



Town Planning Commission Regular Meeting

Tuesday, November 19th, 2024 – 7:00PM
Town Hall/Virtual
4030 95th Ave NE, Yarrow Point, WA. 98004

Commission Chairperson: Carl Hellings
Commissioners: Chuck Hirsch, David Feller, and Lee Sims
Town Planner: Aleksandr Romanenko - SBN Planning
Town Attorney: Emily Romanenko – OMW
Clerk - Treasurer: Bonnie Ritter
Deputy Clerk: Austen Wilcox

Meeting Participation

Members of the public may participate in person at Town Hall or by phone/online. Individuals wishing to call in remotely who wish to speak live should register their request with the Deputy Clerk at 425-454-6994 or email depclerk@yarrowpointwa.gov and leave a message before 3:30 PM on the day of the Commission meeting. Wait for the Deputy Clerk to call on you before making your comment. If you dial in via telephone, please unmute yourself by dialing *6 when you are called on to speak. Speakers will be allotted 3 minutes for comments. Please state your name (and address if you wish.) You will be asked to stop when you reach the 3-minute limit. Commission members will not respond directly at the meeting or have a back-and-forth exchange with the public, but they may ask staff to research and report back on an issue.

Join on computer, mobile app, or phone

1-253-215-8782

<https://us02web.zoom.us/j/84783178093?pwd=7MqUPjwHUacksbp43g2R8Vp3FA6tg1.1>

Meeting ID: 847 8317 8093 #

Passcode: 110279

1. **CALL TO ORDER:** Commission Chairperson, Carl Hellings
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL:** Commissioners, Chuck Hirsch, David Feller, Jeffrey Shiu, Lee Sims
4. **APPROVAL OF AGENDA**
5. **APPROVAL OF THE MINUTES**

October 15, 2024, Regular Planning Commission Meeting

6. **STAFF REPORTS**

6.1 2025 Work Plan - (10 min)

7. **PUBLIC COMMENT**

Members of the public may speak concerning items that either are or are not on the agenda. The Planning Commission takes these matters under advisement. Please state your name (and address if you wish) and limit comments to 3 minutes. If you call in via telephone, please unmute yourself by dialing *6 when it is your turn to speak. Comments via email may be submitted to depclerk@yarrowpointwa.gov or regular mail to: Town of Yarrow Point, 4030 95th Ave NE, Yarrow Point, WA 98004.

8. **REGULAR BUSINESS**

8.1 Middle Housing - (50 min)

8.2 Consolidated Permit Review - (30 min)

9. **PUBLIC COMMENT**

10. **ADJOURNMENT**

TOWN OF YARROW POINT
TOWN PLANNING COMMISSION REGULAR MEETING
October 15, 2024
7:00 p.m.

The Town Planning Commission of the Town of Yarrow Point, Washington met in regular session on Tuesday, October 15, 2024, at 7:00 p.m. in the Council Chambers of Town Hall.

PLANNING COMMISSION PRESENT: Chair Carl Hellings, Commissioners, Chuck Hirsch, Lee Sims and David Feller

STAFF PRESENT: Deputy Clerk Austen Wilcox, Planner Aleksandr Romanenko

1. CALL TO ORDER

Chair Hellings called the Planning Commission meeting to order at 7:01 p.m.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

4. APPROVAL OF AGENDA

MOTION: Motion by Commissioner Hirsch, seconded by Feller to approve the agenda as presented.

VOTE: 4 for, 0 against. Motion carried.

5. APPROVAL OF THE MINUTES

- August 20, 2024 Regular Meeting

MOTION: Motion by Commissioner Hirsch, seconded by Commissioner Feller to approve the August 20, 2024 regular meeting minutes as presented.

VOTE: 4 for, 0 against. Motion carried.

6. STAFF REPORTS

Planner Romanenko discussed:

- Middle Housing Survey Analysis draft and soliciting feedback from residents; and
- Draft Comprehensive Plan.

7. PUBLIC COMMENT

Resident Deborah Prudden commented on the tree code.

8. REGULAR BUSINESS

8.1 – 2025 PC Work Plan

The proposed work plan is an outline of the major work items which the Planning Commission will endeavor to address during the 2025 calendar year. Additional work may be added to the work plan by Council vote. The work plan items fall into two general categories. Community initiatives as voted on by council and mandatory projects tied to state legislative actions which are grant funded through the department of commerce.

The Commission discussed adding to the 2025 PC Work Plan:

- Tree code components recommended by Council;
- Creation of a critical areas ordinance for subdivisions; and
- Adding eagle regulations listed in the tree code to the Town's general building code.

MOTION: Motion by Commissioner Feller, seconded by Commissioner Hirsch to recommend the 2025 draft Planning Commission Plan as presented including tree components added by Council, critical areas ordinance and eagle regulations as community initiatives.

VOTE: 4 for, 0 against. Motion carried.

8.2 – Middle Housing

The Commission requested a review of State regulations at the following Planning Commission meeting.

The Commission reviewed a work plan to address the requirements of HB1110 and HB1337.

MOTION: Motion by Chair Hellings, seconded by Commissioner Sims to create a reference document for the Planning Commission to work on for Middle Housing.

VOTE: 4 for, 0 against. Motion carried.

9. PUBLIC COMMENT

Resident Deborah Prudden discussed development in Yarrow Point and suggested guidelines for Middle Housing.

10. ADJOURNMENT:

MOTION: Motion by Chair Hellings, seconded by Commissioner Feller to adjourn the meeting at 8:23 p.m.

VOTE: 4 for, 0 against. Motion carried.

Carl Hellings, Chair

Attest: Austen Wilcox, Deputy Clerk

2025 Planning Commission work plan	Proposed Action: Discussion
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Presented by:	SBN Planning – Town Planner
Exhibits:	2025 Planning Commission work plan

Summary:

The work plan is an outline of the major work items which the Planning Commission will endeavor to address during the 2025 calendar year. Additional work may be added to the work plan by Council vote. The work plan items fall into two general categories. Community initiatives as voted on by council and mandatory projects tied to state legislative actions which are grant funded through the department of commerce.

At the November Council meeting the Town Council adopted the 2025 Planning Commission Work plan as presented.

Action Items: (estimated times)

- Staff Presentation (5min)
- Discussion (5min)



Town of Yarrow Point

2025 Planning Commission Work Plan

The Planning Commission's mission is to serve as advisor to the Town Council in the review, recommendation, and development of Town land-use and policy issues. To accomplish this, the Planning Commission reviews current land-use issues facing the Town, the region, and the nation and then develops and/or reviews land-use and zoning ordinances in response to those issues. After holding public hearings to review these draft ordinances with citizens of the Town and obtain their comments on the proposed legislation, the Planning Commission forwards their draft and recommendation for action to the Town Council for discussion and possible adoption.

2025 Work plan items:

Community Initiatives: (To be completed serially)

- Private Property Tree Code - Initiatives and Alternative Approaches
- Eagle Regulations

Mandatory Work Items:

- Middle Housing - Mandatory & Grant Funded
- Climate Planning - Mandatory & Grant Funded
- Consolidated Permit Review - Mandatory & Grant Funded
- Comp Plan Implementation Items as directed by Council
- Critical Areas Ordinance

2025 Planning Commission regular meeting dates:

January 21th	July 15th
February 18th	August 19th
March 18th	September 16th
April 15th	October 21th
May 20th	November 18th
June 17th	December 16th

Middle Housing (HB1110 Integration)	Proposed Action: Discussion and Possible Vote
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Presented by:	Town Planner
Exhibits:	<ul style="list-style-type: none"> ● Middle Housing Update Decisions Matrix ● Middle Housing Diagrams ● Middle Housing FAQ ● Unit Lot Subdivision Guidance/Background

Summary:

At the regular April Town Council meeting, staff presented the gap analysis and public engagement plan. Council approved the engagement plan with amendments to include two public engagement open house type meetings. One before administering the survey to help inform the public, and one after to discuss outcomes. Staff was also directed to develop a preliminary budget for the integration of the new middle housing legislative requirements. The preliminary budget estimate is \$160,000 on the high end, with a low end budget estimate of \$45,000. A portion of the budget is offset by a \$35,000 grant which was awarded to Yarrow Point for middle housing regulation update work.

