

CITY OF MARYSVILLE AGENDA BILL

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: December 11, 2017

AGENDA ITEM:	
Amendments to MMC Chapter 22C.090 <i>Residential Density Incentives</i>	
PREPARED BY:	DIRECTOR APPROVAL:
Chris Holland, Planning Manager	
DEPARTMENT:	
Community Development	
ATTACHMENTS:	
<ol style="list-style-type: none"> 1. PC Recommendation, including: <ul style="list-style-type: none"> . Exhibit A – Recommended Amendments . Exhibit B – PC Public Hearing DRAFT Minutes 11.14.17 2. PC Workshop Minutes 09.12.17 3. Public Comments 4. Adopting Ordinance 	
BUDGET CODE:	AMOUNT:
SUMMARY:	

The Marysville Planning Commission held a public hearing on November 14, 2017 to consider amendments to Marysville Municipal Code (MMC) Chapter 22C.090, *Residential Density Incentives*. The proposed amendments to the RDI code include:

- . Addition of an RDI for contribution to an identified capital improvement project;
- . Re-organization of Section 7b & 7c for clarification purposes;
- . Revising Section 8 to include a density bonus for [Leadership in Energy and Environmental Design](#) (LEED), [Evergreen Sustainable Development Standard](#) (ESDS) and [Built Green](#) units;
- . Adding a new Section 11 providing a bonus for critical area buffer enhancement; and
- . Updates to the review process for RDI to reflect the types of projects where RDI will be used (i.e. subdivisions, binding site plan, and site plan reviews), and to omit the requirement to follow the decision criteria for conditional use permits when evaluating RDI (this change is intended to simplify the process).

At the public hearing the Planning Commission recommended City Council approve the amendments as reflected in the Recommendation and Adopting Ordinance, attached hereto.

RECOMMENDED ACTION:
Affirm the Planning Commission’s recommendation adopting amendments to the Marysville Municipal Code Chapter 22C.090 <i>Residential Density Incentives</i> .



COMMUNITY DEVELOPMENT DEPARTMENT
80 Columbia Avenue ♦ Marysville, WA 98270
(360) 363-8100 ♦ (360) 651-5099 FAX

PC Recommendation - Residential Density Incentives Amendments

The Planning Commission of the City of Marysville, having held a public hearing on November 14, 2017, in review of amendments relating to MMC Chapter 22C.090 *Residential Density Incentives*, including bonus allowances for contributions towards an identified capital improvement, energy conservation, critical areas buffer enhancement and clarifying the administrative review process, and having considered the exhibits and testimony presented, does hereby enter the following findings, conclusions and recommendation for consideration by Marysville City Council:

FINDINGS:

1. The Planning Commission held a public work session to review amendments relating to MMC Chapter 22C.090 *Residential Density Incentives* on September 12, 2017.
2. The proposed amendment to the City's development regulations is exempt from State Environmental Policy Act review under WAC 197-11-800(19).
3. Community Development Staff submitted the DRAFT amendments relating to MMC Chapter 22C.090 *Residential Density Incentives* to the State of Washington Department of Commerce for expedited review pursuant to RCW 36.70A.106(3)(b).
4. The Community Development Department received a letter from the State of Washington Department of Commerce acknowledging receipt of the DRAFT amendments relating to MMC Chapter 22C.090 *Residential Density Incentives* on October 31, 2017 and processed with the material ID #24302. No comments were received from State Agencies.
5. The Planning Commission held a duly-advertised public hearing on November 14, 2017.
6. Public comments were received on the DRAFT amendments relating to MMC Chapter 22C.090 *Residential Density Incentives* from Land Technologies, Inc. in an e-mail dated, August 10, 2017, Master Builders Association of King and Snohomish Counties in a letter dated, September 6, 2017 and an e-mail dated October 6, 2017. These comments were considered by Staff and the Planning Commission during the review process of the proposed code amendment.

CONCLUSION:

At the public hearing, the Planning Commission recommended adoption of the amendments relating to MMC Chapter 22C.090 *Residential Density Incentives* attached hereto as **Exhibit A**, and as reflected in the Planning Commission Minutes, dated November 14, 2017, attached hereto as **Exhibit B**.

RECOMMENDATION:

Forwarded to City Council as a Recommendation of Approval of the development code amendments relating to MMC Chapter 22C.090 *Residential Density Incentives*, by the Marysville Planning Commission this 14th day of November, 2017.

By: _____

Steve Lefler, Planning Commission Chair

EXHIBIT A

Chapter 22C.090 RESIDENTIAL DENSITY INCENTIVES

Sections:

22C.090.010	Purpose.
22C.090.020	Permitted locations of residential density incentives.
22C.090.030	Public benefits and density incentives.
22C.090.040	Density bonus recreation features.
22C.090.050	Rules for calculating total permitted dwelling units.
22C.090.060	Review process.
22C.090.070	Minor adjustments in final site plans.
22C.090.080	Applicability of development standards.

22C.090.010 Purpose.

The purpose of this chapter is to provide density incentives to developers of residential lands in exchange for public benefits to help achieve comprehensive plan goals of creation of quality places and livable neighborhoods, affordable housing, open space protection, historic preservation, energy conservation, and environmentally responsible design by:

- (1) Defining in quantified terms the public benefits that can be used to earn density incentives;
- (2) Providing rules and formulae for computing density incentives earned by each benefit;
- (3) Providing a method to realize the development potential of sites containing unique features of size, topography, environmental features or shape; and
- (4) Providing a review process to allow evaluation of proposed density increases and the public benefits offered to earn them, and to give the public opportunities to review and comment.

22C.090.020 Permitted locations of residential density incentives.

Residential density incentives (RDI) shall be used only on sites served by public sewers and only in the following zones:

- (1) In R-12 through R-28 zones;
- (2) Planned residential developments;
- (3) In MU, CB, GC and DC zones; and
- (4) SF, MF, and MU zones within the Whiskey Ridge master plan.

22C.090.030 Public benefits and density incentives.

(1) The public benefits eligible to earn increased densities, and the maximum incentive to be earned by each benefit, are set forth in subsection (5) of this section. The density incentive is expressed as additional bonus dwelling units (or fractions of dwelling units) earned per amount of public benefit provided. Where a range is specified, the earned credit will be determined by the community development director during project review.

(2) Bonus dwelling units may be earned through any combination of the listed public benefits.

(3) Residential development in R-12 through R-28 zones with property-specific development standards requiring any public benefit enumerated in this chapter shall be eligible to earn bonus dwelling units as set forth in subsection (5) of this section when the public benefits provided exceed the basic development standards of this title. When a development is located in a special overlay district, bonus units may be earned if the development provides public benefits exceeding corresponding standards of the special district.

