

day period applicant may pay an in-lieu-of parking fee under ECDC 17.50.070.

C. Discontinuance of Use. If applicant cannot or will not provide parking, or the in-lieu parking fee, as set forth in subsections A and B of this section, the applicant will discontinue the use, or that portion of use causing the parking deficiency within the original 90-day period set forth above.

Chapter 20.35

PLANNED RESIDENTIAL DEVELOPMENT (PRD)

Sections:

- 20.35.010 Purposes.
- 20.35.020 Applicability.
- 20.35.030 Alternative standards.
- 20.35.040 Criteria for establishing alternative development standards.
- 20.35.050 Decision criteria for PRDs.
- 20.35.060 Single-family design criteria.
- 20.35.070 Application.
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- 20.35.100 Administration of an approved PRD.
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20.35.010 Purposes.

The purposes of this chapter are to:

A. Provide an alternative form of development which will promote flexibility and creativity in the layout and design of new development and which will protect the environment and critical areas through the use of open spaces above requirements of other provisions of city code;

B. Provide for small and large scale developments incorporating a variety of housing types and related uses that are planned and developed as an integral unit;

C. Promote the efficient use of land by allowing flexible arrangement of buildings and lots, circulation systems, land uses, and utilities;

D. Promote the combination and coordination of architectural styles, building forms, and building relationships within a development;

E. Coordinate development with the value, character, and integrity of surrounding areas which have been, or are being, developed under the city’s comprehensive plan;

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F. Provide for the integration of new development into the existing community while protecting and preserving the value of the surrounding neighborhood to the extent consistent with the Growth Management Act;

G. Provide the opportunity for affordable housing to meet the needs of a wide range of income and age groups;

H. Encourage the preservation of existing natural site amenities such as trees, water-courses and wetlands, topography, and geologic features beyond the requirements of the code;

I. Create permanent, usable and commonly owned open space for both active and passive recreation which serve the development and which are maintained at its expense;

J. Cluster structures to preserve or create open spaces, especially where steep slopes or other environmentally sensitive areas exist;

K. Promote a more efficient street and utility system by clustering units, in an effort to promote affordable housing, land development and maintenance costs and reducing the amount of impervious surfaces; and

L. Implement policies of the comprehensive plan. [Ord. 3465 § 1, 2003].

20.35.020 Applicability.

A. Planned residential developments (PRDs) may be located in any residential zone of the city. Uses permitted in the PRD shall be governed by the use regulations of the underlying zoning classification.

1. PRDs in single-family zones shall be comprised of detached dwelling units on individual lots, and any appurtenant common open space, recreational facilities or other areas or facilities.

a. The PRD process is not available to single-family lots that are incapable of further subdivision.

b. The PRD process shall not be used to reduce any bulk or performance standard not specifically referenced herein. Bulk standards not referenced may be varied only in accordance with Chapter 20.85 ECDC, Vari-

ances, or through the modification provision provided through the subdivision process as outlined in Chapter 20.75 ECDC.

B. Property included in a PRD application must be under the ownership of the applicant, or the applicant must be authorized pursuant to a durable power of attorney or other binding contractual authorization in a form which may be recorded in the land records of Snohomish County to process the application on behalf of all other owners.

C. Accessory dwelling units and home use occupations restricted by ECDC 20.20.015(D) shall not be permitted within a PRD. [Ord. 3465 § 1, 2003].

20.35.030 Alternative standards.

A. Alternative development standards may be established through the PRD process. Such alternative standards shall be limited to the bulk standards specifically set forth in this chapter. Absent specific authorization the standard may not be waived or varied through the PRD process.

1. Bulk development standards which may be established are as follows:

a. Building Setbacks. An applicant shall in every event comply with Uniform Building Code separation requirements for fire safety. See ECDC 20.35.040(B) for setback requirements.

b. Lot Size. Lot sizes may be reduced (“clustering”) to allow dwelling units to be shifted to the most suitable locations on residential PRD sites so long as the overall density of the project complies with the comprehensive plan and zoning ordinance.

c. Lot width.

d. Lot coverage.

e. Street and Utility Standards Alternative. Street standards may be established by the city engineer and alter utility standards established by the public works director so long as such alternatives provide the same or greater utility to the public system, safety and long-term maintenance costs as the standards established by ECDC Title 18.

f. The enhanced design standards contained in this title.

