

# Bayview Ridge PUD and Development Standards Makers Draft — April 16, 2013

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## ***New Chapter SCC 14.46*** **Bayview Ridge PUD and Development Standards**

### **Part I: Purpose and Applicability**

#### **14.46.100 Purpose.**

The purpose of this chapter is to promote innovative and unified development that implements the goals and policies of Skagit County's Comprehensive Plan and the Bayview Ridge Subarea Plan. This chapter provides for a Planned Unit Development (PUD) review process together with distinctive zoning and development standards that were crafted for a specific area of Bayview Ridge Subarea. The review process and development standards are also intended to:

- (1) Provide both predictability and flexibility to project participants in terms of the review process and the development standards by providing for prescriptive standards that often offer a number of choices in how the standards can be met and by providing for design departures that allow alternative design treatments provided such designs meet the purpose of the standards;
- (2) Create a compact walkable community with a connected system of attractive streets, sidewalks, and off-street trails and a diversity of housing types;
- (3) Create a pedestrian-oriented village center that allows for the mix of commercial, residential, and public uses with a distinctive character;
- (4) Design and cluster uses and infrastructure in a way that maximizes usable open space, provides compatibility between uses, and minimizes impacts to the environment;
- (5) Conform with the Port of Skagit County airport safety regulations and prevent development that restricts existing or future operations at the airport;
- (6) Provide for innovative design approaches not available under conventional county zoning;
- (7) Provide for the management and control of stormwater; and
- (8) Ensure concurrent provision of public facilities and services.

#### **14.46.110 Applicability.**

- (1) The provisions of this Chapter apply to development within the BR-R, BR-CC, and BR-LI zoning designations of the Bayview Ridge Subarea as set forth in Table 14.46.110 below, unless otherwise noted in specific sections herein.

**Table 14.46.110. Applicability of chapter elements.**

Type of development	Is conformance with the following standards required?		
	Part III: Zoning Provisions	Part IV : Community Design	Part V: Project Design
Subdivision or binding site plan	Yes	Yes	Yes
Development in BR-LI	No*	Streets only (see 14.46.420)*	No*
Development within the BR-CC zone and within that portion of the BR-R zone within the Core Bayview Ridge Planning Area.	Yes	Yes	Yes
Development in the BR-R zone outside of the Core Bayview Ridge Planning Area.	No*	No*	No*

\* *The applicant is not required to conform to the standards in Parts III-V of this chapter. However, the applicant may opt at the time of application to be regulated entirely by Parts III-V instead of the default zoning provisions in Chapter 14.16.*

- (2) Where there is a conflict between the provisions herein and other codes, the provisions herein apply.

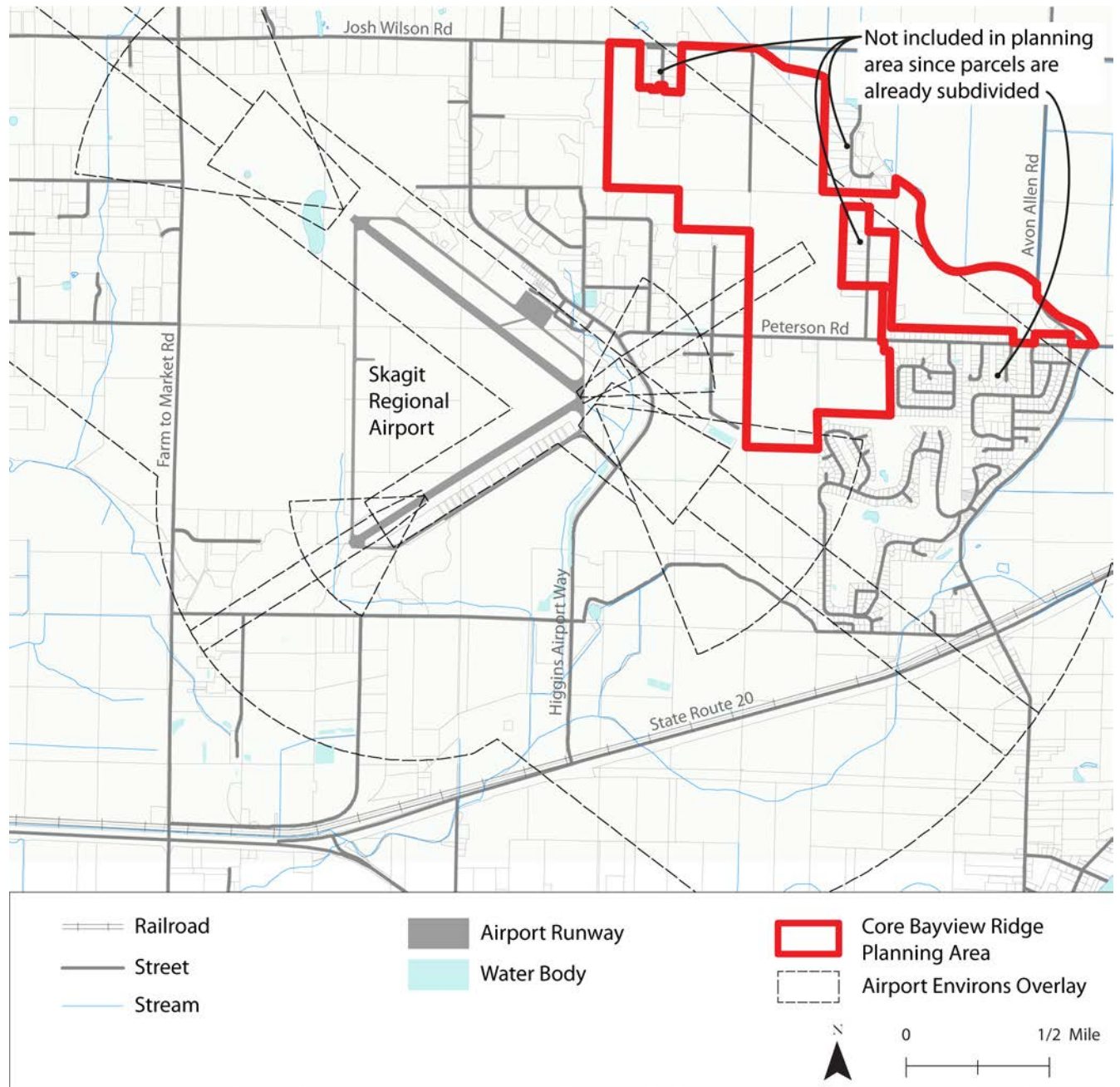


Figure 14.46.110. Bayview Ridge Subarea and the Core Bayview Ridge Planning Area.

## Part II: Applications/Review Process

### 14.46.200 Applications/review process – Overview.

All development applications within the Bayview Ridge Subarea must comply with the permit procedures set forth in SCC Chapter 14.06. Supplemental application requirements and/or review procedures are included in this Chapter for the following permit types:

- (1) Planned Unit Developments (PUD) – see Sections 14.46.210-255 below for applications.
- (2) Other permit types featuring one or more design departures – See Section 14.46.260.

### 14.46.205 Planned Unit Developments: What are they?

A planned unit development (PUD) is a conceptual development plan under single ownership or unified control that may include two or more phases of development and is processed per the PUD provisions of Sections 14.46.210-255 below.

### 14.46.210 Planned Unit Developments: When are they required?

A PUD is required prior to or as a single integrated application with any subdivision or binding site plan in the Core Bayview Ridge Planning Area. Integrated PUD – subdivision/binding site plan applications must meet applicable land division provisions of SCC Chapter 14.18 and PUD provisions in Sections 14.46.210-255 below. The Administrative Official may also waive in writing specific submittal requirements determined to be unnecessary or duplicative for review of the application.

### 14.46.215 PUD application review process.

PUD applications, including integrated PUD-subdivision or PUD-binding site plan applications, featuring up to 50 lots are processed as Level II applications pursuant to SCC 14.06.120 (3) through (12). PUD applications featuring more than 50 lots are processed as Level III applications pursuant to SCC 14.06.130 (3) through (11). For integrated subdivision or binding site plan PUD applications, only the proposed lots in the proposed subdivision or binding site plan may be used to determine the applicable review process.

Table 14.46.215 below clarifies the review process for PUD and land division applications both inside and outside of the Core Bayview Ridge Planning Area.

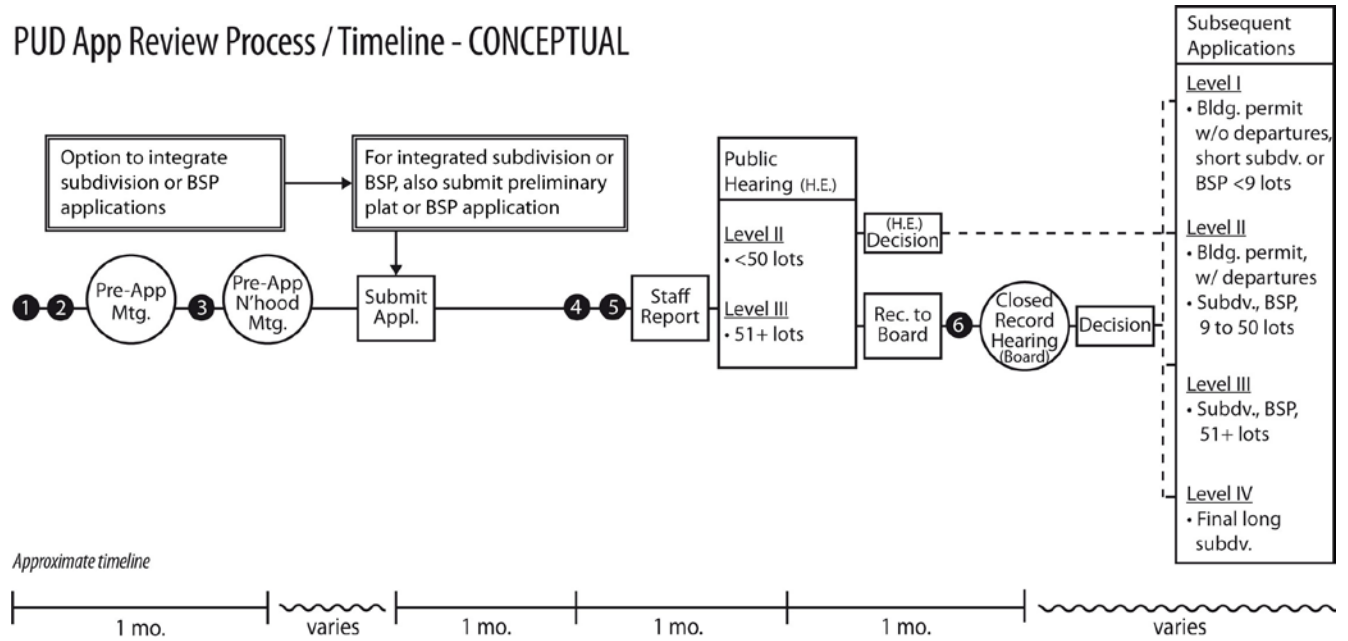
**Table 14.46.215. Review processes for PUD and land division applications.**

Application	# of lots	Review Process (SCC 14.06.050)	Notes
<b>Applications within the Core Bayview Ridge Planning Area</b>			
PUD – without subdivision or binding site plan	Up to 50	Level II	All PUD applications are subject to a pre-application neighborhood meeting per SCC 14.46.235; PUD's integrated with land division
	>50	Level III	
PUD integrated with subdivision	Up to 50	Level II	
	>50	Level III	

Application	# of lots	Review Process (SCC 14.06.050)	Notes
PUD integrated with binding site plan	Up to 50	Level II	applications are also subject to the provisions of SCC Chapter 14.18.  If a PUD includes a zone change proposal, applications will also be subject to the procedural requirements of SCC 14.08.020.
	>50	Level III	
Land division application (subdivision or binding site plan) within an approved PUD	<9	Level I	Applications must still integrate PUD provisions of SCC 14.46.215-255, though some requirements may be waived depending on the proposal and its conformance with the PUD. SCC 14.46.250 includes provisions involving alterations of an approved PUD.
	9-50	Level II	
	>50	Level III	
<b>Applications outside of the Core Bayview Ridge Planning Area</b>			
Land division application (subdivision or binding site plan)	Not subject to PUD review process set forth herein - see SCC 14.06.050 for applicable application level and SCC Chapter 14.18 for land division application requirements		



### PUD App Review Process / Timeline - CONCEPTUAL



- Legend**
- 1. Schedule pre-app meeting
  - 2. Submit concept
  - 3. Notice of neighborhood meeting
  - 4. Determination of completeness
  - 5. Notice of development application/hearing
  - 6. Set date/notice of hearing
- BSP = Binding Site Plan

**Figure 14.46.215.** Conceptual flow chart of the PUD application review process. For details, see Sections 14.46.220-255 below. If a PUD application includes a zone change proposal, applications will also be subject to the procedural requirements of SCC 14.08.020.

#### 14.46.220 PUD application initiation.

PUD applications may be initiated by a person or persons having an interest in the property to be included in the PUD or the primary proponent of the project with evidence of permission from the underlying property owner(s).

#### 14.46.225 PUD pre-application meeting – conceptual development plan review.

- (1) To expedite the review process, review preliminary development concepts, clarify applicable development standards, and discuss site specific development issues, a pre-application meeting with County planning staff and applicable department heads or their designees before filing an application for a PUD is required unless a waiver is requested by the applicant and approved by the Administrative Official. The Department must schedule a meeting within 21 days of the request for a pre-application meeting, unless otherwise requested by the applicant.
- (2) For PUD applications integrated with a land division proposal, this meeting functions as the pre-application set forth in SCC 14.06.080(2).

- (3) At least seven days prior to the meeting, the prospective applicant must submit a conceptual development plan to the Department that includes the following elements:
  - (a) General area to be included in the application;
  - (b) Generalized layout of streets, trails, lots, land uses, open space, and public facilities, and other significant development features; and
  - (c) Generalized phasing concept, if contemplated.
- (4) County staff will review the development concept with respect to applicable development standards, ask for clarification on the concept, as necessary, respond to questions from the applicant, and identify the following:
  - (a) Applicable fees;
  - (b) Requirements for application completeness; and
  - (c) Review processes and schedule.
- (5) The Department must give staff comment notes to the applicant within seven days of the meeting.

**14.46.230 PUD pre-application neighborhood meeting – conceptual development plan.**

- (1) Timing: After completing the pre-application meeting per Section 14.46.225 above, but prior to submission of a formal PUD application, the applicant must conduct an informal neighborhood meeting to review the conceptual development plan.
- (2) Purpose: The purpose of the meeting is to provide early and informal notification to the public, to generate discussion, and make the proponent aware of community concerns relative to the proposed project. It is intended to provide a means by which the applicant, staff, and the public are able to work together in a productive and creative manner. However, options and issues raised may not be all-inclusive and no decisions or guarantees on the project design or outcome are made. Revision of the proposal based on input from the community conference is solely at the discretion of the applicant.
- (3) Meeting notice: Public notice requirements for the pre-application neighborhood meeting are the same as in SCC 14.06.150(1) and (3) for public hearings.
- (4) Comments: The applicant must submit a summary of the comments received at the meeting to the County with the PUD application.

#### 14.46.235 PUD application submittal requirements.

A complete application for a PUD consists of the items 1-12 below. The Administrative Official may require any additional information necessary to evaluate the proposed PUD or to demonstrate compliance with the development standards in this Chapter. The Administrative Official may also waive in writing specific submittal requirements determined to be unnecessary for review of the application.

- (1) A completed application form provided by the Department, signed by all property owners or their authorized agents, with supporting documents as required below and which contains sufficient information to determine compliance with adopted rules and regulations;
- (2) A nonrefundable fee as set forth in the fee schedule to reimburse the County for costs of reviewing the application. Further provided, the applicant is responsible for additional process costs incurred by the County in the event of additional staff time, consultant services, and public hearing costs over and above the initial application fee;
- (3) A legal description of the total site proposed for development, including a statement of present and proposed ownership and current zoning;
- (4) A statement of the applicant's objectives to be achieved by the PUD. This statement should include a narrative description of the character of the proposed development and the rationale behind the assumptions and choices made by the applicant including consistency with the goals and objectives of the subarea plan and a detailed statement summarizing in written and graphic form how the development complies with the applicable provisions of this Chapter;
- (5) A statement of the applicant's intentions with regard to the future selling or leasing of all or portions of the PUD, such as land areas, dwelling units, etc.;
- (6) A development schedule indicating the approximate date when construction of the PUD or phases of the PUD can be expected to begin and be completed, as well as identification of the acreage and boundary of each phase;
- (7) A summary of comments received at the neighborhood meeting and any responses thereto;
- (8) Quantitative data for the following, if applicable:
  - (a) Total number and type of dwelling units;
  - (b) Parcel sizes;
  - (c) Approximate gross densities;
  - (d) Total amount of open space as defined by this Chapter, including separate figures for community parks and neighborhood parks defined in SCC 14.46.460, trail corridors

described in SCC 14.46.430, and pedestrian-oriented space (where applicable), defined in SCC 14.46.520(4), and proposed ownership, use, and maintenance of the open space; and

- (e) Total amount of nonresidential building floor area, including a separate figure for community facilities, if applicable;
- (9) A summary describing how the proposed park facility(s) and park location(s) meets the goals and policies of the [Bayview Ridge Subarea Plan](#) and the [Skagit County Parks and Recreation Comprehensive Plan](#);
- (10) A summary of all proposed departures to the design standards set forth in this Chapter. The summary must contain the following information:
- (a) The design standard proposed to be modified;
  - (b) The proposed design; and
  - (c) A narrative, with illustrated drawings or pictures if applicable, describing how the proposed modification meets the applicable departure criteria set forth in this Chapter;
- (11) A completed environmental checklist, pursuant to Chapter 14.12 SCC, SEPA, and Chapter 197-11 WAC;
- (12) Conceptual site plan and supporting maps necessary to show the major details of the proposed PUD containing the following minimum information organized into one set of drawings:
- (a) Vicinity map showing the location of the site and its relationship to surrounding areas including significant features and nearby buildings;
  - (b) The existing site conditions, including any water bodies and drainage features, topographic contours at 2 foot intervals, unique natural features, areas of significant tree coverage, the location and identification of critical areas, and the location and floor area size of all existing structures and other improvements;
  - (c) The existing and proposed conceptual circulation system of arterial, collector and local streets, driveways, off-street parking areas, service areas, loading areas, transit stops, and road cross-sections identifying the size and location of the travel lanes, parking areas, planting strips, and sidewalks (detailed engineering drawings of cross-sections and street standards should be handled during subdivision approval);
  - (d) Proposed typical lot sizes, conceptual lot lines, and applicable land use(s);

- (e) Proposed non-residential buildings, including proposed building envelope, height, floor area, and conceptual elevations;
  - (f) The location, dimension and area (in acres or square feet) of all tracts or parcels to be conveyed, dedicated or reserved as common, usable, conservation, buffer, or pedestrian-oriented open spaces, public parks, recreational areas, school sites and similar public and semipublic uses;
  - (g) The existing and proposed pedestrian and bike circulation system, including its interrelationships with the vehicular circulation system; and
  - (h) The AEO designations throughout the PUD.
- (13) If an applicant proposes a future school site within the PUD but the agreements and funding for the school are not yet secured, the applicant must also provide a conceptual site plan without the school site.

**14.46.240 PUD approval requirements.**

- (1) The County must approve a PUD if it finds that the following requirements have been met:
  - (a) The PUD is consistent with the goals, policies and objectives of the Bayview Ridge Subarea Plan;
  - (b) The PUD is consistent with the purpose of this Chapter;
  - (c) The PUD is consistent with the design standard in this Chapter, including any approved departures as provided for herein;
  - (d) Appropriate provisions are made for the public health, safety, and general welfare and for such open spaces, drainage ways, streets or roads, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and school-grounds and all other relevant features, including sidewalks and other planning features that ensure safe walking conditions for students who only walk to and from school; and
  - (e) Where the build-out of a PUD is divided into phases, land dedications and infrastructure development will be required on a proportional basis per Section 14.28.030, Concurrency facilities and services, as each phase is developed unless the applicant negotiates an alternative phasing schedule with the County. This will be required to be documented on a plat note;
- (2) In addition, the County may impose such conditions, modifications and restrictions deemed necessary to carry out the goals, objectives and policies of the Comprehensive Plan, [Bayview Ridge Subarea Plan](#), and Skagit County Code.

**14.46.245 PUD recording — binding effect — subsequent applications.**

- (1) Recording. The Department must record the approved PUDs with the County Auditor within 30 days of approval. All required fees must be paid by the applicant prior to recording. For PUDs integrated with a subdivision, the plat must be recorded per SCC 14.18.200(7). For PUDs integrated with a binding site plan, the binding site plan must be recorded per SCC 14.18.500(6).
- (2) Binding effect. Any subsequent subdivision, binding site plan, and/or other development applications must conform to the approved PUD plan. See SCC 14.46.250 for provisions regarding alterations to an approved PUD. Where subsequent subdivision, binding site plan, and/or other development applications feature alterations from an approved PUD that meet the definition of a major alteration, such proposals are processed as a new PUD or a joint PUD/subdivision or binding site plan application per Sections 14.46.215-255 of this Chapter.
- (3) Subsequent applications. The County may require additional application materials for subsequent development applications to determine conformance with the approved PUD plan.

**14.46.250 PUD alterations after approval.**

- (1) Subsequent development applications may propose an alteration of an approved PUD. Alterations are considered either major or minor. Minor alterations are those that meet the criteria listed in Subsection (3) below. Major alterations are all others.
- (2) The proposed alteration must be clearly shown on a new site plan and be accompanied by a letter of explanation.
- (3) Minor modification may be considered, provided:
  - (a) The change will not reduce by 10% or more any area of landscaping, open space, natural area or parking, so long as the minimum code requirements for these amenities are still met;
  - (b) The change will not have the effect of increasing the residential density;
  - (c) The change will not increase the total amount of non-residential floor area of a development by 10% or more;
  - (d) The change will not result in any structure, circulation or parking area being moved significantly in any direction;
  - (e) The change will not remove trees or significantly modify other natural features that were to be preserved under the approved PUD plan; and

- (f) The net effect of the proposed change(s) will not significantly increase or create any adverse impacts or undesirable effects on the surrounding neighborhood.
- (4) Minor alterations are processed as a Level I decision per SCC 14.06.110 provided the Administrative Official makes written findings and conclusions that the following exist before approving a minor modification of an approved PUD:
  - (a) The modification will not violate the terms and agreements of the PUD approval and the intent of the original conditions of approval is not altered;
  - (b) The modification will not cause the PUD to violate any applicable policy or regulation; and
  - (c) The modification will not be inconsistent or cause the altered PUD to be inconsistent with the decision of the approved PUD.
- (5) Major alterations are processed the same as a new PUD application per SCC 14.46.215.

**14.46.255 PUD time limits.**

- (1) An approved PUD expires per the time limits set forth in RCW 58.17.170 involving final plat approvals unless the applicant submits an application and is determined to be complete pursuant to SCC 14.06.100 for a subdivision or binding site plan for the first phase of development pursuant to Chapter 14.18 together with all required application fees;
- (2) After the timely submission of a preliminary plat or a binding site plan application for the first phase of development, the PUD remains valid as set forth in RCW 58.17.140 or the approved phasing plan accompanying the approved PUD. Subdivisions or binding site plans for subsequent phases must be completed consistent with the phasing plan approved with the PUD. If the applicant fails to submit a complete final plat application within the Initial Subdivision Filing Period defined above, the PUD approval will expire; and
- (3) Any applicant who files a written request with the Administrative Official at least 30 days before the expiration date may be granted a two-year extension upon a showing that the applicant has attempted in good faith to complete a subdivision application within the required period. Such extension may be processed as a Level I decision per SCC 14.06.110. Only one such extension is allowed, and any such extensions must be conditioned upon the PUD meeting all PUD and subdivision requirements which are in effect at the time the extension is granted; and any additional requirements which may be recommended by the Administrative Official at the time the extension is granted by the Board of County Commissioners.

**14.46.260 Design departures.**

- (1) This Chapter allows for a number of specific design departure opportunities to development standards. The purpose is to provide applicants with the option of proposing alternative design treatments provided such departures meet the “purpose” of the particular standards and any additional departure design criteria that is set forth.
- (2) Design departures are voluntary. This provision allows the flexibility for applicants to propose alternative designs on a voluntary basis, provided they meet the purpose of the standard and applicable departure criteria as noted above.
- (3) Depending on the specific standard that an application is departing from, departures must be processed together with the applicable development application per SCC Chapter 14.06. Since departures warrant special attention during the review process, some applications with departures warrant a higher level of review than standard applications. Specifically, a departure (or departures, where there is more than one departure) associated with a building permit application is processed as Level II applications pursuant to SCC 14.06.120.

**14.46.270 Design review consultant.**

At any point in the development review, including a pre-application meeting, the Administrative Official may retain a design review consultant to assist in meeting discussions and project review related to application of the provisions of this Chapter. The applicant must pay all expenses associated with the design review consultant, subject to a reimbursement agreement between the County and the applicant. The County will notify the applicant of its decision to retain a design review consultant before incurring any expenses.



## Part III: Zoning Provisions

For clarification on the applicability of the zoning provisions herein, see SCC 14.46.110.

### 14.46.300 Purpose.

The purpose of the zoning provisions herein is to implement the goals and policies of the Bayview Ridge Subarea Plan as set forth in SCC 14.46.100.

### 14.46.310 Zoning changes.

PUD applicants may propose changes to the boundaries of the BR-CC, BR-R, and BR-LI districts within the Core Bayview Ridge Planning Area, provided such changes are consistent with the goals and policies of the Bayview Ridge Subarea Plan, the application meets the procedural requirements of SCC 14.08.020, and the proposal conform to the following criteria:

- (1) Any reconfigured BR-LI district must be contiguous with an existing BR-LI district;
- (2) Standards for size and configuration of the BR-CC district:
  - (a) Must be at least five acres in size, but no larger than 15 acres; and;
  - (b) Must be contiguous with Peterson Road and may be placed on both sides of Peterson Road provided the district is sited west of Sunrise Lane.
- (3) Applicants may propose a joint BR-LI/BR-CC district, provided:
  - (a) A separate BR-CC district at least five acres in size exists or is proposed;
  - (b) Designated BR-CC and joint BR-CC/BR-LI districts do not exceed 15 acres in size;
  - (c) Joint BR-CC/BR-LI area meets the locational requirements set forth in paragraph (1) and (2)(b) above;
  - (d) Site development and buildings within a joint BR-CC/BR-LI district fronting on Peterson Road must conform to the BR-CC block frontage and orientation standards in SCC 14.46.410 and project design standards in Part V of this Chapter. For example, even if a BR-LI-use building is proposed in this joint zone adjacent to Peterson Road, the building will need to meet the building design provisions of SCC 14.46.530; and
  - (e) Developments in joint BR-CC/BR-LI districts may choose from the permitted use lists of either districts (see SCC Chapter 14.16), provided the development conforms to the density and dimensional standards of the BR-CC district as stated in SCC 14.46.330 below.

**14.46.320 Permitted uses.**

See SCC Chapter 14.16 for permitted uses, administrative special uses, and hearing examiner special uses for the applicable zoning districts.

**14.46.330 Density and dimensional standards.**

- (1) **Minimum gross density in BR-R zone** is four dwelling units per acre. Exceptions:
  - (a) The following lands may be excluded for the purpose of calculating minimum gross density requirements:
    - (i) Designated critical areas and associated buffers;
    - (ii) Land areas dedicated to the public for open space or schools;
    - (iii) Unbuildable pipeline easements; and
    - (iv) The footprint of stormwater detention ponds.
  - (b) Airport Safety Zones 3L, 4L, and 4S have special density restrictions set forth in SCC 14.16.210 and are exempt from the minimum residential density provision.
  - (c) There are no minimum residential density standards for the BR-CC zone.
- (2) **Maximum gross density:** Densities greater than four dwelling units per acre, up to a maximum of six dwelling units per acre may be achieved within the BR-CC and BR-R zones inside the Core Bayview Ridge Planning Area through a two tier system of bonus incentives as described in Table 14.46.330(2) and paragraphs (a) through (c) below. Maximum densities must conform to the provisions of SCC 14.16.210, Airport Environs Overlay.

**Table 14.46.330(2). Density bonus options for the BR-CC and BR-R zones.**

<b>Density Bonus Options</b>	
<b>Tier 1: Exceed 4 units/acre up to max. of 5 units/acre</b>	<b>Tier 2: Exceed 5 units/acre up to max. of 6 units/acre</b>
Purchase of Farmland Density Credits (a), subject to adoption of associated TDR program. Until a TDR program is established, any of the bonus options in Tier 2 may be used for Tier 1 density bonuses.	Purchase of Farmland Density Credits (a)
	Affordable housing incentives (b)
	Environmental certification incentives (c)

- (a) Purchase of Farmland Density Credits: To increase from four dwelling units per acre up to a maximum of six dwelling units per acre, farmland density credits must be purchased, subject to the adoption of a TDR program. Until a TDR program is established, any of the bonus options in Tier 2 may be used for Tier 1 density bonuses.

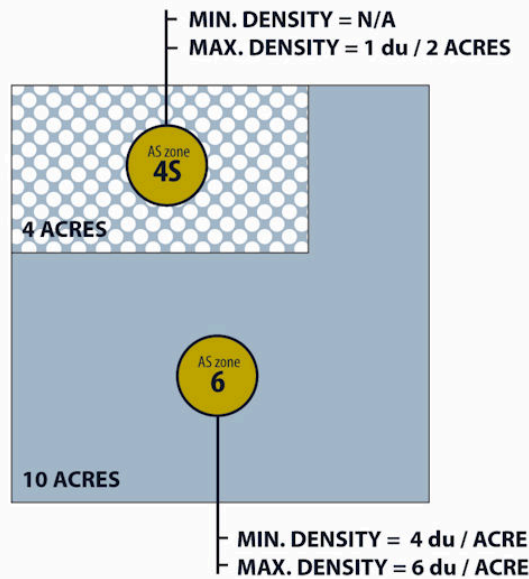
Density bonus options (b) through (c) below represent the second tier of options. To get a density bonus from four dwelling units/acre up to five dwelling units/acre, option (a) above must be used, if adopted. To get a density bonus from five dwelling units/acre up to the maximum of six dwelling units per acre, any of the bonus options may be used (a-c). Exception: If a TDR program has not been established by the County, bonus options (b) through (c) below may be used in place of option (a), Purchase of Farmland Density Credits.