The Town has published a middle housing webpage to help residents navigate the requirements and implications of the middle housing legislation. Additional information will be provided on the Town’s webpage as it is developed. The informational open house was held on May 29th from 6-8pm at Town Hall. The survey was launched during the open house and flyers with the Town’s middle housing webpage and survey were posted on all town mailbox pagodas, emailed to the Town mailing list, and posted on Town social media. 35 survey responses have been received as of 6-13-24. Town staff will continue to reach out to residents to encourage participation in the survey and public process.

Staff prepared several informational posters which were on display at the open house. These posters have been included with your packet in their digital form. Staff is continuing to compile a list of frequently asked questions which can be posted on the Town’s Middle Housing webpage to help inform residents.

At the June council meeting, staff presented an update following the open house, and was directed to create a work plan which outlines the next steps for the Town to address the requirements of Middle Housing.

At the September Meeting the Planning Commission directed staff to create a decision matrix to help guide the conversation and code update process. Staff prepared the decision matrix and has provided supporting background documents to help inform the decision making process.

Resources

- [Yarrow Point Middle Housing Website](https://yarrowpointwa.gov/middle-housing/) : <https://yarrowpointwa.gov/middle-housing/>
- [WA Department of Commerce Middle Housing Website](#)
- [User Guide for Middle Housing Model Ordinances \(PDF\)](#)
- [Final Model Ordinance for cities under 25,000 \(PDF\)](#)

Action Items

- Staff Presentation (15 min)
- Discussion (30 min)
- Vote (5 min)

Recommended Motions:

- I move to direct staff to begin work on a draft ordinance as discussed at this meeting.



Town of Yarrow Point

Decisions Matrix

Middle House and ADUs

Introduction

This document is broken down into general categories which the Planning Commission can use as a tool to make decisions. The charts below show what the current status is, what the minimum requirements are, and illustrate where there is jurisdictional discretion. A general list of items which do not have flexible thresholds and must be updated are included at the end of this document.

Categories:

Housing Typologies and Density.....	2
Setbacks, Heights, Lot Coverage, and Dimensional standards.....	3
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Parking and Access.....	5
Design Standards.....	6
Updates without Flexible thresholds.....	6

Housing Typologies and Density

Housing Typologies and Density	Current Standard	New Minimum Required	Jurisdictional discretion
Single Family Homes	1 per lot	No Change	Allow more than 2 units per lot
Duplexes/Stacked Flats	Not Permitted	1 duplex per lot (2 units)	Allow more than 2 units per lot
Cottage Houses	Not Permitted	2 units per lot	Allow more than 2 units per lot
Courtyard Apartments	Not Permitted	2 units per lot	Allow more than 2 units per lot
Accessory Dwelling Unit (Attached or detached) - ADU/DADU	1 per lot as an accessory to a single family home	1 per lot as an accessory to a single family home (Counted as a unit)	Allow for more than 1 ADU per single family home
Additional Housing Types (not listed above)	Not Permitted	Only those listed above are "required"	Allow for additional housing types in some or all of the Town. (Townhomes, Triplexes and larger, Stacked flats, etc.)

Setbacks, Heights, Lot Coverage, and Dimensional standards

Setbacks, Heights, Lot Coverage, and Dimensional standards	Current Standard	New Minimum Required	Jurisdictional discretion
Single Family Homes	Setbacks: (See setback Table) Structure Height: 25' above Original or 31' above finished (Whichever is less) Lot Coverage: 30% for Structure Impervious Surface: 60% of Lot	No Change Required	Updates to these requirements must be the same for all unit types except Accessory Unit Area (As noted).
Duplexes/Stacked Flats	NA		Same as Above
Cottage Houses	NA	20% shared open space	Minimum setbacks between new units may be considered. Configuration and what can/can't be in the 20% shared open space
Courtyard Apartments	NA	Requires a "shared courtyard"	Define what "shared courtyard" looks like
Accessory Dwelling Unit (Attached or detached) - ADU/DADU	The gross floor area of an accessory dwelling unit shall not exceed six percent of the lot area and shall contain not less than 220 square feet and not more than 850 gross square feet, excluding any related garage area.	Same standards except: May not establish a maximum gross floor area requirement for accessory dwelling units that is less than 1,000 square feet	Minimum setbacks between new units may be considered

Current Setback Standards:

The setback from the shoreline of Lake Washington is 50 feet.

The setback from a public right-of-way is 25 feet.

The setback from a private lane provided to serve the lot or provided on the lot to serve other building sites is 25 feet.

The setback from a property line dividing private property is 10 feet.

The setback from a private lane on adjacent property which does not include rights of use by the lot in question is 10 feet.

The setback from a panhandle driveway is 10 feet.

Subdivision

Subdivision	Current Standard	New Minimum Required	Jurisdictional discretion
Short Plat	Allowed - Review process includes Planning Commission, Council, and SEPA	Administrative review and SEPA exempt	Work to update administrative and application process is part of a different project - Outlined as part of HB 5290 work
Unit Lot Subdivision	NA	Must be allowed to the Unit density	Reasonable Minimum dimensional standards can be implemented
Zero Lot Line Subdivision	NA	Must be allowed to the Unit density	This acts as a subset of Unit Lot Subdivision. Additional criteria could be created based on fire safety compliance

Parking and Access

Parking and Access	Current Standard	New Minimum Required	Jurisdictional discretion
Single Family Homes	4 on site spots	No Change	Number of spots may be increased or decreased
Duplexes/Stacked Flats	NA	2 on site spots per unit	Number of spots may be decreased
Cottage Houses	NA	2 on site spots per unit	Number of spots may be decreased
Courtyard Apartments	NA	2 on site spots per unit	Number of spots may be decreased
Accessory Dwelling Unit (Attached or detached) - ADU/DADU	2 on site spots in addition to the single family home requirement.	No on site spots when located within 1/2 mile of a "Major Transit Stop" 2 on site spots in addition to single family home unless lot is under 6000 SF in which case only 1 spot.	Number of spots may be decreased. Definition of "Major Transit Stop" is being debated as it has different definitions in different house bills. Standard still applies, but may have different impacts based on what definition is settled on by state.
Private Lanes	A private lane may serve no more than 7 building sites	NA - Must treat Middle Housing similar to Single Family.	Review this based on safety, access, and fire requirements. Possible update to clarify Unit count instead of building site.

Design Standards

Design Standards	Current Standard	New Minimum Required	Jurisdictional Discretion
Single Family Homes	NA	Must Be Similar for all.	Design Standards could be developed for the Town. Examples provided in packet materials
Duplexes/Stacked Flats	NA		
Cottage Houses	NA		
Courtyard Apartments	NA		
Accessory Dwelling Unit (Attached or detached) - ADU/DADU	Entry can not face public street Owner Must Occupy ADU or single family home		
Additional Housing Types (not listed above)			

Updates without Flexible thresholds

- Owner Occupancy can not be required
- Maximum of 2 person Occupancy restriction of an ADU can not be required
- Design Review must be Administrative
- Shoreline Master program to be updated with required development

MIDDLE HOUSING UPDATE



During the 2023 state legislative session housing bills were passed and signed into law which apply to the Town of Yarrow Point and require that the Town implement a range of changes to its development regulations.