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~~(4) — The guidelines for affordable housing bonuses, including the establishment of rental levels, housing prices and asset limitations, will be updated and adopted annually by the community development department. The update shall occur no later than June 30th of each year.~~

(54) The following are the public benefits eligible to earn density incentives through RDI review:

Benefit	Density Incentive
<p>1. Affordable Housing</p> <p>a. Benefit units consisting of rental housing permanently priced to serve nonelderly low-income households (i.e., no greater than 30 percent of gross income for household at or below 50 percent of Snohomish County median income, adjusted for household size). A covenant on the site that specifies the income level being served, rent levels and requirements for reporting to the city shall be recorded at final approval.</p>	<p>1.5 bonus units per benefit, up to a maximum of 30 low-income units per five acres of site area; projects on sites of less than five acres shall be limited to 30 low-income units.</p>
<p>b. Benefit units consisting of rental housing designed and permanently priced to serve low-income senior citizens (i.e., no greater than 30 percent of gross income for one- or two-person households, one member of which is 62 years of age or older, with incomes at or below 50 percent of Snohomish County median income, adjusted for household size). A covenant on the site that specifies the income level being served, rent levels and requirements for reporting to the city of Marysville shall be recorded at final approval.</p>	<p>1.5 bonus units per benefit, up to a maximum of 60 low-income units per five acres of site area; projects on sites of less than five acres shall be limited to 60 low-income units.</p>
<p>c. Benefit units consisting of mobile home park space or pad reserved for the relocation of an insignia or noninsignia mobile home that has been or will be displaced due to closure of a mobile home park located in the city of Marysville.</p>	<p>1.0 bonus unit per benefit unit.</p>
<p>2. Public Facilities (Schools, Public Buildings or Offices, Trails and Active Parks)</p> <p>a. Dedication of public facilities site or trail right-of-way meeting city of Marysville or agency location and size standards for the proposed facility type.</p>	<p>10 bonus units per usable acre of public facility land or one-quarter mile of trail exceeding the minimum requirements outlined in other sections of this title.</p>
<p>b. Improvement of dedicated public facility site to city of Marysville standards for the proposed facility type.</p>	<p>2 – 10 (range dependent on facility improvements) bonus units per acre of improvement. If the applicant is dedicating the site of the improvements, the bonus units earned</p>

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	by improvements shall be added to the bonus units earned by the dedication.
c. Improvement of dedicated trail segment to city of Marysville standards.	1.8 bonus units per one-quarter mile of trail constructed to city standard for pedestrian trails; or 2.5 bonus units per one-quarter mile of trail constructed to city standard for multipurpose trails (pedestrian/bicycle/equestrian). Shorter segments shall be awarded bonus units on a pro rata basis. If the applicant is dedicating the site of the improvements, the bonus units earned by improvements shall be added to the bonus units earned by the dedication.
d. Dedication of open space, meeting city of Marysville acquisition standards, to the city, county or a qualified public or private organization such as a nature conservancy.	2 bonus units per acre of open space.
3. Community Image and Identity Contribution towards an identified capital improvement project, including, but not limited to parks, roadways, utilities, gateway sign, etc. a. Installation and/or dedication of an identified city gateway (per city of Marysville gateways master plan).	5 bonus units per "medium scale—cantilevered" gateway installation (final design, landscaping and signage). 6 bonus units per "large scale—horizontal" gateway installation (final design, landscaping and signage). 10 bonus units per "informational reader board" gateway installation (final design, landscaping and signage). 10 bonus units per civic space gateway (Comeford Park) improvement (final design, landscaping and signage). 5 bonus units per large gateway improvement (final design, landscaping and signage). \$15,000 per bonus unit
4. Historic Preservation	
a. Dedication of a site containing an historic landmark to the city of Marysville or a qualifying nonprofit organization capable of restoring and/or maintaining the premises to standards set by Washington State Office of Archaeology and Historic Preservation.	0.5 bonus unit per acre of historic site.
b. Restoration of a site or structure designated as an historic landmark.	0.5 bonus unit per acre of site or 1,000 square feet of floor area of building restored.
5. Locational/Mixed Use	
a. Developments located within one-quarter mile of transit routes, and within one mile of fire and police stations, medical, shopping, and other community services.	5 percent increase above the base density of the zone.

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b. Mixed use developments over one acre in size having a combination of commercial and residential uses.	10 percent increase above the base density of the zone.
6. Storm Drainage Facilities Dual use retention/detention facilities. a. Developments that incorporate active recreation facilities that utilize the storm water facility tract.	5 bonus units per acre of the storm water facility tract used for active recreation.
b. Developments that incorporate passive recreation facilities that utilize the storm water facility tract.	2 bonus units per acre of the storm water facility tract used for passive recreation.
7. Project Design a. Preservation of substantial overstory vegetation (not included within a required NGPA). No increase in permitted density shall be permitted for sites that have been cleared of evergreen trees within two years prior to the date of application for PRD approval. Density increases granted which were based upon preservation of existing trees shall be forfeited if such trees are removed between the time of preliminary and final approval and issuance of building permits.	5 percent increase above the base density of the zone.
b. Retention or creation of a perimeter buffer, composed of existing trees and vegetation, additional plantings, and/or installation of fencing or landscaping , in order to improve design or compatibility between neighboring land uses.	1 bonus unit per 500 lineal feet of perimeter buffer retained, enhanced or created (when not otherwise required by city code).
<u>c. Installation of perimeter fencing or landscaping, in order to improve design or compatibility between neighboring land uses.</u>	<u>1 bonus unit per 500 lineal feet of perimeter fencing or landscaping installed (when not otherwise required by city code).</u>
d. Project area assembly involving 20 acres or more, incorporating a mixture of housing types (detached/attached) and densities.	10 percent increase above the base density of the zone.
e. Private park and open space facilities integrated into project design.	5 bonus units per improved acre of park and open space area. Ongoing facility maintenance provisions are required as part of RDI approval.

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<p>8. Energy Conservation</p> <p>a. Benefit units that incorporate conservation features in the construction of all on-site dwelling units qualifying as Energy Star homes per Washington State Energy Code, as amended. Construction of a certified Leadership in Energy and Environmental Design (LEED), Evergreen Sustainable Development Standard (ESDS), Built Green, or other equivalent certified energy efficient unit as approved by the director.</p>	<p>0.10 bonus unit per benefit unit that achieves the required savings. 0.20 bonus unit for each certified unit constructed.</p>
<p>9. Low Impact Development (LID)</p> <p>a. Integration of LID measures in project design and storm water facility construction.</p>	<p>5 – 10 percent increase over base density (range dependent on degree of LID integration in project design and construction).</p>
<p>10. Pedestrian Connections and Walkability</p> <p>a. Construction of an identified pedestrian/bicycle deficiency (per city of Marysville improvement plan). Improvements may consist of paved shoulder, sidewalk or detached path or walkway depending on adjoining conditions.</p>	<p>1 bonus unit per 75 lineal feet of frontage improvement (curb, gutter, sidewalks) on minor arterial streets. (Fee in lieu of improvement at \$15,000 per bonus unit.) 1 bonus unit per 100 lineal feet of frontage improvement (curb, gutter, sidewalks) on neighborhood collector or collector arterial streets. 1 bonus unit per 300 lineal feet of walkway improvement (7-foot paved shoulder or walkway). (Rate may be increased if additional right-of-way is required.)</p>
<p><u>11. Critical Areas Buffer Enhancement</u></p> <p><u>Enhancement of a degraded critical areas buffer, in accordance with MMC Chapter 22E.010 Critical Areas Management.</u></p>	<p><u>1 bonus unit per acre of buffer enhancement.</u></p>

22C.090.040 Density bonus recreation features.

- (1) Active recreation features qualifying for a density bonus shall include one or more of the following:
- (a) Multipurpose sport court;
 - (b) Basketball court;
 - (c) Tennis court;
 - (d) Tot lot with play equipment (soft surface);
 - (e) Any other active recreation use approved by the director.
- (2) Passive recreation qualifying for density bonus shall include one or more of the following:
- (a) Open play areas;
 - (b) Pedestrian or bicycle paths;
 - (c) Picnic areas with tables and benches;
 - (d) Gazebos, benches and other resident gathering areas;
 - (e) Community gardens;

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- (f) Nature interpretive areas;
 - (g) Waterfalls, fountains, streams;
 - (h) Any other passive recreation use approved by the director.
- (3) Design in ponds as dual use storm water retention/detention and/or recreation facilities.
- (a) The facility should be designed with emphasis as a recreation area, not a storm water control structure. The majority of the storm water retention/detention tract shall be designed as usable open recreation area.
 - (b) Control structures shall not be prominently placed. Care should be taken to blend them into the perimeter of the recreation area.
 - (c) Ponds used as recreation areas shall have a curvilinear design with a shallow water safety bench.

