, and provide flexibility in design and building placement.*

A. A Master Planned Development is intended to:

- 1. Promote consistency with the goals, policies, and objectives of the College Place Comprehensive Plan.**
- 2. Promote economic development, job creation, private investment, and increased housing opportunities.**
- 3. Facilitate the development of larger areas in an integrated manner.**
- 4. Provide certainty regarding the character, timing, and conditions for developments, including phased developments while at the same time providing a degree of flexibility to respond to changes in market and economic conditions.**
- 5. Provide needed infrastructure in an orderly, timely, and fiscally responsible manner.**
- 6. Preserve or enhance natural amenities, features, and environmentally sensitive areas.**
- 7. Promote the planning and development of sites in a manner that avoids and minimizes potential adverse environmental impacts and that ensures appropriate mitigation.**
- 8. Provides for integrated and efficient processing of multiple applications.**

9. Provides for infrastructure cost sharing and cost recovery agreements in a predictable manner.

10. Encourage environmentally sustainable development.

B. A Master Planned Development may take the form of a residential, commercial, industrial, or mixed-use development. Each is intended to accommodate and facilitate larger-scale development designed to accomplish integrated and flexible site planning. A Master Planned Development may be permitted in any zoning district subject to specific findings that the master site plan and development scheme are compatible with the general land use patterns of the Comprehensive Plan.

C. The City shall, in consultation with the Project Sponsor, determine whether a proposed development is eligible for consideration as a Master Planned Development.

1. This eligibility determination shall be made by the Mayor or his/her designee.

2. This eligibility determination shall include, but is not limited to, consideration of the following criteria:

a. The relative size of the proposed development, generally 10-acres or more.

b. There are unique or unusual circumstances that make the consideration of the proposed development utilizing the traditional procedures and standards impractical.

c. The proposed development is a mixed-use project.

d. The presence of environmentally sensitive areas that warrant a higher level of public review.

e. The processing of the application(s) as a Master Planned Development is in the public interest.

3. This eligibility determination shall be at the sole discretion of the City and is not subject to appeal.

4. Proposed developments that are determined to not be eligible for consideration as a Master Planned Development shall be processed in accordance with the provisions of Chapter 14.30 and of the standards of the applicable zoning district.

D. Applicants for Master Planned Development will be encouraged to utilize unique and innovative facilities that encourage the efficient and economical use of the land; promote a sound system for traffic and pedestrian circulation; promote open space and use of natural and/or developed amenities; and provide an architecturally attractive, durable, and energy efficient development.

E. The City Administrator or his/her designee is authorized to make such administrative code provisions as may be necessary to implement this Chapter.

14.100.020 Applications. Applications for Master Planned Development shall be in a format prescribed by the City and typically should include the following information:

A. A proposed Master Site Plan and supporting drawings and narrative that includes:

1. The project boundaries.

2. All existing parcels within the proposed Master Planned Development.

3. All land within 300' of the master planned development including existing uses, zoning, and future land use designations.

4. Existing conditions and features such as topography, critical areas, public facilities and improvements, land uses and buildings.

5. Areas proposed for development and a description of the type of development proposed in each area.

6. Proposed primary uses and ancillary uses.

7. Areas not suitable for development and/or that may be subject to special restrictions, such as critical areas.

8. Existing roads, proposed access points, and proposed road corridors.

B. Existing and proposed public utilities including projected utility needs.

C. Proposed modifications to City standards.

D. Proposed schedules and plans for development including proposed phasing plans.

E. Proposed measures to be incorporated into the design and implementation of the Master Site Plan to avoid, minimize, and mitigate potential adverse impacts including impacts to Critical Areas where applicable.

F. A completed SEPA checklist for the proposed Master Planned Development shall be submitted, provided that the City may require that additional technical studies and/or an environmental impact statement be completed. The technical studies may include, but is not limited to the following:

1. Traffic impact analysis.

2. Utility analysis

3. Stormwater analysis.

4. Geotechnical studies.

5. Critical Area reports; and

6. A more detailed analysis of potentially significant issues as identified during the SEPA environmental checklist review.