HB 1110

- Middle housing on all residential lots.
- Two units per lot
- Only administrative design review of objective standards
- 2 Parking spots per unit

HB 1337

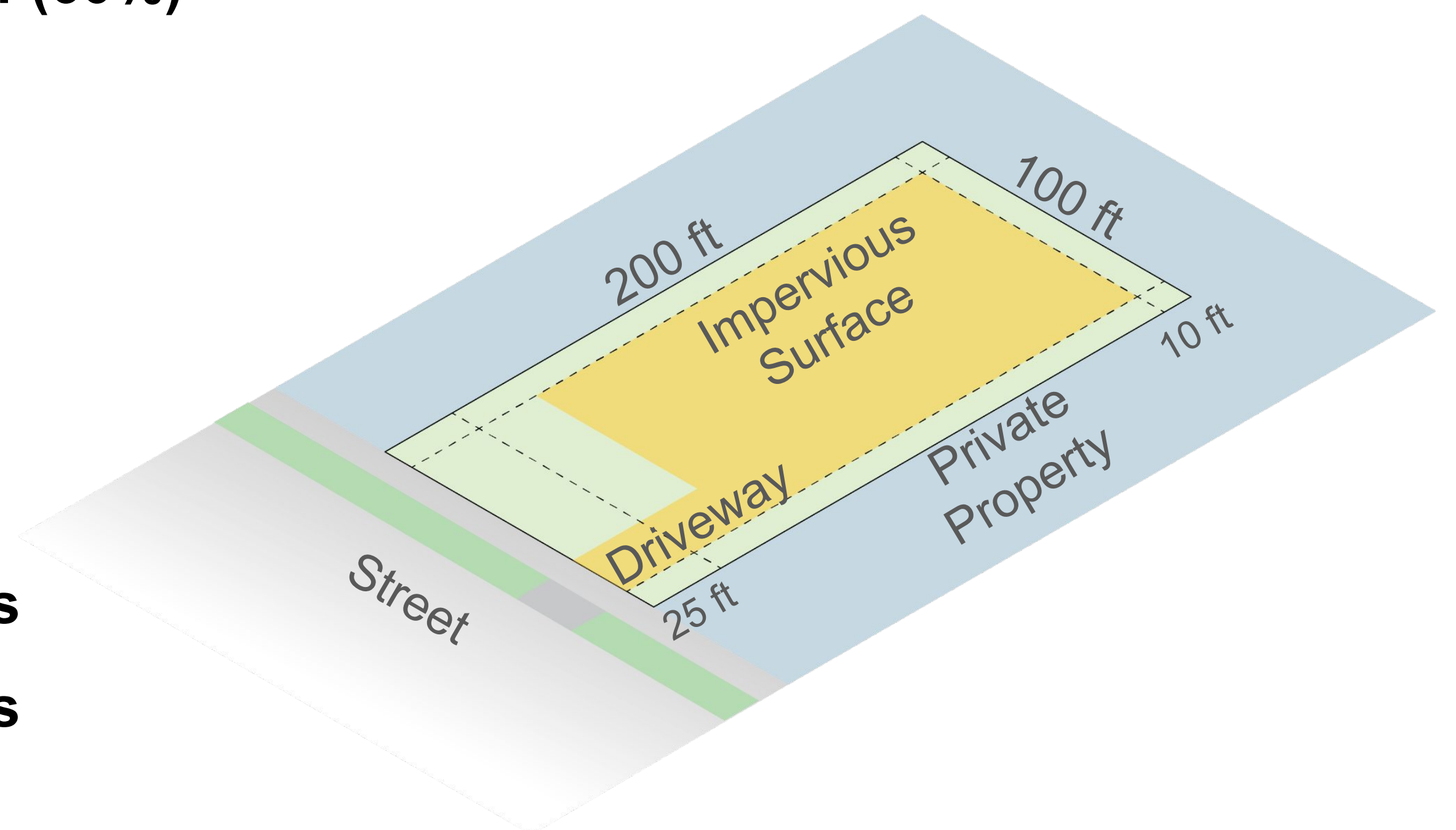
- Allow separate sale and ownership of ADUs.
- Parking regulations unchanged for lots over 6000 sf
- 1000 SF must be allowed

CURRENT YARROW POINT DEVELOPMENT STANDARDS

Example Lot:	20,000 sf Lot
Allowable Structure Area:	6,000 sf (30%)
Allowable Impervious Surface:	12,000 sf (60%)
Setbacks - Private Property:	10 ft
Setbacks - Right of Way (Street):	25 ft
Height Limit:	25 ft

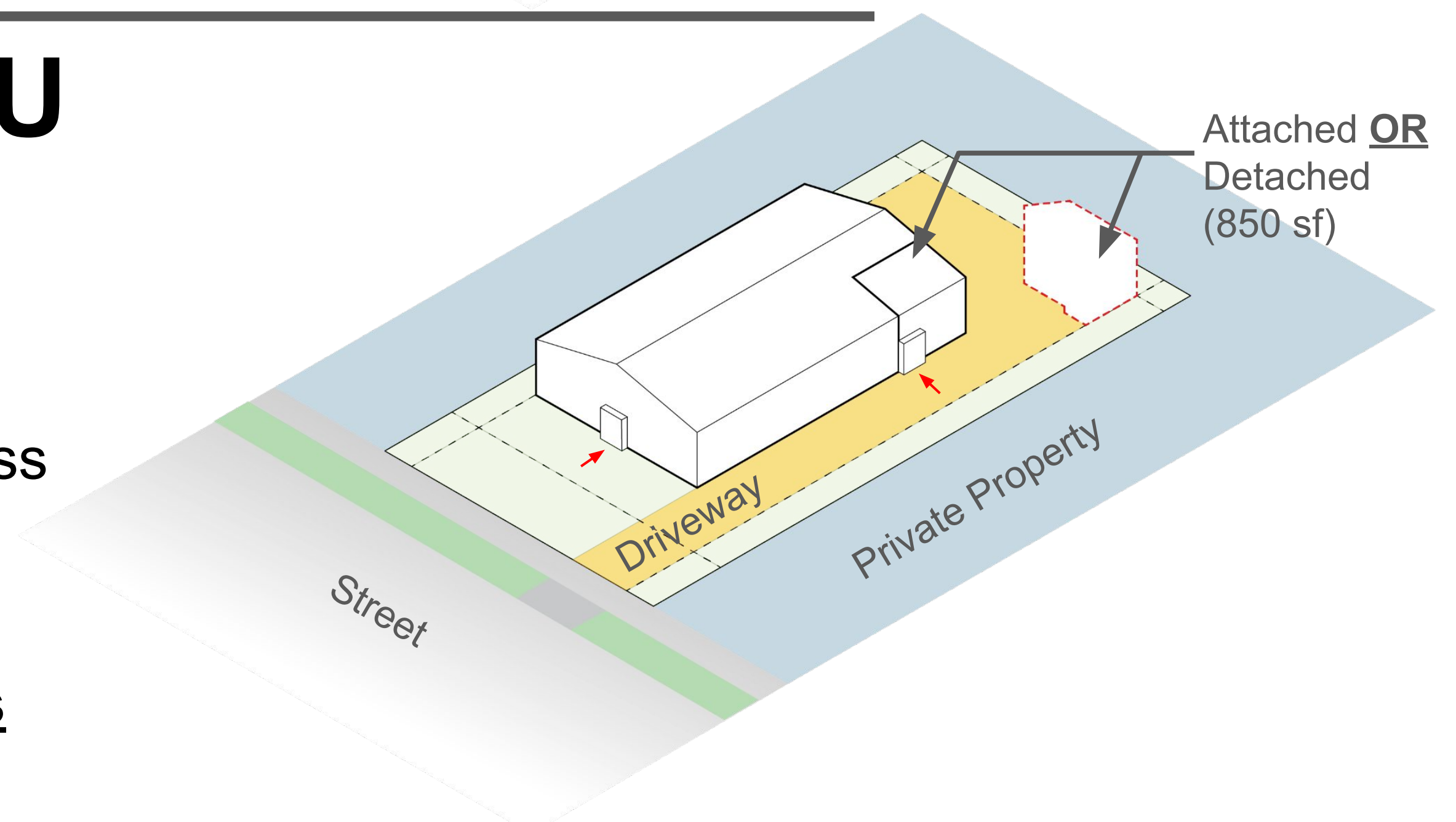
Parking Space Requirements

Single Family Home	4 Spaces
ADU/DADU	2 Spaces



EXISTING: ADU/DADU

- Total Structure Area 30%
- Total Impervious Area 60%
- Attached **OR** Detached
- Shall not exceed 6% of Lot Area; not less than 250 sf and not more than 850 sf
- Entrance may not face street
- Parking: Single Family Home **4 Spaces**
- ADU/DADU **2 Spaces**