22C.090.050 Rules for calculating total permitted dwelling units.

The total dwelling units permitted through RDI review shall be calculated using the following steps:

- (1) Calculate the number of dwellings permitted by the base density of the site in accordance with Chapters [22C.010](#) and [22C.020](#) MMC;
- (2) Calculate the total number of bonus dwelling units earned by providing the public benefits listed in MMC [22C.090.030\(5\)](#);
- (3) Add the number of bonus dwelling units earned to the number of dwelling units permitted by the base density;
- (4) Round fractional dwelling units down to the nearest whole number; and
- (5) On sites with more than one zone or zone density, the maximum density shall be calculated for the site area of each zone. Bonus units may be reallocated within the zone in the same manner set forth for base units in MMC [22C.010.230](#) and [22C.020.200](#).

22C.090.060 Review process.

- (1) All RDI proposals shall be reviewed concurrently with a primary proposal to consider the proposed site plan and methods used to earn extra density as follows:
 - (a) For the purpose of this section, a primary proposal is defined as a proposed rezone, ~~subdivision or short subdivision, binding site plan, or site plan review conditional use permit or commercial building permit~~;
 - (b) When the primary proposal requires a public hearing, the public hearing on the primary proposal shall serve as the hearing on the RDI proposal, and the reviewing authority shall make a consolidated decision on the proposed development and use of RDI;
 - (c) When the primary proposal does not require a public hearing under this title, ~~the community development director shall administratively make a consolidated decision on the proposed development and use of RDI. RDI proposal shall be subject to the decision criteria for conditional use permits outlined in MMC 22G.010.410 and to the procedures set forth for community development director review in this title; and~~
 - (d) The notice for the RDI proposal also shall include the development's proposed density and a general description of the public benefits offered to earn extra density.
- (2) RDI applications which propose to earn bonus units by dedicating real property or public facilities shall include a letter from the applicable receiving agency certifying that the proposed dedication qualifies for the density incentive and will be accepted by the agency or other qualifying organization. The city of Marysville shall also approve all proposals prior to granting density incentives to the project. The proposal must meet the intent of the RDI chapter and be consistent with the city of Marysville comprehensive plan.

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22C.090.070 Minor adjustments in final site plans.

When issuing building permits in an approved RDI development, the department may allow minor adjustments in the approved site plan involving the location or dimensions of buildings or landscaping, provided such adjustments shall not:

- (1) Increase the number of dwelling units;
- (2) Decrease the amount of perimeter landscaping (if any);
- (3) Decrease residential parking facilities (unless the number of dwelling units is decreased);
- (4) Locate structures closer to any site boundary line; or
- (5) Change the locations of any points of ingress and egress to the site.

22C.090.080 Applicability of development standards.

- (1) RDI developments shall comply with dimensional standards of the zone with a base density most closely comparable to the total approved density of the RDI development.
- (2) RDI developments in the R-12 through R-28 zones and the mixed use zone shall be landscaped in accordance with Chapter [22C.120](#) MMC.
- (3) RDI developments shall provide parking as follows:
 - (a) Projects with 100 percent affordable housing shall provide one off-street parking space per unit. The community development director may require additional parking, up to the maximum standards for attached dwelling units, which may be provided in common parking areas.
 - (b) All other RDI proposals shall provide parking consistent with Chapter [22C.130](#) MMC.
- (4) RDI developments shall provide on-site recreation space at the levels required in MMC [22C.010.320](#) and [22C.020.270](#).

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PLANNING
COMMISSION



MINUTES

November 14, 2017

7:00 p.m.

City Hall

CALL TO ORDER

Chair Leifer called the November 14, 2017 meeting to order at 7:00 p.m.

Marysville

Chairman: Steve Leifer

Commissioners: Roger Hoen, Jerry Andes, Kay Smith, Kelly Richards, Tom Thetford, Brandon Whitaker

Staff: Community Development Director Dave Koenig, Planning Manager Chris Holland, Senior Planner Angela Gemmer

Absent: None

APPROVAL OF MINUTES

September 12, 2017

Motion made by Commissioner Smith, seconded by Commissioner Richards, to approve the September 12, 2017 Meeting Minutes.

Commissioner Hoen submitted a paragraph to replace his comments in the first full paragraph of page 2 of the minutes from September 12, 2017 meeting.

Motion passed unanimously to approve the minutes as amended (7-0).

AUDIENCE PARTICIPATION

None

PUBLIC HEARING

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- A. Code Amendment – MMC Section 22E.010.100(5)(b) proposing to allow Category I and II wetlands to pursue a 25 percent buffer reduction if the specific criteria in MMC Section 22E.010.100(5)(b) are met. Minor amendments are also proposed in order to refer to the most current manuals, forms and scoring system when evaluating wetlands.

The hearing was opened at 7:04 p.m.

Staff Presentation: Senior Planner Gemmer reviewed the proposed amendments which are a cleanup to the Critical Areas Code. The one substantive change would be to allow wetland buffer reductions for Category I and II wetlands when the current requirements in code for buffer reductions are met. There are additional updates to reference the current publication that DOE uses for their wetland rating system for Western Washington which the City is already required to use. She reviewed Ecology's wetland category and function score conversion tables. She explained there is an additional change that is proposed to reorganize the wetland buffer table in Section 22E.010.100(4) to enhance clarity.

Public Testimony:

Merle Ash, 18820 3rd Avenue NE, Arlington, WA, expressed concern about the proposed changes and the inability of developers to get scores under 5 with the state's new scoring system. He stated that developers in other jurisdictions in Snohomish County where this has already been implemented have had a lot of problems. In order to get the standard buffer under the old system, as per the table in the Critical Area Ordinance, you have a score under 20. Under the new system, in order to get the standard buffer you have to score less than 5 for the habitat score. Several projects scored well under the old system, but scored 5's and 6's on the new system. He expressed concerns about discrepancies between the two systems and the potential requirement for increased buffers as a result. Most of the consultants they have worked with say they rarely, if ever, have gotten habitat scores under 5.

Angie Sievers, Master Builders of King and Snohomish County, 335 – 116th Avenue SE, Bellevue, WA 98004, thanked the Planning Commission for taking the time to review this very technical information. She stated that all three amendments tonight were requests from the building community to help incentivize development in Marysville. She concurred with Mr. Ash's concerns and asked that the Commission consider the impacts of this very carefully. She agreed that it is nearly impossible to get a score of 4 and relayed an example of how this would play out on real projects. She requested that staff take another look at this. She noted that Master Builders is also working with the legislature to help them understand the impacts.

Senior Planner Gemmer clarified that while these score changes aren't codified, Marysville's code already requires that the State's most current revised manual be used so this is how the code is being applied. The code states that, ". . . wetlands shall be classified using Ecology's current Wetland Rating System for Western Washington or as amended hereafter." Planning Manager Holland concurred and noted that the only

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substantial change being proposed is for the reductions for the Category I and II wetlands.

Chair Leifer recalled from previous discussions that the cities' hands are pretty much tied on this issue. Planning Manager Holland agreed that their hands are tied unless each individual community wants to go out and hire a consultant, do a Best Available Science study, rework their entire code, and have Ecology approve it. This would be very costly and time consuming.