- (b) Affordable housing incentives: To comply with this option, at least 20% of the total units must meet affordable housing standards (affordable to persons with incomes at or below 80% of the median income for Skagit County residents) per Subsection (7) below.
  - (c) Environmental certification: To comply with this option, development must comply with the provisions of Subsection (8) below.
- (3) Density averaging:
- (a) BR-R zone: The minimum and maximum densities described in Subsection (1) and (2) above are calculated on an average basis throughout a PUD, subdivision, or binding site plan application and/or between multiple properties within the BR-R zone provided such concomitant agreements are defined in and recorded on the applicable PUD, plat, title report and/or binding site plan for all applicable properties. BR-R zoned lands within Airport Safety Zones 3L, 4L and 4S, however, have special density restrictions that must be complied with and effectively reduce the density available to share with share with BR-R zoned lands outside of those Airport Safety Zones. Examples and clarification:
    - (i) A large BR-R zoned development includes a combination of detached single-family uses, cottages, duplexes and townhouses. Portions of the development are built to densities much lower than four dwelling units per acre (example – one-half acre single-family lots) while other areas feature very small lots (4,000 square feet single-family lots and townhouses with individual lots at only 1,000 square feet). Combined, the development meets the minimum four units per acre standard.
    - (ii) Developer A wants to build a subdivision with a density of three units per acre and sells the rights of the balance density (one unit/acre multiplied by X acres) to Developer B via a concomitant agreement and recorded on the applicable PUD, plat, title report and/or binding site plan for all applicable properties. Developer B will be required to incorporate the subject density on the applicable property, provided the combined developments meet applicable minimum density requirements. For example, the density/unit exchange may require Developer B to

achieve a minimum density on the subject site of five dwelling units/acre, depending on the details of the agreement.

- (iii) Figure 14.46.330(3) below illustrates an example BR-R zoned property that includes some land within the Airport Safety Zone 4S, which includes special density restrictions, and a larger area within Airport Safety Zone 6, which does not have special density restrictions different than those set forth for the BR-R zone. The illustration and caption explain the density parameters and special limitations.

## Example Development in the BR-R zone SITE DENSITY PARAMETERS



**TOTALS**  
 14 acres of BR-R zoned land

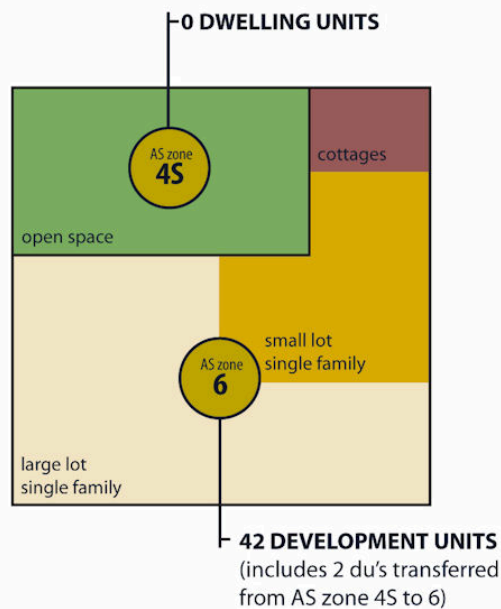
**Min. Density**  
 4 acres in AS zone 4S = 0 du (4S zone exempt)  
 + 10 acres in AS zone 6 x 4 du / acre = 40 du's  
 = **40 dwelling units**

**Max. Density**  
 4 acres in AS zone 4S x 1 du / 2 acres = 2 du's  
 + 10 acres in AS zone 6 x 6 du / acre = 60 du's  
 = **62 dwelling units** provided development integrates density bonus provisions per Table 14.46.330(2)

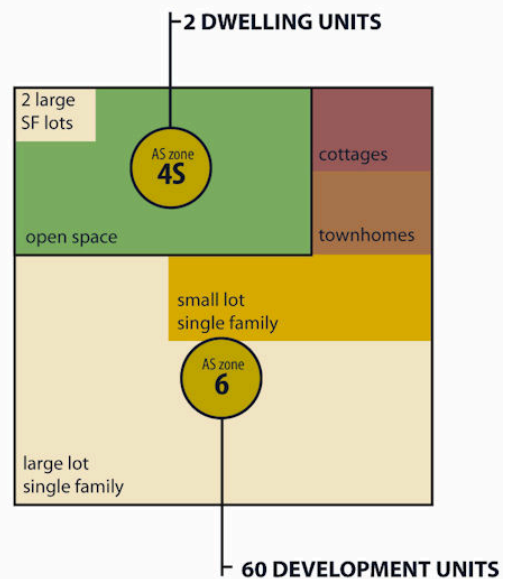
**LEGEND**

# Airport Safety Zone  
 du Dwelling Unit(s)

### Development Scenarios 1. NO BONUS



### Development Scenarios 2. FULL BONUS



**Figure 14.46.330(3).** Illustrating density parameters for an example 14 acre BR-R zoned property that includes four acres within the Airport Safety Zone 4S, which includes special density restrictions, and ten acres within Airport Safety Zone 6, which does not have special density restrictions different than those set forth for the BR-R zone. The four-acre 4S segment only has a capacity for up to two dwelling units. Under the density averaging provision, those units could be transferred out of the 4S segment and into the

*Airport Safety Zone 6 segment. Due to the special density restrictions in the 4S zone, however, available density from the Airport Safety Zone 6 segment cannot be transferred into the 4S zone.*

- (b) BR-CC zone: The maximum densities described in Subsection (2) above are calculated on an average basis throughout a PUD, subdivision, or binding site plan application within the BR-CC zone. Density averaging/transfers between the BR-CC and BR-R zones are not allowed.
- (4) Dimensional standards: Table 14.46.330(4) below includes dimensional standards that address the form and intensity of development in the Core Bayview Ridge Planning Area. The table must be interpreted as follows:
  - (a) The zone district is located on the vertical column and the form/intensity topic being addressed is located on the horizontal row of these tables;
  - (b) Where a Skagit County Code (SCC) reference/link appears after the form and intensity topic, then the subject development and/or use is subject to standards set forth in that section or Chapter; and
  - (c) If a number appears in the box at the intersection of the column and the row, refer to the development condition with the corresponding number immediately following the table. If there are multiple numbers, then all development conditions apply.

**Table 14.46.330(4). Dimensional standards table.**

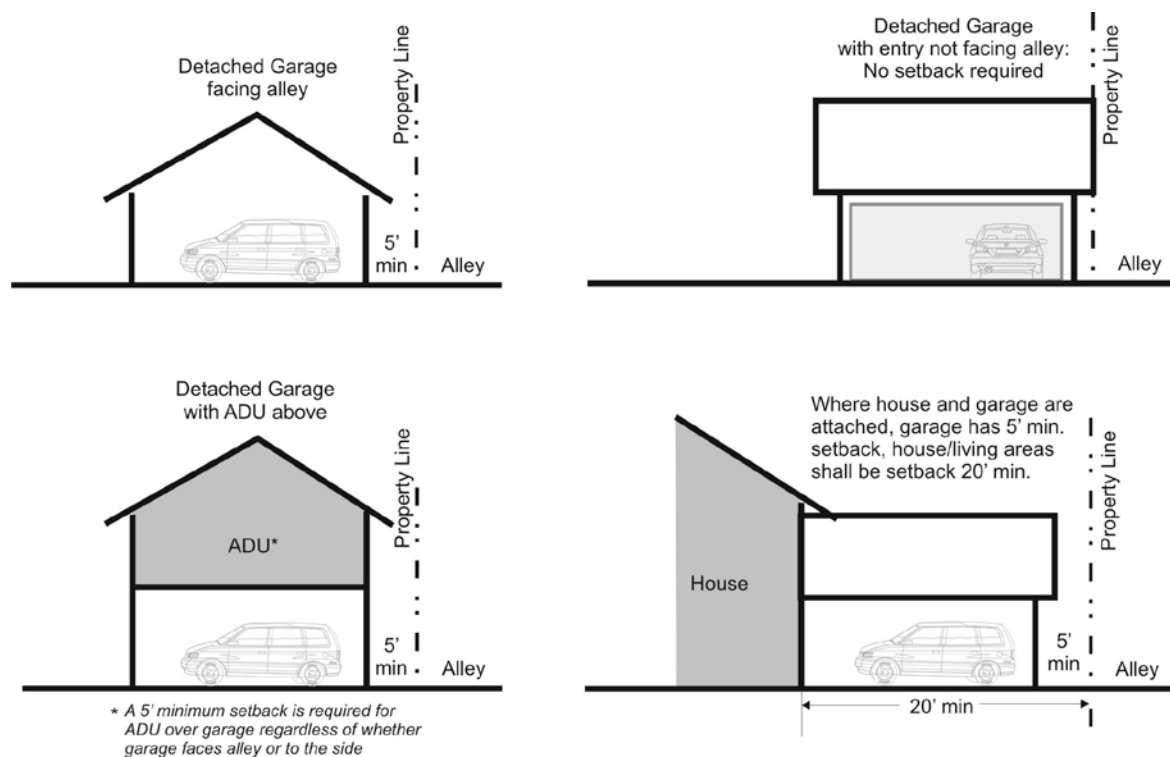
Development Form and Intensity Topic	BR-CC	BR-R	BR-LI
<b>DEVELOPMENT INTENSITY AND CONFIGURATION</b>			
Minimum lot area	None <sup>1</sup>	None <sup>1</sup>	See SCC 14.16.180 for applicable standards.
Minimum frontage	None <sup>1,2</sup>	None <sup>1,2</sup>	
Density, minimum/maximum	See SCC 14.16.330(1-3) above.		
Maximum impervious area <sup>3</sup>	85% non-residential & mixed-uses; Residential uses - variable—see SCC 14.16.330(6) below	Variable—see SCC 14.16.330(6) below	
Maximum height	50 ft <sup>4,5</sup>	40 ft <sup>4,5</sup>	
<b>SETBACKS</b>			
Front setback	0 ft (min.) to 20 ft (max.) non-residential uses <sup>6,7</sup> ; 10 ft (min.) residential uses <sup>7</sup>	15 ft <sup>6</sup>	See SCC 14.16.180 for applicable standards.

Development Form and Intensity Topic	BR-CC	BR-R	BR-LI
Front setback, private garage or other accessory structure	25 ft	25 ft	
Rear setback	0 ft (min.) non-residential and mixed-use <sup>8</sup> ; 20 ft (min.) residential uses	20ft <sup>8</sup>	
Rear setback, accessory structures and detached accessory dwelling units	0 ft (min.) non-residential and mixed-use <sup>8</sup> 5 ft (min.) residential uses <sup>9</sup>	5 ft <sup>9</sup>	
Rear setback adjacent to alley	0 ft (min.) non-residential and mixed-use; 0 ft (min.) for garages not facing alley; 5 ft (min.) for garages facing alley; 5 ft (min.) for residential use	0 ft (min.) for accessory buildings and garages not facing alley <sup>11</sup> ; 5 ft (min.) for garages facing alley <sup>11</sup> ; 5 ft (min.) for detached ADU (may be attached to a garage) <sup>11</sup> ; 20 ft (min.) for residential use <sup>11</sup>	
Side setback	0 ft (min.) non-residential and mixed-use <sup>8</sup> ; 5 (min.) ft residential use <sup>10</sup>	5 ft <sup>8, 10</sup>	

*Development conditions:*

1. Lot sizes may be variable provided they are sized and shaped sufficient to accommodate permitted uses and conform to applicable design and density standards in this Chapter.
2. New lots must have direct access to a public right-of-way (street or alley). Exceptions:
  - a. Residential lots may obtain access from a courtyard access consistent with SCC 14.46.440(5)(c); and
  - b. Alternative access may be approved by the County Engineer per the provisions of SCC 14.18.000(5)(b).
3. Developments are also subject to the provisions of SCC Chapter 14.32, Drainage Ordinance.
4. Building heights must conform to the applicable Federal Aviation Administration regulations concerning height restrictions pursuant to the Airport Environs Overlay, SCC 14.16.210.
5. Height exemptions. Flagpoles, ham radio antennas, church steeples, water towers, meteorological towers, fire towers, and unoccupied architectural design features are exempt from the maximum height, but must conform to the applicable Federal Aviation Administration regulations. The height of personal wireless services towers is regulated in SCC 14.16.720.

6. Porches and covered entries may project up to 8 feet into the front setback. For example, if the minimum setback is 15 feet, then a porch can extend into the setback area, up to 7 feet from the front property line.
7. See SCC 14.46.450 for block frontage and setback provisions for uses in the BR-CC zone.
8. See SCC 14.46.520(5) for design standards related to side and rear yard setbacks for non-residential, mixed-use, and townhouse/apartment buildings.
9. Accessory structures and accessory dwelling units built over garages may be built to a property line abutting an alley except where the garage doors face the alley.
10. Townhouses (see SCC 14.46.510(3)) and zero lot line homes (see SCC 14.46.440(5)(a)) are exempt from side yard standards internal to a development. However, such uses must meet applicable side setback standards for adjacent lots outside of the development.
11. See Figure 14.46.330(4) below for clarification of rear setbacks adjacent to alleys in the BR-R zone.



**Figure 14.46.330(4).** Rear setbacks adjacent to alleys in the BR-R zone.

- (5) The proposed development configuration must be consistent with the Airport Environs Overlay (AEO);
- (6) Impervious area standards for residential zones: Table 14.46.330(6) below sets forth impervious standards for residential uses on a sliding scale based on the density of development on a lot. For example, a single-family home on a 7,000 square foot lot equates to a density of 6.2 dwelling units/acre, thus providing for a maximum impervious area standard of 45%. A duplex on the same 7,000 square foot lot equates to 12.4 dwelling



units/acre, thus providing a maximum impervious area standard of 60%. For townhouses and apartment buildings, the impervious area standards will be applied to applicable development site, including associated parking, landscaping, and open space areas (rather than just individual units in the building).

**Table 14.46.330(6). Impervious area standards for residential uses.**

	Lot Density (dwelling units/acre) <sup>1</sup>					
	<3.5 du/acre	3.5-4.99 du/acre	5-6.99 du/acre	7-9.99 du/acre	10-14.99 du/acre	15 or more du/acre
Maximum impervious area <sup>2, 3, 4, 5</sup>	30%	40%	45%	50%	60%	70%

Notes and exceptions to impervious area calculations:

1. Lot density refers to the number of proposed dwelling units per acre lot size. Apartments, townhouses, duplexes, and cottage housing developments must base their lot density on the defined project area, excluding any on-site wetlands and associated buffers. Detached single-family developments must use their lot size to determine the lot density, per the following:
  - a. Density <3.5 du/acre = lot size <12,446 square feet.
  - b. Density 3.5 - <5.0 du/acre = lot size 12,446 to 8,713 square feet.
  - c. Density 5.0 - <7.0 du/acre = lot size 8,712 to 6,224 square feet.
  - d. Density 7.0 – <10.0 du/acre = lot size 6,223 to 4,357 square feet.
  - e. Density 10.0 – <15.0 du/acre = lot size 4,356 to 2,905 square feet.
  - f. Density 15.0 or greater du/acre = lot size 2,904 square feet or less.
2. Green roofs and spaced decks built over unpaved surfaces may be discounted at a 50% rate, in terms of impervious area calculations. For example, 2,000 square feet of green roof is counted as 1,000 square feet of impervious area.
3. Permeable pavement areas may be discounted up to the demonstrated infiltration rate for the specified pavement system.
4. Single-story homes will be granted a 10% increase in allowable impervious area, provided the restrictions are recorded on the plat. For example, for lots with a density of 7.1-10 dwelling units/acre, the maximum impervious area would be 60% instead of 50%.
5. An increase in impervious area by up to 10% (in addition to areas allowed in Items 1-4 above) may be permitted by the responsible official provided alternative treatments employ best management practices as defined in the Department of Ecology’s Stormwater Management Manual for Western Washington that can successfully minimize water runoff and associated impacts.
  - (7) Affordable housing density bonus incentive requirements: In order to qualify for this incentive, at least 20% of the total units must meet affordable housing standards as noted below.
    - (a) Affordable housing unit requirements:

- (i) Units must be affordable to persons with incomes at or below 80% of the median income for Skagit County residents;
  - (ii) Duration: Housing must serve only income-eligible households for a minimum period of 25 years from the later of the date when the Affordability Agreement between the housing owner and the County, as referenced in Subsection (3) below is recorded, or the date when the affordable housing becomes available for occupancy as determined by the Administrative Official;
  - (iii) Designation of affordable housing units: Prior to the issuance of any permit(s), the Administrative Official must review and may approve the location and unit mix of the affordable housing units consistent with the following standards:
    - (A) Location: The location of the affordable housing units must be approved by the County, with the intent that they generally be intermingled with all other dwelling units in the development;
    - (B) Tenure: The tenure of the affordable housing units (ownership or rental) must be the same as the tenure for the rest of the housing units in the development;
    - (C) Size (bedrooms): The affordable housing units must consist of a range of number of bedrooms that are comparable to units in the overall development; and
    - (D) Size (square footage): If there is a proposal that the affordable units be smaller than the market rate units, in no case may the affordable housing units be less than 500 square feet for a studio unit, 600 square feet for a one bedroom unit, 800 square feet for a two bedroom unit, or 1,000 square feet for a three bedroom unit;
  - (iv) Design: The exterior design of the affordable housing units must be compatible and comparable with the rest of the dwelling units in the development and must comply with applicable design standards in this Chapter. The interior finish and quality of construction of the affordable housing units must at a minimum be comparable to entry level rental or ownership housing in the County; and
  - (v) Timing/phasing: The affordable housing units must be available for occupancy in a time frame comparable to the availability of the rest of the dwelling units in the development.
- (b) Affordability agreement: Prior to issuing any building permit, an agreement in a form approved by the Administrative Official that addresses price restrictions, homebuyer or tenant qualifications, phasing of construction, monitoring of affordability, duration of

affordability, and any other applicable topics of the affordable housing units must be recorded with Skagit County Auditor's Office. This agreement must be a covenant running with the land and must be binding on the assigns, heirs, and successors of the applicant. The County may agree, at its sole discretion, to subordinate any affordable housing regulatory agreement for the purpose of enabling the owner to obtain financing for development of the property.

- (c) Monitoring and fee: The County reserves the right to establish in the Affordability Agreement referred to in Subsection (3) above, monitoring fees for the affordable housing unit, which can be adjusted over time to account for inflation. The purpose of any monitoring fee is for the review and processing of documents to maintain compliance with income and affordability restrictions of the Affordability Agreement.
- (8) Environmental certification density bonus incentive requirements: In order to qualify for this incentive, all dwelling units must be built to achieve LEED Silver certification, Built Green 4-star certification or equivalent rating system certification provided that:
- (a) Applicable certification or rating systems must be indicated on the plat or binding site plan and confirmed with individual building permit application as directed below;
  - (b) Applicable building permits must be consistent with all conditions of the land use permit approval;
  - (c) Proof of ongoing certification is required during construction and project certification must be completed prior to final occupancy permit (not Temporary Occupancy Permits); and
  - (d) The certification is verified by an independent party approved by the Administrative Official.

## Part IV: Community Design

For clarification on the applicability of the zoning provisions herein, see SCC 14.46.110.

### 14.46.400 Purpose.

The provisions herein are intended to guide the layout and design of the bigger picture community design elements consistent with the goals and policies of the Bayview Ridge Subarea Plan. The community design elements address street and trail layout and design, subdivision design, development frontage design, park/open space design, and school design and integration.

### 14.46.410 BR-CC block frontages and orientation.

- (1) Purpose:
  - (a) To create a pedestrian-oriented village core area centered on or adjacent to Peterson Road with a concentration of storefronts; and
  - (b) To promote pedestrian-oriented street frontages throughout the BR-CC zone by limiting the extent of parking lots located along the streetfront, providing for building entries visible from the sidewalk, and integrating a minimum amount of window transparency of facades to enhance the character of streets and promote “eyes on the street” for safety.
- (2) BR-CC village core area design options: Applicants may choose from one of three design options for the BR-CC village core area, as defined below and summarized in Figure 14.46.410.

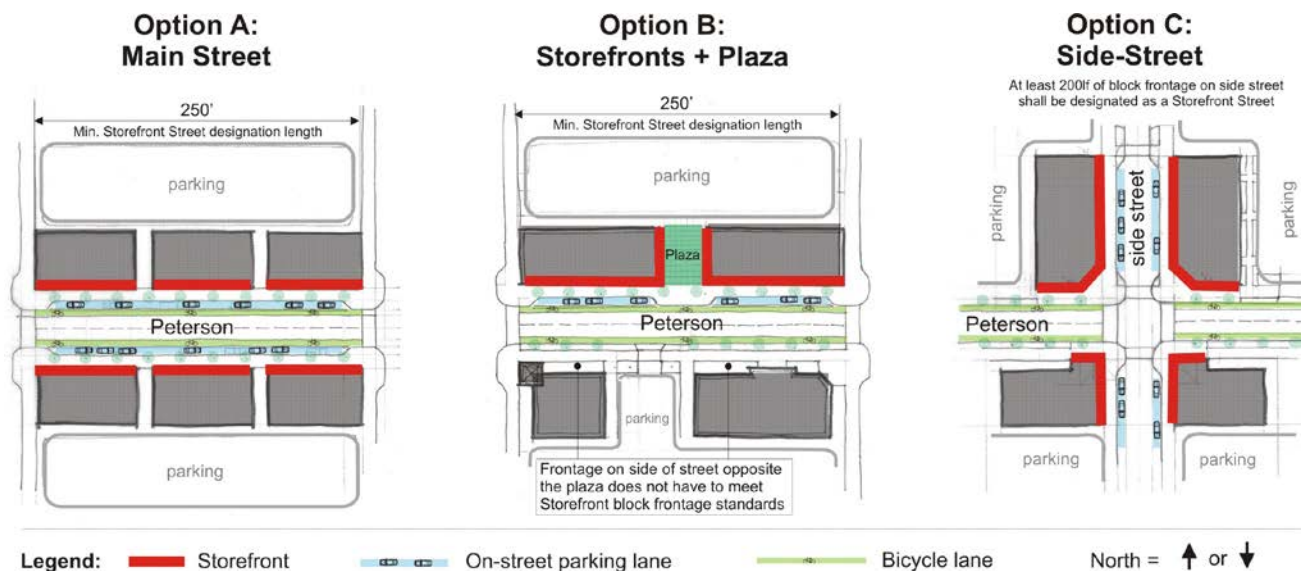


Figure 14.46.410. Examples of development under the three BR-CC village core design options.

- (a) **Option A: Main Street:** A segment of Peterson Road a minimum length of 250 lineal feet west of the Fire Station must be designated as a "Storefront Street" on the applicable PUD, plat, and/or binding site plan. See Subsection (3) below for street and block frontage standards for designated Storefront Streets.
- (b) **Option B: Storefronts & Plaza:** Same as Option A above, except the "Storefront Street" designation only applies to one side of Peterson Road and the design integrates a focal pedestrian-oriented space with the storefronts. Such space must be at least 2,000 square feet in area with no dimension less than 40 feet and meet the design standards set forth in SCC 14.46.520(4)(b). Building facades adjacent to the space must meet storefront requirements set forth in Subsection (3) below. Such focal open space may be used to contribute towards the Community Park space requirements per SCC 14.46.460(2)(a) due to its community-wide importance. See Figure 14.46.410(2)(b) below for examples;



**Figure 14.46.410(2)(b).** An example of the type and size of focal pedestrian-oriented space envisioned adjacent to Peterson Road.

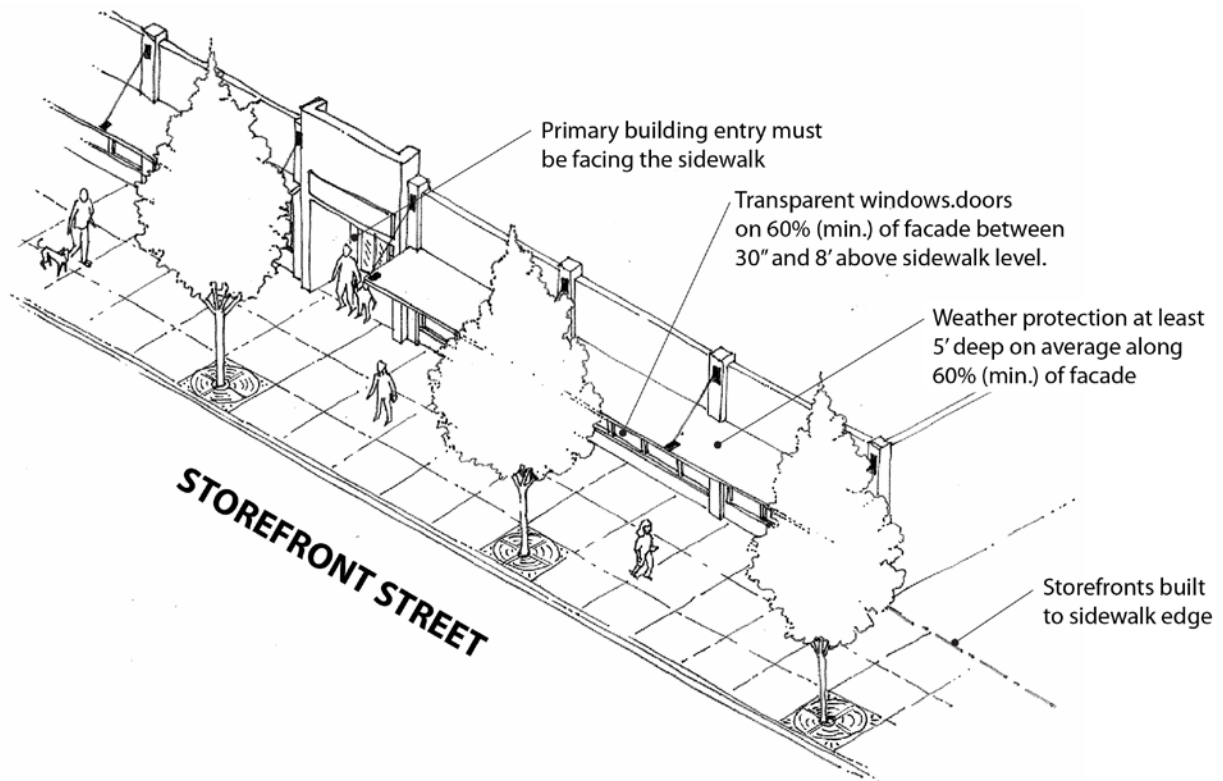
- (c) **Option C: Side Street:** This option focuses storefronts along a side street adjacent to Peterson Road. At least 200 lineal feet of block frontage (both sides of the street) along the subject side street must be designated as a Storefront Street on the applicable PUD,

plat, and/or binding site plan. The designation must extend on both sides of Peterson Road. Storefronts, as defined in paragraph (3)(b) below, must wrap around the building corners adjacent to Peterson Road at least 30 lineal feet.

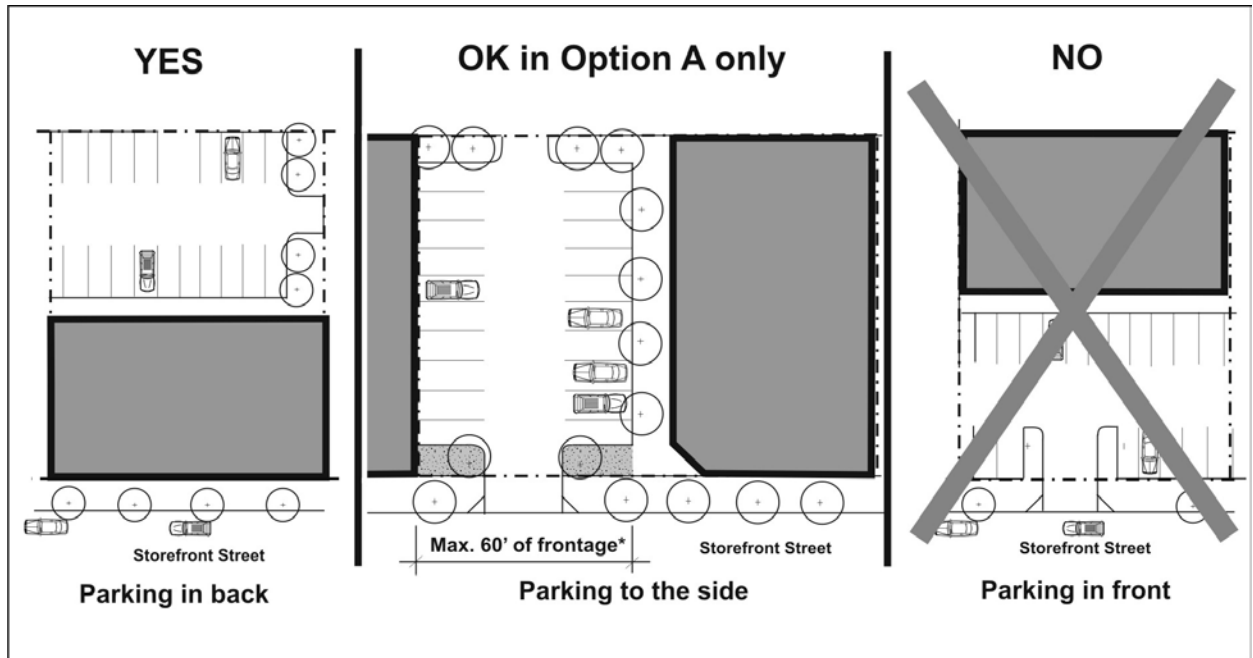
- (d) **Departure:** Other village core design options will be considered provided they include a similar or better concentration of storefronts and a strong visual and physical connection to Peterson Road as determined by the reviewing authority. Any departure proposals must integrate a focal pedestrian-oriented space as required in paragraph (b) above. Designs that separate the cluster of storefronts and open space from Peterson Road with a parking lot may not be considered. Departure designs must integrate at least 400 lineal feet of storefront block frontage on the PUD site plan, plat, and/or binding site plan. Where storefronts are designated on both sides of the street, then each frontage may count towards the minimum 400 lineal feet requirement separately.
- (3) Design standards for designated Storefront Streets/block frontages and adjacent uses include:
- (a) Storefront location: Storefronts built up to the sidewalk edge (or focal pedestrian-oriented space) are required. Building setbacks are allowed for widened sidewalks and/or space meeting the design criteria for pedestrian-oriented spaces as set forth in SCC 14.46.520(4)(b);
  - (b) Storefront features (see Figure 14.46.410(3)(b)): Storefronts must include:
    - (i) Minimum 12'-foot floor to ceiling height a minimum depth of 30 feet;
    - (ii) Transparent windows or doors covering at least 60% of the façade between 30 inches and eight feet above the sidewalk;
    - (iii) A pedestrian entry facing the sidewalk; and
    - (iv) Weather protection averaging at least five feet deep along at least 60% of the façade. Glazed windows, display cases, or other design features that do not allow visibility between the sidewalk and the building interior will not qualify as transparent window/door area;
  - (c) Parking lot location: Parking lots must be located to the side or rear of buildings. No more than 60 feet of frontage between buildings along this segment may be occupied by parking and vehicle access areas (see Figure 14.46.410(3)(c)). Exception: No parking lots are permitted on the particular block frontage designated as a Storefront Street in village core area design Options B and C in Subsection (2) above;
  - (d) On-street parking: Eight-foot minimum on-street parking lanes must be integrated into the design of designated Storefront Streets. See Figure 14.46.410 above for

configurations under the three village core design options. Breaks in on-street parking may be provided adjacent to crosswalks or plaza spaces; and

- (e) Drive-through uses: Access lanes for drive through uses/windows are not allowed between a Storefront Street and any building. Drive through lanes between a street and a building qualify as a parking lot and vehicular access area, for the purpose of parking lot location standards herein.