2. No modification of height limits shall be permitted in the PRD process.

3. Since the PRD process does not authorize the division of land, housing types that require the division of land will require a short or long subdivision.

B. PRDs are not rezones. In no event shall use of a PRD result in an expansion of the uses permitted by the underlying zone, or in density in excess of the maximum established by the comprehensive plan and zoning ordinances. [Ord. 3465 § 1, 2003].

20.35.040 Criteria for establishing alternative development standards.

Approval of a request to establish an alternative development standard using a PRD differs from the variance procedure in that rather than being based upon a hardship or unusual circumstance related to a specific property, the approval of alternative development standards proposed by a PRD shall be based upon the criteria listed in this section. In evaluating a PRD which proposes to modify the development standards of the underlying zone, the city shall consider and base its findings upon the ability of the proposal to satisfy all of the following criteria, if applicable:

A. The proposed PRDs shall be compatible with surrounding properties in the following respects:

1. Provide landscaping for projects seeking to cluster lots under ECDC 20.35.030(A)(1)(b) through the design review process and greater buffering of buildings, parking and storage areas than would otherwise be provided through the subdivision process,

2. Providing safe and efficient site access, on-site circulation and off-street parking, and

3. Architectural design of buildings and harmonious use of materials as determined by the ADB in accordance with ECDC 20.35.060;

B. No setback from the exterior lot lines of the PRD may be reduced from that required by the underlying zoning unless a variance or subdivision modification is approved;

C. Minimize the visual impact of the planned development by reduced building volumes as compared with what is allowable under the current zoning or through landscape or other buffering techniques;

D. Preserve unique natural features or historic buildings or structures, if such exist on the site; and/or

E. Reduction of impervious surfaces through the use of on-site or common parking facilities rather than street parking. [Ord. 3465 § 1, 2003].

20.35.050 Decision criteria for PRDs.

Because PRDs provide incentives to applicants by allowing for flexibility from the bulk zoning requirements, a clear benefit should be realized by the public. To ensure that there will be a benefit to the public, a PRD which seeks alternative bulk standards shall be approved, or approved with conditions, only if the proposal meets the following criteria:

A. Design Criteria. The project must comply with the city's urban design guidelines set forth in subsection (A)(1) of this section and provide two or more of the results set forth in subsections (A)(2) through (A)(5) of this section:

1. Architectural design consistent with the city's urban design guidelines for multi-family projects or ECDC 20.35.060 for single-family projects for the design, placement, relationship and orientation of structures;

2. Improve circulation patterns by providing connections (a) to the city's street system beyond those which may be compelled under state law, or (b) to the city's alternative transportation systems, such as bike or pedestrian paths accessible to the public;

3. Minimize the use of impervious surfacing materials through the use of alternate materials or methods such as grasscrete or shared driveways;

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4. Increase through the addition of usable open space or recreational facilities on-site above the minimum open space required by ECDC 20.35.060(B)(6);

5. Preserve, enhance or rehabilitate significant natural features of the subject property such as woodlands, wildlife habitats or streams, historic or landmark structures or other unique features of the site not otherwise protected by the community development code.

B. Public Facilities. The PRD shall be served by adequate public facilities including streets, bicycle and pedestrian facilities, fire protection, water, stormwater control, sanitary sewer, and parks and recreation facilities.

C. Perimeter Design. The design of the perimeter buffer shall either:

1. Comply with the bulk zoning criteria applicable to zone by providing the same front, side and rear yard setbacks for all lots adjacent to the perimeter of the development; and/or

2. Provide a landscape buffer, open space or passive use recreational area of a depth from the exterior property line at least equal to the depth of the rear yard setback applicable to the zone. If such a buffer is provided, interior setbacks may be flexible and shall be determined pursuant to ECDC 20.35.030. When the exterior property line abuts a public way, a buffer at least equal to the depth of the front yard required for the underlying zone shall be provided.