Chair Leifer asked about the history on this and what efforts are being made at the state level with the legislature to make some changes. Planning Manager Holland replied that staff hasn't noticed a change in application of the scores across the city based on the new rating form. He reviewed the reasoning for the proposed change to allow reductions to Category I and II wetland buffers which is the only substantive change being proposed tonight. The other change is just to address outdated language.

Angie Sievers addressed the question about what is being done at the state level and explained that Master Builders has been in conversations with DOE. Next week they are meeting with state legislators because there are some projects in the south part of the region that are being severely restricted by this. She agrees that this would only impact specific projects. She discussed how this would impact buildable lands and growth potential in the City. She pointed out that there are some other cities that are not formally adopting the updated regulations.

Chair Leifer asked staff's opinion on postponing action on this. Planning Manager Holland stated that it would be fine. Category 1 and 2 wetlands would just stay as they are and the code will continue to function as it has since 2005. Chair Leifer asked Ms. Sievers if her opinion is that they should postpone action. She expressed concern about adopting the updated regulations. Director Koenig reiterated that the City's code already adopts the most current version; this just makes it clearer.

Chair Leifer asked Mr. Ash to explain again why staff should not move forward with this. Merle Ash clarified that they are in support of adopting the manual, but not of changing the classification of wetlands themselves. The developers' main concern is with the requirement for wildlife habitat scores of 4 or less in order to get standard buffers.

Chair Leifer asked staff how they could accomplish changing the numbers without breaching the intent of the code. Senior Planner Gemmer explained that they can't just change numbers from what the DOE Manual requires. Any proposed changes have to be based on Best Available Science and would require a thorough study. She explained that Marysville has very conservative and predictable wetland buffers compared to other jurisdictions.

Chair Leifer solicited feedback from other commissioners.

- Commissioner Thetford spoke to concerns, but noted that Ecology is the one who would need to make changes.

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- Commissioner Whitaker spoke in support of moving forward with what staff is proposing. He noted that they could always review this in the future if needed.
- Commissioner Smith concurred.
- Commissioner Richards commended staff's work and noted that Ecology has told them what they have to do. This would align the City's regulations with what they have to do anyway.
- Commissioner Andes expressed frustration about the situation, but indicated that their hands are tied.
- Commissioner Hoen spoke in support of approving this as recommended by staff and then letting the City Council address any concerns they might have.

Motion made by Commissioner Richards, seconded by Commissioner Whitaker, to move the amendments forward as presented. **Motion** passed unanimously (7-0).

The hearing was closed at 8:10 p.m.

- B. Code Amendment – MMC Chapter 22C.090 Residential Density Incentives, including bonus allowances for contributions towards an identified capital improvement, energy conservation, critical areas buffer enhancement and clarifying the administrative review process.

The hearing was opened at 8:10 p.m.

Staff Presentation: Planning Manager Holland reviewed the proposed amendments which would add an RDI for contribution to identified capital improvement projects, reorganize Section 7(b) and 7(c) for clarification purposes, update Section 8 to add LEED evergreen standards and built-green units, and add a new Section 11 providing for a bonus for critical areas buffer enhancements. The City received comments from Master Builders related to energy conservation. What staff has proposed is a .20 bonus unit per certified unit. Master Builders has asked for a .25 or .33 bonus unit per unit constructed. Planning Manager Holland noted that staff has already increased it 100% from .10 to .20. Another comment received was related to critical areas buffer enhancement. Master Builders has requested a bonus unit per quarter acre or half acre instead of staff's recommendation of one bonus unit per acre of buffer enhancements. He reviewed examples of what this would look like for a project.

Chair Leifer asked if staff has any data about what the cost to enhance an acre of wetland might be. Senior Planner Gemmer replied it was in a packet a couple meetings ago. Planning Manager Holland explained that more than the cost of the actual enhancement, the concerns related to the increased costs due to the requirement for five years of maintenance and monitoring.

Commissioner Richards referred to number 8 and asked about inserting language related to "other energy efficient unit as approved by the director." Planning Manager Holland noted that it is already required, but this might clarify it.

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Public Testimony:

Angie Sievers, Master Builders of King and Snohomish County, 335 – 116th Avenue SE, Bellevue, WA 98004, commended staff's work on this. She expressed concerns about the costs to developers to update degraded buffers and maintain them long-term. She spoke in support of Master Builders request to increase bonus units per acre in order to incentivize builders in Marysville to build green.

Merle Ash, 18820 3rd Avenue NE, Arlington, WA, commended staff for their work. He feels it works really well with Planned Residential Developments. He would like to see this applied to a half acre instead of an acre to due costs.

Planning Manager Holland reviewed staff's justification for the one acre size, but indicated that the Commission could modify this if desired.

The public testimony portion of the hearing was closed at 8:35 p.m.

Motion made by Commissioner Thetford, seconded by Commissioner Andes, to amend verbiage on item 11, Critical Areas Buffer Enhancement, from one bonus unit per one acre of buffer enhancement to two bonus unit per acre and an amendment to the energy conservation Section 8 to include "or equivalent energy efficient unit as approved by the director." **Motion** failed 2-5.

Motion made by Commissioner Richards, seconded by Commissioner Hoen, to forward this to City Council with an amendment to the energy conservation Section 8 to include ". . . or equivalent energy efficient unit as approved by the director." **Motion** passed unanimously.

The hearing was closed at 8:46 p.m.

- C. Code Amendment – MMC Chapter 22G.090 Subdivisions and Short Subdivisions delegating final plat approval authority to the Community Development Director and City Engineer in compliance with Senate Bill 5674, which amended RCW 58.17.100, 58.17.170 and 58.17.190.

The hearing was opened at 8:46 p.m.

Staff Presentation: Planning Manager Holland explained that the legislature passed amendments to the subdivision law which would make final plat review an administrative process rather than going to City Council. This would save a tremendous amount of time for the developers and would streamline the process.

Public Testimony:

Angie Sievers, Master Builders of King and Snohomish County, 335 – 116th Avenue SE, Bellevue, WA 98004, spoke in support of this amendment.

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Merle Ash, 18820 3rd Avenue NE, Arlington, WA, also spoke in support of this item.

Motion made by Commissioner Richards, seconded by Commissioner Andes, to forward this to City Council. **Motion** passed unanimously (7-0).

The hearing was closed at 8:53 p.m.

Director Koenig thanked Angie Sievers and Merle Ash for their efforts in working with staff on the proposed amendments tonight.

NEW BUSINESS

- Code Amendment – Miscellaneous Light Manufacturing Uses proposed to be a permitted use in the General Commercial (GC) Zone.

Director Koenig introduced this item and noted that it would be coming back to the Commission for review.

CITY COUNCIL AGENDA ITEMS AND MINUTES

ADJOURNMENT

Motion made by Commissioner Richards, seconded by Commissioner Whitaker, to adjourn the meeting at 9:02 p.m. **Motion** passed unanimously.

NEXT MEETING: TBD

Laurie Hugdahl, Recording Secretary

PLANNING COMMISSION



MINUTES

September 12, 2017

7:00 p.m.

City Hall

CALL TO ORDER

Chair Leifer called the September 12, 2017 meeting to order at 7:00 p.m.

Marysville

Chairman: Steve Leifer

Commissioners: Roger Hoen, Jerry Andes, Kay Smith, Kelly Richards, Tom Thetford,

Staff: Planning Manager Chris Holland, Senior Planner Angela Gemmer

Excused Absence: Brandon Whitaker (excused)

APPROVAL OF MINUTES

July 25, 2017

Commissioners Kay Smith and Kelly Richards asked to have their absences from the July 25 meeting excused.