MIDDLE HOUSING OPTIONS

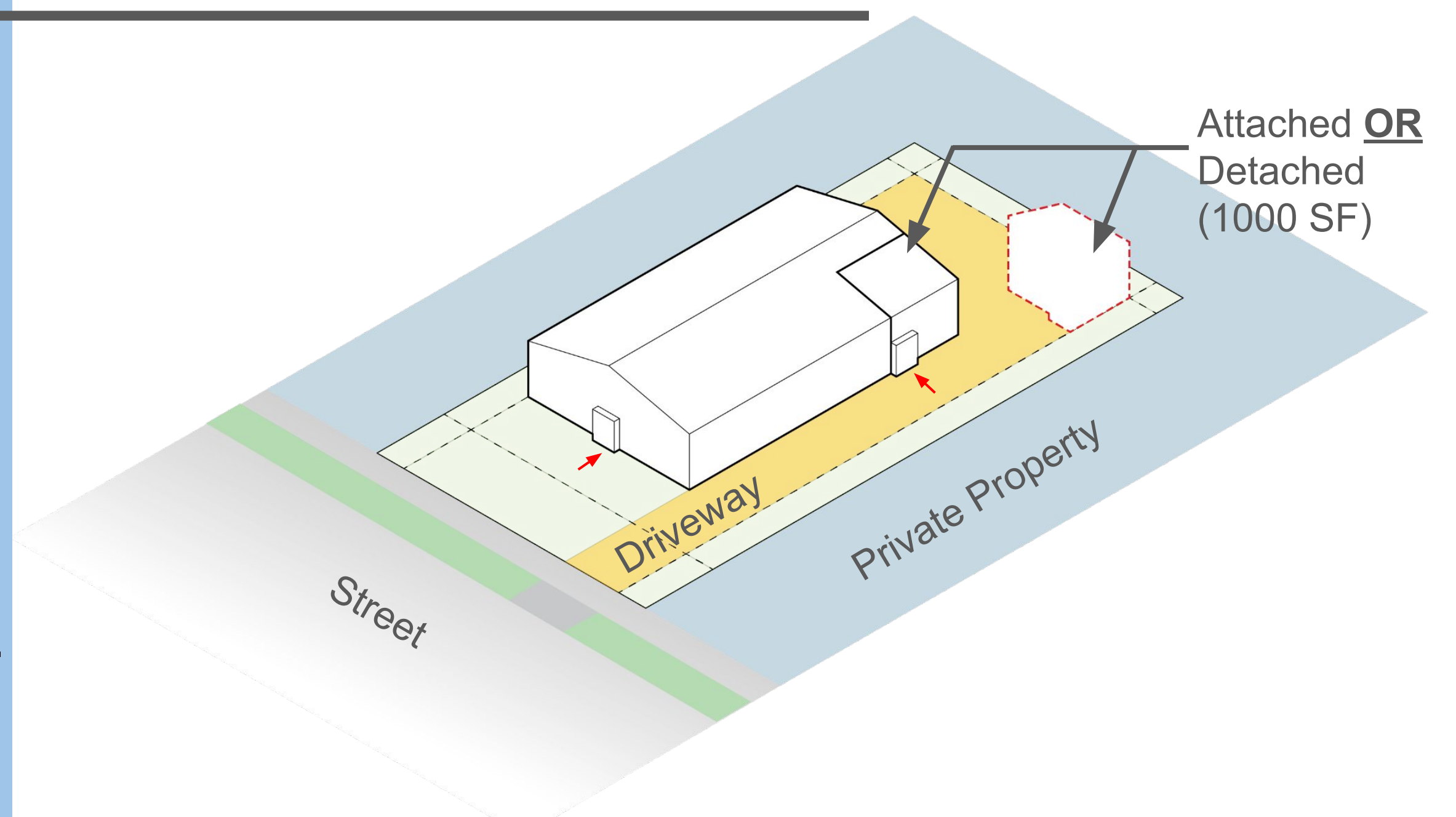


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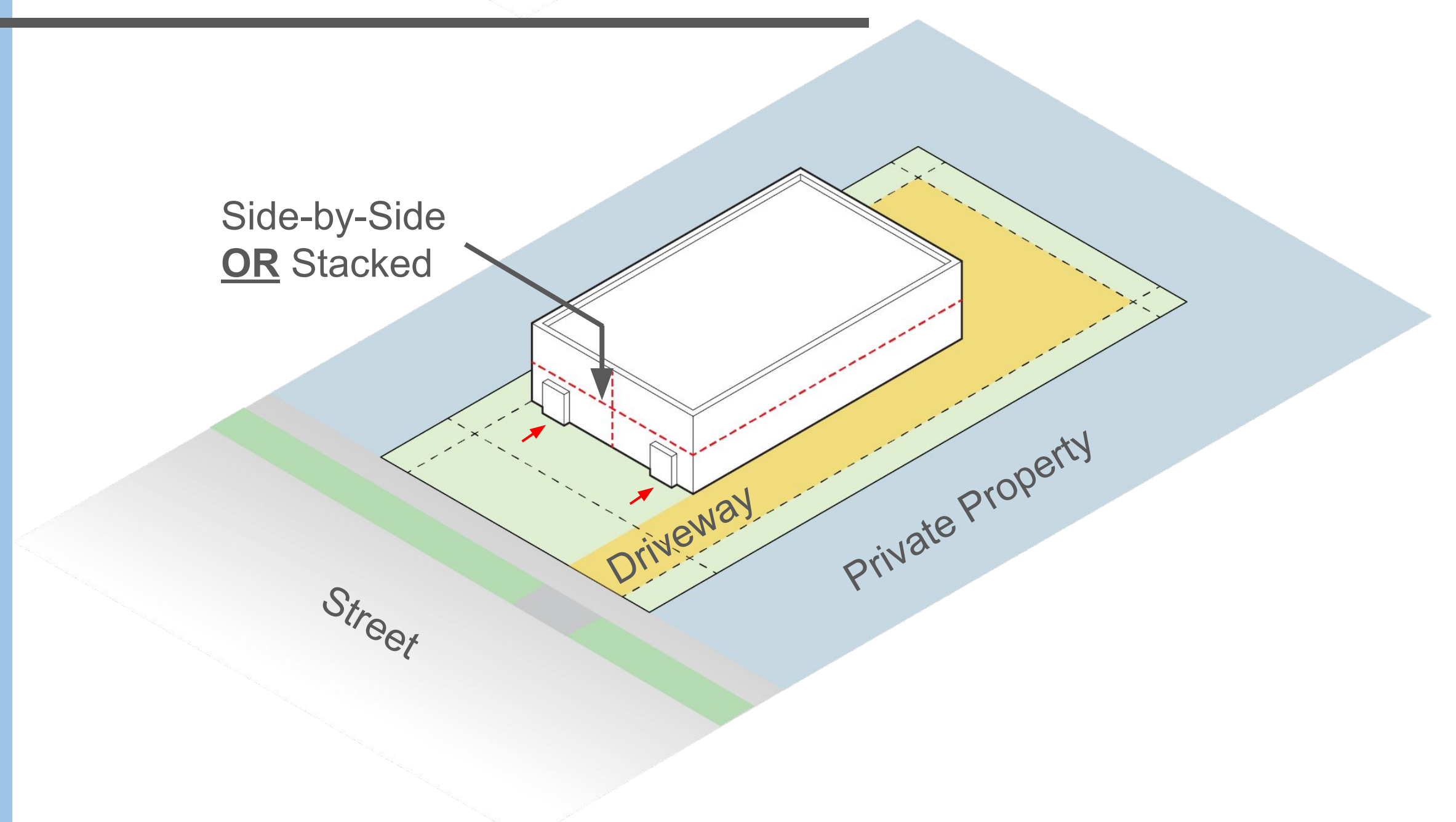
NEW: ADU/DADU

- Total Structure Area **Remains** 30%
- Total Impervious Area **Remains** 60%
- Attached **OR** Detached
- Accessory Limit Now **1,000 sf**
- Height Limits **Remains** 25 ft
- Parking: Single Family Home **4 Spaces**
- ADU/DADU **2 Spaces**
- No directional entry requirements