**Figure 14.46.410(3)(b).** Storefront design standards (top image) and development examples (lower images).



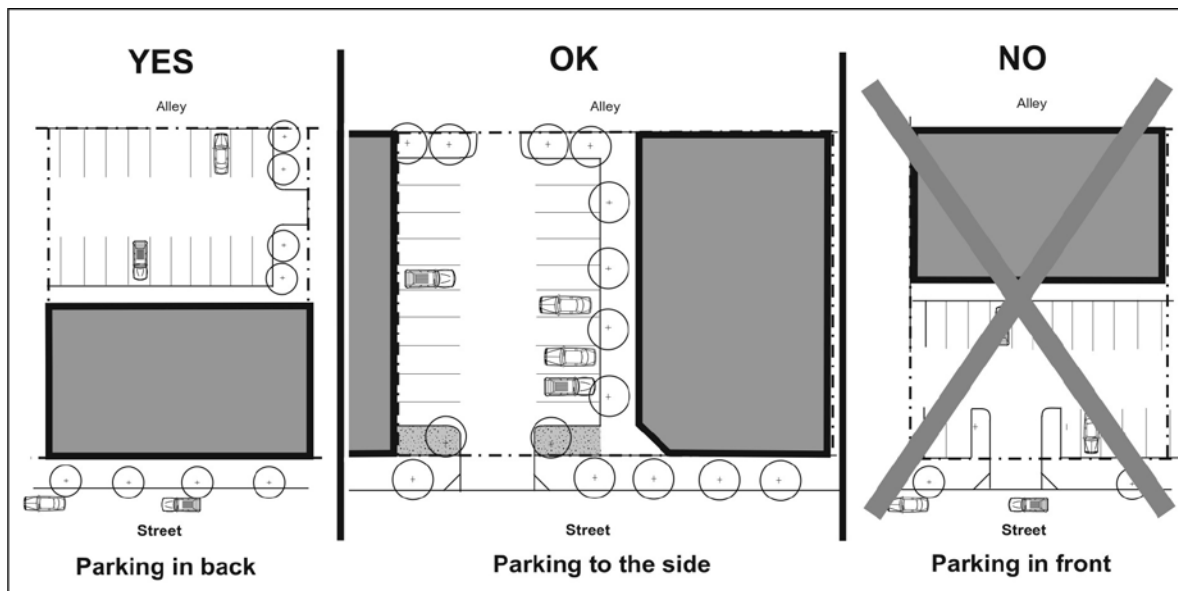
**Figure 14.46.410(3)(c).** Parking lot location standards for Storefront Street block frontages. Note that the walkway to the side of the parking area is not included in the calculation for the parking area.

(4) Design standards for other street frontages:

- (a) Storefront buildings are permitted adjacent to the sidewalk provided the ground floor adjacent to the street features a minimum 12-foot floor to ceiling height a minimum depth of 30 feet and conforms to storefront requirements set forth in paragraph (2)(b) above.
- (b) Standards for all other buildings (landscaped frontages):
  - (i) Minimum and maximum building setbacks must be ten and 20 feet respectively, except where otherwise noted in this Chapter. **Departures** will be considered for both the minimum and maximum setbacks, provided the proposed building and landscaping treatments help to physically define the street edge and add visual interest to the pedestrian along the sidewalk.
  - (ii) Parking must be located to the side or rear of buildings. Parking lots adjacent to street corners are prohibited, except on blocks where a building or buildings are sited to front onto Peterson Road or a designated Storefront Street in the BR-CC zone and parking lots are located on street corners on the other end of the blocks away from Peterson Road or other designated Storefront Street. See Figure 14.46.410(3)(b)(ii) below. For schools, see SCC 14.46.470 for parking lot location provisions.



- (iii) Building entrances for commercial buildings must be visible from the street. Building entrances for residential buildings must face the street, except townhouses and apartment buildings organized around a courtyard may include entrances that face the courtyard, provided the courtyard is accessible and visible from the street.
- (iv) Weather protection over building entrances at least three feet deep must be provided over primary business, public building, and residential entrances. Weather protection features must maintain at least eight feet of vertical clearance.
- (v) Window transparency: For non-residential and mixed-use buildings (other than storefronts), at least 40% of the ground floor street facade between 30 inches and eight feet above grade must be transparent windows and doors. Glazed windows, display cases, or other design features that do not allow visibility between the sidewalk and the building interior will not qualify as transparent window/door area. For residential buildings, at least 15% of the street facade must be transparent (all vertical surfaces of the facade). **Departures** will be considered (up to a 50% reduction in minimum transparency), provided the design treatments add visual interest to the building from the street and sidewalk.



*Figure 14.46.410(4)(b)(ii). Parking lot location standards for street frontages (other than designated Storefront Streets) in the BR-CC zone.*

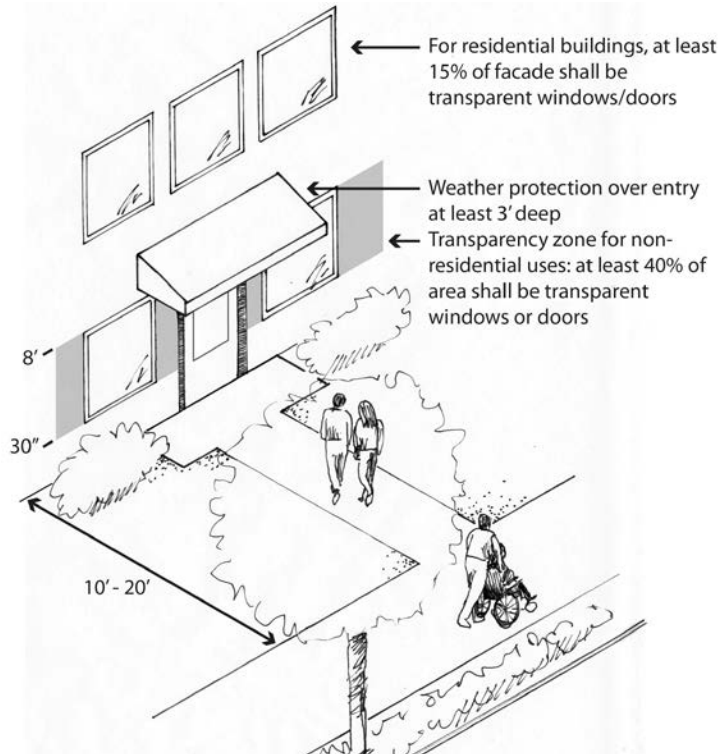


Figure 14.46.410(3)(b)(iii). Building frontage standards in the BR-CC zone (for non-storefront buildings).

#### 14.46.420 Street design.

(1) Purpose:

- (a) To promote a special design character along Peterson Road within the BR-CC zone that is especially sensitive to pedestrian needs and supportive of the village core retail uses;
- (b) To utilize street trees and landscaping to enhance the character of streets, calm vehicular travel speeds, and provide environmental benefits; and
- (c) To promote street design that safely accommodates pedestrians, bicyclists, vehicles (including emergency and agricultural), and transit (collectors and arterials).

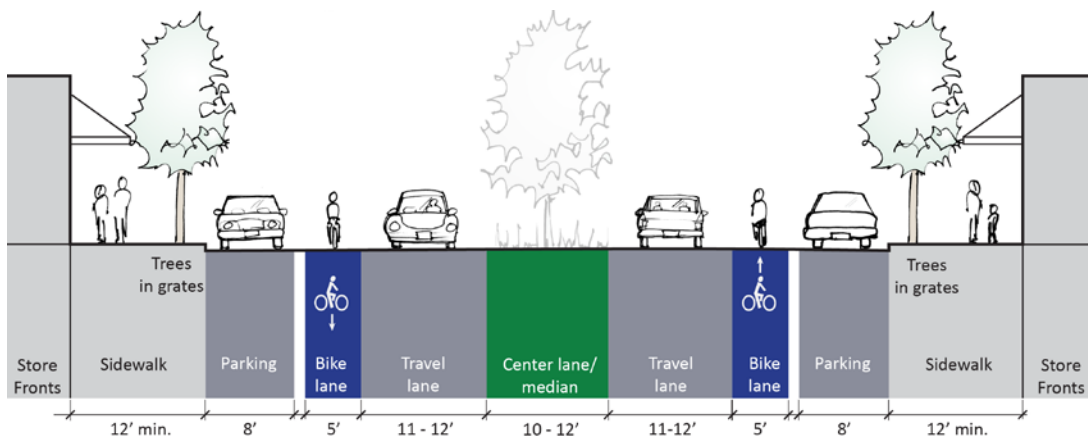
(2) Peterson Road design elements:

- (a) One travel lane in each direction (11-12 foot lanes);
- (b) A center turn-lane where necessary in findings from a traffic study based on existing and proposed uses;
- (c) Five-foot bicycle lanes (minimum) on each side of the street. Where an on-street parking lane exists adjacent to a bicycle lane, add a one to two-foot striped buffer to minimize "dooring" impacts to cyclists;

- (d) A landscaped median is encouraged along all segments where a turning lane is not necessary. Alternatively, where a narrower street is preferred by the applicant in the area(s) adjacent to storefronts, a cross-section without a median or center turn lane may be used;
- (e) Eight-foot on-street parking lanes, where required per the applicable BR-CC village core design option chosen, per SCC 14.46.410(2);
- (f) Twelve-foot sidewalks (minimum) on segments adjacent to storefronts. Wider sidewalks, if possible, are encouraged to allow for seating areas. Eight-foot sidewalks (minimum) along all other segments; and
- (g) Five-foot planting strips (minimum) where there is no on-street parking with trees placed every 30 feet on center (average). Where there is on-street parking, street trees must be placed in grates every 30 feet on-center (average).

**Peterson Road cross-section options where adjacent to storefronts**

**Median/center turn lane option**



**No median/center turn lane option**

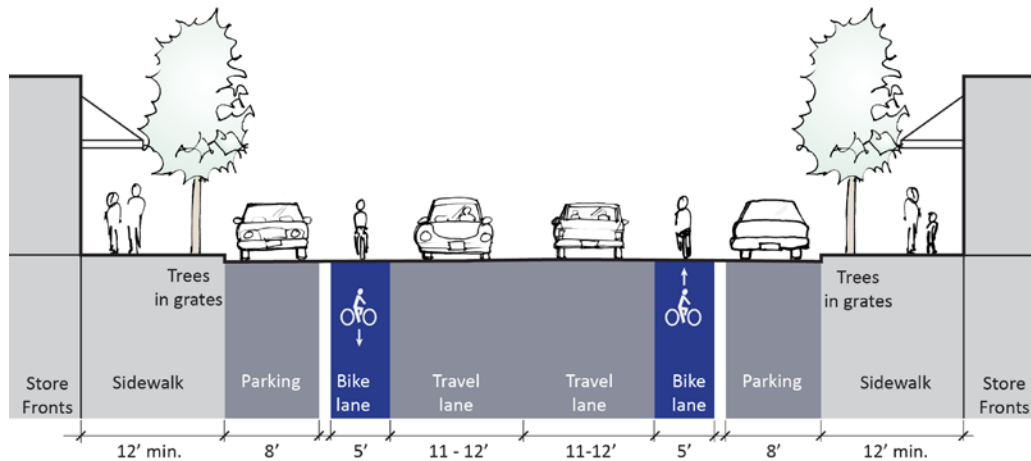


Figure 14.46.420(2)(a). Diagrammatic Peterson Road cross-section options, where adjacent to storefronts.

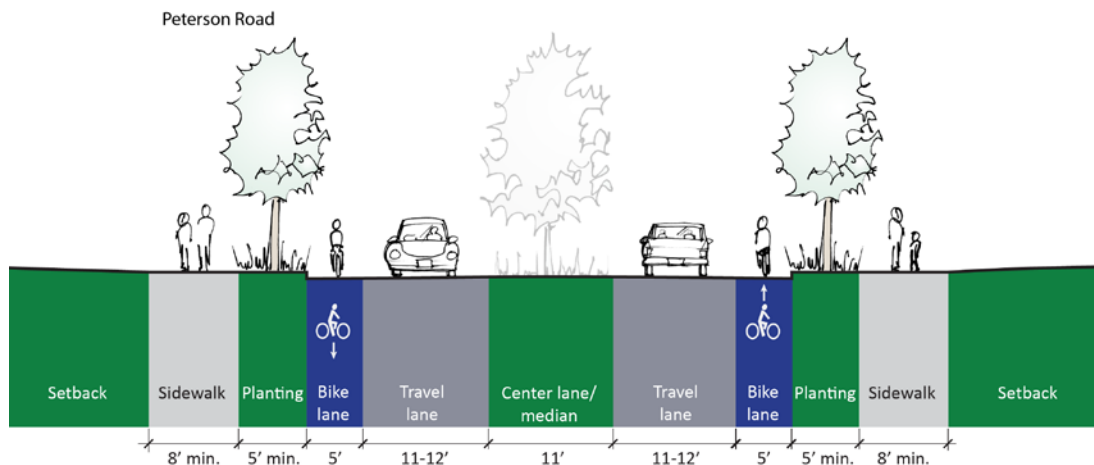


Figure 14.46.420(2)(b). Diagrammatic Peterson Road cross section along segments not adjacent to planned storefronts.

- (3) All other streets within the BR-CC zone and other collector or arterial streets within the BR-R zone must include:
  - (a) One travel lane in each direction (11-12-foot lane widths);
  - (b) Eight-foot sidewalks (minimum) adjacent to proposed commercial, mixed-use, and public uses and five-foot (minimum) elsewhere;
  - (c) Five-foot planting strips (minimum) with trees placed every 30-foot on center (average, minimum);
  - (d) Five-foot bicycle lanes for all designated collector streets; and
  - (e) On-street parking lanes are encouraged in commercial and mixed-use areas.

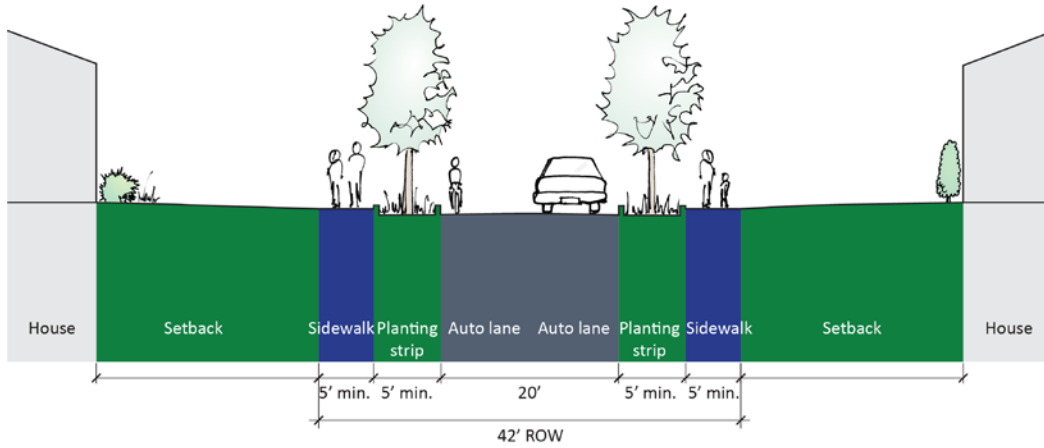
- (4) Local access streets in the BR-R zone: There are three optional designs for local access streets, including 20-foot, 24-foot, and 30-foot wide streets, to allow flexibility for subdivision design while accommodating functional access needs and community design goals. Components include:
- (a) Travel lanes are shared auto and bicycle lanes;
  - (b) Planting strips and sidewalks are included on both sides of the street. Trails as designed per SCC 14.46.440 may replace the sidewalk on one side of the street;
  - (c) Street trees must be included at 30-foot intervals on average (minimum);
  - (d) Low impact development techniques are encouraged to be integrated in the streets, planting strips, and sidewalks. See Figure 14.46.420(4)(d) below for examples; and



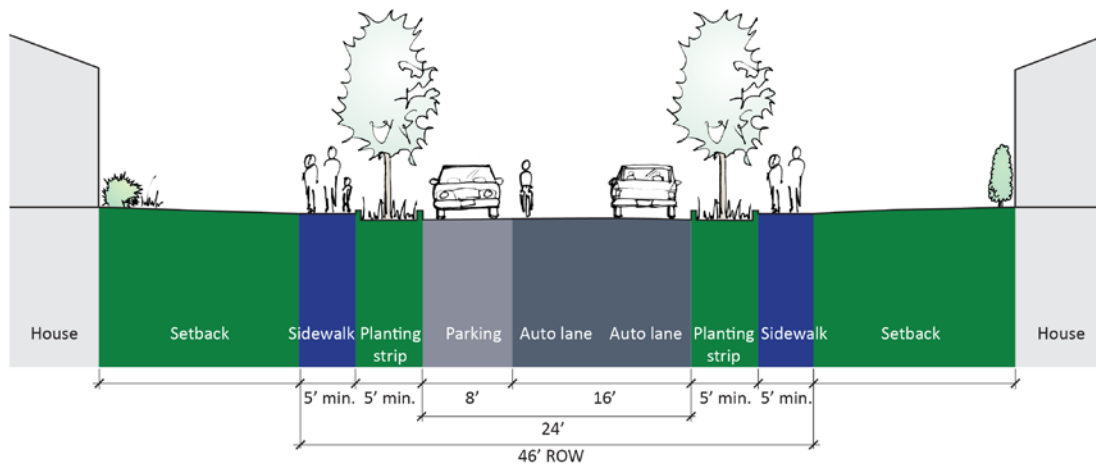
**Figure 14.46.420(4)(d).** Low impact development examples in Seattle (left) and Port Townsend (right).

- (e) See Figure 14.46.420(4) for dimensional standards for the design options. See Skagit County Public Works Standards for detailed construction standards.

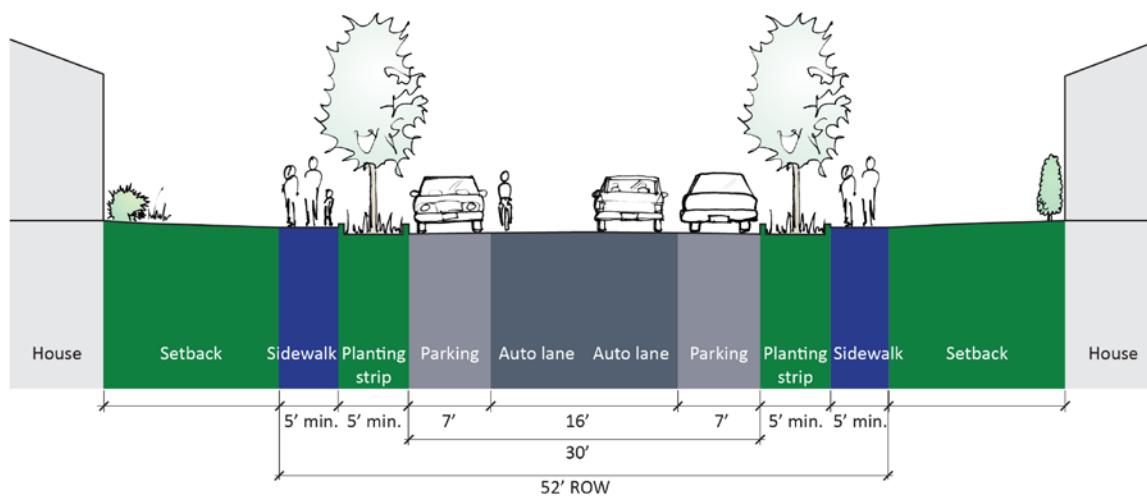
### Local Access Street Options Option 1



**Option 2**



**Option 3**



**Figure 14.46.420(4).** Diagrammatic street sections for local access and residential streets.

- (5) Streets in the BR-LI zone: New streets within the BR-LI zone must be designed consistent with the established pattern of development for the zone. Specifically, this includes a curbless street design with swales or other approved drainage elements on one or both sides, and a paved or gravel trail on at least one side (see Figure 14.46.420(5) for an example). These design elements must be constructed per the Skagit County Public Works Standards.
  - (a) An exception to this design may be appropriate for any BR-LI zoned lands within the Core Bayview Ridge Planning Area north of Peterson Road if rezoned in conjunction with a PUD (per Section 14.46.310). Where such BR-LI zoned lands are adjacent to BR-R zoned lands, a street configuration with curb, gutters, planting strips, and paved sidewalks on both sides may be more appropriate, as determined by the responsible official.



**Figure 14.46.420(5).** Example street design in the BR-LI zone, including swales and a pathway on one side.

- (6) Alleys: Alleys must meet the following standards:
  - (a) Alley rights-of-way: 20 feet minimum; and
  - (b) Alley paving width: 12 feet minimum, residential zones and associated with residential uses in the BR-CC zone; 20 feet minimum associated with non-residential and mixed-uses.
- (7) Streetscape amenities: Streetscape amenities must be integrated into the design of sidewalks in conjunction with new commercial and mixed-use developments adjacent to designated Storefront Streets. For each 100 cumulative lineal feet of Storefront Street frontage (see SCC 14.46.410(2)), at least two of the desired amenity elements listed below must be included. The type, location, and design of chosen amenities must contribute to a well-balanced mix of features on the street. Amenities below that are publicly funded, already required by code, and/or that obstruct pedestrian movement do not qualify as an amenity to meet this standard. Desired amenities include:

- (a) Seating: Each six feet of seating area or four individual seats count as one amenity element. Seating areas should generally be located in areas that provide views of pedestrian activity. Seating ledges must be at least 12 inches wide to qualify;
- (b) Trash receptacles: To qualify as an amenity, at least one trash receptacle is needed per 100 linear feet of sidewalk;
- (c) Permanent landscaping elements including planting beds and other landscaping elements that add visual interest to the sidewalk;
- (d) Special pavement patterns and/or tree grates;
- (e) Decorative bicycle racks (see Figure 14.46.420(7)(e));
- (f) Informational kiosks (may count as two amenity elements at the discretion of the permit review authority);
- (g) Decorative clocks (may count as two amenity elements at the discretion of the permit review authority);
- (h) Artwork as approved by the permit review authority (may count as two amenity elements at the discretion of the permit review authority);
- (i) Special lighting; and
- (j) Other amenities that meet the purpose of the standards.





**Figure 14.46.420(7).** Examples of desirable streetscape amenities for Bayview Ridge. Starting upper left and clockwise, examples can include public art, decorative tree grates, decorative railings and planters, kiosks, special landscape planters integrated into sidewalk, decorative pavements, and pedestrian seating.



**Figure 14.46.420(7)(e).** Examples of “decorative” bicycle racks. These are all clearly distinguishable from standard U-shaped racks. Images taken from simple “Google” search of “decorative bike rack”.

**14.46.430 Block design and connectivity standards.**

- (1) Purpose: The Bayview Ridge Subarea Plan places a high priority on being a “walkable” community. In order to be walkable, there needs to be frequent accessible and attractive connections between destinations. Consequently, this requires a well-connected system of streets and pathways that encourages people to walk. Thus block size and design has a direct impact on the walkability of a community.
- (2) Standards - all zones:
  - (a) Connectivity to abutting lands: The street system of proposed subdivisions must be designed to connect with existing, proposed, and planned streets outside of the subdivision. Wherever a proposed development abuts unplatted land or a future development phase of the same development, street stubs must be provided to allow access to future abutting subdivisions and to logically extend the street system into the surrounding area unless otherwise noted in this section (see Subsection (3)(d) below). All street stubs must be provided with a temporary turnaround unless specifically exempted by the *Fire Marshal*, and the restoration and extension of the street must be the responsibility of any future developer of the abutting land.
  - (b) Continuation of streets: Planned streets must connect with surrounding streets to permit the convenient movement of traffic between residential neighborhoods and to facilitate emergency access and evacuation. Connections must be designed to meet or exceed the block standards in Subsections (3) and (4) below, and to avoid or minimize through traffic on local streets.
- (3) Standards - residential zones and uses: New residential developments must provide an integrated and connected network of streets to help provide a sense of place and orientation and provide multiple travel route options for all users. A street network dominated by long, irregular loop roads and cul-de-sacs is not appropriate. The following standards apply to new development in the residential zones.
  - (a) For the purposes of these standards, blocks are groups of lots surrounded by streets, alleys, and/or public trails;
  - (b) Where individual lots average less than 10,000 SF in area, block designs that provide pedestrian and vehicular connections at intervals:
    - (i) No greater than 400 feet are encouraged; and
    - (ii) No greater than 660 feet are required. Exceptions and departures to this standard are provided below; and

- (c) Where individual lots average 10,000 SF in area and greater, block designs that provide pedestrian and vehicular connections at intervals:
  - (i) No greater than 660 feet are encouraged; and
  - (ii) No greater than 1000 feet or every ten lots (whichever is greater) is required.  
Exceptions and departures to this standard are provided below.
- (d) Exceptions to the standards: Where topography, right-of-way, existing construction or physical conditions, existing or proposed public facility, or other geographic conditions prevent compliance or impose an unusual hardship on the applicant, the reviewing authority may relax the standards provided the proposed design maximizes pedestrian and vehicular connectivity on the site given the constraints. An example would be development adjacent to pre-existing development outside of the project area where future street connections are unlikely, unnecessary, and/or undesirable based on the size of the adjacent lots and the level of site improvements in conjunction with applicable zoning and other on-site conditions as determined by the Reviewing Authority.
- (e) **Departures** will be considered provided the alternative design meets the purposes of the standards. A good departure example could be where a larger block could allow for compact cluster of homes around a centralized open space.

**14.46.440 Off-street trail network.**

- (1) Purpose: The standards herein are intended to create a connected network of off-street trails that function as one of the defining features of the community and a major recreation activity.
- (2) Off-street trail network layout: New subdivisions and uses must be designed around a connected system of off-street trails. The trail network must be accessible for pedestrians, cyclists, and other non-motorized vehicles, although some sections may be for pedestrians only. Trail corridors that meet the provisions of this Section may be used to meet either the Community or Neighborhood Park space standards per SCC 14.46.460(2)(a). Network alignment and connections:
  - (a) At least one north-south trail connection located between Bay Ridge Drive and Sunrise Lane and extending through the Core Bayview Ridge Planning Area;
  - (b) At least two east-west connections north of Peterson Road. To the extent feasible, trail corridors must be aligned and coordinated to link with existing trail network in the BR-LI zone;

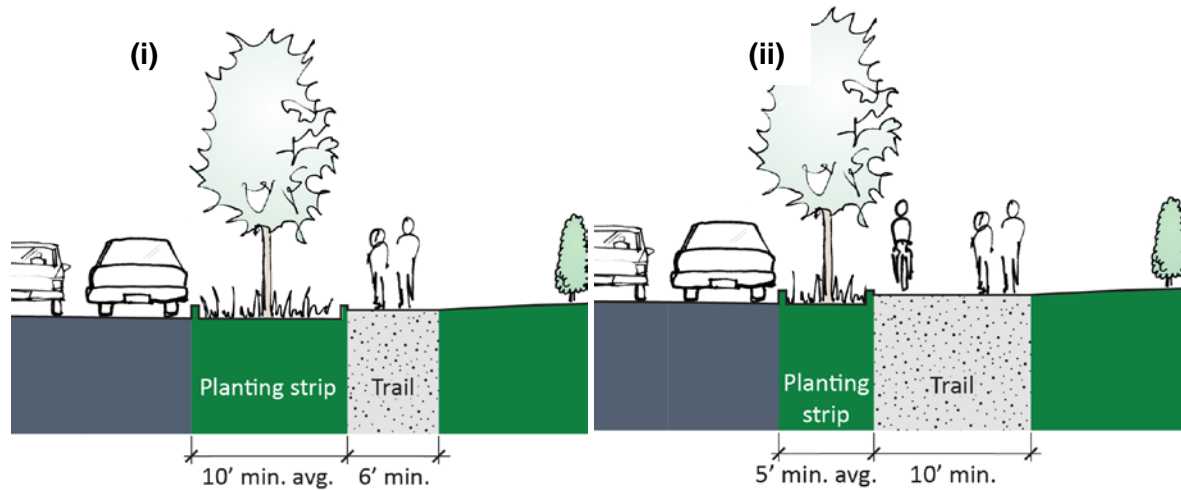
- (c) At least one east-west trail south of Peterson Road. Consider trail alignments that allow for future connections to Higgins Airport Way;
  - (d) Design the trail network to link the trail to schools, parks, village center and other neighborhood focal points;
  - (e) Locate and design trails integrated with surrounding lots and uses so that uses face the trails to enhance visibility and safety. For example, avoid designs where rear yards with tall fences back up to trails;
  - (f) Utilize trail design that accommodates desired use, minimizes long term maintenance, and fits the specific context (see Subsection (3) below); and
  - (g) Provide landscaping and fixtures along the trail to enhance the character and usability of the trails.
- (3) Trail design standards: Trails, as required above, must be provided within easements, or tracts, of sufficient width and length consistent with the dimensional standards as defined below. The Reviewing Authority must review proposed public and private trails for consistency with the following standards:
- (a) Skagit County Public Works Standards (SCC Chapter 14.36);
  - (b) Compatibility and integration with adjacent land uses: The applicant must demonstrate how the PUD, subdivision, and/or other applicable development application proposal successfully demonstrates how the trail is integrated with surrounding land uses – to promote trail use and safety. Examples could involve the orientation lots adjacent to the trail or landscaping and building design plans for commercial or apartment development associated with the binding site plan and/or building permit stage;
  - (c) Width: The trail surface must be at least six feet wide unless otherwise noted. The minimum trail right-of-way or easement must be at least 15 feet, allowing for landscaped areas on each side of the trail;
  - (d) Off-street alignment and design: The envisioned trail network is intended to be comprised primarily of off-street trails. Standard sidewalks along public streets do not meet the intent of these trail network provisions. Trails must be configured primarily within parks and linear open space corridors outside of standard street rights-of-way. Figure 14.46.440 below shows desirable trail configuration examples. Up to 50% of the trail network may be comprised of trail corridors aligned adjacent to street rights-of-way. Such trails must be designed to be clearly distinguishable from standard sidewalks by one of two options:

- (i) The trail must be separated from the street by a minimum ten-foot wide (may be averaged) planting strip; or
- (ii) The trail must be at least ten feet in width, surfaced with asphalt or other durable hard-surfaced material/design that is clearly distinguishable from a standard sidewalk, and separated from the street by a minimum five-foot wide planting strip.

Other design features are encouraged to distinguish trail corridors from a standard sidewalk, including special pedestrian scaled lighting, meandering trail pattern, special landscaping patterns, trail signage, and/or special pavement designs;



**Figure 14.46.440(3).** Desirable off-street trail configurations. In the left image, the trail corridors simply take the place of a street. Alleys provide vehicular access to the homes fronting the trails. In the example on the right, the trail corridor provides a convenient mid-block connection and continues pedestrian access from streets at each end of the trail.