Motion made by Commissioner Andes, seconded by Commissioner Thetford, to approve the July 25, 2017 Meeting Minutes as amended. **Motion** passed unanimously (4-0) with Commissioners Richards and Smith abstaining as they were not at the July 25 meeting.

AUDIENCE PARTICIPATION

None

NEW BUSINESS

A. Residential Density Incentives (RDI) Amendments

Senior Planner Gemmer reviewed this item as contained in the Planning Commission packet.

Commissioner Hoen expressed concern about increases to residential density. The State Healthy Youth Survey shows that four out of ten school age children in the Marysville School District do not know an adult in the neighborhood to go to in need of help. The current trend in building residential housing is rows of garage doors with virtually no front or side yards for family use and neighbor interaction contributes to this isolation.

Chair Leifer asked to what extent Master Builders' input has been integrated into these documents. Senior Planner Gemmer explained that the Built Green concept will likely be incorporated, but it needs a little more direction from the Director. Staff took the other comment seriously and did research to see what makes sense in the RDI. Staff feels what is being proposed makes the most sense.

Planning Manager Holland added that currently if you are building on land with any critical areas and the buffer is degraded, the requirement is to enhance it and do 3-5 years of monitoring on it. Master Builders and others have expressed concerns that this is a significant cost. By bringing it forward and offering it as a density incentive seems like a worthwhile benefit for all developments.

Commissioner Richards commented that this would increase the density, but the roads are already a mess. How is the City resolving this? Planning Manager Holland explained that a project cannot be approved unless it meets concurrency with the level of service. Commissioner Richards asked if the \$15,000 fee in lieu would go toward roads. Planning Manager Holland replied that it could. It would go into a fund where it could be used for a variety of improvements.

Commissioner Andes asked if someone would get two bonus units if they contributed \$30,000. Planning Manager Holland replied that they would receive one bonus unit per \$15,000 contribution. He added that staff will bring back additional information about the Green Built after discussing it more with staff.

Commissioner Richards noted that this is good for the development community, but he wondered if it was also good for the citizens of Marysville. Senior Planner Gemmer thought that it was a win-win because it helps builders get more density and also completes necessary projects in the community. Planning Manager Holland commented that Marysville is one of just a couple cities in the state that do this sort of thing in order to get a public benefit out of a development. He added that it is mainly utilized for multifamily projects and planned residential developments.

Commissioner Andes asked how much of an increase in units staff expects to see with these changes. Senior Planner Gemmer and Planning Manager Holland thought that the largest was 6-8 units, but normally they see 2-3 units. Space is a limiting factor

because builders still have to meet the minimum lot size requirements, road width requirements, etc.

Chair Leifer asked for confirmation that the area of wetlands in a parcel in a PRD can be multiplied times the density allowed on the site and transferred to the overall PRD number of units allowed. Planning Manager Holland confirmed that was accurate. Stream channels would not be included, but the wetlands and their buffers can all be included toward achieving density. He explained that the PRD code would allow someone to do smaller lot sizes or alternative road sections, but this is not too common as most builders are moving toward larger lot sizes these days.

B. Critical Areas Ordinance (CAO): Wetland Delineation Manual and Rating Systems References Updates, and Wetland Buffer Reductions

Senior Planner Gemmer explained that this would strike the category III and IV wetland references from the section that allows for critical area buffer reduction, thereby opening up the possibility to do a 25% buffer reduction to category I and II wetlands that meet the same criteria that category III and IV wetlands would be subject to. There are also updates to obsolete references in the code to be consistent with the current wetland rating manual and applicable regional supplements. Additionally, there would be an amendment to the point system to match the current scoring system adopted by Ecology.

Senior Planner Gemmer explained that staff received some comments from Master Builders and local developers who are concerned about the ability to actually get a reduction with the way the point system is. Staff feels that with the current best available science analysis that the existing critical areas code was based on, alterations to the points references in code would not be possible without revisiting best available science. Staff is not able to make adjustments to the point system without revisiting all of it and having a justification to present to Ecology. At this time staff still intends to open up the buffer reduction eligibility by making the changes described above. Senior Planner Gemmer explained that one of the concerns from Master Builders was that it is not possible to obtain a habitat score of 4 points; however staff reviewed recent projects that have been submitted under the 2014 ratings form and found that half of the wetlands they have seen so far have achieved a 4 in habitat score.

Planning Manager Holland commented that staff is not changing the allowances for buffer reductions. They are just changing the reference. Master Builders' concerns about not being able to get a score of 4 is a global issue that needs to be addressed with the legislature and Ecology. The City is not able to change the State's points system, and adjustments in the current code would require new best available science.

Commissioner Andes asked if there is any chance that a Category IV wetland can just be eliminated from a project. Planning Manager Holland explained that the Department of Ecology allows the City to exempt Category IV wetlands that are less than .1 of an acre. The Corps has changed their requirements, and you have to get Corps approval

for any wetland that you want to fill. The City has found that nobody wants to deal with the Corps because it takes too long to get a permit. The City has also allowed a "paper fill" where you put critical areas fence around it with signage and reduce the buffer. It would then be set aside in perpetuity as a natural growth protection area.

Planning Manager Holland stated that the City has a good relationship with the development community. They will continue to work to make this equitable for both the development community and the citizens of Marysville. Chair Leifer commented that he doesn't see developer interest and community interest as mutually exclusive. The availability of reasonably priced lots and houses is getting scarce which forces some people to move further out in order to be able to afford a home.

CITY COUNCIL AGENDA ITEMS AND MINUTES

COMMISSIONER COMMENTS

Commissioner Hoen brought up an issue someone raised to him about a Marysville resident who is being allowed to build a commercial shop in the middle of a residential area. The person in question doesn't live there, but he owns the property. Senior Planner Gemmer recalled that there was a duplex on the lot and this was proposed as a shop, but she wasn't familiar with the specific details. Planning Manager Holland explained that a commercial business would not be allowed in a residential area, but a home occupation would. Staff indicated they would look into this. Commissioner Hoen agreed with Commissioner Richards about the importance of doing what is good for the citizens as well as developers.

ADJOURNMENT

Motion made by Commissioner Richards, seconded by Commissioner Thetford, to adjourn the meeting at 7:55 p.m. **Motion** passed unanimously (6-0).

NEXT MEETING:

November 14, 2017



Chris Holland, Planning Manager, for:
Laurie Hugdahl, Recording Secretary

From: [Merle Ash](#)
To: [Chris Holland](#); [Angie Sievers](#)
Cc: [David Koenig](#); [Angela Gemmer](#)
Subject: RE: Marysville - RDI DRAFT Amendments
Date: Thursday, August 10, 2017 7:28:35 PM

Thank you Chris for copy of the RDI Draft Amendments. I think they are great. I do have a couple of comments to offer.

On 8. Energy Conservation: I would like to suggest the City add "Built Green" to the options.

11. Critical Area Buffer Enhancements: One acre of enhancement could cost \$20,000 to even \$50,000 fairly easily. To encourage this option and to encourage good enhancement efforts I would think it might be more appropriate at 1 bonus unit per $\frac{1}{4}$ acre or at most 1 per $\frac{1}{2}$ acre.