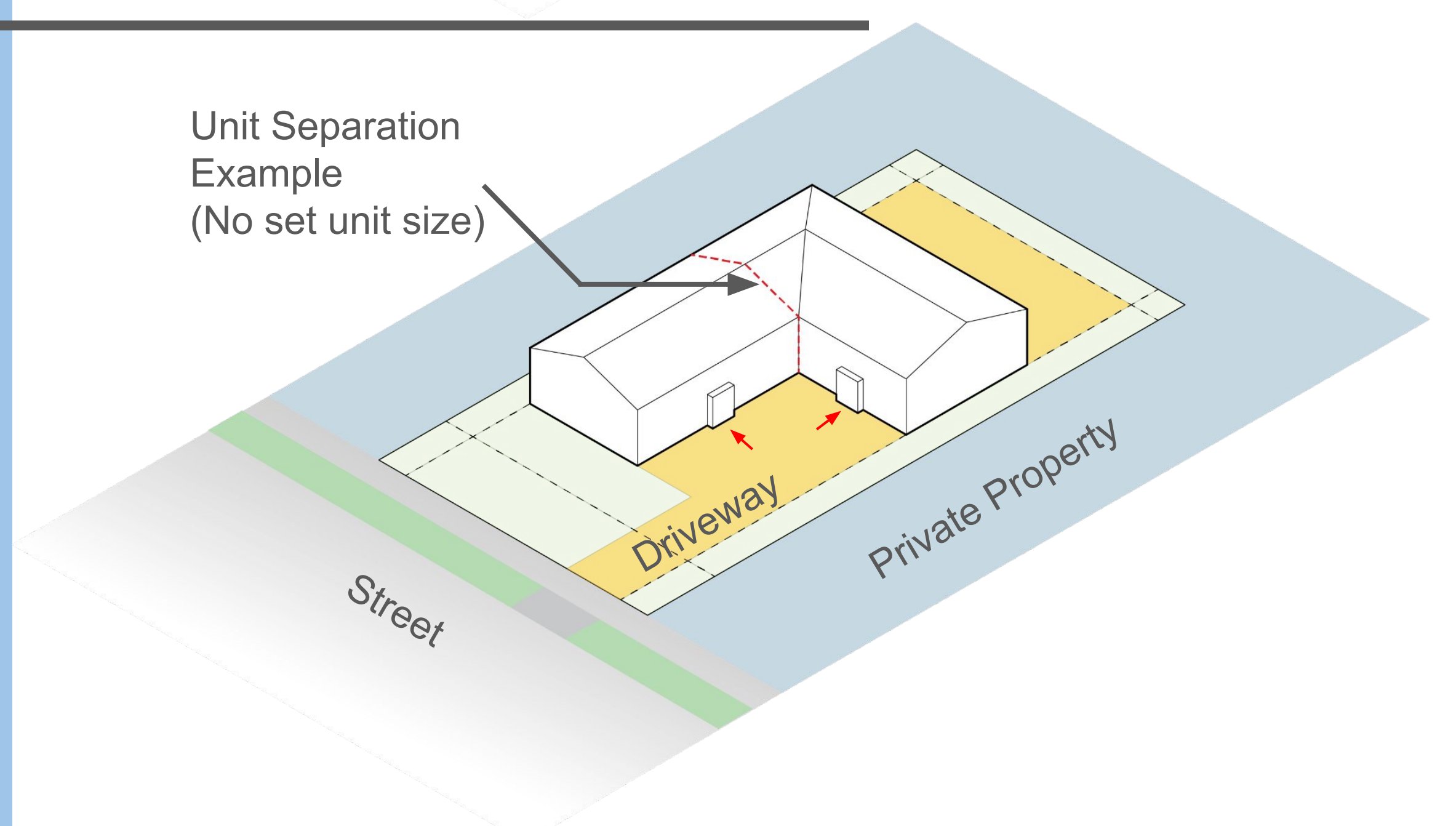
DUPLEX

- Total Structure Area **Remains** 30%
- Total Impervious Area **Remains** 60%
- Side-by-Side **OR** Stacked
- Separate Entrances
- Height Limits **Remains** 25 ft
- Parking: **2 Spaces Per Unit**



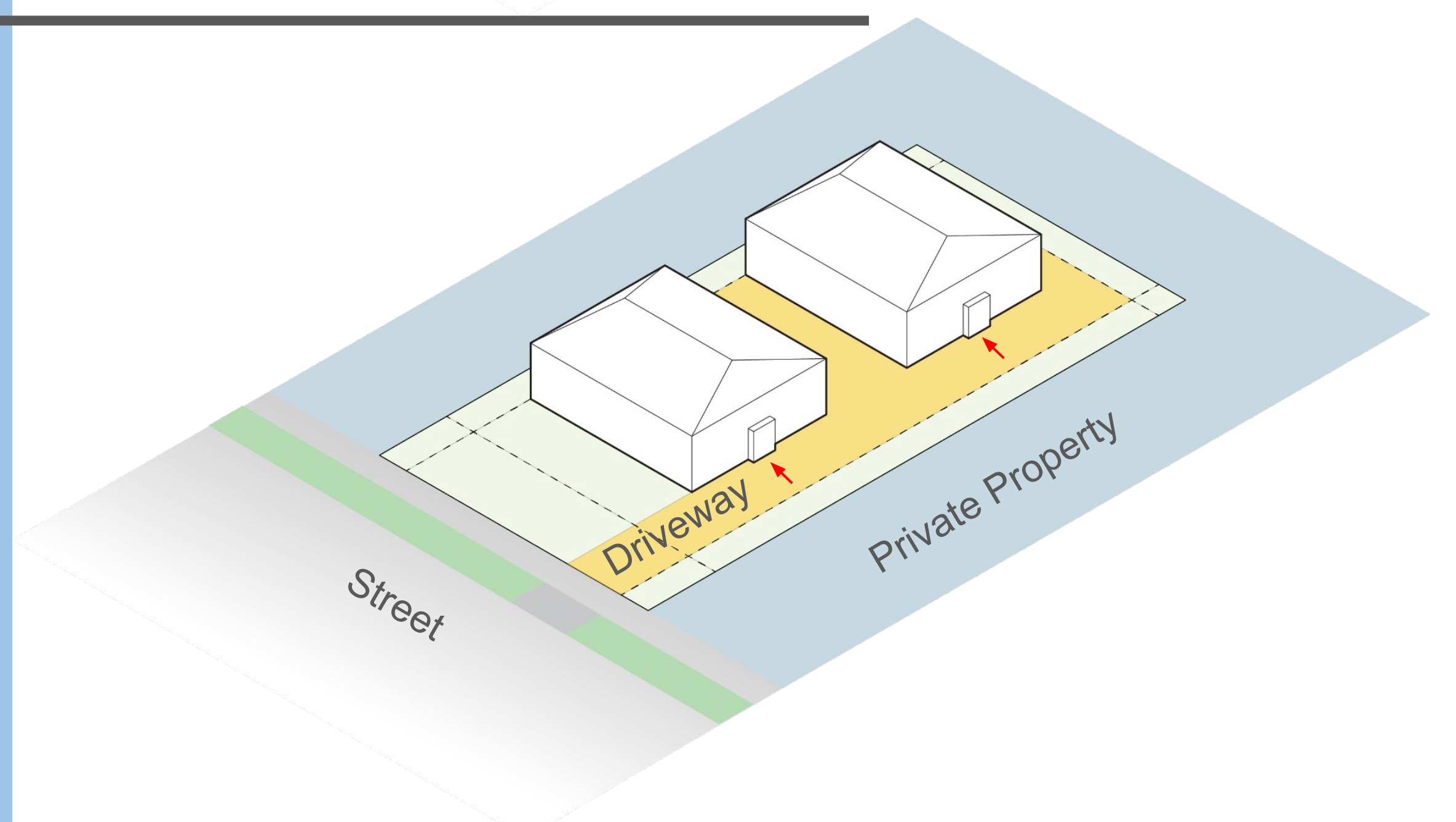
COURTYARD APARTMENTS

- Total Structure Area **Remains** 30%
- Total Impervious Area **Remains** 60%
- Separate Entrances
- Two **attached** units: shared courtyard
- Height Limits **Remains** 25 ft
- Parking: **2 Spaces Per Unit**



COTTAGE HOUSES

- Total Structure Area **Remains** 30%
- Total Impervious Area **Remains** 60%
- Two **Separate** Structures
- 20% Shared Open Space
- Height Limits **Remains** 25 ft
- Parking: **2 Spaces Per Unit**



WHAT IS MIDDLE HOUSING?