D. Open Space and Recreation. Usable open space and recreation facilities shall be provided and effectively integrated into the overall development of a PRD and surrounding uses and consistent with ECDC 20.35.060(B)(6). "Usable open space" means common space developed and perpetually maintained at the cost of the development. At least 10 percent of the gross lot area and not less than 500 square feet, whichever is greater, shall be set aside as a part of every PRD with five or more lots. Examples of usable open space include playgrounds, tot lots, garden space, passive recreational sites such as view-

ing platforms, patios or outdoor cooking and dining areas. Required landscape buffers and critical areas except for trails which comply with the critical areas ordinance shall not be counted toward satisfaction of the usable open space requirement. [Ord. 3465 § 1, 2003].

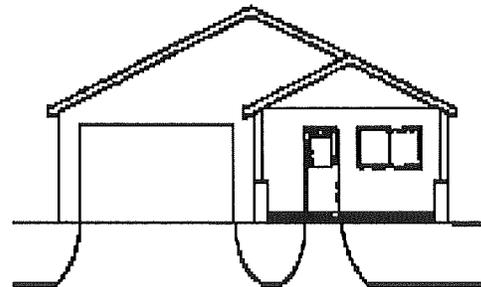
20.35.060 Single-family design criteria.

Because PRDs may utilize alternative bulk development standards in residential zones, the following single-family design criteria are established to ensure that development of PRDs in single-family zones will maintain a single-family character. Although the criteria listed here are not necessarily consistent with every design characteristic of every single-family neighborhood in the city of Edmonds, the criteria have been developed to create a reasonable single-family residential setting. The intent behind these criteria is to ensure a high quality of design and construction for all buildings located in single-family neighborhoods where development standards may be modified through the PRD process.

A. Building Design.

1. Characteristics of Single-Family Development.

a. To demonstrate a residential quality, single-family homes should have a strong connection between the street and the house. This can be accomplished by providing a pedestrian access or walk from the street to the front door or porch.

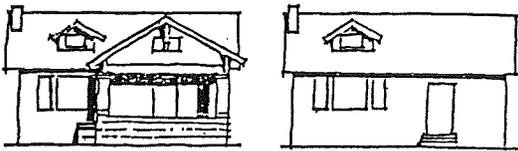


Provide "friendly" pedestrian access to front door, preferably with a porch

b. From the street, the design should not emphasize the garage, but rather the human scale and elements of design (this could include pedestrian entrances, windows, and details that are a smaller, more human scale and texture).

2. Entries and Porches.

a. Porches contribute to the richness and warmth of a neighborhood, therefore houses should have front porches consistent with the style and scale of the house and the neighborhood.



This... as opposed to this

b. Main entries should be prominent and oriented to the street.

3. Materials. Materials should be used in a consistent manner on all sides of the house. In other words, do not use several materials to enhance the front of the building but leave the sides and back unembellished.

4. Garages.

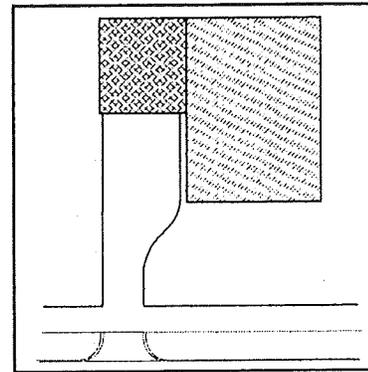
a. Garages facing the street or located at the front of a house should be no wider than one-half the width of the house.

B. Site Design.

1. Retain Significant Features. Significant trees, topography and other environmental features as well as historic or landmark structures should be retained and/or integrally included in the design of the project. This might be done by designing homes that are multilevel to respond to the existing topography or buildings which have an irregular footprint to preserve healthy significant vegetation.