Thank you for the opportunity to provide comments and I look forward to updating my "spreadsheet". ☺

Merle Ash

Land Technologies, Inc.
18820 3rd Ave NE
Arlington WA 98223
360-652-9727
Merle@landtechway.com

From: Chris Holland [mailto:CHolland@marysvillewa.gov]
Sent: Wednesday, August 9, 2017 2:56 PM
To: Angie Sievers
Cc: David Koenig; Angela Gemmer; Merle Ash
Subject: Marysville - RDI DRAFT Amendments

Angie-

Attached is the RDI DRAFT Amendments. We will likely be taking to PC workshop on September 12th. Any comments are welcomed.

Thank you,

Chris Holland | Planning Manager

CITY OF MARYSVILLE
Community Development Department
80 Columbia Avenue
Marysville, WA 98270

360-363-8100 Office
360-363-8207 Direct Line
360-651-5099 Fax

cholland@marysvillewa.gov
<http://marysvillewa.gov>



September 6, 2017

Marysville Planning Commission
1049 State Avenue
Marysville, WA 98270

Re: Proposed Residential Density Incentives and Critical Areas Ordinance (CAO):
Wetland Delineation Manual and Rating Systems References Updates, and Proposed
Wetland Buffer Reductions

Dear Commissioners,

On behalf of the Master Builders Association of King and Snohomish Counties (MBA) and its nearly 2,800 member companies, we appreciate the opportunity to work with City staff and the opportunity to provide comment on MMC Chapter 22C.090 RDI-DRAFT3 and Critical Areas Ordinance (CAO): Wetland Delineation Manual and Rating Systems References Updates, and Proposed Wetland Buffer Reductions as outlined below.

Residential Density Incentives

- In 22C.090.0300 Chart, Benefit 8: MBA politely requests inclusion of Built Green Residential Standards (BG) at 0.25 or 0.33 bonus units per certified BG unit. Utilization of LEED certification is cost intensive for residential, however widely recognized and utilized for commercial projects. ESDS standards are required for affordable housing development and have a lower threshold for certification in comparison to BG standard. Thus, to incentivize utilization of green development in residential market rate product, an increase to 0.25 or 0.33 would encourage desired utilization.
- In 22C.090.0300 Chart, Benefit 11: Critical Areas Buffer Enhancement. To encourage effective restorative efforts where wetland enhancement could cost upwards of \$25,000. An adjustment from one bonus unit per one acre of restoration to one bonus unit per $\frac{1}{4}$ or $\frac{1}{2}$ acre would reduce barriers to utilization of this incentive.

Additionally, this section requires buffer enhancement when the "existing wetland buffer area plantings provide minimal vegetative cover and cannot provide the minimum water quality or habitat functions, buffer enhancement is required." If buffer enhancement is required, then buffer width reductions should be allowed up to 25 percent outright and without subject to the requirements of subsection (5)b.



Critical Areas Ordinance (CAO): Wetland Delineation Manual and Rating Systems Reference Updates, and Proposed Wetland Buffer Reductions.

Multiple MBA members expressed concern relevant to the proposed draft incentive provided by City staff in early August. Incentives will not be utilized as drafted as it has been experienced by builders, that under the new wetland ratings, habitat scores are a minimum of 5 pts, thus ineligible for utilization of wetland buffer reductions scoring 1-4 points. MBA recognizes jurisdictions reference Department of Ecology to determine appropriate scoring guidelines. We kindly request the following adjustments to the drafted amendments, to allow for incentive utilization:

- Critical Area Buffer Reduction, Page 2, Paragraph 3 (v): wetland scores change from 4 to 5.
- 22E.010.100 Wetland buffer areas, Page 4, (5)(b)(v): The wetland scores 19 points (drafted to 4), requested change to 7 in place of 4.
- 22E.010.100 Wetland buffer areas, Page 5, (6)(a): When the qualified scientific professional determines, based upon a site-specific wetland analysis, that for Category III and IV wetlands the habitat value equals or exceeds 20 (drafted change to 5), requested change to 6-7. And for Category II wetlands the habitat value equals or exceeds 29 points (drafted change to 8), requested change to 5-8.

Thank you again for the opportunity to comment on the proposed amendments for residential development enhancements. Please feel free to contact me with any questions you might have, asievers@mbaks.com or 425-460-8204.

Warm regards,
Angie Sievers



Snohomish County Manager

Cc: Dave Koenig, Chris Holland, Angela Gemmer, Cheryl Dungan, Amy Hess, Gloria Hirashima

Enclosures: MMC Chapter 22C.090 RDI-DRAFT3 and Document, 20170724095430849



November 29, 2017

The Honorable Jon Nehring
Marysville City Council
1049 State Avenue
Marysville, WA 98270

RE: Proposed Amendments for Critical Areas, Residential Density Incentives, and Administrative Approval of Final Plat or Subdivisions

Dear Mayor Nehring, and Councilmembers:

Thank you for the opportunity to provide comment on the proposed amendments for critical areas, residential density incentives, and the administrative approval of final plat or subdivisions. On behalf of more than 2,900 member companies of the Master Builders Association King and Snohomish County (MBA), our members have a deep understanding of bringing affordable options to the new home market. We applaud those jurisdictions that recognize the need for innovative solutions and create predictability and certainty for home builders and consumers alike.

Jurisdictions are required to regularly update their critical areas ordinances, however, those that have updated to the most current Ecology guidelines have also experienced an unintentional reduction in commercial and residential capacity. Marysville's proposed critical areas amendment was reviewed by MBA members who expressed great concern about its current form. We encourage the City to be mindful in order to protect its valuable, diminishing supply of buildable lands.

Members of the MBA support code amendments to include all wetland categories for buffer enhancement incentives. This also requires amendments to update an additional section 22E.010.100(5) and (6), where MBA consultants have experienced it to be near impossible to achieve a wetland buffer habitat value of less than 5 points throughout all jurisdictions. The language proposed in MMC Section 22E.010.100(6) Option C, addresses this problem which would otherwise trigger an automatic 25% buffer width increase on all projects. The MBA supports the adoption of Option C relative to this code section.

The MBA has been working with Marysville to develop residential density incentives intended to create desirable public benefits including capital improvements, environmental or green building, and benefit for wetland buffer enhancement. The proposed language for capital improvements and environmental development incentives appear to be valuable given current market conditions.



In the City of Marysville many development sites have degraded buffers where buffer enhancement is desirable, and subsequently incurred costs are passed on to homebuyers. These costs include not only the initial capital expense, but also additional dollars associated with the monitoring and bonding of these required site improvements. The MBA has expressed a desire for an incentive to partially offset the cost of these improvements at one density bonus per ½ acre of buffer enhancement. This is proportionate to the total cost, including capital, monitoring, and bonding project investments and would encourage investment in environmental improvements.

The final amendment being considered, would delegate approval of final plat or subdivisions to the Community Development Director and Public Works Director as is current process for final approval of short subdivisions. Revision to Marysville RCW 58.17.100, 58.17.170, and 58.17.190 would be consistent with Senate Bill 5674, where local jurisdictions have the option to adopt the provision. This change would preserve current opportunities for public comment, reduce burden on staff in preparing for council hearing, and reduce incurred project costs waiting weeks for council approval. Other jurisdictions that have adopted this legislation are Snohomish County and Lynnwood, and the MBA strongly encourages the Council to adopt the proposed language.

The amendments brought before you represent a significant amount of work and collaboration on behalf of your city staff and the development community. The MBA is sincerely appreciative for the opportunity to collaborate with the City of Marysville on solutions that benefit all interests.

Thank you for your consideration. If you have any questions, please feel free to contact me at asievers@mbaks.com or (425) 460-8204.