**Figure 14.46.440(3)(d).** Design options for trails that align next to public streets.



**Figure 14.46.440(3)(d)(ii).** Examples of trails aligned adjacent to public streets. Each trail features an asphalt surface that is approximately 10 feet wide. Each has a planting strip with trees separating the trail from the street and vehicular traffic – though the standards here call for wider planting strips – at least 5 feet, which will provide a healthier environment for the maintenance of trees over time. The middle image includes a wooden fence that creates a distinctive character for the trail. The far right example actually includes both a standard sidewalk (to the far left of the image) for walking and a multi-purpose pathway that functions more for bicyclist, joggers, roller bladders and skateboarders. Also – notice that the shrubs in the far right example provide a better visual separation from the street than the simple grass strip on the far left.

- (e) Surfacing: The Reviewing Authority will determine pavement options for the specific trail section based on the context, anticipated use, and durability/maintenance. Except for trails within naturalized areas, all trails within the Core Bayview Ridge Planning Area must be paved. Pervious paving or other low-impact techniques that meet overall project goals for cost and durability are encouraged; and
- (f) Maintenance: Maintenance of any trail corridor or improvements, retained in private ownership, must be the responsibility of the owner or other separate entity capable of long-term maintenance and operation.

#### 14.46.450 Subdivision design.

- (1) Purpose: The standards herein are intended to:
  - (a) Promote subdivision design that creates walkable neighborhoods with a strong sense of community;
  - (b) Provide flexibility in the design of subdivisions;
  - (c) Promote the diversity of lot sizes and types; and
  - (d) Minimize impacts to the natural environment.
- (2) Cul-de-sac streets: The use of cul-de-sac streets is generally discouraged. They may only be included where the block design meets the standards of SCC 14.46.430.
- (3) Alleys: The use of alleys is encouraged to minimize the appearance of garages from the street, particularly for small-lot developments. Figure 14.46.450(3) below illustrates desirable and undesirable alley design examples. See SCC 14.46.420(6) for minimum alley width standards and SCC 14.46.520(7)(a)(v) for fence standards adjacent to alleys.

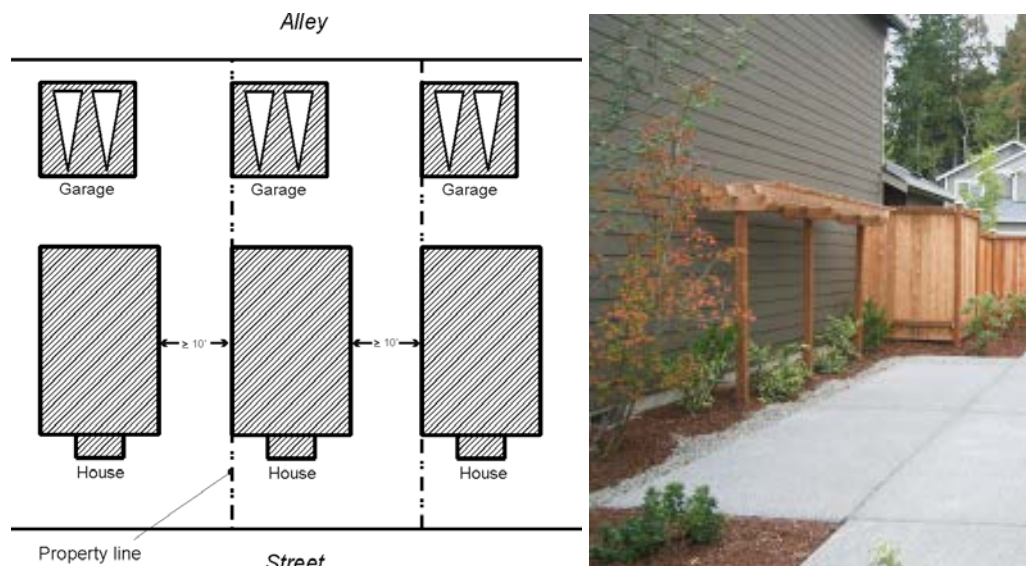


**Figure 14.46.450(3).** Desirable and undesirable alley designs. In the left image, landscaping elements between the fences and the alley enhance the appearance of the alley. Similar landscaping would help the example on the right.

- (4) Alternative lot configurations: The following subdivision designs are permitted to allow for greater flexibility in the design of small residential lots.
  - (a) Zero lot line: This is a configuration where the house and/or garage are built up to one of the side property lines, providing the opportunity for more usable side yard space. Standards and guidelines:
    - (i) Dwelling units and accessory structures may be placed on one interior side property line. The opposite side yard must be at least ten feet;



- (ii) Privacy wall. In order to maintain privacy, no windows, doors, air conditioning units, or any other types of openings in the walls along a zero lot line structure are allowed except for windows that do not allow for visibility into the side yard of the adjacent lot. Examples include clerestory or obscured windows;
- (iii) Eaves along a zero lot line may project a maximum of 18 inches over the adjacent property line;
- (iv) Zero lot configurations may be used adjacent to standard residential lots, provided the zero lot line homes are oriented away from the existing lot or home and towards new internal lots; and
- (v) Easements must be included along the privacy wall to allow for necessary maintenance activities;

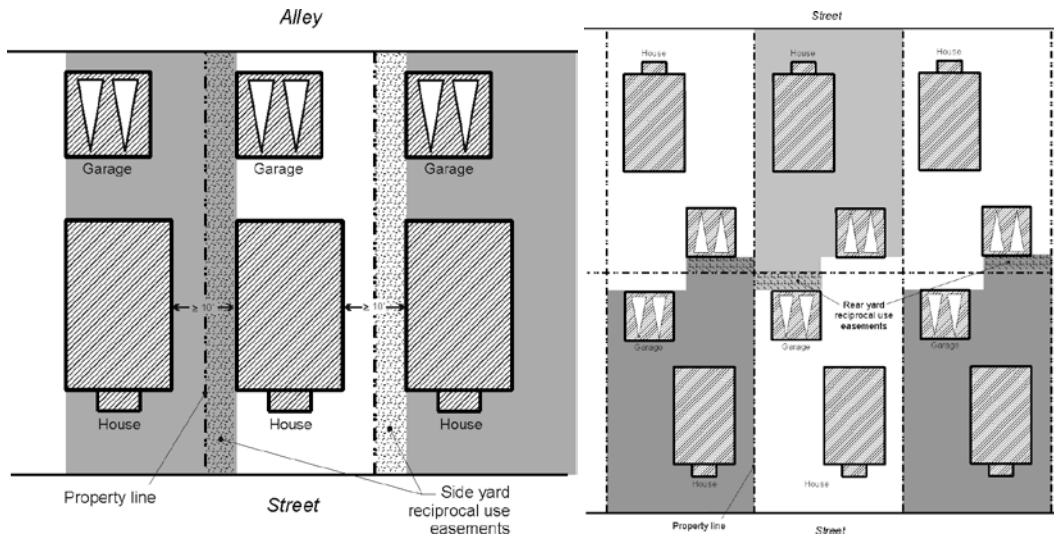


**Figure 14.46.450(4)(a).** Zero lot line example.

- (b) Reciprocal use easement lots: This works similar to the zero lot line configuration, except that the homes and accessory structures meet the standard setbacks and easements are granted on one side yard to allow consolidated use of the side yards by the adjacent property. Also, configurations providing for reciprocal use easements in the rear yard are allowed to maximize usable open space. Standards:

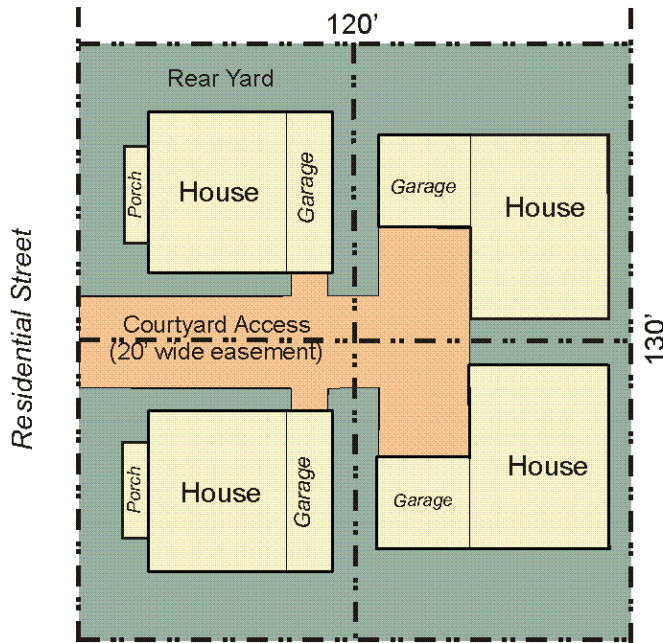
- (i) Reciprocal easements must be noted on the plat;
- (ii) Privacy wall: In order to maintain privacy, no windows, doors, air conditioning units, or any other types of openings in the walls of a structure along a reciprocal use easement are allowed except for windows that do not allow for visibility into the side yard of the adjacent lot. Examples include clerestory or obscured windows. See Figure 14.46.450(4)(b) for an example of a privacy wall; and

- (iii) Areas within reciprocal use easements may count towards usable open space requirements for applicable lots; and



**Figure 14.46.450(4)(b).** Reciprocal use easement lot examples.

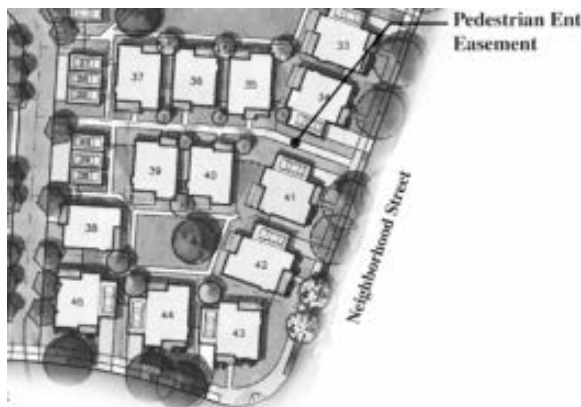
- (c) Courtyard access lots: This includes a series of lots clustered around a private internal roadway. Standards:
  - (i) Maximum number of lots served by a courtyard access: Five (this includes lots fronting the street on either side of the courtyard access);
  - (ii) Maximum length of a courtyard access: 100 feet (or deeper if approved by the local fire department);
  - (iii) Surface width of courtyard access: 12 feet; and
  - (iv) An easement of 20 feet in width must be secured over the applicable parcels to allow lots legal access to the public street. A maintenance agreement is required for all applicable lots and must be recorded on the plat; and



**Figure 14.46.450(4)(c).** Examples of courtyard access lots.

(d) Pedestrian-only entry lots: This includes configurations where one or more lots are clustered around a pedestrian easement and/or common open space and do not front on a street. Standards:

- (i) A pedestrian entry easement must be provided to all homes that do not front on a street, alley, or common open space;
- (ii) Pedestrian entry easements must be a minimum of 15 feet wide with a five-foot minimum sidewalk; and
- (iii) These lots may contain private detached or shared garages off an alley or other access if approved by Public Works and reviewed for conflicts with existing codes.



**Figure 14.46.450(4)(d).** Pedestrian-only entry lot configuration examples.

**14.46.460 Park/open space.**

- (1) Purpose: The Bayview Ridge Subarea Plan and the Skagit County Parks Comprehensive Plan call for the integration of open spaces to meet the following objectives:
  - (a) To provide for compatibility with the Skagit County Regional Airport;
  - (b) To meet the recreational needs for Bayview Ridge residents and employees;
  - (c) To provide open space that is both aesthetically pleasing and has functional value. Functional open space includes land for aircraft safety as well as recreational opportunities; and
  - (d) To provide for a mixture of open spaces in Bayview Ridge, including a large community park, smaller neighborhood or pocket parks, trail corridors, sports fields, and natural areas.
  
- (2) Standards and guidelines:
  - (a) New developments must provide for the parks/open spaces at the rate set forth in Table 14.46.460 below.

**Table 14.46.460. Park/open space standards.**

	Min. acreage for projected 5,000 subarea residents <sup>1</sup>	Min. acreage per 275 subarea residents:	Min. acreage per 110 dwelling units <sup>2</sup>	Min. area per dwelling unit
Community Park <sup>3,5</sup>	18.2 acres	1.0 acre	1.0 acre	396 sf
Neighborhood/Pocket Park <sup>4,5</sup>	9.1 acres	0.5 acre	0.5 acre	198 sf
Airport compatibility open space	Properties within Airport Safety Zones 1-6 are subject to airport compatibility open space standards set forth in SCC 14.16.210 and Table 1			

*Table notes:*

1. 5,000 residents refers to the approximate 20+ year build-out population projection for the Bayview Ridge based on current development and future development under zoning.
2. Population to dwelling unit conversion based on 2.5 persons per household (Washington State average).
3. Community Parks are described in the Skagit County Comprehensive Parks Plan and should be sized, located, and designed to serve the greater Bayview Ridge area (including the Subarea and nearby surrounding areas). They should include a large number and type of ball fields, facilities and a variety of activities such as open space, swimming, BBQs, trails, and picnic areas for larger gatherings. They may include passive recreation areas such as boardwalks and trails, picnic shelters, and interpretive facilities and natural areas such as streams, wetlands, and forest lands. The focal pedestrian-oriented space required per SCC 14.46.450(2)(d) may also be counted

towards the community park space requirements due to its larger community importance. Off-street parking areas will be necessary to accommodate community park uses. For examples, see Figure 14.46.460(2)(a)(3).

4. *Neighborhood Parks are described in the Skagit County Comprehensive Parks Plan and are typically smaller than a Community Park should be sized, located, and designed to serve uses within walking distance of the park (1/4 mile). Specifically:*
  - a. *Neighborhood parks may include active and passive uses including sports courts, children's play areas, trails, open lawn areas for informal recreational activities, picnic areas, public gardens, recreational buildings, and natural areas.*
  - b. *Stormwater management ponds or similar features may be counted towards the space requirements if they are clearly designed to function as a visual amenity for the surrounding uses.*
  - c. *Parking may be provided by on-street parking surrounding the park and/or off-street facilities depending on the mix of facilities and on-street parking options surrounding the park. For examples, see Figure 14.46.460(2)(a)(4).*
  - d. *In order for a space to qualify as a Neighborhood/Pocket Park for the purpose of these standards, it must be dedicated to the County or preserved as permanent open space on the plat (whether as a separate open space tract or an easement).*
5. *Residential subdivisions must be designed so that at least 75% of all homes are within walking distance (1/4 mile) of a community or neighborhood park.*



**Figure 14.46.460(2)(a)(3).** Community Park examples. The park on the right (Bing Maps) could be counted as either a Community Park or a Neighborhood Park. It includes a recreational center, a sports court, amphitheater, play area, open field, community garden, and off street parking.



**Figure 14.46.460(2)(a)(4).** Examples of spaces that would qualify as a Neighborhood Park for the purpose of the standards herein. The top examples are traditional small neighborhood parks with informal lawn areas. The bottom left image is a smaller pocket park with a gazebo. The bottom right image is a small pond that also functions as a stormwater management facility – which provides a scenic amenity to the surrounding residential uses. Also notice the children’s play area in the background.

- (b) New residential subdivisions adjacent to planned or existing parks or other public open spaces (e.g., creeks, riparian areas), or the landscaped grounds of schools or other public facilities must be designed to maximize visibility and pedestrian access to these areas through street configuration, pathways, and development orientation.
- (c) Parks and open space integrated into development must meet the following design criteria:
  - (i) Must be convenient, usable and accessible. All open spaces must be physically and visually accessible from the adjacent street or major internal pedestrian route. Exceptions: Fences or other similar security measures may be necessary for public safety depending on the site’s natural features and facilities. Such features should be designed sensitive to the visual environment as viewed from publicly accessible spaces;

- (ii) Must be inviting. Inviting open spaces feature amenities and activities that encourage pedestrians to use and explore the space;
  - (iii) Must be safe. Safe open spaces incorporate Crime Prevention through Environmental Design (CPTED) principles; and
  - (iv) Provides for uses/activities that appropriately serve the anticipated residents and users of the development. When designing open spaces, project applicants should consider a broad range of age groups, from small children, to teens, parents, and seniors.
- (d) See Figure 14.46.460(2)(a)(4) for park/open space examples that effectively meet this criteria.

**14.46.470 School design and integration.**

- (1) Purpose: To ensure that any new school is located and designed as integral part of the neighborhood.
- (2) Standards and guidelines:
  - (a) Safe and convenient pedestrian connections should be provided between schools and surrounding uses and streets to encourage more walking and reduce vehicular trips;
  - (b) To enhance the character of the school from the street, the school should feature a prominent pedestrian entry directly visible and accessible from the street (see Figure 14.46.470 below for examples). Parking facilities should be located to the side or rear of the school building. No more than one access drive aisle plus one parking aisle may be located between the street and the primary pedestrian entrance to the school;
  - (c) Design outdoor play areas and fields with the capability to accommodate public access and joint use with other public agencies; and
  - (d) Encourage integration of LID techniques in the design of school facilities as set forth in the Department of Ecology Stormwater Manual.



**Figure 14.46.470(1).** A school example that meets guidelines for creating a prominent and pedestrian-oriented school entrance. While parking and vehicular access are located along the fronting streets, there is a clear pedestrian entry from the street (see left image) – and the two-story school provides a prominent entry from the street (Grove Elementary, Marysville).



**Figure 14.46.470(2).** Anacortes Middle School's entry provides an acceptable example, including one parking aisle plus one pick up/drop off aisle together with a wide and direct walkway connecting the street to the entry.



## Part V: Project Design

For clarification on the applicability of the zoning provisions herein, see SCC 14.46.110.

### 14.46.500 Purpose.

The provisions herein guide the layout and design of sites and buildings on individual lots or other development sites consistent with the goals and policies of the Bayview Ridge Subarea Plan.

### 14.46.510 Housing.

The provisions in sections 14.46.510-519 are intended to identify standards and guidelines that are unique to specific housing types and not addressed in other sections of this Chapter. Note, however, that the design of apartment buildings is addressed in Sections 14.46.520 (Site Design) and 530 (Building Design).

### 14.46.511 Housing standards — Single-family.

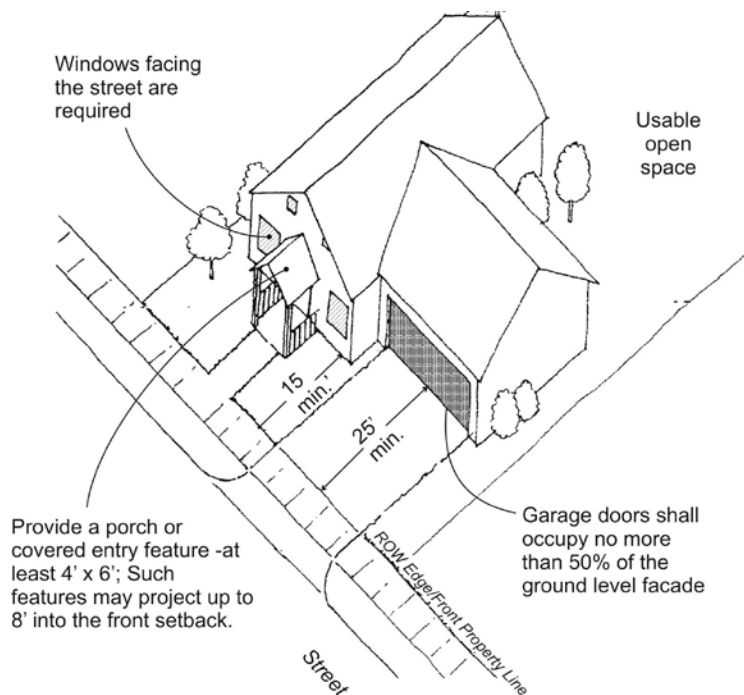
(1) Purpose:

- (a) To enhance the character of the street;
- (b) To de-emphasize the garage and driveways as a major visual element along the street; and
- (c) To provide usable yard space for residents.

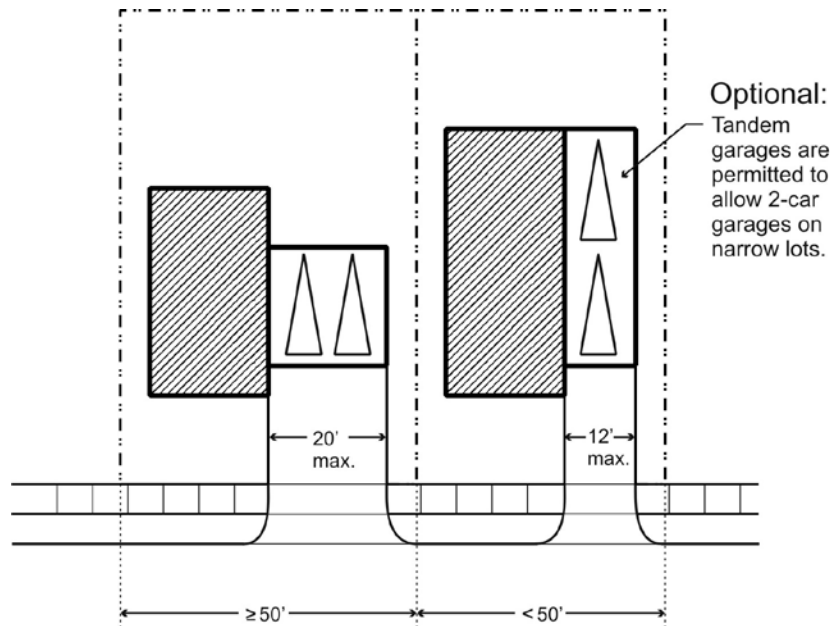
(2) Standards and guidelines:

- (a) Clear and obvious pedestrian access between the sidewalk and the building entry is required for new homes;
- (b) All new houses must provide a covered entry with a minimum dimension of four feet by six feet. Porches or covered entries (one-story only) may be project up to eight feet into the front setback area.
- (c) At least 15% of the façade (all vertical surfaces facing the street) must include transparent windows or doors;
- (d) Garages:
  - (i) Garage doors must occupy no more than 50% of the ground level façade facing the street. Exceptions will be considered provided design treatments are included to emphasize the home's pedestrian entry over the garage. In no case may garage doors occupy more than 65% of the ground level facade facing the street; and

- (ii) Where lots abut an alley, access to the garage must be off of the alley;
- (e) Driveways:
  - (i) No more than one driveway per dwelling unit;
  - (ii) Driveways for individual lots 50 feet or wider may be up to 20 feet in width. For long driveways, 12-foot wide driveways at the curb/sidewalk that widen on the lot are encouraged; and
  - (iii) Driveways for individual lots less than 50 feet wide may be up to 12 feet in width. Tandem parking configurations may be used to accommodate two-car garages; and

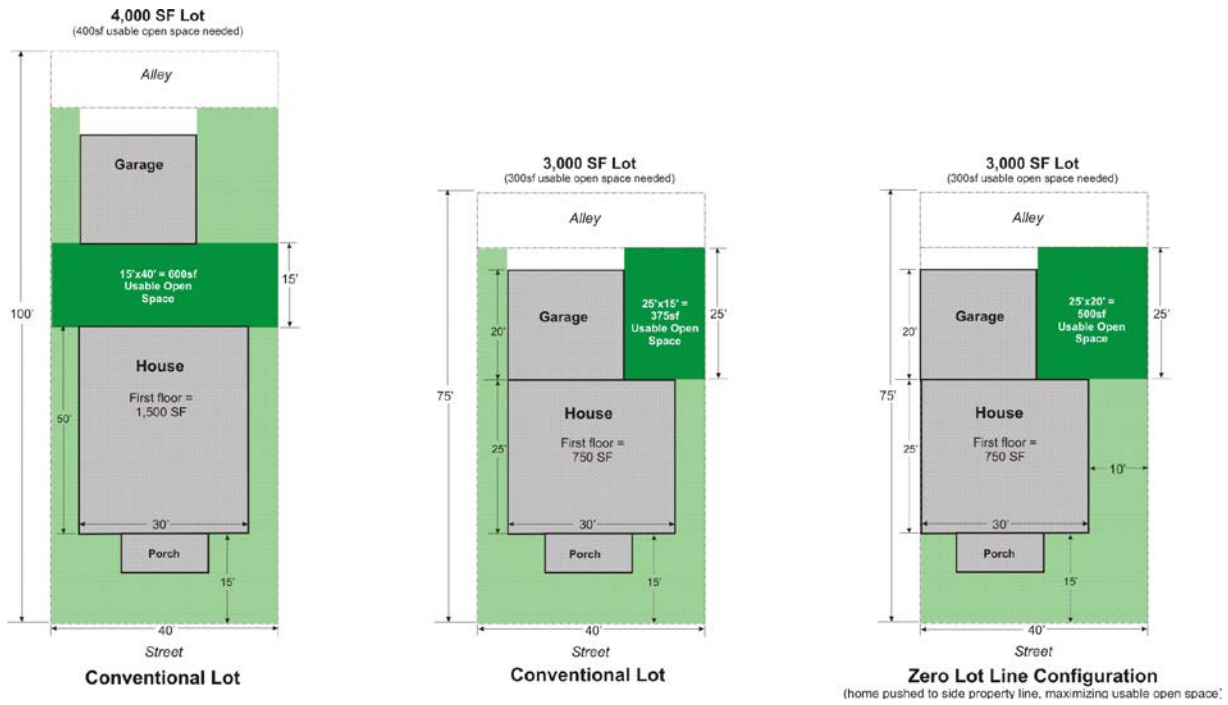


**Figure 14.46.511.** Key single-family design standards.



**Figure 14.46.511(e).** Driveway standards for single-family lots.

- (iv) Minimum usable open space: All new single-family residences must provide a contiguous open space equivalent to at least 10% of the lot size. Such open space may not be located within the front yard. The required open space must feature a minimum dimension of 15 feet on all sides. For example, a 6,000 square foot lot would require a contiguous open space of at least 600 square feet, or 20 feet by 30 feet in area. Driveways do not count in the calculations for usable open space. Single-family additions may not create or increase any non-conformity with this standard.



**Figure 14.46.511(f)(1).** Examples of how to meet open space requirements for alley-loaded lots.



**Figure 14.46.511(f)(2).** Acceptable and unacceptable examples of usable open space on lots with alley access. The left example features a generous side yard in a zero lot line configuration – its 15-foot dimension makes it just wide enough to meet the criteria for usable open space. The example in the middle/right images (the same location) doesn't meet the 15-foot dimension and is clearly not a very functional or desirable open space.

**14.46.512 Housing standards — Duplexes.**

(1) Purpose:

- (a) To enhance the character of the street;
- (b) To de-emphasize the garage and driveways as a major visual element along the street;
- (c) To provide usable yard space for residents; and

- (d) To promote design techniques that emphasize that there are two distinct units within each building and/or where it's possible to design duplexes to look as though they are a single-family home.
- (2) Standards and guidelines. Specifically, duplexes and triplexes must comply with the single-family design standards set forth in Subsection (1) above with the following exceptions and additional provisions:
  - (a) Duplexes and triplexes may include a 20-foot wide shared driveway or two 12-foot driveways on opposite ends of the lot;
  - (b) Separate covered entries for each unit are required (applicable to new buildings only);
  - (c) Duplexes on corner lots are encouraged to place pedestrian entries on opposite streets (applicable to new buildings only); and
  - (d) Duplexes and triplexes must use modulated roof forms to help break up the massing of buildings and distinguish individual units. Exceptions are on corner or internal lots where duplexes are designed to appear as one home (but with entries on opposite streets or different facades).



Figure 14.46.512(b). Diagram illustrating duplex design standards and acceptable/unacceptable examples.

#### 14.46.513 Housing standards — Accessory Dwelling Units (ADU).

- (1) Purpose:

#### Part V: Project Design

- (a) To ensure that ADU's minimize negative impacts on surrounding single-family uses; and
  - (b) To maintain usable yard space for single-family residents.
- (2) Standards and guidelines:
- (a) One accessory dwelling unit is permitted provided all of the following conditions are met:
    - (i) ADU's must contain a minimum of 300 sf in floor area, exclusive of stairways or garage area up to 1,000 sf but no more than 50% the size of primary home;
    - (ii) No more than two bedrooms may be provided in an accessory dwelling unit;
    - (iii) One additional off-street parking space is required for an ADU; and
    - (iv) The ADU entrance must be subordinate to the principal dwelling unit entrance. The ADU entrance must be less visible from the street view of the principal dwelling than the main entrance of the principal dwelling unit;
  - (b) Standards for an attached ADU: The ADU must be architecturally consistent with the principal unit. Specific standards:
    - (i) Exterior materials: The exterior finish material must be the same or visually match in type, size and placement the exterior finish material of the primary dwelling;
    - (ii) Roof pitch: The roof pitch must be similar to the predominant roof pitch of the primary dwelling;
    - (iii) Trim: Trim must be the same in type, size, and location as the trim used on the primary dwelling;
    - (iv) Windows: Windows must match those in the primary dwelling in proportion (relationship of width to height) and orientation (horizontal or vertical). This standard does not apply when it conflicts with building code regulations; and
    - (v) Front façade: The front façade of the principle dwelling may not be significantly altered to accommodate an ADU, except where the whole structure is being remodeled; and
  - (c) Standards for a detached ADU (DADU):
    - (i) Detached DADU's may be separate free standing structures located to the side or rear of a primary dwelling unit or may be placed next to and/or above a garage;

- (ii) The site coverage of the DADU and accessory buildings must not exceed 40% of the rear yard area;
- (iii) There must be a minimum separation of 15 feet between the existing dwellings and the DADU, except where the DADU is built on top of and/or next to an existing garage; and
- (iv) The maximum width of the DADU must be 75% of the width of the lot, including all projecting building elements such as bay windows and balconies.