G. A title report prepared no more than 30 days before the date the application is submitted.

14.100.030 Additional Uses and Alternative Development Standards. Proposed Master Planned Developments shall comply with the applicable use restrictions and development standards of the zoning district in which it is located, provided that:

A. In addition to the uses permitted in the zoning district in which the proposed Master Planned Development is located, the City may approve other uses based on a finding that they are consistent with the City's Comprehensive Plan, are compatible with the uses permitted in the underlying zoning district and will not adversely affect the public health and safety.

1. This may include, but is not limited to mixed-use developments, provided that the additional uses are compatible with the primary uses of the underlying zoning district. (For instance, a mixed-use development may be proposed for property zoned Light Industrial, provided that the additional uses such as commercial or residential uses are compatible with the light industrial uses proposed for the site).

B. As an alternative to the City's adopted development standards, the City may approve development standards and additional uses based on a finding that the alternative standards will not adversely affect the public health and safety and are:

1. Functionally equivalent or superior to the required standards; or

2. Consistent with the City's Comprehensive Plan; or

3. Necessary to address unique or unusual circumstances; or

4. In the public interest.

14.100.40 Review and Approval.

A. The City shall take the following steps in the review and potential approval of applications for master planned developments.

1. Informal discussions between the Project Sponsor and the City to determine if the proposed development is eligible for consideration as a Master Planned Development.

2. The City Administrator may designate the Community Development Director or a consultant to serve as the Project Manager and SEPA Responsible Official for processing applications for the proposed Master Planned Development.

3. Execution of a cost-recovery agreement with the Project Sponsor so that the City may recover all costs incurred prior to the submission of a Master Planned Development application and

- in conjunction with the review, processing, and upon approval implementation of the Master Planned Development.
4. Pre-application meeting with the City's Development Review Team. This will include, but is not limited to:
 - a. Further discussion of the proposed development and the eligibility for consideration as a Master Planned Development.
 - b. Identification of potential challenges and opportunities to be addressed by the Project Sponsor.
 - c. Application requirements and the process for the review of the application materials.
 - d. Plans for the phased implementation of the Master Planned Development.
 - e. Funding strategies for infrastructure improvements including potential grants and loans, cost sharing agreements, and cost recovery agreements.
 5. The City shall prepare and provide the Project Sponsor with a written summary of the pre-application meeting. This shall include the determination of eligibility for consideration as a master planned development.
 6. Upon submittal of an application(s) for a master planned development, the City shall conduct a review to determine if the application is complete and ready for processing. The City shall notify the Applicant that:
 - a. The Application(s) is complete and ready for processing; or
 - b. The Application(s) is not complete and shall identify the additional information that must be submitted.

The determination that an application is complete and ready for processing shall not preclude the City from requesting additional information necessary to support the review of the application(s) and the subsequent Consistency Determination.
 7. Preparation and distribution of a Notice of Application.
 - a. The City may make and include in this notice a preliminary SEPA Threshold Determination.
 8. The designated Project Manager, in consultation with the City Development Review Team, shall review the application materials and public comments and shall determine if the proposed development is consistent with the provisions of the College Place Comprehensive Plan, the College Place Municipal Code and of this Chapter. During this review, the City may:
 - a. Discuss with the Applicant potential modifications to the proposed development and/or the proposed standards.