Sincerely,



Angie Sievers
Snohomish County Manager
Master Builders Association of King and Snohomish Counties

cc: Gloria Hirashima, City Administrator; Dave Koenig, Community Development Director; Angela Gemmer, Senior Planner; Chris Holland, Planning Manager

CITY OF MARYSVILLE
Marysville, Washington
ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY OF MARYSVILLE, WASHINGTON,
RELATING TO RESIDENTIAL DENSITY INCENTIVES, AMENDING
SECTIONS 22C.090.030 AND 22C.090.060 OF THE MARYSVILLE
MUNICIPAL CODE.**

WHEREAS, the State Growth Management Act, RCW Chapter 36.70A mandates that cities periodically review and amend development regulations which include but are not limited to zoning ordinances and official controls; and

WHEREAS, RCW 36.70A.106 requires the processing of amendments to the City's development regulations in the same manner as the original adoption of the City's comprehensive plan and development regulations; and

WHEREAS, the State Growth Management Act requires notice and broad public participation when adopting or amending the City's comprehensive plan and development regulations; and

WHEREAS, the City, in reviewing and amending its development regulations has complied with the notice, public participation and processing requirements established by the Growth Management Act, as more fully described below; and

WHEREAS, the City Council of the City of Marysville finds that from time to time it is necessary and appropriate to review and revise provisions of the City's municipal code and development code (MMC Title 22); and

WHEREAS, the development code amendment is consistent with the following required findings of MMC 22G.010.500:

- (1) The amendment is consistent with the purposes of the comprehensive plan;
- (2) The amendment is consistent with the purpose of this title;
- (3) There have been significant changes in the circumstances to warrant a change;
- (4) The benefit or cost to the public health, safety and welfare is sufficient to warrant the action.

WHEREAS, the Planning Commission discussed the above-referenced amendment during a public meeting held on September 12, 2017; and

WHEREAS, on November 14, 2017, the Marysville Planning Commission held a duly-advertised public hearing; and

WHEREAS, on November 14, 2017, the Marysville Planning Commission recommended City Council adopt the proposed amendments to the City's development regulations; and

WHEREAS, at a public meeting on December 11, 2017, the Marysville City Council reviewed and considered the Marysville Planning Commission’s Recommendation and proposed amendments to the City’s development regulations; and

WHEREAS, the City of Marysville has submitted the proposed development regulation revisions to the Washington State Department of Commerce on October 31, 2017, seeking expedited review under RCW 36.70A.160(3)(b) in compliance with the procedural requirement under RCW 36.70A.106; and

WHEREAS, the amendments to the development regulations are exempt from State Environmental Policy Act review under WAC 197-11-800(19);

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MARYSVILLE DO ORDAIN AS FOLLOWS:

Section 1. Amendment of Municipal Code. MMC Section 22C.090.030, entitled “Public benefits and density incentives,” is hereby amended as follows:

22C.090.030 Public benefits and density incentives.

(1) The public benefits eligible to earn increased densities, and the maximum incentive to be earned by each benefit, are set forth in subsection (54) of this section. The density incentive is expressed as additional bonus dwelling units (or fractions of dwelling units) earned per amount of public benefit provided. Where a range is specified, the earned credit will be determined by the community development director during project review.

(2) Bonus dwelling units may be earned through any combination of the listed public benefits.

(3) Residential development in R-12 through R-28 zones with property-specific development standards requiring any public benefit enumerated in this chapter shall be eligible to earn bonus dwelling units as set forth in subsection (54) of this section when the public benefits provided exceed the basic development standards of this title. When a development is located in a special overlay district, bonus units may be earned if the development provides public benefits exceeding corresponding standards of the special district.

~~(4) The guidelines for affordable housing bonuses, including the establishment of rental levels, housing prices and asset limitations, will be updated and adopted annually by the community development department. The update shall occur no later than June 30th of each year.~~

(54) The following are the public benefits eligible to earn density incentives through RDI review:

Benefit	Density Incentive
1. Affordable Housing a. Benefit units consisting of rental housing permanently priced to serve nonelderly low-income households (i.e., no greater than 30 percent of gross income for household at or below 50 percent of Snohomish County median income, adjusted for household size). A covenant on the site that specifies the income level being served, rent levels and requirements for reporting to the city shall be recorded at final approval.	1.5 bonus units per benefit, up to a maximum of 30 low-income units per five acres of site area; projects on sites of less than five acres shall be limited to 30 low-income units.

<p>b. Benefit units consisting of rental housing designed and permanently priced to serve low-income senior citizens (i.e., no greater than 30 percent of gross income for one- or two-person households, one member of which is 62 years of age or older, with incomes at or below 50 percent of Snohomish County median income, adjusted for household size). A covenant on the site that specifies the income level being served, rent levels and requirements for reporting to the city of Marysville shall be recorded at final approval.</p>	<p>1.5 bonus units per benefit, up to a maximum of 60 low-income units per five acres of site area; projects on sites of less than five acres shall be limited to 60 low-income units.</p>
<p>c. Benefit units consisting of mobile home park space or pad reserved for the relocation of an insignia or noninsignia mobile home that has been or will be displaced due to closure of a mobile home park located in the city of Marysville.</p>	<p>1.0 bonus unit per benefit unit.</p>
<p>2. Public Facilities (Schools, Public Buildings or Offices, Trails and Active Parks)</p> <p>a. Dedication of public facilities site or trail right-of-way meeting city of Marysville or agency location and size standards for the proposed facility type.</p>	<p>10 bonus units per usable acre of public facility land or one-quarter mile of trail exceeding the minimum requirements outlined in other sections of this title.</p>
<p>b. Improvement of dedicated public facility site to city of Marysville standards for the proposed facility type.</p>	<p>2 – 10 (range dependent on facility improvements) bonus units per acre of improvement. If the applicant is dedicating the site of the improvements, the bonus units earned by improvements shall be added to the bonus units earned by the dedication.</p>
<p>c. Improvement of dedicated trail segment to city of Marysville standards.</p>	<p>1.8 bonus units per one-quarter mile of trail constructed to city standard for pedestrian trails; or 2.5 bonus units per one-quarter mile of trail constructed to city standard for multipurpose trails (pedestrian/bicycle/equestrian). Shorter segments shall be awarded bonus units on a pro rata basis. If the applicant is dedicating the site of the improvements, the bonus units earned by improvements shall be added to the bonus units earned by the dedication.</p>
<p>d. Dedication of open space, meeting city of Marysville acquisition standards, to the city, county or a qualified public or private organization such as a nature conservancy.</p>	<p>2 bonus units per acre of open space.</p>
<p>3. Community Image and Identity</p> <p>a. Installation and/or dedication of an identified city gateway (per city of Marysville gateways master plan).</p>	<p>5 bonus units per "medium scale — cantilevered" gateway installation (final design, landscaping and signage). 6 bonus units per "large scale — horizontal" gateway installation (final design, landscaping and signage).</p>