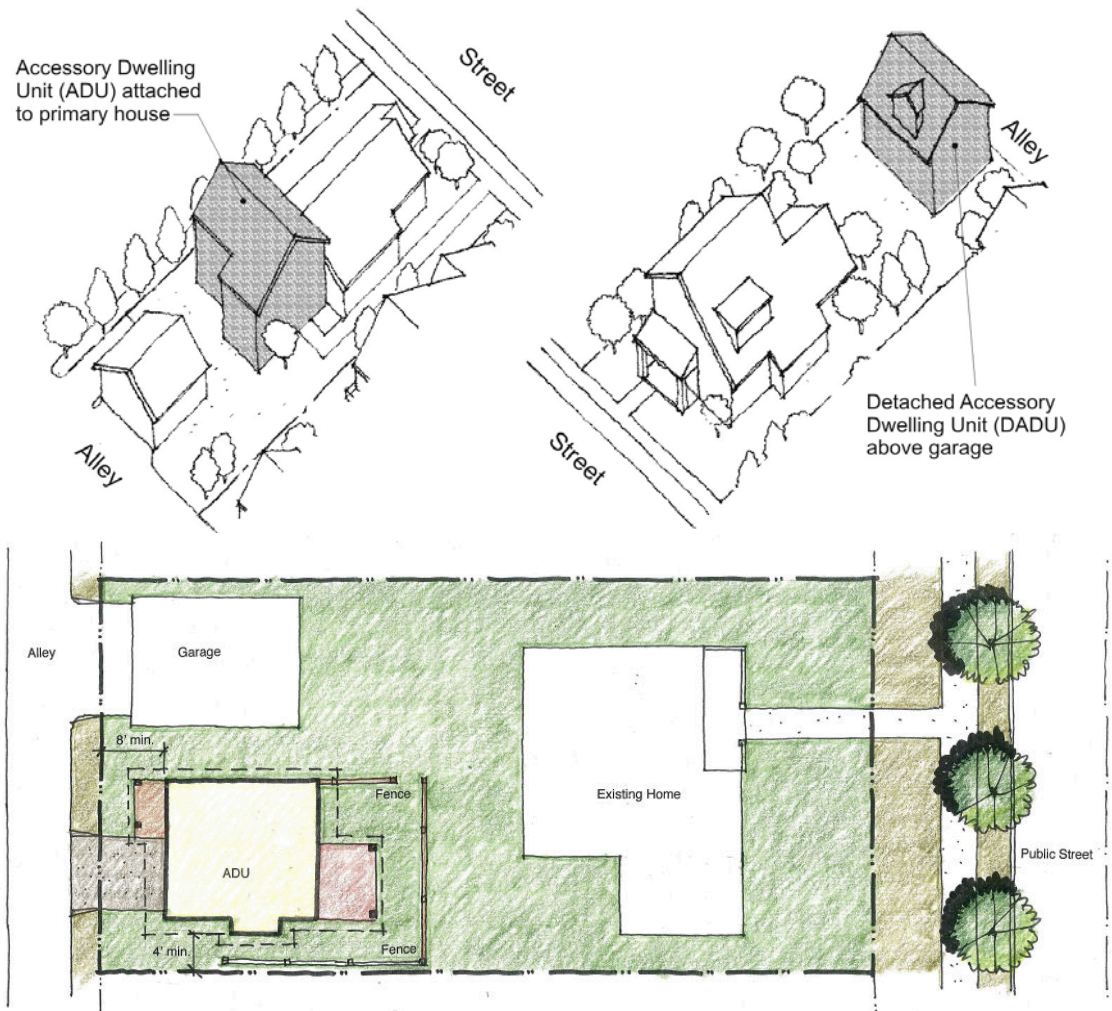


Figure 14.46.513. ADU examples.

**14.46.514 Housing standards — Cottage housing.**

(1) Purpose:



- (a) To provide an opportunity for small, detached housing types clustered around a common open space;
  - (b) To ensure that cottage developments contribute to the overall character of the Bayview Ridge Subarea;
  - (c) To provide for centrally located and functional common open space that fosters a sense of community;
  - (d) To provide for semi-private area around individual cottages to enable diversity in landscape design and foster a sense of ownership; and
  - (e) To minimize visual impacts of parking areas on the street and adjacent properties and the visual setting for the development.
- (2) Standards and guidelines:
- (a) Cottage housing refers to clusters of small detached dwelling units arranged around a common open space. Cottages may be configured as condominiums or fee-simple lots provided they meet the standards herein. Due to the smaller relative size of cottage units, each cottage is counted as one-half a dwelling unit for the intent of calculating density. For example, a cluster of six cottages would be equivalent to three dwelling units;

**Table 14.46.510(4). Dimensional standards for cottages.**

Standard	Requirement
Maximum floor area	1,200 sf
Maximum floor area/ground or main floor	800 sf
Minimum common space (See Design Standards below for more info)	400 sf/unit
Minimum private open space (See Design Standards below for more info)	200 sf/unit
Maximum height for cottages	25 ft (all parts of the roof above 18 ft must be pitched with a minimum roof slope of 6:12)
Maximum height for cottages accessory structures	18 ft
Setbacks (to exterior property lines)	See Table 14.46.330(2)
Minimum distance between structures (Including accessory structures)	10 ft
Minimum parking spaces per cottage:	1.0

- (b) Units in each cluster: Cottage housing developments must contain a minimum of four and a maximum of 12 cottages located in a cluster to encourage a sense of community among the residents. A development site may contain more than one cottage housing development;

- (c) Common open space requirements:
  - (i) Must abut at least 50% of the cottages in the cottage housing development;
  - (ii) Must have cottages abutting on at least two sides;
  - (iii) Cottages must be oriented around and have the main entry from the common open space;
  - (iv) Cottages must be within 60 feet walking distance of the common open space; and
  - (v) Common open space must include at least one courtyard, plaza, garden, or other central open space, with access to all units. The minimum dimensions of this open space are 15 feet by 20 feet;
- (d) Required private open space: Required private open space must be adjacent to each dwelling unit, for the exclusive use of the cottage resident(s). The space must be usable (not on a steep slope) and oriented toward the common open space as much as possible, with no dimension less than ten feet;
- (e) Porches: Cottage facades facing the common open space or common pathway must feature a roofed porch at least 80 square feet in size with a minimum dimension of eight feet on any side;
- (f) Covered entry and visual interest: Cottages located facing a public street must provide:
  - (i) A covered entry feature (with a minimum dimension of four feet by six feet) visible from the street;
  - (ii) At least two architectural details, such as decorative lighting, decorative trim, special door, trellis or decorative building element, or bay window. Alternative design treatments will be considered provided the design treatments provide visual interest to the pedestrian;
- (g) Character and diversity: Cottages and accessory buildings within a particular cluster must be designed within the same “family” of architectural styles. Example elements include the following. For design examples, see Figure 14.46.510(4)(b) below.
  - (i) Similar building/roof form and pitch;
  - (ii) Similar siding materials;
  - (iii) Similar porch detailing; and/or
  - (iv) Similar window trim;

- (h) A diversity of cottages can be achieved within a “family” of styles by:
  - (i) Alternating porch styles (such as roof forms);
  - (ii) Alternating siding details on facades and/or roof gables; and/or
  - (iii) Different siding color;
- (i) Parking and driveway location and design:
  - (i) Parking must be located on the same property as the cottage development;
  - (ii) Where lots abut an alley, the garage or off-street parking areas are encouraged to take access from the alley;
  - (iii) Parking areas must be located to the side or rear of cottage clusters and not between the street and cottages. Parking is prohibited in the front and interior setback areas;
  - (iv) Parking and vehicular areas must be screened from public street and adjacent residential uses by landscaping or architectural screens. For parking lots adjacent to the street, at least ten feet of Type C landscaping (see SCC 14.46.540(4)) must be provided between the sidewalk and the parking area. For parking lots along adjacent residential uses, at least five feet of Type A, B, or C landscaping (see SCC 14.46.540(4)) are required. The County will consider alternative landscaping techniques provided they effectively mitigate views into the parking area from the street or adjacent residential uses and enhance the visual setting for the development;
  - (v) Parking must be located in clusters of not more than five adjoining uncovered spaces or six covered. (except where adjacent to an alley). Exceptions will be considered provided alternative configurations improve the visual setting for development;
  - (vi) Garages may be attached to individual cottages provided all other standards herein are met and the footprint of the ground floor, including garage, does not exceed 1,000 square feet. Such garages must be located away from the common open spaces; and
  - (vii) No more than one driveway per cottage cluster is permitted, except where clusters front onto more than one street; and
- (j) Windows on the street: Transparent windows and/or doors are required on at least 15% of the facades (all vertical surfaces) of all cottages facing the street and common

open space. Exceptions may be permitted for cottages where this standard applies to two or more facades, provided the design meets the purpose of the standards.



**Figure 14.46.514(a).** Typical cottage housing layouts.



**Figure 14.46.514(b).** Cottage housing examples.

**14.46.516 Housing standards — Townhouses.**

(1) Purpose:

- (a) To ensure that townhouse developments enhance the pedestrian-oriented character of streets;
- (b) To provide adequate open space for townhouse developments;
- (c) To reduce the impact of garages and driveways on the pedestrian environment;
- (d) To reduce the apparent bulk and scale of townhouse buildings compatible with adjacent uses; and
- (e) To promote architectural variety that adds visual interest to the neighborhood.

(2) Standards and guidelines:

(a) Entries:

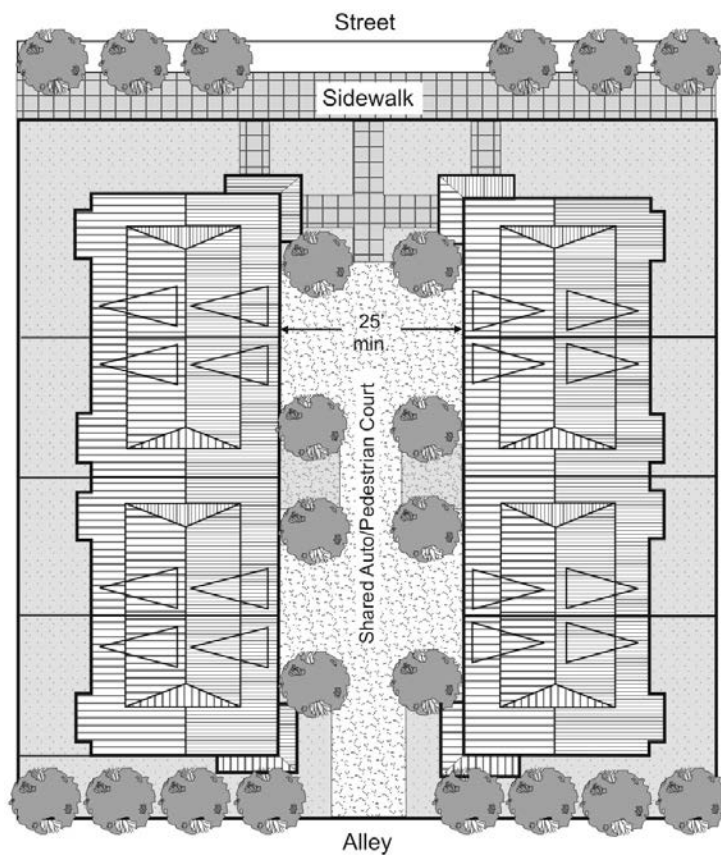
- (i) Townhouses fronting on a street must all have individual ground-related entries accessible from the street. Configurations where enclosed rear yards back up to a street are prohibited;
- (ii) Separate covered entries at least three feet deep are required for all dwelling units;
- (iii) For sites without alleys or other rear vehicular access, new buildings must emphasize individual pedestrian entrances over private garages to the extent possible by using both of the following measures:
  - (A) Enhance entries with a trellis, small porch, or other architectural features that provides cover for a person entering the unit and a transitional space between outside and inside the dwelling (see photos in Figure 14.46.510(5)(b) for examples); and
  - (B) Provide a planted area in front of each pedestrian entry of at least 20 square feet in area, with no dimension less than four feet. Provide a combination of shrubs or groundcover and a street tree (refer to county street tree list if available); and
- (iv) Planting strips with no dimension less than four feet are required adjacent to the primary entry of all dwelling units. This includes townhouses located to the rear of lots off an alley or private internal drive;



**Figure 14.46.515(a).** Desirable townhouse examples.

- (b) Garages:
  - (i) Where lots abut an alley, the garage or off-street parking area should take access from the alley;

- (ii) For lots without alleys, access options include the following. Private individual driveways off of the street are prohibited.
  - (A) Provide a shared auto court (see site plan in Figure 14.46.510(5)(b) for an example) or other similar shared off street parking/garage access configuration; or
  - (B) Provide shared driveways, 12-foot maximum width where shared by two units and 20-foot maximum width where shared by three or more units.
- (iii) Garage doors may occupy no more than 50% of the ground level façade facing the street. **Departures** will be considered provided design treatments are included to emphasize the pedestrian entries over the garage. In no case (even with a departure) may garage doors occupy more than two-thirds of the ground level facade facing the street;
- (c) Internal drive aisle standards:
  - (i) Must meet minimum fire code widths;
  - (ii) Minimum building separation along uncovered internal drive aisles must be 25 feet (see the site plan in Figure 14.46.510(5)(b) for an example). The purpose is to provide adequate vehicular turning radius, allow for landscaping elements on at least one side, and to provide adequate light and air on both sides of the dwelling units and drive aisles, which often function as usable open space for residents; and
  - (iii) Upper level building projections over drive aisles are limited to three feet, and must comply with provisions in (ii) above;



**Figure 14.46.515(b).** Good examples of garage/entry configurations. The photo examples at the top are both adjacent to private internal roadways, not public streets. The upper left example features a landscaped area and a trellis to highlight the entry. In the upper right image, the balconies and landscaped areas deemphasize the garage. The lower image features an auto court with landscaping elements that highlight unit entries and add to the character of the development.





**Figure 14.46.515(b)(iv).** Undesirable townhouse – internal auto-court examples. In the left example, the lack of landscaping is a glaring omission. The right example features overhanging units creating a start setting that limits privacy to the units above.

- (d) Open space: Townhouse residential units must provide open space at least equal to 10% of the building living space, not counting automobile storage. The required open space may be provided by a one or more of the following ways:
  - (i) Usable private open space that is directly adjacent and accessible to dwelling units. Such space must have minimum dimensions of at least 12 feet on all sides and be configured to accommodate human activity such as outdoor eating, gardening, toddler play, etc.;
  - (ii) Common open space meeting the requirements of SCC 14.46.520(4)(d)(i); and/or
  - (iii) Balconies, decks and/or front porches meeting the requirements of SCC 14.46.520(4)(d)(ii); and
- (e) Building design:
  - (i) Townhouse articulation: Townhouse buildings must comply with apartment building articulation standards as set forth in SCC 14.46.530(4)(b) except that the articulation intervals may be no wider than the width of units in the building. Thus – if individual units are 15 feet wide, the building must include at least three articulation features per SCC 14.46.530(4)(b) for all facades facing a street, common open space, and common parking areas at intervals no greater than 15 feet.
  - (ii) Repetition with variety: Townhouse developments must employ one or more of the following “repetition with variety” guidelines:
    - (A) Reversing the elevation of two out of four dwellings for townhouses;
    - (B) Providing different building elevations for external townhouse units (versus internal units) by changing the roofline, articulation, windows, and/or building modulation patterns;

- (C) Adding a different dwelling design or different scale of the same design, such as adding a one-story version of the basic dwelling design where two-stories are typical (or a two-story design where three-stories are typical); and/or
- (D) Other design treatments that add variety of provide special visual interest. While the variable use of color on buildings can be effective in reducing the perceived scale of the building and adding visual interest, color changes alone are not sufficient to meet the purpose of the guidelines.



**Figure 14.46.515(d).** Acceptable townhouse configuration employing the repetition with variety concept.

**14.46.518 Housing standards — Live/work units.**

- (1) Purpose:
  - (a) To ensure that live/work units provide ground floor space functional for non-residential uses.
- (2) Standards and guidelines:
  - (a) Live/work units must feature minimum floor to ceiling heights of 13 feet on the ground floor a minimum depth of 20 feet; and
  - (b) Live/work units must comply with the design standards for townhouses (see Subsection (5) above), except that:

- (i) The minimum open space requirements may be reduced by 50%; and
- (ii) Live/work units are exempt from the “repetition with variety” standards in Subsection (5)(d)(ii) above.



**Figure 14.46.516.** Live/work unit examples.

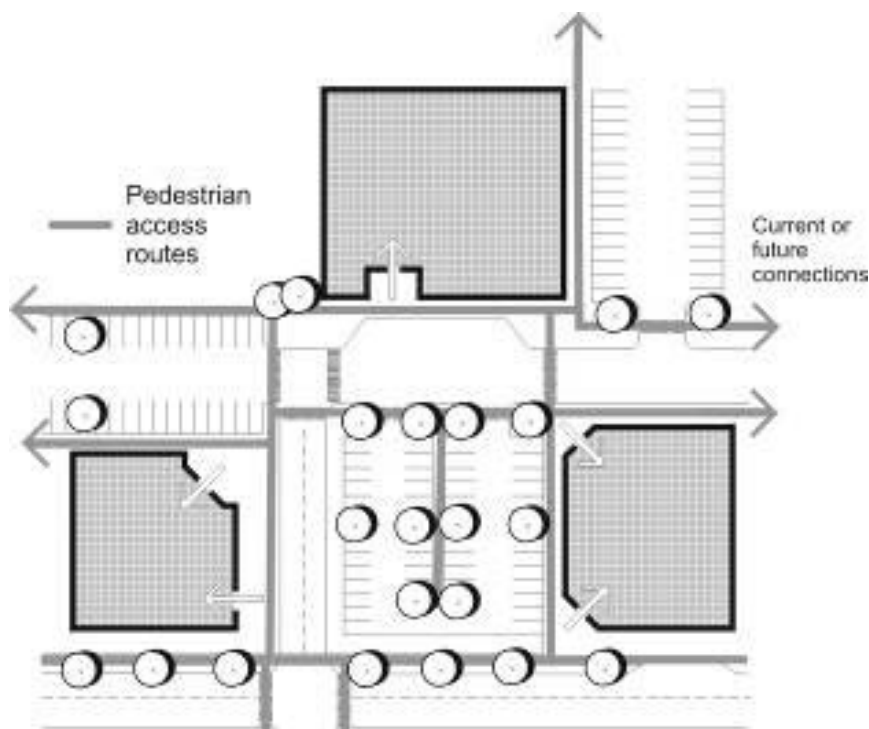
**14.46.520 Site design.**

- (1) Purpose. This section provides direction for the layout and design of site development features consistent with the goals and policies of the Bayview Ridge Subarea Plan.
- (2) Applicability. Unless otherwise noted, the provisions in this section apply to all non-residential and apartment development within the BR-CC and BR-R zones.

**14.46.522 Site design — Internal circulation and pedestrian access.**

- (1) Purpose:
  - (a) To provide safe and direct pedestrian access in commercial and multifamily areas;
  - (b) To minimize conflicts between pedestrians and vehicular traffic;
  - (c) To provide a network of pathways that can be expanded over time;
  - (d) To provide attractive internal pedestrian routes that promote walking and enhance the character of the area; and
  - (e) To create a safe, convenient, and efficient network for vehicular circulation and parking.
- (2) Standards and guidelines:

- (a) Access to sidewalk: All buildings must have clear pedestrian access to a public sidewalk or trail. Where a use fronts onto two streets, access must be provided from the road closest to the main entrance, but preferably from both streets;
- (b) On-site connections: Pedestrian paths or walkways connecting all businesses and the entries of multiple commercial buildings frequented by the public on the same development site must be provided;
- (c) Future connectivity: For sites abutting vacant or underdeveloped land, the Reviewing Authority may require new development to provide for the opportunity for future connection to its interior pathway system through the use of pathway stub-outs, building configuration, and/or parking lot layout;
- (d) Parking lot pathways: A paved walkway or sidewalk must be provided for safe walking areas through surface parking lots greater than 180 feet long (measured either parallel or perpendicular to the street or building front);

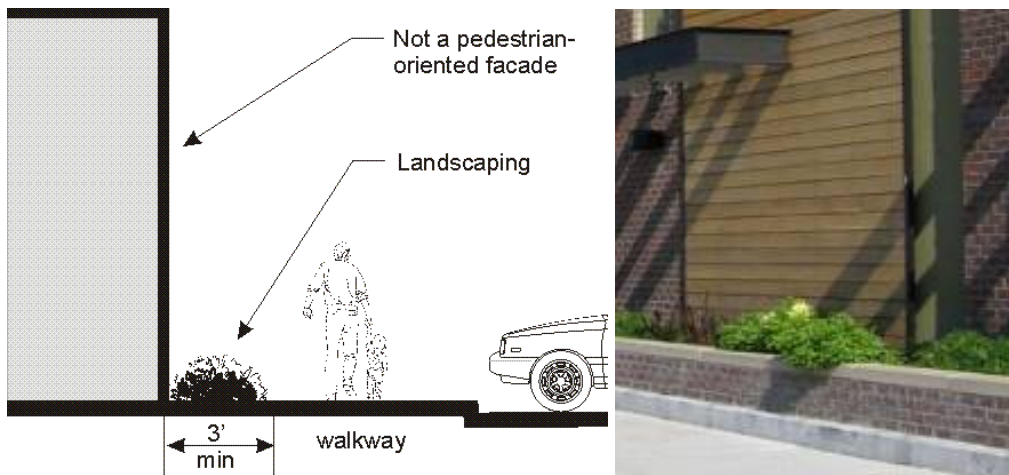


**Figure 14.46.523(d).** Example of a connected pedestrian system in a commercial area.

- (e) Americans with Disabilities Act: All pathways must conform to the Americans with Disabilities Act (ADA);
- (f) Internal pathway width and design:
  - (i) All internal pedestrian walkways must have at least six-foot-wide unobstructed walking surfaces. **Departures** will be considered where the applicant can

demonstrate that a reduced width walkway will accommodate the anticipated demand given the location and configuration of surrounding development and land use(s);

- (ii) Pedestrian walks must be separated from structures at least three feet for landscaping, except where the adjacent building features a pedestrian-oriented façade or other treatment, such as the use of a trellis with vine plants on wall or sculptural, mosaic, bas-relief artwork, or other decorative wall treatments, that adds visual interest at a pedestrian scale that is acceptable to the Reviewing Authority; and
- (iii) All internal walkways along storefronts and walkways on the edge of parking areas must feature at least one street tree (on average) for every 30 feet of walk. Trees may be sited to maintain entry sign visibility; and



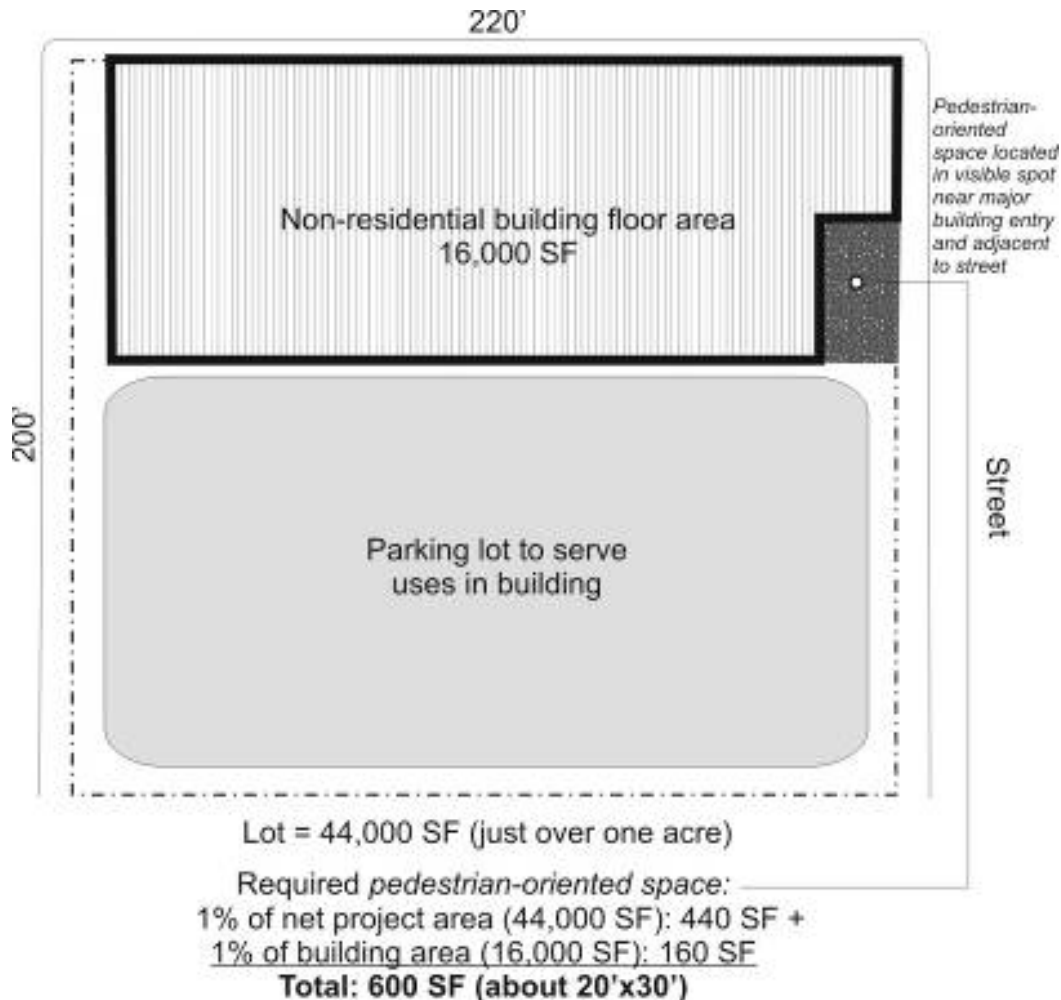
**Figure 14.46.523(f).** Provide landscaping between walkways and buildings that do not comply with pedestrian-oriented façade requirements.

- (g) Vehicular circulation: Developments must provide a safe and convenient network of vehicular circulation that connects to the surrounding road/access network and provides the opportunities for future connections to adjacent parcels, where applicable.

#### 14.46.524 Site design — Open space.

- (1) Purpose:
  - (a) To integrate usable open spaces into commercial and multifamily development, and
  - (b) To enhance the setting for residential and commercial uses.
- (2) Standards and guidelines:

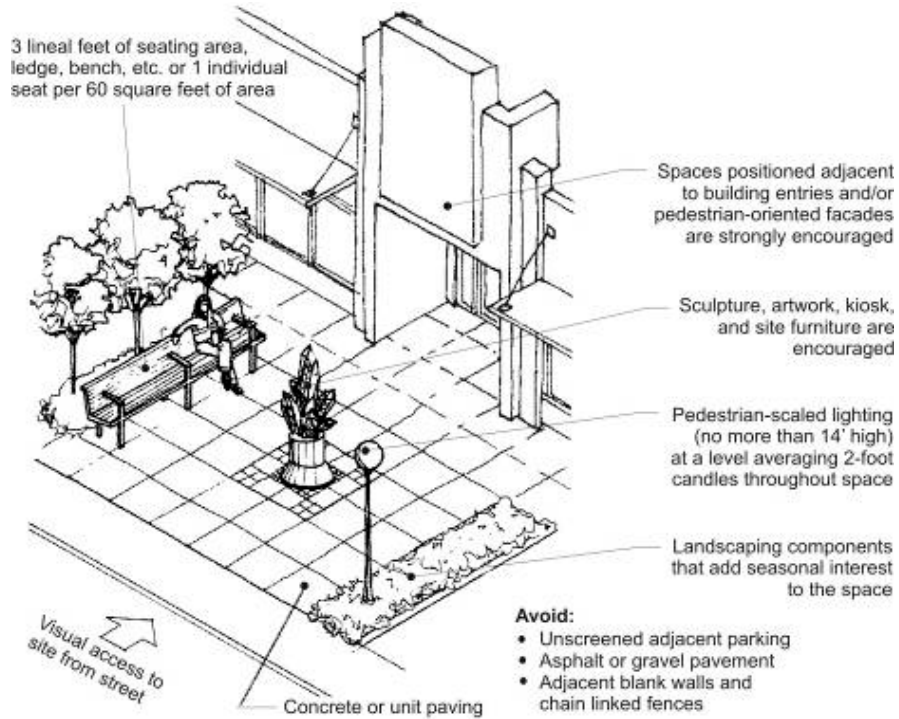
- (a) Open space requirements for non-residential uses: All non-residential development with a project area more than one acre in size, including commercial portions of mixed use development, must provide pedestrian-oriented space equal to at least 1% of the project area plus 1% of the gross non-residential building floor area, exclusive of structured parking. The purpose is to mitigate the impacts of large scale commercial development and to contribute to the pedestrian-oriented character of Bayview Ridge. Pedestrian-oriented space must comply with the design provisions of paragraph (d) below.



**Figure 14.46.524(a).** Illustrating the amount of open space required for non-residential development.

- (b) Pedestrian-oriented space design criteria: These spaces, as required per paragraph (c) above, are intended to be publicly accessible spaces that enliven the pedestrian environment by providing (1) opportunities for outdoor dining, socializing, relaxing and (2) visual amenities that contribute to the character of commercial areas. Design criteria for pedestrian-oriented space:

- (i) Sidewalk area, where widened beyond minimum requirements, count as pedestrian-oriented open space. The additional sidewalk area may be used for outdoor dining and temporary display of retail goods. The standards below do not apply to sidewalks, where used as usable open space;
- (ii) The following design elements are **required** for pedestrian-oriented open space:
  - (A) Spaces must be physically and visually accessible from the adjacent street or major internal vehicle or pedestrian route. Spaces must be in locations that the intended user can easily access and use, rather than simply left-over or undevelopable spaces where very little pedestrian traffic is anticipated;
  - (B) Paved walking surfaces of either concrete or approved unit paving;
  - (C) Pedestrian-scaled lighting (no more than 14 feet in height) at a level averaging at least two-foot candles throughout the space. Lighting may be on-site or building-mounted (shielded) lighting;
  - (D) At least three feet of seating area (bench, ledge, etc.) or one individual seat per 60 square feet of plaza area or open space. This provision may be relaxed or waived where there are provisions for movable seating that meet the purpose of the standard;
  - (E) Spaces must be positioned in areas with significant pedestrian traffic to provide interest and security – such as adjacent to a building entry; and
  - (F) Landscaping that adds visual or seasonal interest to the space.



**Figure 14.46.524(b)(ii).** Illustrating key standards for pedestrian-oriented spaces.

(iii) The following features are **encouraged** in pedestrian-oriented space:

- (A) Pedestrian amenities such as a water feature, drinking fountain, and/or distinctive paving or artwork;
- (B) Provide pedestrian-oriented facades on some or all buildings facing the space;
- (C) Consideration of the sun angle at noon and the wind pattern in the design of the space;
- (D) Transitional zones along building edges to allow for outdoor eating areas and a planted buffer;
- (E) Movable seating;
- (F) Incorporation of water treatment features such as rain gardens or the use of an area over a vault as a pedestrian-oriented space; and
- (G) Weather protection, especially weather protection that can be moved or altered to accommodate conditions.

(iv) The following features are **prohibited** within pedestrian-oriented space:

- (A) Asphalt or gravel pavement, except where continuous gravel or asphalt paths intersect with the space;



- (B) Adjacent chain link fences;
- (C) Adjacent unscreened blank walls; and
- (D) Adjacent dumpsters or service areas.