2. Vehicular Access.

a. Driveway widths shall not exceed 20 feet at curb cuts. Curb cuts should never exceed this width even if they provide direct access to a three-car garage.



b. Shared driveways between adjacent homes are encouraged as a way to reduce the number and size of curb cuts and impervious surfaces.

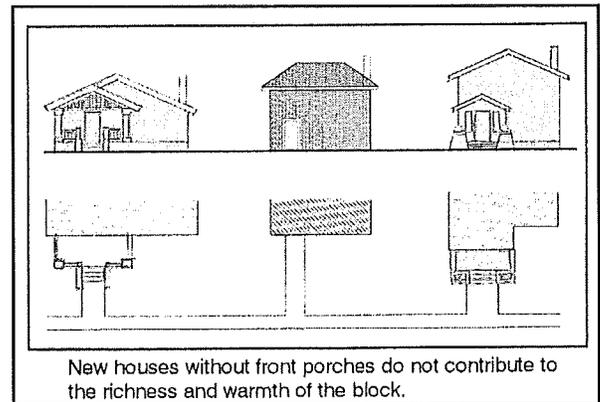
3. Garage Locations.

a. Homes should have a visually diminished garage front.

4. Landscaping and Buffering. Landscaping and buffering shall be consistent with the requirements of the urban design guidelines.

5. Building Entrances.

a. Homes should have a dominant front porch and/or entry expression.



b. A separate pedestrian access should be provided from the sidewalk to the main building entrance.

6. Open Space Requirements.

a. For PRDs with critical areas, separate open space tracts designated "critical areas open space" should be created for their protection.

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b. Usable open space shall be provided in accordance with ECDC 20.35.050(D).

7. Street Design.

a. Site design should include a residential neighborhood street design which includes elements such as sidewalks on both sides, street trees and planting/parking strips.

b. Each residential lot should have at least one associated street tree planted in the parking strip if present or in the front yard if not. [Ord. 3465 § 1, 2003].

20.35.070 Application.

A. The applicant shall file with the development services department a preliminary development plan, including the following:

1. A legal description of the property proposed to be developed;

2. A map of the subject property and surrounding 300 feet. This map shall indicate all existing land uses, approximate building footprints and streets;

3. A proposed site plan for the subject property depicting the following:

a. Topography at two-foot contours for slopes 15 percent or less and five-foot contours for slopes over 15 percent;

b. Individual trees over six inches in trunk diameter measured four feet above the base of the trunk in areas to be developed or otherwise disturbed; and

c. Designated placement, location, and principal dimensions of lots, buildings, streets, parking areas, recreation areas and other open space, landscaping areas and utilities;

4. Drawings and text showing scale, bulk and architectural character of proposed structures;

5. Special features including but not limited to critical areas and sites or structures of historic significance;

6. A narrative describing conditions or features which cannot be adequately displayed on maps or drawings;

7. A narrative stating how the proposed development complies with the criteria, goals and policies of this PRD chapter and the city of Edmonds comprehensive plan, including level of service standards and guidelines contained in this and other titles;

8. Draft conditions, covenants and restrictions and other documents relating to operation and maintenance of the development, including all of its open areas and recreational facilities.

B. The applicant may submit to the development services director proposed development standards that, if approved, shall become a part of the preliminary PRD for specifying placement, location and principal dimensions of buildings, streets, and parking areas. This alternative process is intended to accommodate the need for flexibility, while ensuring that sufficient information as to the nature of the development is available upon which to base a decision concerning the preliminary PRD. Proposed development standards shall specifically set forth parameters for location, dimensions and design of buildings, streets and parking areas. This information will need to be submitted in the form of a narrative and drawings which demonstrate and describe how the proposed modifications of the underlying bulk standards meet the criteria outlined in this chapter. [Ord. 3465 § 1, 2003].

20.35.080 Review process.

A. An application for a PRD has two stages. The first stage, the preliminary PRD, includes the following:

1. Pre-Application Staff Review. The preliminary plans of the proposal shall be submitted to the planning manager for review and comment. This provides an opportunity for the developer to work with the city staff to design a total plan which best meets the goals of the city and the needs of the developer. Such potential problems as drainage, topography, circulation, site design and neighborhood

impact should be identified and addressed before the proposal is submitted for formal review.