01

What is middle housing?

In Yarrow Point Middle Housing must include the authorization of duplexes, cottage houses, and courtyard apartments. The broader statewide definition includes housing types that have between two and eight units.

Is middle housing affordable housing?

No, middle housing does not necessarily imply a focus on affordability and instead refers to the size and number of units, not the cost to rent or own.

02

03

How will middle housing units impact the character of Yarrow Point?

Middle housing development may increase the density of housing in Yarrow Point over time as more owners choose to develop two units and subdivide larger properties.

How will the Town regulate middle housing?

Middle housing units will be subject to the same development regulations as single-family homes. The Town's setbacks, height limits, and lot coverage areas will remain the same.

04

05

Does lot size impact how many units can be built?

No, up to two units must be allowed on all residential lots (many regulation to remain unchanged as mentioned above). Structures may cover up to 30%.

How can I get involved?

Please take the Town's middle housing survey which is available on the Town's website which is listed below. We also encourage residents to comment at public meetings and to attend open house events held at Town Hall.

06

FOR MORE INFORMATION GO TO:
<https://yarrowpointwa.gov/middle-housing/>



Why Middle Housing?

01

Why is Yarrow Point developing middle housing regulations?

The Town is required to allow for middle housing under HB 1110 which aims to address statewide housing deficits by requiring jurisdictions to allow new middle housing units.

How will middle housing requirements affect the density of Yarrow Point?

Yarrow Point is categorized as a “tier 3” jurisdiction and is required to allow at least two units on all lots zoned primarily for residential uses.

02

03

Will the middle housing regulations affect existing single-family housing?

Single-family detached dwellings will remain an allowable use. Middle housing units will become an additional option for development.

How will the work to adopt these required regulations be funded?

The development and implementation of middle housing policies and regulations will be partially funded by a \$35,000 state issued grant. The remainder will be funded by the Town’s general fund.

04

05

Who builds middle housing?

Middle housing can be built by residents and developers on their private property. The Town does not build housing.

What is the timeline for implementing middle housing regulations?

Middle housing regulations and planning policies must be implemented by June 30, 2025.

06

FOR MORE INFORMATION GO TO:
<https://yarrowpointwa.gov/middle-housing/>



4.2 – Unit Lot Subdivisions

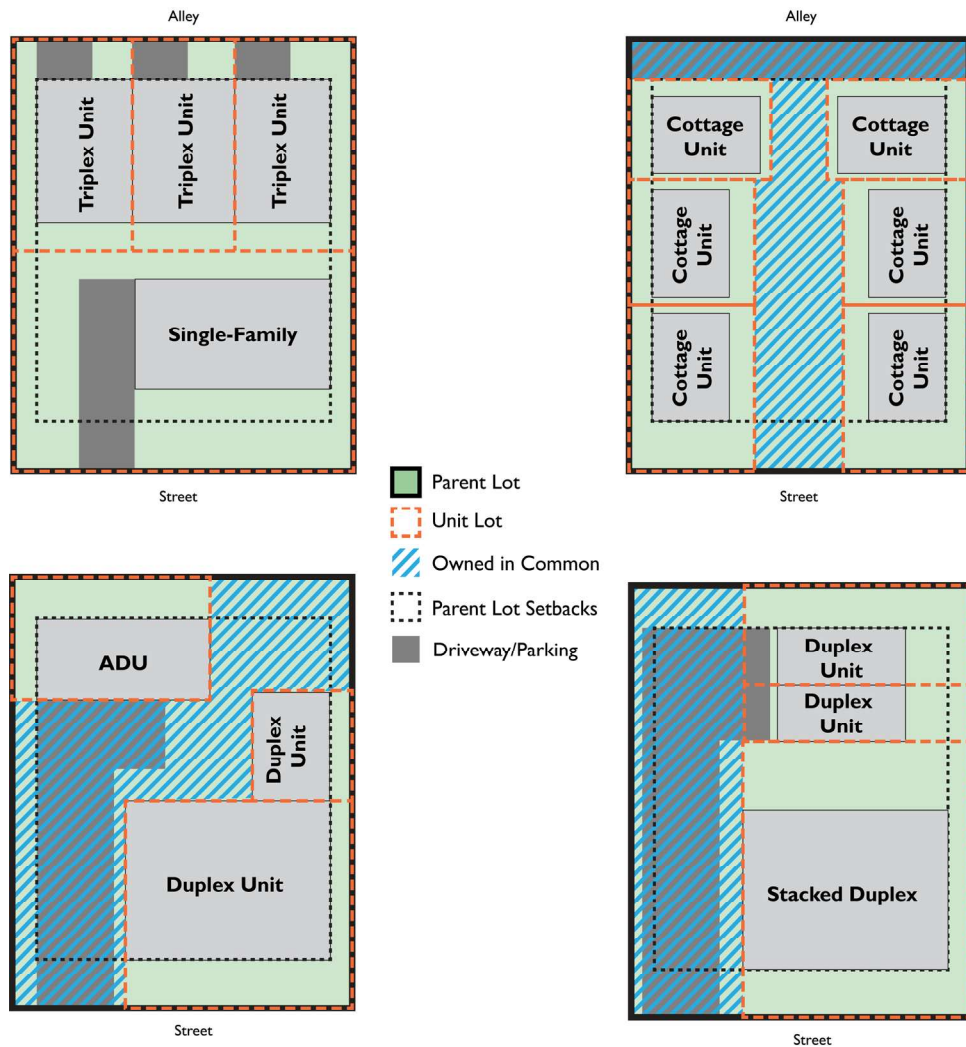
Unit lot subdivisions create new lots similar to a subdivision. The main difference and advantage of a unit lot subdivision is flexibility of zoning dimensional standards, such as minimum lot size, setbacks, and lot

coverage. Additionally, unit lot subdivision allows fee simple ownership of land for all middle housing types. Unit lot subdivisions can be an attractive tool for increasing homeownership opportunities.

Under [Senate Bill 5258 \(chapter 337, laws of 2023\)](#) local jurisdictions must allow for unit lot short subdivisions, as codified in RCW 58.17.060(3):

All cities, towns, and counties shall include in their short plat regulations procedures for unit lot subdivisions allowing division of a parent lot into separately owned unit lots. Portions of the parent lot not subdivided for individual unit lots shall be owned in common by the owners of the individual unit lots, or by a homeowners' association comprised of the owners of the individual unit lots.

Jurisdictions must implement this requirement by their next periodic comprehensive plan update.



Examples of unit lot subdivision configurations. Source: MAKERS

This chapter provides model unit lot subdivision standards with provisions commonly used by Washington cities. See a list of code examples from cities that have adopted unit lot subdivision rules in the References below.

The unit lot subdivision standards below should be supplemented with approval findings, which may or may not be similar to required findings for short subdivision. Jurisdictions may also need to amend their local

project review requirements to specify submittal materials for unit lot subdivision permit applications, should they differ from short subdivision or subdivision requirements.