**Figure 14.46.524(b)(iv).** Examples of pedestrian-oriented spaces.

- (c) Open space requirement for apartment uses: All apartment development, including apartment portions of mixed use development, must provide open space at least equal to 10% of the building living space, not counting corridors, lobbies, etc. For example, for an eight-unit development where the units average 1,000 square feet, the minimum required open space must be 800 square feet. The required open space may be provided in a combination of the following ways.
  - (i) 100% of the required open space may be in the form of common open space available to all residents and meeting the requirements of paragraph (f)(1) of this sub-section below. Common open space may be in the form of courtyards, front porches, patios, play areas gardens or similar spaces;
  - (ii) Up to 50% of the required open space may be provided by private or common balconies meeting the requirements of paragraph (f)(2) of this sub-section below;
  - (iii) For mixed-use buildings up to 50% of the required open space may be provided by common indoor open space areas meeting the requirements of paragraph (f)(iii) of this sub-section below;

- (iv) For mixed-use buildings, up to 50% of the required open space may be provided by shared roof decks located on the top of buildings which are available to all residents and meet the requirements of paragraph (f)(iv) of this sub-section below; and/or
- (v) Up to 25% of the required open space may be provided by vegetable garden areas meeting the requirements of paragraph (f)(v) of this sub-section below.
- (d) Apartment open space design criteria: The amount and distribution of apartment open space is defined in paragraph (e) above, whereas the criteria for designing such spaces is provided below:
  - (i) Common open space includes landscaped courtyards or decks, front porches, gardens with pathways, children's play areas, or other multi-purpose recreational and/or green spaces. Special requirements and recommendations for common open spaces include the following:
    - (A) Required setback areas do not count towards common open space requirement unless they are portions of a space that meets the dimensional and design requirements and guidelines herein;
    - (B) Space must be large enough to provide functional leisure or recreational activity. To meet this requirement, no dimension may be less than 15 feet in width (except for front porches);
    - (C) Spaces (particularly children's play areas) must be visible from at least some dwelling units and positioned near pedestrian activity;
    - (D) Spaces must feature paths, landscaping, seating, lighting, and other pedestrian amenities to make the area more functional and enjoyable;
    - (E) Individual entries may be provided onto common open space from adjacent ground floor residential units, where applicable. Small, semi-private open spaces for adjacent ground floor units that maintain visual access to the common area are encouraged to enliven the space. Low walls or hedges (less than three feet in height) are encouraged to provide clear definition of semi-private and common spaces;
    - (F) Separate common space from ground floor windows, automobile circulation, service areas and parking lots with landscaping, low-level fencing, and/or other treatments that enhance safety and privacy (both for common open space and dwelling units);

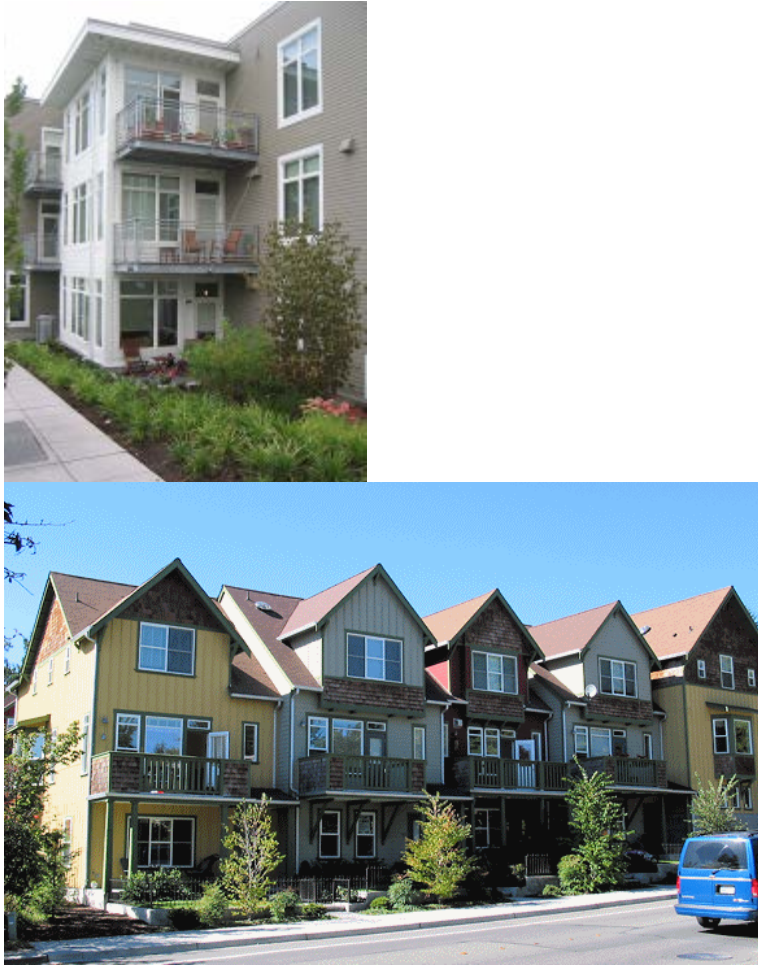
- (G) Space should be oriented to receive sunlight, facing east, west, or (preferably) south, when possible;
- (H) Stairways, stair landings, above grade walkways, balconies and decks may not encroach into minimum required common open space areas. An atrium roof covering may be built over a courtyard to provide weather protection provided it does not obstruct natural light inside the courtyard. Front porches are an exception; and
- (I) Shared front porches qualify as common open space provided no dimension is less than eight feet and the porches are accessible to all residents.





**Figure 14.46.524(d)(i).** *Examples of common open space.*

- (ii) Private balconies and decks: Such spaces must be at least 35 square feet, with no dimension less than four feet, to provide a space usable for human activity. This standard also applies to individual front porches if counted toward townhouse open space requirements.



**Figure 14.46.524(d)(ii).** Usable balcony examples.

- (iii) Indoor recreational areas: Such spaces must meet the following conditions:
  - (A) The space must be located in a visible area, such as near an entrance, lobby, or high traffic corridors; and
  - (B) Space must be designed specifically to serve interior recreational functions. Such space must include amenities and design elements that will encourage use by residents.
  
- (iv) Shared rooftop decks: Such spaces must meet the following requirements:
  - (A) Space must be available and accessible to all dwelling units;
  - (B) Space must provide amenities such as seating areas, landscaping, and/or other features that encourage use;
  - (C) Space must feature hard surfacing appropriate to encourage resident use; and

- (D) Space must incorporate features that provide for the safety of residents, such as enclosures and appropriate lighting levels; or
- (E) A green roof may qualify as rooftop deck space, provided all residents (that don't already have access to private open space) have access to the space.



**Figure 14.46.524(d)(iv).** Rooftop deck examples. The right image includes a vegetable garden with plots for individual residents.

**14.46.525 Site design — Side and rear yard design.**

- (1) Purpose:
  - (a) To provide for compatibility between developments;
  - (b) To provide side and rear yard design options that enhance Bayview Ridge's pedestrian environment and the areas around the development; and
  - (c) To provide flexible standards that allow property owners to maximize on-site development while meeting community design goals.
- (2) Standards and guidelines:
  - (a) Table of landscaped separators and buffers: In order to mitigate the impacts of new development on adjacent residential areas, public open spaces, and public trails, the required buffer standards listed in the table below are established. The landscaping standards referenced in this table are set forth in SCC 14.46.540. A new development use or facility listed in the first column must include the buffer indicated in the cell in the applicable Adjacent Uses and Zoning column. The buffers are only required where the new and existing developments have a common property line (not properties across the street from one another). The Reviewing Authority may modify the requirements if such a revision results in a public benefit and better condition for the adjacent properties.

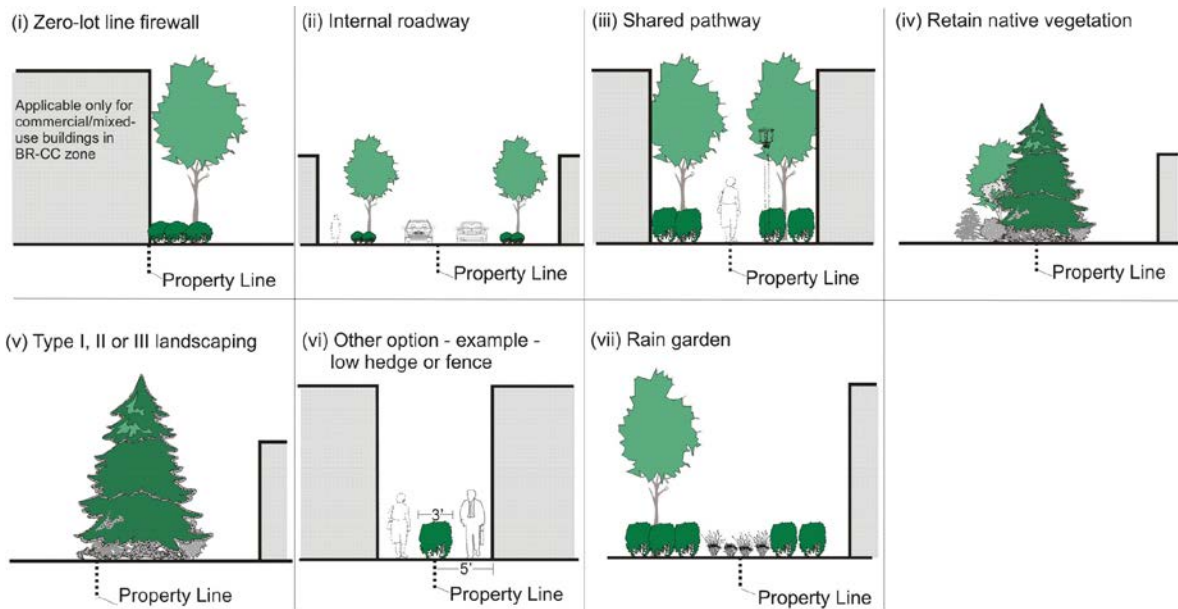
**Table 14.46.525(e). Table of minimum landscaped separators and buffers. See SCC 14.46.540(4) for descriptions and standards for the various landscaping “types”. Breaks in the landscaping treatments which provide for pedestrian connectivity between properties are permitted. The ↻ symbol indicates that Departures will be considered, provided alternative treatments can effectively mitigate negative impacts between uses.**

PROPOSED NEW DEVELOPMENT		ADJACENT USES AND ZONING			
		Existing single-family residential and undeveloped land in the BR-R zone	Existing apartment, townhouse, or, mixed-use building, or undeveloped land in the BR-CC zone	Street right-of-way	Public trail or public open space
<b>USES AND ZONES</b>	<b>New townhouse or apartment building(s)</b>	10 feet of Type A, B, or C landscaping	None required See SCC 14.16.520(3)(d) for treatment options	Any type of landscaping within required setback	5 feet of any type of landscaping
	<b>New townhouses or cottage housing</b>	5 feet of Type A or B landscaping, or 10 feet of Type C landscaping	None required – see SCC 14.16.520(3)(d) for treatment options	Any type of landscaping within required setback	5 feet of any type of landscaping
	<b>New commercial or mixed-use building, as defined in SCC 14.46.120</b>	10 feet of Type A or B landscaping	None required – see SCC 14.16.520(3)(d) for treatment options	See BR-CC Block Frontages and Orientation site orientation standards in SCC 14.46.450	None required with a pedestrian-oriented façade; 5 feet of any type of landscaping without a pedestrian-oriented façade
<b>FACILITIES</b>	<b>Parking area</b>	10 feet of Type A or B landscaping ↻	10 feet of Type A, B, or C landscaping	10 feet of Type C landscaping ↻	10 feet of Type A, B, C, or D landscaping
	<b>Service, loading, or waste management areas</b>	20 feet of Type A landscaping ↻	10 feet of Type A or B landscaping (20’ if associated with light industrial uses)	20 feet of Type A landscaping ↻	10 feet of Type A or B landscaping

(b) Side and back yard design options for non-residential and townhouse/apartment building development: Whereas Table 14.46.520(5)(e) indicates minimum landscaped buffers for particular uses, many commercial and multifamily uses have a number of design options for their side and rear yards. Thus, applicants should consider what type of treatment best fits the situation, based on context and applicable uses. Project applicants must incorporate one or more of the following design options into the site’s design:

- (i) Commercial/mixed-use buildings maybe sited up to the property line in the BR-CC zone;

- (ii) Provide a shared internal roadway along the property line;
- (iii) Provide a trail or other internal pathway along the property line;
- (iv) Retain existing native or desirable mature vegetation along the side or back property line;
- (v) Provide Type A, B, or C landscaping as defined in SCC 14.46.540(4) alongside and back property lines. A fence may be included with the landscaping. This option may be used only where options (a), (b), or (c) above are not viable as determined by the reviewing authority; and/or
- (vi) Other treatments that meet the purpose of the standards as approved by the reviewing authority. Factors that may be considered in determining the appropriate treatment include views, applicable uses, connectivity, environmental conditions, and desired level of privacy;
- (vii) A rain garden or other LID measure may be incorporated as part of the treatments above.



**Figure 14.46.525(b).** Side and back yard design options for non-residential and townhouse/apartment building development.

**14.46.526 Site design — Service element location and design.**

- (1) Purpose:
  - (a) To minimize the potential negative impacts of service elements; and



- (b) To encourage thoughtful siting of service elements that balance functional needs with the desire to screen negative impacts.
- (2) Standards and guidelines:
  - (a) All developments must provide a designated spot for service elements (refuse and disposal). Such elements must meet the following requirements:
    - (i) Service elements must be located to minimize the negative visual, noise, odor, and physical impacts to the street environment, adjacent (on and off-site) residents or other uses, and pedestrian areas;
    - (ii) The designated spot for service elements must be paved with concrete;

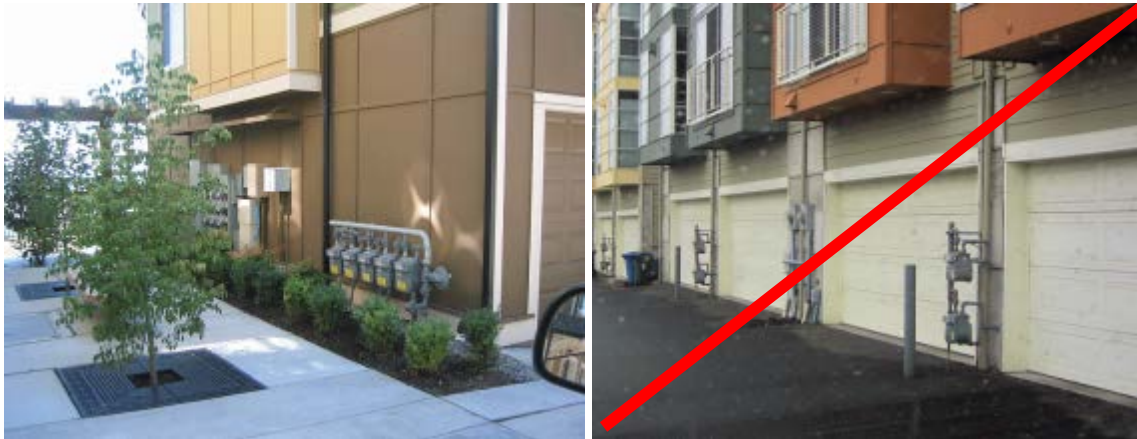


**Figure 14.46.526(a).** Appropriate service area location and enclosure example.

- (iii) Appropriate enclosure of the common trash and recycling elements are required. Requirements and considerations:
  - (A) Service areas visible from the street, pathway, pedestrian-oriented space or public parking area (alleys are exempt) must be enclosed and screened around their perimeter by a durable wall or fence at least six feet high. Developments must use materials and detailing consistent with primary structures on-site. Acceptable materials include brick, concrete block or stone;
  - (B) The sides and rear of the enclosure must be screened with Type A, B, or C (see SCC 14.46.540(4)) at least five feet deep in locations visible from the street, dwelling units, customer parking areas, or pathways to soften the views of the screening element and add visual interest;
  - (C) Collection points must be located and configured so that the enclosure gate swing does not obstruct pedestrian or vehicle traffic, or does not require that a hauling truck project into any public right-of-way; and

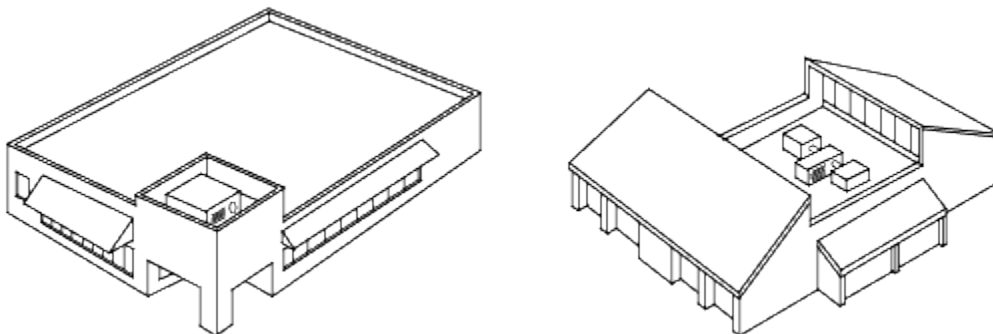
(D) Proximity to adjacent residential units will be a key factor in determining appropriate service element treatment.

- (b) Utility meters, electrical conduit, and other service utility apparatus: These elements must be located, or designed, or both to minimize their visibility to the public. Project designers are strongly encouraged to coordinate with applicable service providers early in the design process to determine the best approach in meeting these standards. If such elements are mounted in a location visible from the street, pedestrian pathway, common open space, or shared auto courtyards, they must be screened with vegetation or by architectural features.



**Figure 14.46.526(b).** Good and bad utility meter configurations. The examples on the left are consolidated and somewhat screened by landscaping elements, while the right examples are exposed and degrade the character of these townhomes.

- (c) Rooftop mechanical equipment: All rooftop mechanical equipment must be organized, proportioned, detailed, screened, or colored, or some combination thereof, to be an integral element of the building and minimize visual impacts from the ground level of adjacent streets and properties. For example, screening features should utilize similar building materials and forms to blend with the architectural character of the building.



**Figure 14.46.520(6)(c).** Screening examples of rooftop mechanical equipment.

**14.46.527 Site design — Site lighting.**

- (1) Purpose:
  - (a) To encourage the judicious use of lighting in conjunction with other security methods to increase site safety;
  - (b) To encourage the use of lighting as an integral design component to enhance buildings, landscaping, and other site features;
  - (c) To maintain night sky visibility and to reduce the general illumination of the sky in Bayview Ridge;
  - (d) To reduce the horizontal glare and vertical light trespass from a development onto adjacent parcels and natural features; and
  - (e) To discourage the use of lighting for advertising intents.
- (2) Applicability. Unless otherwise noted, the provisions in this section apply to all non-residential and townhouse/apartment building development within the BR-CC and BR-R zones.
- (3) Standards and guidelines. An exterior lighting plan providing appropriate lighting levels in all areas used by pedestrians or automobiles, including building entries, walkways, parking areas, circulation areas, and other open space areas must be submitted and meet the following standards and guidelines:
  - (a) All public areas must be lighted with average minimum and maximum levels as follows:
    - (i) Minimum (for low or non-pedestrian and vehicular traffic areas) of 0.5 foot candles;
    - (ii) Moderate (for moderate or high volume pedestrian areas) of one to two foot candles; and
    - (iii) Maximum (for high volume pedestrian areas and building entries) of four foot candles;
  - (b) Lighting must be provided at consistent levels, with gradual transitions between maximum and minimum levels of lighting and between lit areas and unlit areas. Highly contrasting pools of light and dark areas must be avoided;
  - (c) Parking lot lighting fixtures must be non-glare and mounted no more than 25 feet above the ground, with lower fixtures preferable so as to maintain a human scale;

- (d) Pedestrian-scaled lighting (light fixtures no taller than 15 feet) is encouraged in areas with high anticipated pedestrian activity. Lighting must enable pedestrians to identify a face 45 feet away in order to promote safety;
- (e) Lighting should not be permitted to trespass onto adjacent private parcels nor may light source (luminaire) be visible at the property line. Fixtures used to accent architectural features, materials, colors, styles of buildings or art must be located, aimed and shielded so that light is directed only on those features. Such fixtures must be aimed or shielded so as to minimize light spill into the dark night sky;

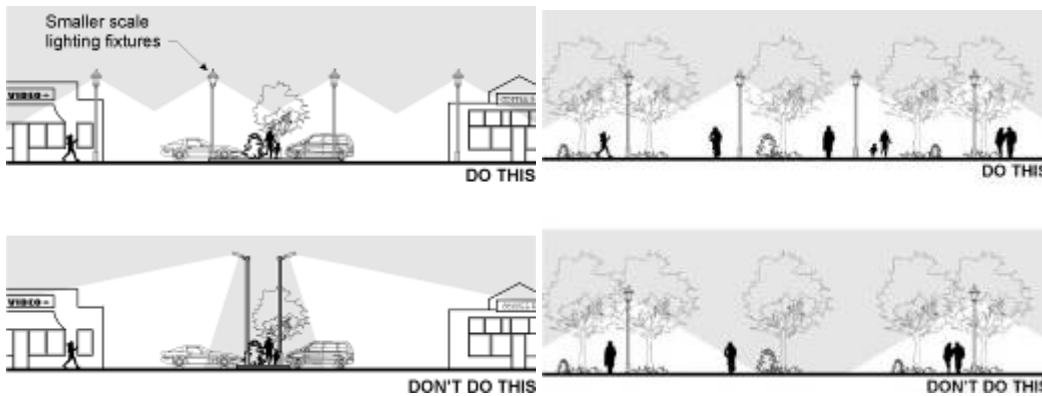


Figure 14.46.527. Lighting guidelines.

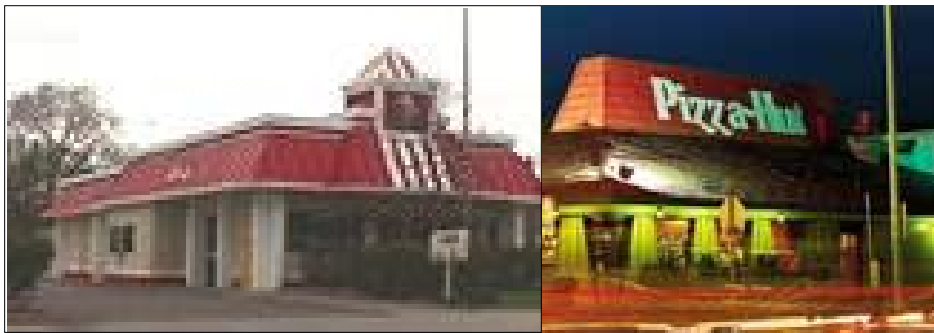
- (f) In order to direct light downward and minimize the amount of light spilled into the dark night sky, all lighting fixtures must be full cut-off fixtures as defined by the Illuminating Engineering Society of North America (IESNA);
- (g) Flags of the United States or Washington State may be illuminated from below provided such lighting is focused primarily on the individual flag or flags so as to limit light trespass and spill into the dark night sky;
- (h) Illumination of landscaping must utilize diffused or muted lighting, avoid glare, and minimize light trespass and escape beyond landscaping onto neighboring property, streets, or the night sky; and
- (i) Vegetation and landscaping must be maintained in a manner that does not obstruct security lighting.
- (j) Upward acting building illumination may be used as an architectural accent, as long as light source is shielded from pedestrians, vehicles, adjacent properties and illuminates wall surface only, and not the sky. The intent is to see the effect of light, not the source. This reflected light may be used in lieu of wall mounted or pole fixtures in some instances where pedestrian walkways are also illuminated for safety.

**14.46.530 Building design.**

- (1) Purpose: This section provides direction for the design of buildings consistent with the goals and policies of the Bayview Ridge Subarea Plan.
- (2) Applicability: Unless otherwise noted, the provisions in this section apply to all non-residential and townhouse/apartment building development within the BR-CC and BR-R zones.

**14.46.533 Building design — Architectural character.**

- (1) Purpose: Encourage original building design that helps to foster a distinct design character for Bayview Ridge.
- (2) Standards and guidelines: No franchise architecture: Architecture that is trademarked, branded, or easily identified with a particular chain or corporation and difficult to adapt to other uses is prohibited. For example, some fast food franchises have very specific architectural features such as unique rooflines and/or window designs that reinforce their identity. If and/or when these businesses cease use of the building, the buildings are often still identified by their previous use (franchise/corporation) except where expensive renovations are made to update the character and identity of the building. Signs and building color alone may not be considered as franchise architecture.



**Figure 14.46.533(a).** Examples of franchise architecture (roof forms).

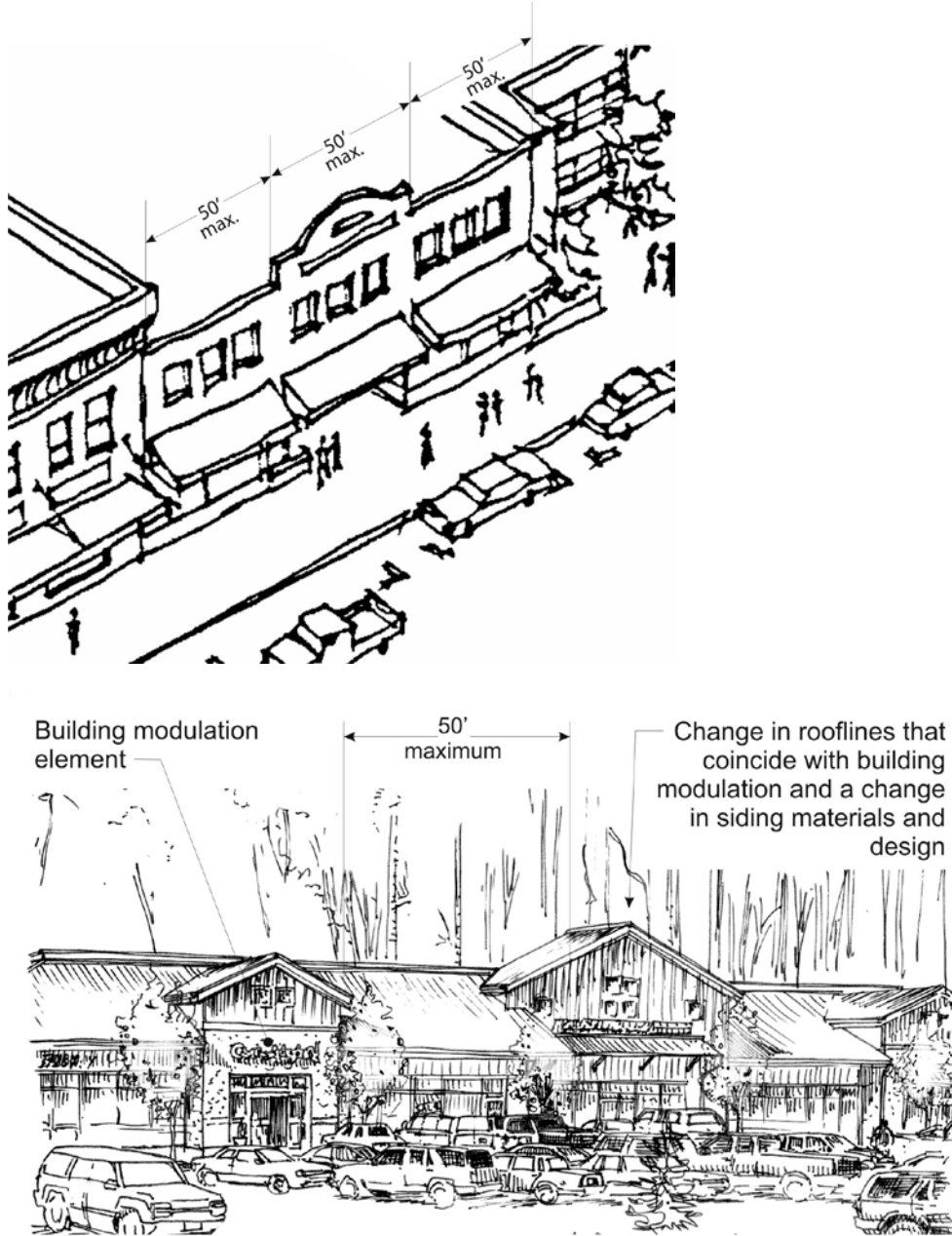


**Figure 14.46.533(b).** Examples from other communities where alternatives to franchise architecture were used consistent with local design guidelines. These examples are not included as good examples appropriate for Bayview Ridge, but are meant to show that franchises will modify the design of their businesses when necessary, to conform with local design guidelines.

**14.46.534 Building design — Architectural scale.**

- (1) Purpose:
  - (a) To reduce the scale of large buildings and add visual interest; and
  - (b) To promote compatible development in terms of architectural scale.
- (2) Standards and guidelines:
  - (a) Building articulation – Non-residential buildings: All non-residential buildings must include articulation features no more than every 50 feet to create a pattern of small storefronts. Buildings less than 75 feet wide are exempt from this standard. At least three of the following methods must be employed:
    - (i) Use of window and/or entries that reinforce the pattern of small storefront spaces;
    - (ii) Use of weather protection features that reinforce small storefronts. For example, for a business that occupies 120 feet of frontage, use three separate awnings to break down the scale of the storefronts. Alternating colors of the awnings may be useful as well;
    - (iii) Providing vertical building modulation of at least two feet in depth and four feet in width if combined with a change in siding materials and/or roofline modulation per paragraph (d) below;
    - (iv) Change of roofline or parapet per paragraph (d) below;
    - (v) Use of vertical piers/columns that reinforce the storefront pattern;
    - (vi) Changing materials and/or color with a change in building plane;
    - (vii) Vertical elements such as a trellis with plants, green wall, or art element that meets the purpose of the standards; and/or
    - (viii) Other methods that meet the purpose of the standards.
    - (ix) Schools and other public buildings must be granted some flexibility to this standard provided design treatments are included to add visual interest and promote compatibility with the surrounding community.
    - (x) **Departures** will be considered provided the design meets the purpose of the standards. Elements to consider are the level of detailing, quality of building

materials, design of storefronts, and integration with, or enhancement of, the surrounding context.



**Figure 14.46.534(a).** *Non-residential façade articulation examples.*

- (b) Building articulation – Apartment buildings: All apartment buildings and residential portions of mixed-use buildings must include at least three of the following articulation features at intervals of no more than 30 feet along all facades facing a street, common open space, and common parking areas:

- (i) Repeating distinctive window patterns at intervals less than the required interval;
- (ii) Providing vertical building modulation: Minimum depth and width of modulation is 12 inches and four feet (respectively) if tied to a change in color or building material and/or roofline modulation as defined in paragraph (d) below. Balconies may not be used to meet modulation option unless they are recessed or projected from the façade and integrated with the building’s architecture. For example, “cave” balconies or other balconies that appear to be “tacked on” to the façade will not qualify for this option unless the roof form changes the modulation over the decks and setback to create a modulated appearance;
- (iii) Change of roofline per paragraph (d) below; and/or
- (iv) Other distinctive design features used at intervals 30 feet or less that effectively reduce the perceived scale of the façade and add visual interest to the building.
- (v) **Departures** will be considered provided the design meets the purpose of the standards. Elements to consider are the level of detailing, quality of building materials, types of articulated features, and integration with/or enhancement of, the surrounding context.

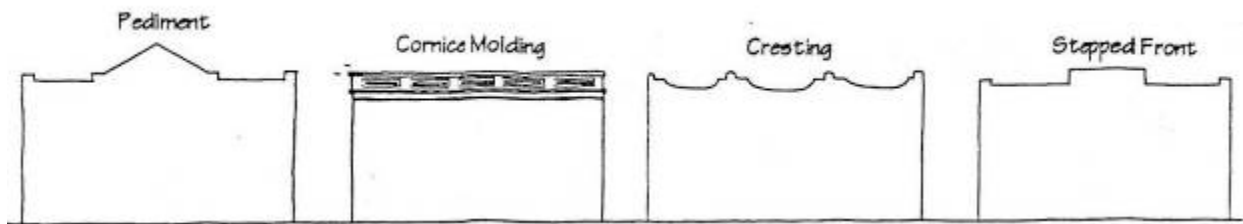
(c) Building articulation — Townhouses. See SCC 14.46.510(5)(d).