2. Pre-Application Neighborhood Meeting. The applicant shall host a public pre-application neighborhood meeting to discuss and receive public comment on the conceptual proposal. The applicant shall provide notice of this meeting to all property owners within 300 feet of the subject site by depositing written notice in the U.S. Mail postage paid at least 14 calendar days in advance of the meeting to all persons and entities shown as having an ownership interest in the land records of Snohomish County. An affidavit of mailing shall be provided to the city by the applicant attaching its mailing list.

While this meeting will allow immediate public response to the proposal in its conceptual form, comments submitted during this meeting are not binding to the applicant or staff. However, staff may make general recommendations to the applicant as part of the formal application based on the input from this meeting to the extent that said comments are consistent with the adopted provisions of the Edmonds Community Development Code and the comprehensive plan. As a courtesy, the applicant shall provide summary minutes of the meeting to all of those in attendance within two weeks of the date of the meeting.

3. Review by the Architectural Design Board. The design board will review the project for compliance with the urban design guidelines, landscaping, and/or the single-family design criteria in ECDC 20.35.060 and forward their recommendation of the site and building design on to the hearing examiner for his consideration. Their review will be at one of their regularly scheduled meetings, but will not include a public hearing or the ability for the public to comment on the project.

4. The Public Hearing with the Hearing Examiner. The hearing examiner shall review the proposed PRD for compliance with this section. Appeals shall be taken to superior court under the Land Use Petition Act.

If the proposal is denied, a similar plan for the site may not be submitted to the development services department for one year. A new plan which varies substantially from the denied proposal, as determined by the development services director, or one that satisfies the objections stated by the hearing examiner may be submitted at any time.

An applicant who intends to subdivide the land for sale as part of the project shall obtain subdivision approval in accordance with Chapter 20.75 ECDC before any building permit or authorization to begin construction is issued, and before sale of any portion of the property. The preferred method is for the applicant to process the subdivision application concurrently with the planned residential development proposal.

B. The second stage of the PRD process, the final PRD, consists of the city's review of the final plans for consistency with the preliminary PRD as approved. The decision at this stage will be made by city staff unless the final PRD is submitted as a consolidated application with a permit that requires city council review, i.e., a formal subdivision plat. The final PRD will be subject to the following review:

1. The applicant shall submit the final development plan to the development services director, conforming to the preliminary plan as approved, and all applicable conditions of that approval. The planning manager shall review the plan along with the city engineer and make a final decision. The plan shall contain final, precise drawings of all the information required by ECDC 20.35.030. The applicant shall also submit all covenants, homeowners' association papers, maintenance agreements, and other relevant legal documents.

2. If city staff finds that the final development plan conforms to the preliminary approval, and to all applicable conditions, staff shall approve the plan and its accompanying conditions as a covenant which touches and concerns the subject property, incorporating by reference all maps, drawings and exhibits required to specify the precise land use autho-

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rized. A file shall be maintained by the development services department containing all maps and other documents or exhibits referred to in the approval. The approval shall also contain a legal description of the boundary of the proposal. The covenant shall be recorded with the county auditor if no subdivision plat is to be recorded.

3. The provisions of approval shall be restrictions on the development of the site. Revocation of approval or abandonment as provided in this chapter shall eliminate all requirements imposed under the planned residential development plan, such as alternative bulk development standards, and shall cause the old underlying bulk development standards to be in full force and effect. [Ord. 3465 § 1, 2003].

20.35.090 Final approval.

A. Time Limit for Submission – Extension. Within a period of five years following the approval of the preliminary PRD, the applicant shall file with the planning department a final development plan. The planning manager, for good cause, may extend for one year the period for filing of the final development plan.