Example Unit Lot Subdivision Standards

- X. Unit lot subdivisions. A lot may be divided into separately owned unit lots and common areas, provided the following standards are met.¹⁰³
1. *Process.* Unit lot subdivisions shall follow the application, review, and approval procedures for a short subdivision or subdivision, depending on the number of lots.
 2. *Applicability.* A lot to be developed with middle housing or multiple detached single-family residences, in which no dwelling units are stacked on another dwelling unit or other use, may be subdivided into individual unit lots as provided herein.
 3. *Development as a whole on the parent lot, rather than individual unit lots, shall comply with applicable design and development standards.*
 4. *Subsequent platting actions and additions or modifications to structure(s) may not create or increase any nonconformity of the parent lot.*
 5. *Access easements, joint use and maintenance agreements, and covenants, conditions and restrictions (CC&Rs) identifying the rights and responsibilities of property owners and/or the homeowners' association shall be executed for use and maintenance of common garage, parking, and vehicle access areas; bike parking; solid waste collection areas; underground utilities; common open space; shared interior walls; exterior building facades and roofs; and other similar features shall be recorded with the county auditor.*
 6. *Portions of the parent lot not subdivided for individual unit lots shall be owned in common by the owners of the individual unit lots, or by a homeowners' association comprised of the owners of the individual unit lots.*¹⁰⁴
 7. *Notes shall be placed on the face of the plat or short plat as recorded with the county auditor to state the following:*
 - a. *The title of the plat shall include the phrase "Unit Lot Subdivision."*
 - b. *Approval of the development on each unit lot was granted by the review of the development, as a whole, on the parent lot.*
 8. *Effect of Preliminary Approval.* Preliminary approval constitutes authorization for the applicant to develop the required facilities and improvements, upon review and approval of construction drawings by the public works department. All development shall be subject to any conditions imposed by the city on the preliminary approval.

¹⁰³ [RCW 58.17.060\(3\)](#)

¹⁰⁴ The owner of a detached single-family residence may propose developing middle housing on their lot while retaining ownership of the existing residence using unit lot subdivision.

9. *Revision and Expiration. Unit lot subdivisions follow the revision and expiration procedures for a short subdivision.*

10. *Definitions.*

- a. *"Lot, parent" means a lot which is subdivided into unit lots through the unit lot subdivision process.*
- b. *"Lot, unit" means a lot created from a parent lot and approved through the unit lot subdivision process.*
- c. *"Unit lot subdivision" means the division of a parent lot into two or more unit lots within a development and approved through the unit lot subdivision process.*

Local Policy Choice

Short Subdivisions

RCW 36.70A.635(5) states, in part: *...A city must also allow zero lot line short subdivision where the number of lots created is equal to the unit density required in subsection (1) of this section.* As Tier 1 cities must allow up to six units per lot, then they must allow at least six lots to be created in through a short subdivision process.

Under [RCW 58.17.020\(6\)](#), a "short subdivision" is the division or redivision of land into four or fewer lots, tracts, parcels, sites, or divisions for the purpose of sale, lease, or transfer of ownership. However, RCW 58.17.020(6) states that the legislative authority of any city or town may by local ordinance increase the number of lots, tracts, or parcels to be regulated as short subdivisions to a maximum of nine.¹⁰⁵ At a minimum, however, Tier 1 cities who limit short subdivisions to four lots need to raise the number to six lots.

All cities and towns interested in streamlining the subdivision process and promoting middle housing should set the maximum number of lots, tracts or parcels that can be created in a short subdivision to nine, as authorized by RCW 58.17.020(6) and encouraged by [RCW 36.70A.600\(1\)\(k\)](#). Short subdivisions require an administrative process and are typically reviewed and approved on a faster timeline than a subdivision.

Administrative Review of Preliminary and Final Plats

RCW 36.70A.600(1) encourages cities to:

- Adopt standards for administrative approval of final plats pursuant to RCW 58.17.100
- Adopt ordinances authorizing administrative review of preliminary plats pursuant to RCW 58.17.095

Discussion

Unit Lot Subdivision on Vacant Land

A unit lot subdivision may take place prior to development, during development, or afterwards. For example, a homeowner could use a unit-lot subdivision to sell a backyard to a developer who then builds a duplex on the unit lot.

¹⁰⁵ This authority was established in 2002 by SB 5832.

Unit Density and Dimensional Standards in Unit Lot Subdivisions

For the purpose of subdividing middle housing units into individual unit lots within a parent lot, the unit density standards apply only to the parent lot. Likewise, minimum lot size, setbacks, lot coverage, parking minimums and maximums, and FAR are applied to parent lots rather than individual lots.

Accessory Dwelling Units in Unit Lot Subdivisions

Two issues associated with ADU's and unit lot subdivisions warrant clarification:

- First, unit lot subdivisions may also be used to create individual unit lots for ADUs, both in attached or detached forms, except in the case where the ADU is stacked over or under the primary residence (stacked ADU forms may alternatively subdivide the ADU as a condominium). See the diagram on page 87 for an example site plan illustrating a detached ADU on its own unit lot.
- Secondly, RCW 36.70A.681(1)(c), requires cities and counties to allow at least two accessory dwelling units (ADUs) on all "lots" that are located in all zoning districts within an urban growth area that allow for single-family homes. The reference to "lots" here effectively means parent lots and not unit lots, as RCW 36.70A.681(1)(e) clarifies that the ADU provisions apply to lots that meet the minimum lot size required for the principal housing unit.

Zero Lot Line

The term "zero lot line" is used in several times in RCW 36.70A.635. State law does not define "zero lot line" nor "zero lot line subdivision."

Cities should interpret "zero lot line" to mean the physical state of a building located, or permitted to be located, on one or more property lot lines. This state can be achieved where a zoning setback requirement is zero feet, within attached townhouse developments on individual lots, or through other code mechanisms. This can also be achieved in a unit lot subdivision.

References

Examples of unit lot subdivision standards adopted by Washington cities:

- [Algona – Unit Lot Subdivision Frequently Asked Questions and Tips \(Short\)](#)
- [Arlington Municipal Code 20.44.020](#)
- [Bellevue – Unit Lot Subdivision Project Page and Code Amendments](#)
- [Edmonds Municipal Code 20.75.045](#)
- [Everett Municipal Code 19.27](#)
- [Lynnwood Municipal Code 19.40](#)
- [Mountlake Terrace Municipal Code 17.09](#)
- [Shoreline Municipal Code 20.30.410\(B\)\(4\)](#)
- [Snohomish Municipal Code 14.215.125](#)
- [Spokane Municipal Code 17G.080.065](#)
- [Wenatchee Municipal Code 11.32.080](#)

Consolidated Permit Review (SB5290)	Proposed Action: Discussion and Possible Vote
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Presented by:	Town Planner
Exhibits:	<ul style="list-style-type: none"> • Code Audit - For discussion

Summary:

During the 2023 State Legislative Session SB5290 was passed. This bill requires that jurisdictions throughout the state update their permit processing timeframes and requires consolidated permit review. The bill also creates two grant programs.

The first is to consolidate permit reviews and to ensure that the new timeframes can be met. Staff applied for and received \$187,500. These funds may be used to update the Towns permitting process and Code to make the review process more streamlined and timely. The grant also requires that the Town provide quarterly reports about the permitting process and timeline during the grant period. The Town has historically met state timeline requirements for permit issuance, and staff anticipates being able to meet the new state requirements. The funding will help update the Town’s Municipal code, permitting process, and forms.

Because the Town will be working through a range of code updates as a result of many pieces of legislation, the components which involve permitting and the associated administrative work can be in part funded by the grant money associated with this legislation. The work associated with the first grant will begin in July of 2024, and conclude at the end of June 2025.

Staff conducted a code audit as part of the first quarter deliverables for the commerce grant. The attached code audit describes the areas where changes would help the Town in its permitting process and would help update the municipal code to better serve the public and streamline the permitting process and reduce costs.

Resources

- Local Project Review - Commerce Webpage:
<https://www.commerce.wa.gov/program-index/local-project-review-program/>

Action Items

- Staff Presentation (5 min)
- Discussion (20 mins)
- Vote (5 min)

Recommended Motions:

- I move to direct staff to begin work on a draft ordinance as discussed at this meeting.



Town of Yarrow Point

SB5290 Q1 Grant Deliverables

Municipal Code Audit

Purpose

This audit of the existing Yarrow Point Municipal Code (YPMC) intends to identify where existing code language hinders the Town in meeting the requirements of SB5290. Code sections and language herein directly impact the Town's ability to determine the completeness of permit applications in a timely manner as required by the legislation in RCW 36.70B, as amended by SB 5290.

The reviewing team has observed that Yarrow Point's municipal code exhibits multiple opportunities for improved clarity, efficiency, and consistency. This audit identifies each concern by title, chapter, or section and offers a brief explanation on the concern and/or proposed improvements suggested by the review team. In accordance with RCW 36.70B.240, the team intends to pursue as many of these updates as resources allow to support the Town's facilitation of clear and expedient permit processing.