**Figure 14.46.534(b).** Apartment building articulation diagram.

- (d) Roofline/cornice design options: Rooflines visible from a public street, open space, or public parking area must meet one of the following design options:
  - (i) Comply with roofline modulation provisions per paragraph (d) below;
  - (ii) Provide a decorative building cornice that projects at least six inches from the face of the building. The cornice line must extend along at least 75% of the façade; or
  - (iii) Any combination of the options above.





**Figure 14.46.534(c).** Decorative cornice examples (top) and acceptable roof forms for commercial buildings (bottom).

- (e) Roofline modulation: In order to qualify as a roofline modulation treatment in the standards in Subsection (4) herein, rooflines must be varied by emphasizing dormers, chimneys, stepped roofs, gables, or a broke or articulated roofline consistent with the required articulation interval. Modulation consists of either:
  - (i) For flat roofs or facades with horizontal eave, fascia, or parapet, the minimum vertical dimension of roofline modulation is the greater of two feet or 0.1 multiplied by the wall height (finish grade to top of the wall) when combined with vertical building modulation techniques described in paragraphs (2)(a)(i) above. Otherwise, the minimum vertical dimension of roofline modulation is the greater of four feet or 0.2 multiplied by the wall height;

- (ii) A sloped or gabled roofline segment with a minimum slope of 3:12. The roofline must include modulated segments at no more than the interval required per the applicable standard above; or
- (iii) A combination of the above.

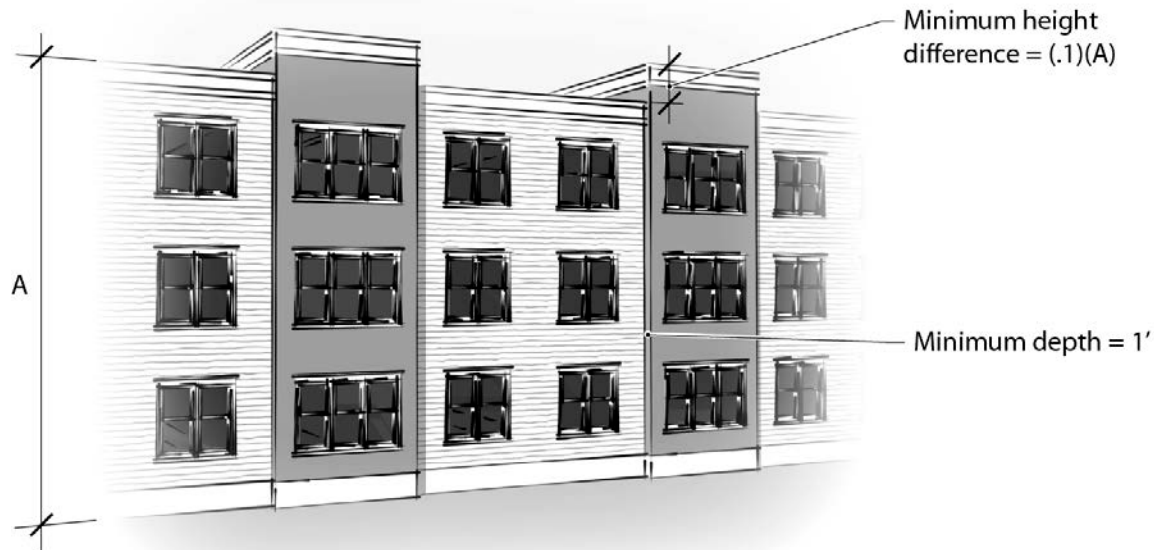


Figure 14.46.534(d)(i). Flat roofline example incorporating modulation.

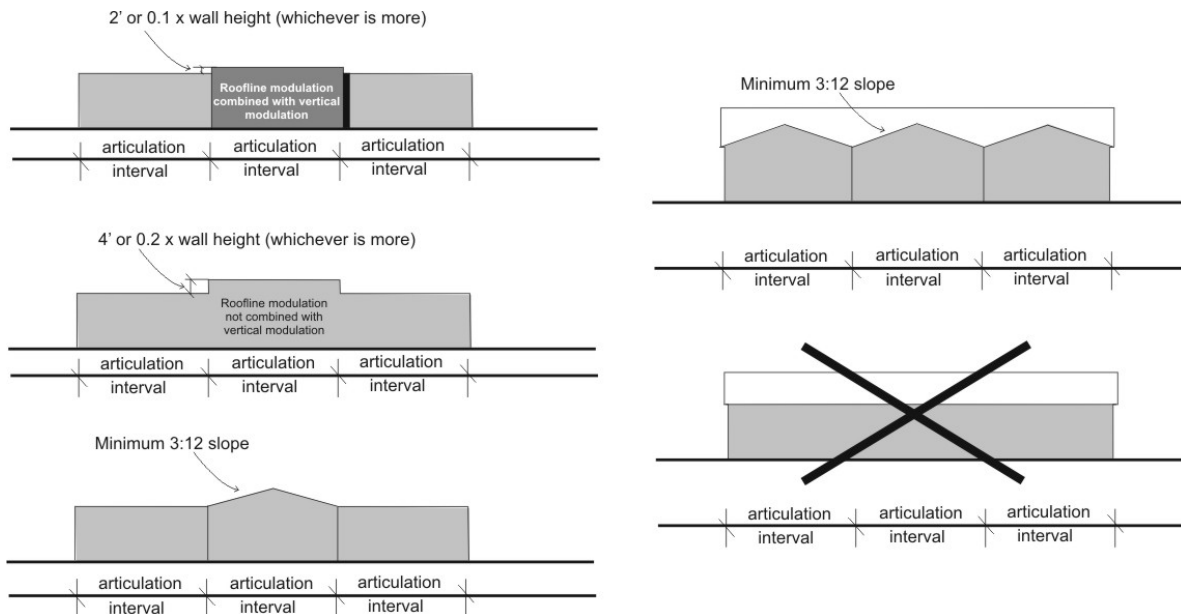


Figure 14.46.534(d)(ii). Roofline modulation standards.

**14.46.535 Building design — Building elements and details.**

- (1) Purpose: To encourage the incorporation of design details and small-scale elements into building facades that are attractive at a pedestrian scale.
- (2) Standards and guidelines:
  - (a) Façade details toolbox: All non-residential and mixed-use buildings must be enhanced with appropriate details. All new buildings must employ at least one detail element from each of the three categories below for each façade facing a street or public space for each façade articulation interval (see SCC 14.46.530(4)). For example, a building with 120 feet of street frontage with a façade articulated at 50-foot intervals will need to meet the standards for each of the three façade segments below.
    - (i) Window and/or entry treatment:
      - (A) Display windows divided into a grid of multiple panes;
      - (B) Transom windows;
      - (C) Roll-up windows/doors;
      - (D) Other distinctive window treatment that meets the purpose of the standards;
      - (E) Recessed entry;
      - (F) Decorative door;
      - (G) Arcade;
      - (H) Landscaped trellises or other decorative element that incorporates landscaping near the building entry; or
      - (I) Other decorative or specially designed entry treatment that meets the purpose of the standards.
    - (ii) Building elements and façade details:
      - (A) Custom-designed weather protection element such as a steel canopy, cloth awning, or retractable awning;
      - (B) Decorative, custom hanging sign(s);
      - (C) Decorative building-mounted light fixtures;
      - (D) Bay windows, trellises, towers, and similar elements; or

- (E) Other details or elements that meet the purpose of these standards.
- (iii) Building materials and other facade elements:
  - (A) Use of decorative building materials/use of building materials. Examples include decorative use of brick, tile, or stonework;
  - (B) Artwork on building (such as a mural) or bas-relief sculpture;
  - (C) Decorative kick-plate, pier, beltcourse, or other similar feature;
  - (D) Hand-crafted material, such as special wrought iron or carved wood; or
  - (E) Other details that meet the purpose of the standards.
- (iv) “Custom,” “decorative,” or “hand-crafted” elements referenced above must be distinctive or elements or unusual designs.
- (v) Departures to the standards above will be considered provided the number, quality, and mix of details meet the purpose of the standards.



**Figure 14.46.535(a).** *Facade details examples. The building on the left uses decorative windows and doors, decorative roofline and columns, and decorative materials (brick and wood). The center image uses a decorative entry feature (metal feature over entry), decorative weather protection and lighting, and decorative use of brickwork. The right image uses decorative wood beams over the entry, decorative windows and doors, and stonework.*

- (b) Window design: Buildings must employ techniques to recess or project individual windows above the ground floor at least two inches from the façade or incorporate window trim at least four inches in width that features color that contrasts with the base building color. **Departures** will be considered where buildings employ other distinctive window or facade treatment that adds a sense of depth to the facade and/or visual interest to the building.



**Figure 14.46.535(b).** Acceptable and unacceptable (far right image) window design on upper floors. Note that the windows in the brick building on the left are recessed from the façade. The windows in the middle images include trim. The image on the right includes no trim or recess/projection, and therefore would not be permitted.

**14.46.536 Building design — Building materials & colors.**

(1) Purpose:

- (a) To encourage high-quality building materials that enhance the character and identity of Bayview Ridge;
- (b) To discourage poor materials with high life-cycle costs; and
- (c) To encourage the use of materials that reduce the visual bulk of large buildings.

(2) Standards and guidelines:

- (a) Metal siding standards: Metal siding may be used if it is incorporated with other permitted materials and it complies with the following:
  - (i) It features visible corner molding and trim and does not extend lower than two feet above grade at areas facing a public street or residential zone. Masonry, concrete, or other durable material must be incorporated between the siding and the ground plane; and
  - (ii) Metal siding must be factory finished, with a matt, non-reflective surface.



**Figure 14.46.536(a).** Acceptable and unacceptable metal siding examples. Notice the corner and window trim and use of concrete block near the ground level on the left image. The circled area on the right includes metal siding all the way to the ground, which is prohibited.

- (b) Concrete block standards: Concrete block may be used if it is incorporated with other permitted materials and it complies with the following:
- (i) When used for the primary façade, buildings must incorporate a combination of textures and/or colors to add visual interest. For example, combining split or rock-façade units with smooth blocks can create distinctive patterns; and
  - (ii) Plain Concrete block may comprise no more than 50% of a façade facing a public right-of-way or open space. **Departures** to this standard will be considered provided design treatments are included to enhance the visual character of the building at all observable scales.



**Figure 14.46.536(b).** Acceptable and unacceptable concrete block examples. The left example uses a mixture of split-faced colored concrete block and smooth-faced concrete block, together comprising just under 50% of the whole façade. The large expanse of smooth-faced concrete block on the right is not desirable for Bayview Ridge façades.

- (c) Standards for stucco or other similar troweled finishes: Such material/finishes may be used if it is incorporated with other permitted materials and it complies with the following:
  - (i) Stucco and similar troweled finishes (including Exterior Insulation and Finish system or “EIFS”) must be trimmed in wood, masonry, or other material and must be sheltered from extreme weather by roof overhangs or other methods and are limited to no more than 50% of the façade area facing a public right-of-way or open space. **Departures** to this standard will be considered provided design treatments are included to enhance the visual character of the building at all observable scales; and
  - (ii) Stucco, EIFS, and similar surfaces should not extend below two feet above the ground plane where visible to a street or walkway. Concrete, masonry, or other durable material must be used for wall surfaces within two feet of grade to provide a durable surface where damage is most likely.



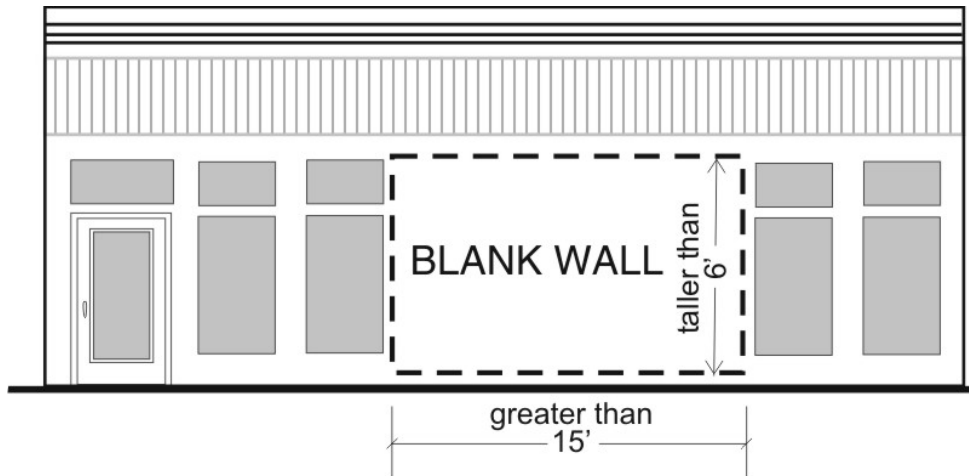
**Figure 14.46.536(c).** Acceptable and unacceptable stucco examples. The left image uses concrete block near the sidewalk, while the Petco maintains stucco to the base of the façade.

- (d) Prohibited materials:
  - (i) Mirrored glass;
  - (ii) T-111-type plywood siding and similar processed sheet products;
  - (iii) Chain-link fencing (except for temporary fencing and for parks);
  - (iv) Fiberglass products and similar sheet products; and
  - (v) Back-lit vinyl awnings used as signs.

#### **14.46.537 Building design — Blank wall treatment.**

- (1) Purpose:

- (a) To avoid untreated blank walls.
  - (b) To enhance the character of Bayview Ridge.
- (2) Standards and guidelines:
- (a) Blank wall definition: A ground floor wall or portion of a ground floor wall over six feet in height has a horizontal length greater than 15 feet and does not include a transparent window or door.



**Figure 14.46.537(a).** Blank wall definition illustration.

- (b) Blank wall treatment: Untreated blank walls visible from a public street or pedestrian pathway are prohibited unless the following methods are used. For large visible blank walls, a variety of treatments may be required to meet the purpose of the standards. Methods to treat blank walls can include:
  - (i) Display windows at least 16 inches of depth to allow for changeable displays. Tack on display cases do not qualify as a blank wall treatment;
  - (ii) Landscape planting bed at least five feet wide or a raised planter bed at least two feet high and three feet wide in front of the wall with planting materials that are sufficient to obscure or screen at least 60% of the wall's surface within three years;
  - (iii) Installing a vertical trellis in front of the wall with climbing vines or plant materials;
  - (iv) Installing a mural as approved by the reviewing authority; and/or
  - (v) Special building detailing that adds visual interest at a pedestrian scale. Such detailing must use a variety of surfaces; monotonous designs will not meet the purpose of the standards.



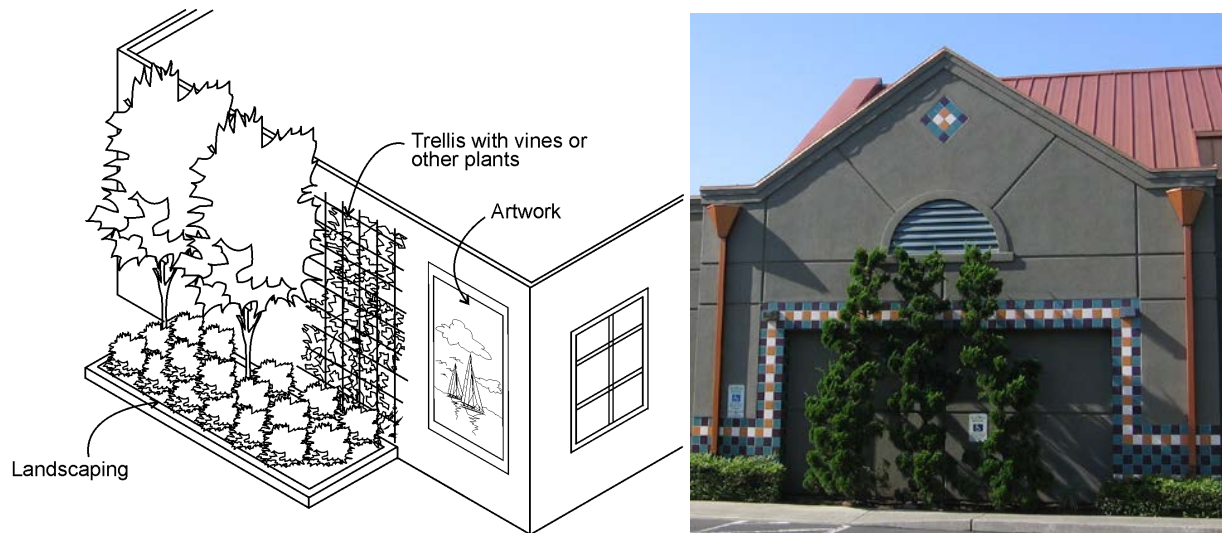


Figure 14.46.537(b). Blank wall treatment examples.

#### 14.46.538 Building design — Energy efficient building design.

- (1) Purpose:
  - (a) To reduce greenhouse gas emissions resulting from buildings.
  - (b) To encourage high quality energy efficient construction that reduces long term maintenance costs.
  - (c) To encourage the use of roof design and materials that maximize the energy efficiency of buildings.
- (2) Standards and guidelines:
  - (a) Residential buildings: New and remodeled buildings should be designed to meet the [Northwest ENERGY STAR Homes Certification Requirements for Single-family Homes or Multifamily Buildings](#) or other similar approved independent certification program.
  - (b) Commercial or mixed-use buildings: New and remodeled buildings should be designed to earn the ENERGY STAR rating by achieving the rating of 75 or higher using the [EPA Energy Target Finder tool](#) or comparable rating by an approved independent certification program.
  - (c) Roof design: The Solar Reflectivity Index for flat roofs must be a minimum of 78. The Solar Reflectivity Index for sloped roofs must be a minimum of 29.

#### 14.46.540 Landscaping.

- (1) Purpose:

- (a) Promote well-conceived and attractive landscaping that reinforces the architectural and site planning concepts in response to site conditions and context;
  - (b) To enhance environmental conditions;
  - (c) To maintain and enhance the character of the area;
  - (d) To reduce negative potential impacts between adjacent and neighboring uses;
  - (e) To encourage the use of attractive and drought tolerant plant materials native to the Puget Sound region;
  - (f) To ensure that plants will quickly achieve their intended visual objectives;
  - (g) To promote tree retention and the protection of existing native vegetation;
  - (h) To define, break up, and screen parking areas to reduce potentially negative impacts on adjacent uses;
  - (i) To provide for the long-term establishment and health of new landscape plantings; and
  - (j) To ensure the long term maintenance and attractiveness of landscape plantings.
- (2) Applicability and submittal requirements:
- (a) The standards herein supersede the provisions of SCC 14.16.830.
  - (b) The standards herein apply to non-residential and townhouse/apartment building development unless otherwise noted herein.
  - (c) An approved landscape plan is required for any change of use, new or replacement commercial, industrial or institutional building, special use, or subdivision application (as required by Chapter 14.18 SCC). Plans for projects including 2,000 square feet or more of landscaping over the entire development area must be prepared by a Washington-licensed landscape architect or Washington State certified nursery person.
  - (d) Conceptual landscape plans must be submitted to the Department with the initial project application. An approved plan will be required prior to final project approval. Plans must be drawn to scale showing the location of buildings, above and below ground utilities, and the location, quantities and sizes of proposed plants and other proposed materials in the landscape area. Potential conflicts between landscaping and utilities must be minimized or avoided.
- (3) Plant material standards:

- (a) Native and naturalized plant species: New landscaping materials must include species native to the Puget Sound region or non-invasive naturalized species that have adapted to the climatic conditions of the region. The selection of plant species should include consideration of soil type and depth, the amount of maintenance required, spacing, exposure to sun and wind, the slope and contours of the site, compatibility with existing native vegetation preserved on the site, water conservation where needed, and the impact of landscaping on visibility of the site for purposes of public safety and surveillance.
- (b) Tree standards and guidelines: Unless otherwise noted herein, required trees must meet the following standards at time of planting:
  - (i) Required trees within parking areas must be a minimum caliper of two inches (as measured six feet above the root ball) and a minimum height of ten feet at the time of planting;
  - (ii) Required deciduous trees (other than street trees) must be fully branched, have a minimum caliper of 1 1/2 inches (as measured six feet above the root ball), and a minimum height of eight feet at the time of planting;
  - (iii) Required evergreen trees (other than street trees) must be fully branched and a minimum of six feet in height, measured from the treetop to the ground, at the time of planting;
  - (iv) If the reviewing authority decides reducing the minimum size of trees will not detract from the desired effect of the trees, the minimum size of trees (other than street trees) may be reduced if the applicant submits a written statement by a licensed Washington landscape architect or Washington-certified Professional Horticulturist (CPH) certifying that the reduction in size at planting will not decrease the likelihood the trees will survive; and
  - (v) Trees must be varieties that will not conflict with underground or overhead utilities.
- (c) Shrub standard: Shrubs, except for ornamental grasses, must be a minimum of two-gallon size at the time of planting.
- (d) Ground cover standards and guidelines.
  - (i) Ground covers must be planted and spaced to result in total coverage of the required landscape area within three years, or as per recommendations by a Washington-licensed landscape architect or Washington State certified nursery person as follows:

- (A) Four inch pots at 18-inches on-center;
  - (B) One-gallon or greater sized containers at 24-inches on-center; and
  - (C) A bed of flowers in place of groundcover plants. A reduction in the minimum size may be permitted if certified by a Washington-licensed landscape architect or Washington State certified nursery person that the reduction must not diminish the intended effect or the likelihood the plants will survive; and
- (ii) Grass is acceptable as ground cover in landscaped areas, but generally not preferred for water conservation and maintenance purposes. (Lawn areas designed as play areas are an exception).
- (e) Soil augmentation and mulching:
    - (i) Existing soils must be augmented with a two inch layer of fully composted organic material tilled a minimum of six inches deep prior to initial planting;
    - (ii) Landscape areas must be covered with at least two inches of mulch to minimize evaporation. Mulch must consist of materials such as yard waste, sawdust, and/or manure that is fully composted; and
    - (iii) Tree/shrub height and location: The landscape plan should plan for the mature size of trees and major shrubs to avoid interference with windows, decks, or lighting.
- (4) Landscaping types: Below are described five landscaping types. These landscaping types may be required by different sections of code within this chapter.

**(a) Type A landscaping:**

- (i) Type A landscaping functions as a full screen and visual barrier. This landscaping is typically found between residential and nonresidential areas and to screen unwanted views;
- (ii) Type A landscaping must minimally consist of:
  - (A) A mix of primarily evergreen trees and shrubs generally interspersed throughout the landscape strip and spaced to form a continuous screen;
  - (B) Between 70-90% evergreen trees;
  - (C) Trees provided at the rate of one per 100 square feet or one per ten linear feet, whichever is greater, of landscape strip;

- (D) Evergreen shrubs provided at the rate of one per 20 square feet of landscape strip;
- (E) Groundcover; and
- (F) The selected plant materials and configuration will be able to completely screen 80% of the unwanted views within three years of planting and fully screen the unwanted view within six years. This requirement will account for the size of materials planted and their typical growth rate.

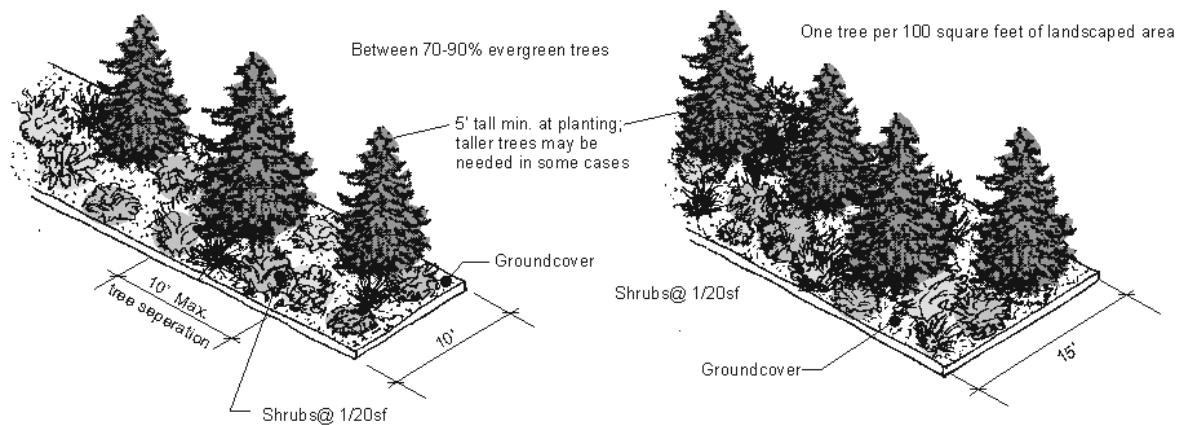


Figure 14.46.540(4)(a). Type A landscaping standards.

**(b) Type B landscaping:**

- (i) Type B landscaping is a “filtered screen” that functions as a visual separator. This landscaping is typically found between differing types of residential development, and to screen unwanted views from the pedestrian environment;
- (ii) Type B landscaping must minimally consist of:
  - (A) A mix of evergreen and deciduous trees and shrubs generally interspersed throughout the landscape strip spaced to create a filtered screen;
  - (B) At least 50% deciduous trees and at least 30% evergreen trees;
  - (C) Trees provided at the rate of one per 200 square feet or one per 20 linear feet, whichever is greater, of landscape strip;
  - (D) Shrubs provided at the rate of one per 20 square feet of landscape strip and spaced no more than eight feet apart on center;
  - (E) Groundcover; and

- (F) The selected plant materials and configuration will meet the purpose of the standards within three years of planting. This requirement will account for the size of materials and the growth rate.

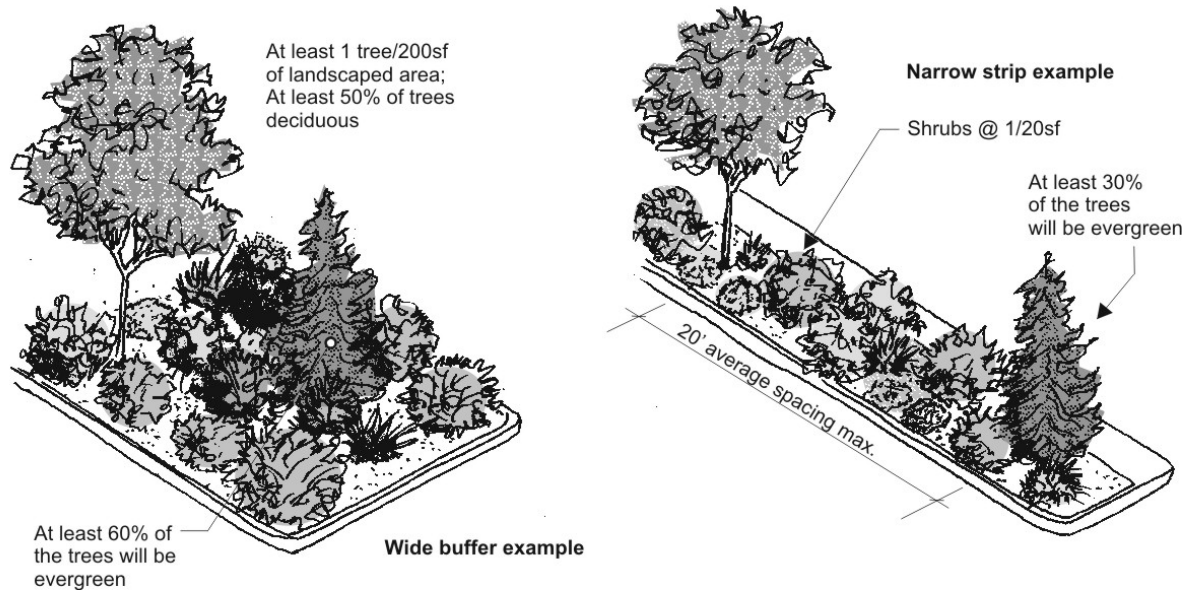


Figure 14.46.540(4)(b). Type B landscaping standards.

(c) Type C landscaping:

- (i) Type C landscaping is a “see-through screen” that functions as a partial visual separator to soften the appearance of parking areas and building elevations. This landscaping is typically found along street frontage or between multifamily developments;
- (ii) Type C landscaping must minimally consist of:
- (A) Primarily deciduous trees generally spaced to create a continuous canopy that extends well beyond the landscaped area;
  - (B) At least 70% deciduous trees;
  - (C) Trees provided at the rate of one per 250 square feet or one per 25 linear feet, whichever is greater, of landscape strip;
  - (D) Shrubs provided at the rate of one per 20 square feet of landscape strip and spaced no more than eight feet apart on center;
  - (E) Groundcover;

- (F) Maintain trees and shrubs to maximize pedestrian visibility (generally between three and eight feet above grade); and
- (G) The selected plant materials and configuration will meet the purpose of the standards within three years of planting. This requirement will account for the size of materials and the growth rate.

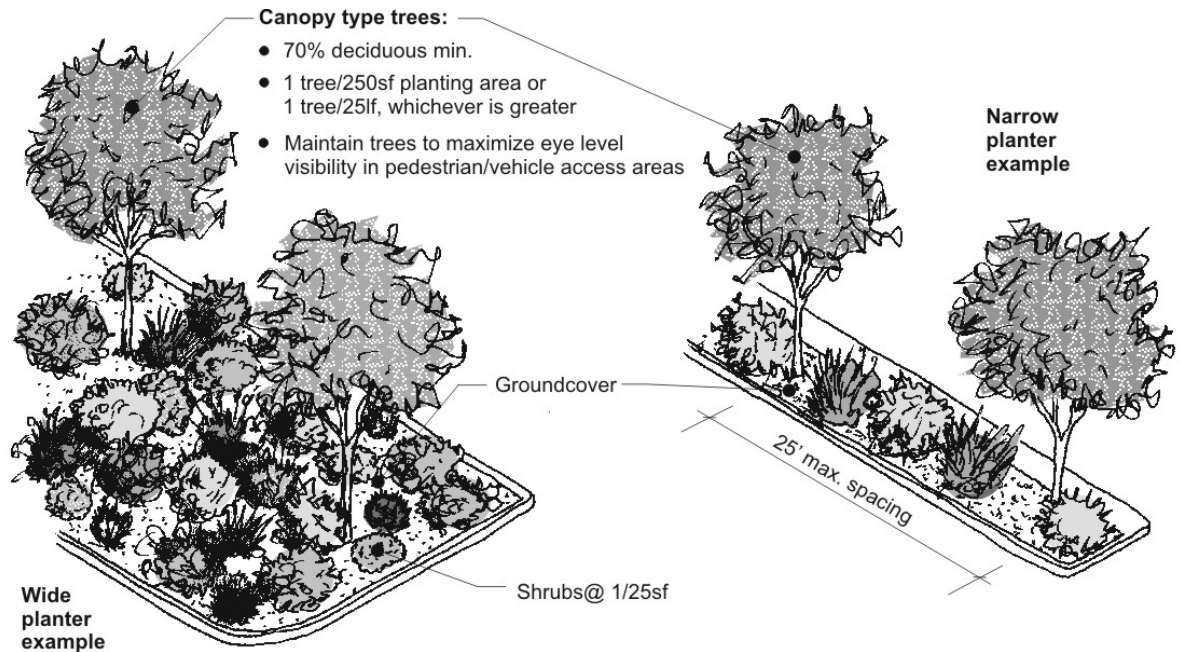


Figure 14.46.540(4)(c). Type C landscaping standards.