<p><u>Contribution towards an identified capital improvement project, including, but not limited to parks, roadways, utilities, gateway sign, etc.</u></p>	<p>10 bonus units per "informational reader board" gateway installation (final design, landscaping and signage). 10 bonus units per civic space gateway (Comeford Park) improvement (final design, landscaping and signage). 5 bonus units per large gateway improvement (final design, landscaping and signage).</p> <p>\$15,000 per bonus unit.</p>
<p>4. Historic Preservation</p> <p>a. Dedication of a site containing an historic landmark to the city of Marysville or a qualifying nonprofit organization capable of restoring and/or maintaining the premises to standards set by Washington State Office of Archaeology and Historic Preservation.</p>	<p>0.5 bonus unit per acre of historic site.</p>
<p>b. Restoration of a site or structure designated as an historic landmark.</p>	<p>0.5 bonus unit per acre of site or 1,000 square feet of floor area of building restored.</p>
<p>5. Locational/Mixed Use</p> <p>a. Developments located within one-quarter mile of transit routes, and within one mile of fire and police stations, medical, shopping, and other community services.</p>	<p>5 percent increase above the base density of the zone.</p>
<p>b. Mixed use developments over one acre in size having a combination of commercial and residential uses.</p>	<p>10 percent increase above the base density of the zone.</p>
<p>6. Storm Drainage Facilities</p> <p>Dual use retention/detention facilities.</p> <p>a. Developments that incorporate active recreation facilities that utilize the storm water facility tract.</p>	<p>5 bonus units per acre of the storm water facility tract used for active recreation.</p>
<p>b. Developments that incorporate passive recreation facilities that utilize the storm water facility tract.</p>	<p>2 bonus units per acre of the storm water facility tract used for passive recreation.</p>
<p>7. Project Design</p> <p>a. Preservation of substantial overstory vegetation (not included within a required NGPA). No increase in permitted density shall be permitted for sites that have been cleared of evergreen trees within two years prior to the date of application for PRD approval. Density increases granted which were based upon preservation of existing trees shall be forfeited if such trees are removed between the time of preliminary and final approval and issuance of building permits.</p>	<p>5 percent increase above the base density of the zone.</p>
<p>b. Retention or creation of a perimeter buffer, composed of existing trees and vegetation, <u>or</u> additional plantings, and/or installation of</p>	<p>1 bonus unit per 500 lineal feet of perimeter buffer retained, enhanced or created (when not otherwise required by city code).</p>

fencing or landscaping , in order to improve design or compatibility between neighboring land uses.	
<u>c. Installation of perimeter fencing or landscaping, in order to improve design or compatibility between neighboring land uses.</u>	<u>1 bonus unit per 500 lineal feet of perimeter fencing or landscaping installed (when not otherwise required by code).</u>
ed. Project area assembly involving 20 acres or more, incorporating a mixture of housing types (detached/attached) and densities.	10 percent increase above the base density of the zone.
ed. Private park and open space facilities integrated into project design.	5 bonus units per improved acre of park and open space area. Ongoing facility maintenance provisions are required as part of RDI approval.
8. Energy Conservation a. Benefit units that incorporate conservation features in the construction of all on-site dwelling units qualifying as Energy Star homes per Washington State Energy Code, as amended. <u>Construction of a certified Leadership in Energy and Environmental Design (LEED), Evergreen Sustainable Development Standard (ESDS), Built Green, or other equivalent certified energy efficient unit as approved by the director.</u>	0.10 bonus unit per benefit unit that achieves the required savings. <u>0.20 bonus unit for each certified unit constructed.</u>
9. Low Impact Development (LID) a. Integration of LID measures in project design and storm water facility construction.	5 – 10 percent increase over base density (range dependent on degree of LID integration in project design and construction).
10. Pedestrian Connections and Walkability a. Construction of an identified pedestrian/bicycle deficiency (per city of Marysville improvement plan). Improvements may consist of paved shoulder, sidewalk or detached path or walkway depending on adjoining conditions.	1 bonus unit per 75 lineal feet of frontage improvement (curb, gutter, sidewalks) on minor arterial streets. (Fee in lieu of improvement at \$15,000 per bonus unit.) 1 bonus unit per 100 lineal feet of frontage improvement (curb, gutter, sidewalks) on neighborhood collector or collector arterial streets. 1 bonus unit per 300 lineal feet of walkway improvement (7-foot paved shoulder or walkway). (Rate may be increased if additional right-of-way is required.)
<u>11. Critical Areas Buffer Enhancement</u> <u>Enhancement of a degraded critical areas buffer, in accordance with MMC Chapter 22E.010 Critical Areas Management.</u>	<u>1 bonus unit per acre of buffer enhancement.</u>

Section 2. Amendment of Municipal Code. MMC Section 22C.090.050, entitled “Rules for calculating total permitted dwelling units,” is hereby amended as follows:

22C.090.050 Rules for calculating total permitted dwelling units.

The total dwelling units permitted through RDI review shall be calculated using the following steps:

- (1) Calculate the number of dwellings permitted by the base density of the site in accordance with Chapters 22C.010 and 22C.020 MMC;
- (2) Calculate the total number of bonus dwelling units earned by providing the public benefits listed in MMC 22C.090.030(5);
- (3) Add the number of bonus dwelling units earned to the number of dwelling units permitted by the base density;
- (4) Round fractional dwelling units down to the nearest whole number; and
- (5) On sites with more than one zone or zone density, the maximum density shall be calculated for the site area of each zone. Bonus units may be reallocated within the zone in the same manner set forth for base units in MMC 22C.010.230 and 22C.020.200.

Section 3. Amendment of Municipal Code. MMC Section 22C.090.060, entitled "Review process," is hereby amended as follows:

22C.090.060 Review process.

(1) All RDI proposals shall be reviewed concurrently with a primary proposal to consider the proposed site plan and methods used to earn extra density as follows:

(a) For the purpose of this section, a primary proposal is defined as a proposed rezone, subdivision or short subdivision, binding site plan, or site plan review conditional use permit or commercial building permit;

(b) When the primary proposal requires a public hearing, the public hearing on the primary proposal shall serve as the hearing on the RDI proposal, and the reviewing authority shall make a consolidated decision on the proposed development and use of RDI;

(c) When the primary proposal does not require a public hearing under this title, the director shall administratively make a consolidated decision on the proposed development and use of RDI. RDI proposal shall be subject to the decision criteria for conditional use permits outlined in MMC 22C.010.410 and to the procedures set forth for community development director review in this title; and

(d) The notice for the RDI proposal also shall include the development's proposed density and a general description of the public benefits offered to earn extra density.

(2) RDI applications which propose to earn bonus units by dedicating real property or public facilities shall include a letter from the applicable receiving agency certifying that the proposed dedication qualifies for the density incentive and will be accepted by the agency or other qualifying organization. The city of Marysville shall also approve all proposals prior to granting density incentives to the project. The proposal must meet the intent of the RDI chapter and be consistent with the city of Marysville comprehensive plan.

Section 4. Amendment of Municipal Code. MMC Section 22A.010.160, entitled "Amendments," is hereby amended as follows by adding reference to this adopted ordinance in order to track amendments to the City's Unified Development Code (all unchanged provisions of MMC 22A.010.160 remain unchanged and in effect):

"22A.010.160 Amendments.

The following amendments have been made to the UDC subsequent to its adoption:

<u>Ordinance</u>	<u>Title (description)</u>	<u>Effective Date</u>
_____	Residential Density Incentives	_____, 2017"

Section 5. Severability. If any section, subsection, sentence, clause, phrase or word of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality thereof shall not affect the validity or constitutionality of any other section, subsection, sentence, clause, phrase or word of this ordinance.

Section 6. Effective Date. This ordinance shall become effective five days after the date of its publication by summary.

PASSED by the City Council and APPROVED by the Mayor this _____ day of _____, 2017.

CITY OF MARYSVILLE

By: _____
JON NEHRING, MAYOR

Attest:

By: _____
APRIL O'BRIEN, DEPUTY CITY CLERK

Approved as to form:

By: _____
JON WALKER, CITY ATTORNEY

Date of Publication: _____

Effective Date: _____
(5 days after publication)