B. Final Development Plan – Failure to Submit. If the applicant fails to apply for final approval for any reason within the five-year period, the PRD shall become void. All future permits shall be subject to the requirements of the underlying use zone unless a new application for a planned development is submitted and approved.

C. Final Development Plan – Content – Final Approval Procedure.

1. The final development plan shall consist of elements presented for preliminary approval. The procedure involved in final approval shall consist of the following:

a. The final development plan shall be submitted to the planning department.

b. The planning staff shall review the final development plan to see that it is in substantial compliance with the previously approved preliminary development plan.

c. All drawings presented in the preliminary development stage shall be presented in detailed form, i.e., landscaping, circulation, utilities, building location, etc.

d. If the final plan is in substantial compliance with the approved preliminary plan, it shall be sent on to the decision making body as determined by the underlying permit process with a recommendation for approval by the planning manager and the city engineer.

D. Final Review Criteria.

1. A plan submitted for final approval shall be deemed to be in substantial compliance with the plan given preliminary approval, provided any modification by the applicant does not:

a. Increase the residential density;

b. Reduce the area set aside for common open space;

c. Relocate the open space in a manner which makes it less accessible or usable to the tenants of the development or in the case of proposed open space to be dedicated to the public, less accessible or usable to the public;

d. Reduce any of the landscape buffers in width or density or quality of proposed landscaping;

e. Change the point(s) of access to different streets or eliminate required connections to alternative transportation systems such as trails or bike paths;

f. Increase the total ground area covered by buildings or other impervious surfaces;

g. Relocate buildings or impervious surfaces to areas designated as “environmentally sensitive” or “critical areas”; and/or

h. Fail to preserve trees, historical, other unique natural features or landmark structures that were required to be preserved by the preliminary planned development approval. [Ord. 3465 § 1, 2003].

20.35.100 Administration of an approved PRD.

After the effective date of the final approval, the city shall permit use of the land and erection of structures in compliance with the plans as approved. Any use or structure inconsistent with the approved plan shall not be permitted. The application for a building permit or other authorization to begin work on the project shall be accompanied by:

A. Bond. Any bond required pursuant to these ordinances guaranteeing completion of a specific portion of the project as authorized and approved, and a standard subdivision bond if subdivision and sale of lots is a part of the project;

B. Deeds. Deeds to any land or properties intended for public ownership and use in the completed project;

C. Plans. A complete project site plan and construction plans and specifications for the initial buildings.

The city may deny issuance of permits if any plan submitted for construction fails to comply with the conditions of approval imposed by the approved PRD. In that event, the sole appeal shall be by mandamus to superior court. [Ord. 3465 § 1, 2003].

20.35.110 Modifications to approved PRDs – Final development plan – Amendments permitted.

A. Minor changes in the location and siting of buildings and structures and minor changes to lot lines which do not change the number or orientation of the approved lots may be authorized by the planning manager without additional public hearings if these changes were required by engineering or public works or are due to circumstances not known at the time the final plan was approved or if they are located in a portion of the PRD that was already identified for potential minor changes. Minor location, siting or lot line changes shall be performed through a lot line adjustment between a property owner of a specific lot and

the homeowners' association as the owner of the open space. No change authorized by this section may cause any of the following:

1. A change in the use, intensity or character of the development;
2. An increase in the overall ground coverage of structures;
3. A decrease in approved traffic circulation utility; and/or
4. Any reduction in public use or tenant use areas which include but are not limited to perimeter buffers/setbacks, utility easements, required critical areas open space, usable open space, off-street parking, loading zones, right-of-way or pavement width.

Such minor changes may be approved only if they are shown to be in the best long-term interests of the residents of the PRD and do not impact the surrounding neighborhood.

B. Changes in uses, rearrangements of lots, blocks, buildings, tracts, or changes in the provision of common open space changes prohibited under subsections (A)(1) through (4) of this section and changes other than those specifically permitted above shall be reviewed by the hearing examiner, following the same notification and public hearing process as required for the original approval. Such amendments may be made only if they are shown to be in the best long-term interests of the community as determined under the criteria required. [Ord. 3465 § 1, 2003].