**(d) Type D landscaping:**

- (i) Type D landscaping refers to enhanced woodland that functions as a buffer between different intensities of uses. These areas feature existing trees and vegetation, but often need supplemental planting to effectively function as an attractive buffer.
- (ii) Type D landscaping must minimally consist of:
  - (A) Trees, shrubs, and ground covers that are native to the Puget Sound region and are appropriate to the conditions of the site;
  - (B) Arrangement of plants must be asymmetrical and plant material must be sufficient in quantity to cover the soil in three growing seasons;
  - (C) Minimum 20 feet in width if used as a screen; and

- (D) The selected plant materials and configuration will meet the purpose of the standards within three years of planting. This requirement will account for the size of materials and the growth rate.



Mixture of native trees, shrubs, and groundcover arranged in a naturalistic setting

Min. 20' if used as part of screen

**Figure 14.46.540(4)(d).** Type D landscaping standards.

**(e) Type E landscaping:**

- (i) Type E landscaping refers to all other landscaped areas that do not qualify as Type A-D landscaping. While native and low maintenance trees and shrubs are encouraged in these areas, lawn areas may be used for recreational or design purposes. These areas also could include flower beds and perennial beds; and
- (ii) Type E landscaping may include any combination of plant materials provided they comply with the plant material standards in paragraph (3) above.

**(5) Landscape site design standards:**

- (a) Minimum landscaped areas: Required pervious areas as set forth in Table 14.46.330(4) must be landscaped consistent with the standards in this Section.
- (b) Surface parking lot landscaping:
  - (i) Purpose: To minimize potential negative impacts of parking lots on the community's visual character, pedestrian environment, local water quality conditions, and adjacent uses.
  - (ii) Parking lot perimeters: See Table 14.46.520(5)(e).



- (iii) Internal parking lot landscaping:
  - (A) 20 square feet of planting area utilizing Type C landscaping is required for each parking space. Parking lots containing less than 40 spaces are exempt from this standard;
  - (B) At least one tree is required for every planting island within a parking lot;
  - (C) All parking spaces must be within 50 feet of a planting island with a tree;
  - (D) Planting islands must be at least six feet deep and wide to be used in planting area calculations;
  - (E) Trees along internal parking lot pathways may be placed in tree grates, but the planting area will not count towards minimum planting area requirements;
  - (F) Wheel stops, curbs or walkways must be used to protect planting islands from vehicles;
  - (G) Canopy type trees must be utilized;
  - (H) Rain gardens and swales may be integrated into required planting areas; and
  - (I) The reviewing authority may approve and condition alternative landscaping designs that meet the purpose of the standards.
- (c) Side/ rear yard screening: See SCC 14.46.520(5) for applicable standards.
- (d) Foundation planting:
- (e) All street-facing elevations must have landscaping along any exposed foundation. The landscaped area may be along the outer edge of a porch instead of the foundation. This landscaping requirement does not apply to portions of the building facade that provide access for pedestrians or vehicles to the building. The foundation landscaping must meet the following standards:
  - (i) The landscaped area must be at least three feet wide;
  - (ii) There must be at least one three-gallon shrub for every three lineal feet of foundation; and
  - (iii) Ground cover plants must fully cover the remainder of the landscaped area.



**Figure 14.46.540(5)(d).** Provide landscaping to screen exposed foundations.

- (6) Installation and maintenance:
- (a) Timing of installation: The applicant must install landscaping and screening required by this title consistent with the approved site plan or an approved modification thereto before the County issues an occupancy permit or final inspection for the development in question; provided, the reviewing authority may defer installation of plant materials for up to six months after the County issues an occupancy permit or final inspection for the development in question if the reviewing authority finds doing so increases the likely survival of plants.
  - (b) Installation standards: The applicant must show and comply with the following:
    - (i) Plant materials will be installed to current nursery industry standards;
    - (ii) Plant materials must be properly supported to ensure survival. Support devices such as guy wires or stakes must not interfere with vehicular or pedestrian movement; and
    - (iii) Existing trees and plant materials to be retained must be protected during construction, such as by use of chain link or other sturdy fence placed at the dripline of trees to be retained. Grading, topsoil storage, construction material storage, vehicles and equipment must not be allowed within the dripline of trees to be retained.
  - (c) Verification of the installation of landscape: Required planting/irrigation must be installed within six months of the date of final construction permit approval or the issuance of a certificate of occupancy, whichever is later. For projects with 2,000 square feet or more of landscaping, the applicant must submit a copy of the approved landscape plan(s) with a letter signed and stamped by a Washington-licensed landscape architect or Washington State certified nursery person certifying that the landscape

and irrigation (if any) have been installed in accordance with the attached approved plan(s) and verifying that any plant substitutions are comparable to the approved plantings and suitable for the site. Substituted plants may not be smaller than those shown on the approved plan(s) and must have similar characteristics in terms of height, drought tolerance and suitability for screening.

- (d) Irrigation standards. The purpose of this standard is to ensure that plants will survive the critical establishment period when they are most vulnerable due to lack of watering. All required landscaped areas must comply with at least one of the following:
  - (i) A permanent built-in irrigation system with an automatic controller will serve the landscape area in question, and the system will be installed and operational before the County grants an occupancy permit or final inspection for the development in question.
  - (ii) A temporary irrigation system will serve the landscape area in question; provided the applicant can successfully demonstrate that the proposed temporary irrigation system will provide sufficient water to ensure that the plant materials to be planted will survive installation and, once established, will survive without watering other than natural rainfall.
  - (iii) A permanent or temporary irrigation system will not serve the landscape area provided the reviewing authority finds the landscape area otherwise fulfills the requirements of this section and the reviewing authority finds the landscape area otherwise fulfills the requirements of this section, and the applicant submits the following with the site plan application:
    - (A) A statement from a Washington-licensed landscape architect or Washington State certified nursery person certifying that the materials to be planted will survive without watering other than natural rainfall;
    - (B) A plan for monitoring the survival of required vegetation on the approved site plan for at least one year and for detection and replacement of required vegetation that does not survive with like-kind material or other material approved by the reviewing authority, and
    - (C) A statement from the applicant agreeing to install an irrigation system if the reviewing authority finds one is needed to ensure survival of required vegetation, based on the results of the monitoring plan.
- (e) Maintenance standards. All landscape areas must be maintained in accordance with the following standards. Any property owner who fails to maintain landscaping areas

will be considered to have committed an offense to this Code pursuant to Chapter 14.44 SCC (Enforcement/Penalties).

- (i) All landscaping must be maintained with respect to pruning, trimming, mowing, watering, insect control, fertilizing, or other requirements to create a healthy growing condition and attractive appearance and to maintain the purpose of the landscape type. Vegetation must be controlled by pruning, trimming or otherwise so that it will not interfere with the maintenance or repair of any public utility, restrict pedestrian or vehicular access, or obstruct sight distance at intersections. Required landscaping or other vegetation within 30 feet of a driveway or street intersection may not impair the sight vision between 30 inches and eight feet from the ground. All trees must have no branches or foliage below eight feet above the street level;
  - (ii) Dead, diseased, stolen, vandalized, or damaged plants must be replaced within three months with the plants indicated on the approved landscape plan;
  - (iii) All landscaped areas must be maintained reasonably free of weeds and trash; and
  - (iv) All required landscaping that is located within public rights-of-way must be maintained by the abutting property owner.
- (7) Performance assurance bonding. Performance assurance bonding must be in a cash deposit or other assurance acceptable to the County equal to 125% of the estimated installation costs if landscaping improvements have not been completed prior to application for occupancy. Such deposit must be accompanied by a letter that must stipulate the completion of the landscaping no later than nine months from date of occupancy. If the conditions are not met, the County may use the deposit to perform the landscaping.
- (8) Phasing. Phased projects must submit a landscape plan for the site as a whole before any issuance of a building permit is granted. Landscaping plans are to be commensurate with the level of detail in the phased project.

#### **14.46.550 Fences and retaining walls.**

- (1) Purpose:
  - (a) To avoid large blank walls adjacent to and visible from the street, which degrade the visual character of the street; and
  - (b) To accommodate privacy fences alongside and rear yards.
- (2) Applicability: The provisions in this section apply to all development within the BR-CC and BR-R zones in the Core Bayview Ridge Planning Area.

(3) Standards and guidelines:

(a) Fences are permitted as follows:

- (i) Fences up to three feet: Fences up to three feet are permitted between any street and any building provided other block frontage standards per SCC 14.46.410 are met. This standard applies to all properties regardless of whether the frontage is considered a front, street side, or back yard;



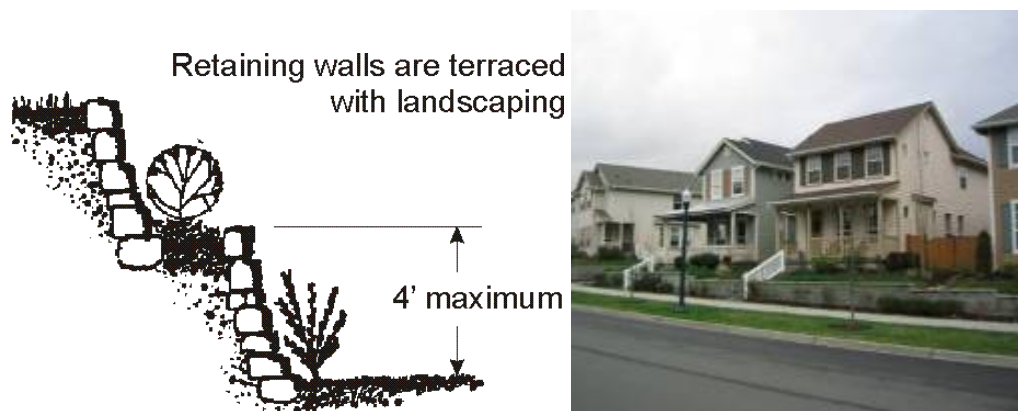
**Figure 14.46.550(3)(a)(i).** Acceptable and unacceptable fencing examples along a street.

- (ii) Fences up to six feet: Fences up to six feet in height may project into the side or back setback, except where otherwise provided in paragraph (i) above and paragraph (v) below, regarding fences along an alley;
- (iii) Fences exceeding six feet: Fences exceeding a height of six feet must comply with the applicable street and interior setbacks of the zone in which the property is located, except fences located on a rockery, retaining wall, or berm within a required setback area as permitted in paragraph (iv) below;
- (iv) Fences on top of a rockery, retaining wall, or berm: Fences located on a rockery, retaining wall or berm, outside required setback areas must not exceed the building height for the zone; and
- (v) Fences along alleys: Fences within five feet of a paved alley edge are limited to four feet in height to maximize visibility and to enhance the visual character of alleys. Figure 14.46.550(3)(a)(v) below shows acceptable and unacceptable examples.



**Figure 14.46.550(3)(a)(v).** Acceptable fencing examples along an alley. In the left example, fences are all set back at least 5 feet from the paved alley edge and are thus not visible except for the short section of fence beyond the garage on the right. Shrubs placed between the alley and fences help to enhance the character of alleys. In the right image, the fences are low enough to maintain good visibility within and to the alley from dwelling units.

- (b) Prohibited fences: Chain-link fences are prohibited in the BR-CC, except to enclose service areas that are fully screened with landscaping and for public park areas such as dog runs and ball fields. In such cases, the fencing must be vinyl coated. Electric fences are prohibited.
- (c) Retaining wall standards: Retaining walls taller than four feet and visible from a street must be terraced so that no individual segment is taller than four feet (average). Terraced walls must be separated by a landscaping bed at least two feet in width that includes one shrub every three lineal feet of retaining wall. Exceptions from this standard may be considered provided the combination of wall treatment and landscaping reduces the bulk and scale of the retaining wall and enhances the streetscape. In determining whether an exception will be granted, the Reviewing Authority will consider the level of visibility of the wall (from adjacent uses, streets, parks, and pathways), quality of landscaping and wall materials, detailing, and overall design quality.



**Figure 14.46.550(3)(c).** Retaining wall standards and an acceptable example.

## Changes to Other Sections of Code

### 14.04.010 Scope.

This Chapter contains definitions of technical and procedural terms used throughout this Unified Development Code. Additional definitions are found in specific chapters including:

- (1) ~~SCC~~ Chapter 14.36 ~~SCC~~, Public Works Standards;
- (2) SCC Chapter 14.12 ~~SCC~~, SEPA,
- (3) SCC Chapter 14.46, Bayview Ridge Developments and Design Standards, and
- (4) the 1997 Uniform Sign Code, Chapter 10, Section 1002, or as amended.

### 14.04.020 Definitions.

*[Add the following definitions to this section.]*

**Core Bayview Ridge Planning Area:** means the properties applicable to the provisions of this Chapter, which are outlined in Figure 14.46.110.

**Density, gross:** means the ratio of dwelling units per acre utilizing all land area within the project area, exclusive of existing public rights-of-way and easements.

**Departure:** means a provision that allows applicants to propose alternative ways to meet the intent of a specific standard in Chapter 14.46 (Bayview Ridge Development Standards). See SCC 14.16.265 for details.

**Dwelling, cottage:** means a small single-family dwelling that is clustered with other similar units surrounding a common open space. See SCC 14.46.510(4) for applicable standards for the Bayview Ridge Subarea.

**Green roof:** means an area of living vegetation installed on top of buildings that can help mitigate stormwater runoff, increase thermal and acoustical properties within the building, and provide habitat for wildlife.

**Low Impact Development (LID):** means the same as set forth in the Stormwater Design Manual.

**Mixed-use building:** means, for the purpose of Bayview Ridge development standards, a building that includes both residential and non-residential uses and is designed to integrate such a mixture of uses. Such uses may be mixed vertically or horizontally in one building. Examples include, but are not limited to a restaurant with apartments and/or professional offices upstairs or professional offices on one end of the building with retail and/or residential uses on another end.

**Open space, common:** means, for the purpose of Bayview Ridge development standards, open space shared by residents of a particular cottage housing development (see SCC 14.46.510(4)) or apartment development (see SCC 14.46.510(2)(e)(i)).

**Pedestrian-oriented space:** means, for the purpose of Bayview Ridge development standards, pedestrian plaza type spaces. Design criteria for pedestrian-oriented spaces are set forth in SCC 14.46.520(4)(d).

**Permeable pavement:** means a paving system which allows rainfall to percolate through it into the underlying soil or an aggregate reservoir. Examples include porous asphalt, porous concrete, interlocking concrete pavers, and open cell paving grids.

**Reviewing authority:** means the individual or official body identified as having the responsibility to review and approve or deny permit applications described in this title.

**Storefront:** means a building located adjacent to the sidewalk and featuring non-residential uses on the ground floor.

**Yard:** means the required setback area, including the front, rear or side.

#### **14.16.030 Districts, maps and boundaries.**

*[In the table, within the BR-CC row, replace “Not Applicable” with “4 – 6 units per acre, unless limited by the Airport Environs Overlay” in the density column.]*

#### **14.16.155 Bayview Ridge Community Center (BR-CC).**

*[Update the following as shown:]*

- (1) [No change]
- (2) Permitted uses.
  - (a) [No change]
  - (b) [No change]
  - (c) [No change]
  - (d) [No change]
  - (e) [No change]
  - (f) [No change]
  - (g) [No change]
  - (h) [No change]
  - (i) [No change]
  - (j) [No change]



- (k) Residential housing types listed below. Exception: On designated Storefront Street (see SCC 14.46.410) in an approved PUD, binding site plan, or subdivision, residential uses, except for common entry lobbies and live/work units, are prohibited on ground floor building frontages to a depth of 30 feet.
- (i) Cottage housing units, subject to the provisions of SCC 14.46.510(4).
- (ii) Duplexes, subject to the provisions of SCC 14.46.510(2).
- (iii) Townhouses, per SCC 14.46.510(5).
- (iv) Apartments.
- (v) Condominiums, subject to the provisions of SCC 14.18.500, Binding site plans, and SCC 14.18.600, Condominiums.
- (vi) Live/work units, subject to the provisions of SCC 14.46.510(6).
- (l) Art galleries and studios.
- (m) Bank.
- (n) Business/professional offices.
- (o) Churches.
- (p) Day care center, limited to 20 clients.
- (q) Fitness center.
- (r) Gas station with underground fuel storage tanks.
- (s) Outpatient medical and health care services.
- (t) Restaurants.
- (u) Retail and service businesses. Except for grocery stores, individual businesses are limited to 15,000 square feet in gross floor area;
- (v) Retail nurseries and greenhouses.
- (w) Schools (public and private) which are integrated within an approved Planned Unit Development and meet the following criteria:

  - (i) The proposed facility is not sited in Safety Zones 1 through 5;

(ii) An acoustical evaluation concludes that the proposed facility as designed will not significantly adversely impacted by noise;

(iii) The proposed facility is appropriately sited with respect to the air traffic pattern at the Bayview Ridge Airport as determined by the Port of Skagit County;

(iv) At least 25% of the proposed site will be permanent open space, playfields, or other active recreation areas; and

(v) The location of the proposed facility must be compatible with the goals and policies of the Bayview Ridge Subarea Plan;

(x) A mixture of permitted uses into one building is permitted. For example, a building with a retail business on the ground floor with apartments above, is permitted.

(3) [No change]

(4) Hearing Examiner Special Uses.

[Delete (b) which includes commercial uses, which has been moved up to a permitted use plus the following change:]

(a) [No change]

(b) [Deleted]

(c) Schools (public and private) ~~and churches that are not integrated into an approved planned unit development, subject to consistency with and meet~~ the following criteria:

(i) The proposed facility is not sited in Safety Zones 1 through 5;

(ii) An acoustical evaluation concludes that the proposed facility will not be adversely impacted by noise;

(iii) The proposed facility is appropriately sited with respect to the air traffic pattern at the Bayview Ridge Airport as determined by the Port of Skagit County;

(iv) At least 25% of the proposed site will be permanent open space, playfields, or other active recreation areas; and

(v) The location of the proposed facility shall be compatible with the goals and policies of the Bayview Ridge Subarea Plan.

(5) Density and Dimensional Standards. *Delete (a) through (d) and replace with:* [See SCC 14.46.330\(4\)](#).

- (6) Pedestrian Circulation. Delete – redundant to new design standards.
- (7) Infrastructure Requirements. This zone is part of the Bayview Ridge Urban Growth Area (UGA). Development must comply with the UGA infrastructure requirements in SCC 14.16.215, Bayview Ridge Urban Growth Area, and with Chapter 14.28 SCC, Concurrency. [Developments must comply with the street design provisions of SCC 14.46.420.](#)
- (8) Additional requirements related to this zone are found in SCC 14.16.210, 14.16.215, 14.16.600 through 14.16.900, Chapters [14.28](#) and [.46](#) SCC, and the rest of Skagit County Code.

**14.16.180 Bayview Ridge Light Industrial (BR-LI).**

*[Within paragraph (10), add to the list of applicable code sections: 14.46.310 and 420 (regarding rezoning and street design, respectively).]*

**14.16.210 Airport Environs Overlay (AEO).**

*[Update Table 1 as shown:]*

6	<p>Existing residences and residential lots allowed to be replaced, built and/or created per the residential standards in the BR-R zone.</p> <p>For churches and schools (public and private), the density of the facility shall not exceed 100 people/acre and the proposed site shall include or abut a permanent open space area.</p> <p>Industrial development allowed with no air emissions that obscure visibility to the extent that it creates a safety hazard to aircraft.</p> <p><del>Community Center development allowed for public facilities and services with a maximum building footprint of 15,000 square feet and commercial buildings with a maximum structure size of 15,000 square feet. Schools locating within the Community Center zoning district shall be exempt from the 15,000 square foot maximum size limit.</del></p>	<p>New residential land divisions not to exceed those land use densities as prescribed by the Skagit County Comprehensive Plan and this Chapter.</p> <p>Expansion of Bayview Elementary School is allowed.</p>	<p>10% open space. <a href="#">Also see SCC 14.46.460 for related Bayview Ridge Subarea open space provisions.</a></p> <p>For schools and churches: at least 25% of the proposed site will be permanent open space, playfields, or other active recreation areas.</p>
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**14.16.215 Bayview Ridge Urban Growth Area.**

*[Update section as shown:]*

**Changes to Other Sections of Code**

SCC 14.16.180 Bayview Ridge Light Industrial (BR-LI).

- (1) [No change]
- (2) [No change]
- (3) General Regulations.
  - (a) Street Standards. The property owner shall construct streets consistent with the Urban Standards outlined in the Skagit County Road Standards. [Developments within the Core Bayview Ridge Planning Area are subject to street design provisions in Section 14.46.420.](#)

#### 14.16.340 Bayview Ridge Residential (BR-R).

[Update section as shown:]

- (1) [No change]
- (2) Permitted Uses.
  - (a) Agricultural uses, on an interim basis until residential development.
  - (b) Detached single-family dwelling unit, including manufactured homes meeting the requirements of Subsection (7) of this Section.
  - (c) Up to four units of duplexes, townhouses, apartments, and condominiums. Condominiums are subject to the provisions of SCC 14.18.500, Binding site plans, and SCC 14.18.600, Condominiums. Duplexes, townhouses, apartments, and condominiums shall be located no closer than 300 feet to another duplex, townhouse, apartment, or condominium structure, measured along the right-of-way, unless approved as part of a planned unit development. Five or more units of duplexes, townhouses, apartments, or condominiums are allowed only under planned unit development (SCC 14.18.400).
  - ~~(c)~~(d) For sites within the Core Bayview Ridge Planning Area the following additional residential uses listed below are permitted. These housing types, collectively, must represent at least 5% of the total housing units proposed within a development. For example, for a PUD or subdivision with 100 total dwelling units, at least five dwelling units must be any combination of the housing types listed below. The housing mix must be documented on the plat in applicable locations.
    - (i) Accessory dwelling units, subject to the provisions of SCC 14.46.510(3).
    - (ii) Cottage housing units, subject to the provisions of SCC 14.46.510(4).
    - (iii) Duplexes, subject to the provisions of SCC 14.46.510(2).
    - (iv) Townhouses, subject to the provisions of SCC 14.46.510(5).

~~(d)~~(e) \_\_\_\_\_ Historic sites open to the public.

~~(e)~~(f) \_\_\_\_\_ Home Based Business 1.

~~(f)~~(g) \_\_\_\_\_ Residential accessory uses.

~~(g)~~(h) \_\_\_\_\_ Maintenance, drainage.

~~(h)~~(i) \_\_\_\_\_ Net metering system, solar.

~~(i)~~(j) \_\_\_\_\_ Repair, replacement and maintenance of water lines with an inside diameter of 8 inches or less.

~~(j)~~(k) \_\_\_\_\_ Recycling drop box facility, accessory to a permitted public, institutional, commercial or industrial use.

~~(k)~~(l) Schools (public and private) and churches that are integrated within an approved Planned Unit Development and meet the following criteria:

- (i) The proposed facility is not sited in Safety Zones 1 through 5;
- (ii) An acoustical evaluation concludes that the proposed facility as designed will not be significantly adversely impacted by noise;
- (iii) The proposed facility is appropriately sited with respect to the air traffic pattern at the Bayview Ridge Airport as determined by the Port of Skagit County;
- (iv) At least 25% of the proposed site will be permanent open space, playfields, or other active recreation areas; and
- (v) The location of the proposed facility must be compatible with the goals and policies of the Bayview Ridge Subarea Plan.

(3) Administrative Special Uses.

- (a) Family day care provider.
- (b) Home Based Business 2.
- (c) Minor utility developments.
- (d) Parks, specialized recreation facilities.
- (e) Temporary events.
- (f) Trails and primary and secondary trailheads.

- (4) Hearing Examiner Special Uses.
- (a) Bed and breakfast.
  - (b) Golf courses, including a clubhouse and restaurant if in conjunction with the golf course.
  - (c) Home Based Business 3.
  - (d) Kennels.
    - (i) Day-use kennel, if associated with other commercial uses as part of a planned unit development (PUD).
    - (ii) Boarding kennel, if associated with other commercial uses as part of a planned unit development (PUD).
    - (iii) Limited kennel, if associated with other commercial uses as part of a planned unit development (PUD).
  - (e) Parks, community.
  - (f) Schools (public and private) and churches [that are not integrated into an approved Planned Unit Development, subject to consistency with and meet](#) the following criteria:
    - (i) The proposed facility is not sited in Safety Zones 1 through 5;
    - (ii) An acoustical evaluation concludes that the proposed facility will not be adversely impacted by noise;
    - (iii) The proposed facility is appropriately sited with respect to the air traffic pattern at the Bayview Ridge Airport as determined by the Port of Skagit County;
    - (iv) At least 25% of the proposed site will be permanent open space, playfields, or other active recreation areas; and
    - (v) The location of the proposed facility shall be compatible with the goals and policies of the Bayview Ridge Subarea Plan.
- (5) Density and Dimensional Standards. Densities in BR-R must be at least 4 and no more than 6 units per acre, unless located in areas with density limits lower than this due to an Airport Environs Overlay safety zone. [For projects within the Core Bayview Ridge Planning Area plus other projects that voluntarily seek to use the Core Bayview Ridge Planning Area standards, the density and dimensional standards are set forth in SCC 14.46.330\(4\).](#)

- (a) Purchase of Farmland Density Credits. For each unit over 4 per acre, farmland density credits must be purchased via the Skagit County Farmland Legacy Program.
- (b) Density, Lot Area and Width. The minimum lot size and minimum lot width shall be determined by the following table:

Land Use	Minimum Density	Maximum Density	Minimum Lot Area	Minimum Lot Width
Single-Family Dwelling (as allowed in Subsection (2)(a) of this Section)	4 units per acre, unless limited by Airport Environs Overlay safety zone.	6 units per acre, unless limited by Airport Environs Overlay safety zone.	6,000 square feet	50 feet
Duplex	4 units per acre, unless limited by Airport Environs Overlay safety zone.	6 units per acre, unless limited by Airport Environs Overlay safety zone.	8,400 square feet per each 2 units	60 feet
Townhouse, Condominium, or Apartment	4 units per acre, unless limited by Airport Environs Overlay safety zone.	6 units per acre, unless limited by Airport Environs Overlay safety zone.	8,400 square feet per each 2 units	60 feet

- (c) Setbacks.

- (i) Primary Structures.

- (A) Front.

Front Setback	House	Garage
Road class 09 (local neighborhood streets)	20	25
Roads other than class 09	35	40

- (B) Side: 15 feet total, minimum of 5 feet on 1 side.

- (C) Rear: 20 feet.

- (D) Attached Garages. Garages must be set back from house front a minimum of 5 feet unless located to the side or rear of the structure, or alley-loaded.
- (ii) Accessory Structures.
  - (A) Front: 20 feet.
  - (B) Side: 5 feet, 3-foot setback is permitted from the side and rear lot lines when the accessory building is a minimum of 75 feet from the front property line or when there is an alley along the rear property line providing that the structure is 1,000 square feet or less in size and 16 feet or less in height. A side yard setback of 20 feet is required for all accessory buildings when the side property line is adjacent to a street right-of-way.
  - (C) Rear yard: 20 feet, 3-foot setback is permitted from the side and rear lot lines when the accessory building is a minimum of 75 feet from the front property line or when there is an alley along the rear property line providing that the structure is 1,000 square feet or less in size and 16 feet or less in height.
  - (D) Setbacks from NRL lands shall be provided per SCC 14.16.810(7).
- (d) Maximum lot coverage: 65%.
- (e) Maximum height: 40 feet or shall conform to the applicable Federal Aviation Administration regulations concerning height restrictions pursuant to the Airport Environs Overlay, SCC 14.16.210, whichever is less. Schools may exceed the 40-foot height restriction; provided, that the height is 55 feet or less, a statement from the Port of Skagit County in support of the increased height is submitted, and the proposed height conforms to the applicable Federal Aviation Administration regulations.
- (i) Height Exemptions. Flagpoles, ham radio antennas, church steeples, water towers, meteorological towers, and fire towers are exempt from the maximum height, but shall conform to the applicable Federal Aviation Administration regulations. The height of personal wireless services towers is regulated in SCC 14.16.720.

~~(6) Residential and Open Space Provisions.~~

~~Planned unit development (PUD) regulations are required for construction of 5 or more units within 1 legal lot of record or for residential land divisions when 5 or more building lots are proposed. See SCC 14.18.400 [Reserved]. Schools are exempt from any future PUD regulations.~~

~~Within the airport environs, 10% to 15% permanent open space (mowed lawns or vegetation) is required for new land divisions to minimize the life and safety risks associated with aircraft operations.~~



~~Where practical, open space areas should be strategically located, contiguous and oriented to the centerline of the runway to provide the greatest benefit.~~

~~(7)~~(6) Manufactured Housing in BR-R Zone. Manufactured housing units in the BR-R zone, that are not located within a sales lot, shall meet the following requirements:

- (a) Be constructed after June 15, 1976, in accordance with State and Federal requirements for manufactured homes;
- (b) Have at least 2 fully enclosed parallel sections each of not less than 12 feet wide by 36 feet long;
- (c) Be originally constructed with, and currently possess, a composition or wood shake or shingle, coated metal, or similar roof of nominal 3:12 pitch;
- (d) Have exterior siding similar in appearance to siding materials commonly used on conventional site-built single-family residences;
- (e) Be set upon a permanent foundation, as specified by the manufacturer, and the space from the bottom of the home to the ground shall be enclosed by concrete or an approved concrete product which can be either load-bearing or decorative; and
- (f) Be thermally equivalent to the State Energy Code.

~~(8)~~(7) Infrastructure Requirements. This zone is part of the Bayview Ridge Urban Growth Area (UGA). Development must comply with the UGA infrastructure requirements in SCC 14.16.215, Bayview Ridge Urban Growth Area, and with Chapter 14.28 SCC, Concurrency. [Developments subject to the provisions of Chapter 14.46 \(see SCC 14.46.110\) must comply with the street design provisions of SCC 14.46.420.](#)

~~(9)~~(8) Additional requirements related to this zone are found in SCC 14.16.210, 14.16.215, 14.16.600 through 14.16.900, Chapters 14.28 and .46 SCC, and the rest of Skagit County Code.

#### **14.18.350 Bayview Ridge UGA Subdivisions with four or fewer building lots.**

*[Delete entire section as it's no longer necessary given new PUD standards]*

- ~~(1) Landscaping. As a minimum, meet the requirements of SCC 14.16.830 Type II and III landscaping, except that all street frontage trees shall be deciduous, with a size at maturity not to exceed the maximum building height for the AEO safety zone.~~
- ~~(2) Connectivity Analysis. Roads and sidewalks shall connect or stub out to surrounding streets, sidewalks, or paths or undeveloped property based on an analysis of logical connections.~~

#### **Changes to Other Sections of Code**

SCC 14.18.350 Bayview Ridge UGA Subdivisions with four or fewer building lots.

~~(3) Additional Urban Road Standards. A minimum 4 foot planting strip and 5 foot sidewalk is required on all road frontages.~~