- b. Identify potential mitigating measures and conditions of approval.
 - c. Identify the City's willingness to enter into cost recovery or cost sharing agreements and any details thereto.
9. The Designated Project Manager shall prepare and distribute a staff report to the City Hearings Examiner and a public hearing notice that includes:
- a. SEPA Threshold Determination.
 - b. A preliminary determination of consistency.
 - c. Recommended mitigating measures and conditions of approval.
 - d. The deadlines and methods for submitting public comments.
 - e. The date and time of a public hearing to be conducted by the Hearings Examiner.
10. The City may prepare and include with the staff report a draft development agreement for public review and comment. If a draft development agreement is not distributed at this time, it shall be subject to public review and comment following the approval of the master plan including a public hearing conducted by the City Council.
11. The City Hearings Examiner shall conduct a public hearing, and upon consideration of the staff report and all public comments received, prepare recommended findings of fact, conclusions of law, and a decision including recommended conditionals of approval.
- a. The City Planning Commission may review the Staff Report and submit comments to the Hearings Examiner regarding the consistency of the proposed development with the College Place Comprehensive Plan.
12. The City Council shall review the recommendations of the Hearings Examiner and may:
- a. Approve the Master Planned Development as recommended.
 - b. Modify and approve the Master Planned Development.
 - c. Remand the Master Planned Development to the City Development Review for further analysis and/or to the Hearings Examiner for further public review and comment and the preparation of a revised recommendation.
 - d. Not approve the proposed Master Planned Development.
13. The Project Manager shall issue a Notice of Decision. This shall include, but is not limited to:
- a. Documentation of the final decision and if applicable a summary of the conditions of approval.

- b. Identification of the appeal process.
- c. If applicable, a summary description of the next steps in implementing the approved master plan. This summary will also address whether the Applicant can proceed to final plat application on any phase(s) of the project.

F. The City may approve a Master Planned Development based on findings that:

1. The proposed development demonstrates the economic and efficient use of land and provides for an integrated and consistent development plan for the site.
2. The proposed development includes features that will avoid and minimize potential adverse impacts and that promotes development that is consistent with the College Place Comprehensive Plan.
 - a. Potential off-site impacts including noise, shading, glare, and traffic have been identified and mitigation incorporated to the extent reasonable and practical.
3. The proposed layout of the site, the location of permitted uses, and the proposed development standards, including landscaping, parking, access and circulation, building heights, setbacks, and permitted densities promotes compatible development and limits or mitigates potential conflicts between the Master Planned Development and adjacent uses.
4. There will be adequate infrastructure capacity available by the time each phase of development is completed.
5. Consideration has been given to “low impact development” stormwater concepts.
6. The proposed development is designed and includes appropriate consideration of open spaces and transportation corridors, designs of street and public open spaces the appropriate dedication of lands for public facilities, and results in the functional and visual appearance of an integrated project.
7. The proposed development meets or exceeds the standards and requirements of the City’s regulations to preserve and protect Critical Areas.
8. The proposed development includes performance standard, phasing requirements, and financial guarantees to ensure that implementing actions are consistent with the approved plans and expected outcomes.
9. The proposed development will not adversely affect the public health, safety, or welfare.

14.100.050 Approved Master Planned Development. An approved Master Planned Development shall consist of a master site plan and shall specify all terms and conditions of approval and shall specify permitted uses, development standards, cost sharing and recovery agreements between the parties, and phased implementation plans.

14.100.060 Development Agreement(s). *The City and Applicant may execute, in accordance with the provisions of State law, a development agreement(s) to implement the provisions of the approved Master Planned Development and related permits and approvals. This agreement shall be binding on all property owners within the Master Planned Development and their successors and shall require that development of the subject property be consistent with and implement the provisions of the approved Master Planned Development.*

A. *This Development Agreement may specify:*

1. *The terms and conditions of approval.*
2. *The terms and conditions of any vested rights of the approved Master Planned Development.*
3. *The terms and conditions of any cost sharing and/or cost recovery agreements*
4. *The phasing plans for implementation to include whether any phase(s) of the project can move directly to final plat application.*
5. *The duration of the agreement.*
6. *Mutually agreed obligations of the Project Sponsor and the City.*

14.38.070 Modification to Master Plans. *Proposed modifications to an approved Master Plan shall be submitted in writing for the City review.*

- A. *Modifications that do not substantially change the nature or level of use or that do not require a new environmental review, may be considered minor amendments and shall be subject to administrative review.*
- B. *Modifications that result in a substantial change of use, that substantially change the nature or level of activity, or that require the need for additional environmental review, shall be considered a major modification and shall be subject to review and approval in the same manner as the original master plan was approved.*
- C. *The City may impose additional conditions or requirements in conjunction with the approval of proposed modifications.*