As part of this review, the team compared Yarrow Point's Municipal Code to jurisdictions with similarities in location, complexities (e.g., shorelines), size, and land use. Given Yarrow Point has relatively few similar jurisdictions, the team also looked beyond Yarrow to jurisdictions that are slightly larger and often more complex, as these jurisdictions often have more comprehensive development regulations addressing permitting, land use, shorelines, and other relevant topics.

For the sake of clarity, few regulations are directly quoted in this document. Many of the revisions necessary are more far-reaching than editing single lines of code and the team thought it would support clearer communication to discuss revisions at a high level at this time.

Existing Code Review

Chapter 14.04 PROJECT PERMIT PROCESS:

As part of the Audit, the team identified that this section needs to be partially rewritten to help with process clarity and to create a consolidated permit review process. Currently, the Town requires separate submittals and reviews of site development, building, tree removal, and demolition permits, even if all are associated with the development of a single-family home.

Additionally, the project permit process has processes that require the input of the council and/or the planning commission when it would be both adequate and advantageous to have an administrative review by staff. The determination of completeness criteria are also listed in this chapter, and upon review, those criteria should be rewritten to be more explicit, clear, and concise such that the overall review timeline is as short as possible while remaining fully compliant with the municipal code.

Finally, the pre-application conference is an ideal point to clarify expectations, the needs of reviewers, and the complexity of a given application before it goes into review. The team may consider adding provisions to support more successful pre-application conferences; however, this is also a point that can be addressed through administrative procedures, which the Town has previously pursued. In any case, ensuring that the applicant is ideally prepared to submit an application and reviewers are prepared for the complexity and extent of each application in advance supports integrated reviews and compliant timelines.

Shorelines:

Shoreline substantial development and exemptions are not a part of SB5290, but the interface between shoreline permits and building permits needs additional clarity to support compliant timelines, complete applications, and transparency between applicants and reviewers.

Title 16 SUBDIVISIONS:

The existing Town subdivision code needs a full rewrite to facilitate the building permit process. There are opportunities to clarify design and plat requirements (16.12, 16.16, and 16.24) alongside application processes, supporting a more coherent and expedient review. Opportunities for clarification include clarity of process (YPMC 16.04.060 & 16.28.030) and more explicit application requirements (YPMC 16.12.030 & 16.24.040).

Some examples of how other jurisdictions' subdivision code compares include the following differences in requirements between Yarrow Point's final plat requirements and those of other jurisdictions. The team noted the difference in clear direction, explicit standards, and extent of

descriptions. These excerpts roughly reflect the same general guidelines for a plat review regarding the measurements and locations of the geographies under review for a given subdivision. The additional clarity provided by other examples facilitates a clear set of expectations for applicants and leaves less up to interpretation. This issue has come up with previous subdivision permitting processes in Yarrow Point.

YPMC Example - For Comparison

16.24.040 Requirements.

- “7. A complete survey of the plat and section, or sections, in which the plat is located, or as much as may be necessary to properly orient the plat within such section or sections;
8. True courses and distances to the nearest section corners which shall accurately establish the location of the subdivision;
9. The subdivision boundary lines with accurate distances and bearings referenced to Washington Lambert Grid, north zone, or approved alternative;
10. The name, location, width, bearings and distances of all easements within the subdivision;
11. Radii, internal angles, points of curvature, tangent bearings, and length of all arcs;
12. All lot numbers, and lot perimeter dimensions and bearings;
13. The location of survey monuments;
14. Accurate outlines of any areas to be dedicated or reserved for public use, with the purpose and the statement of dedication indicated thereon, and any area to be reserved by deed covenant for common uses of certain property owners. (Ord. 603 § 1, 2009; Ord. 497 § 1, 2000)”

Lake Stevens Municipal Code - For Comparison

14.18.040 Content of the Final Plat.

- (e) The scale according to which the plat is drawn in feet per inch or scale ratio in words or figures and bar graph. The drawing shall be of legible scale, and shall include the north arrow and basis of bearings. Unless otherwise approved by the Planning Director, the scale of the final plat will be at one inch equals 50 feet in order that all distances, bearings and other data can be clearly shown.
- (f) A boundary survey prepared by a Professional Land Surveyor, licensed in the State of Washington, shall be shown on the proposed plat and shall reference the plat to the Washington Coordinate System, North Zone (North American Datum, 1983) with a physical description of such corners. When the necessary G.P.S. points exist within one-half mile of the subject property, they shall be located on the plat and used as primary reference datums.
- (g) The boundary lines of the plat, based on an accurate traverse, with angular and linear dimensions.
- (h) The exact location, width, number or name of all rights-of-way and easements within and adjoining the plat and a clear statement as to whether each is to be dedicated or held in private ownership.
- (i) The true courses and distances to the nearest established right-of-way lines or official monuments which will accurately locate the plat.
- (j) Curved boundaries and centerlines shall be defined by giving radii, internal angles, points of curvature, tangent bearings and lengths of all arcs.
- (k) All lot and block numbers and lines, with accurate dimensions in feet and hundredths of feet, and bearings to one second of arc. Blocks in numbered additions to subdivisions bearing the same name must be numbered consecutively through the several additions.
- (l) Accurate locations of all monuments at such locations as required by the City Engineer.
- (m) All plat meander lines or reference lines along bodies of water which shall be established above, but not farther than 20 feet from the high waterline of the water or within a reasonable distance, to ensure reestablishment.
- (n) Accurate outlines and dimensions of any areas to be dedicated or reserved for public use, with purposes indicated thereon and in the dedication; and/or any area to be reserved by deed covenant for common uses of all property owners.
- (o) A full and correct legal description of the property.
- (p) All permanent restrictions and conditions on the lots or tracts or other areas in the plat required by the City.
- (q) Any additional pertinent information required at the discretion of the Public Works Director or Planning and Community Development Director.”

Title 17 ZONING:

The team suggests that some rewrites to YPMC Title 17 could improve the consistency and clarity of expectations from applicants. Doing so would improve the reviewers' ability to complete reviews in a timely manner, compliant with SB 5290. In addition, some new provisions will require additional reviews for compliance (see "New Code Review" below). In all cases, the intent of SBN 5290 would be supported by more explicit regulations, especially in YPMC 17.16 "Development Standards," which applies standards to new construction and remodels. These standards are not as explicit as they could be, creating a back-and-forth between reviewers and applicants that delays permitting times and causes issues with integrated reviews, where changes to the building permit may cause changes to associated permits.

Title 19 ENVIRONMENT:

The team identified that the Yarrow Point Municipal Code Title 19 Environment needs partial rewrites to improve the clarity of permitting processes and interface with the building permit process. Inefficiencies in this code, similar to shorelines, cause delays by not specifying explicit expectations of applicants and reviewers. In order to facilitate a more integrated permitting process, clarity around the timeline, requirements, lead agency determination, and integration of the checklist within other project permits is necessary.

In other referenced code examples, some include explicit provisions regarding the integration of the environmental review process with project permits, such as Issaquah's Municipal Code 18.800.090 "Integration with permit and land use decision." In other cases, there is increased clarity of lead agency responsibilities and determination procedures, such as Lake Stevens' 16.04.030 "Lead Agency Determination and Responsibilities" which includes a clear 6-step process of determining the lead agency. By comparison to these codes, Yarrow Point's code mentions integration with other processes in passing (YPMC 19.04.180(C)) and offers brief statements on lead agency determination in YPMC 19.04.060.

In addition to clarity of roles and responsibilities and integration, YPMC 19.04.080 and 19.04.090 – "Additional considerations in time limits applicable to SEPA process" and "Additional timing considerations" – will need minor updates to reflect new timing requirements enacted by SB5290.

Title 20 SITE DEVELOPMENT:

Yarrow Point's site development code, like others mentioned here, would be supported by rewrites to sections outlining requirements and processes to clarify explicit requirements – supporting timeliness, consistency, and accuracy of reviews. YPMC Chapters 20.12, 20.16, and 20.20 – "Site Development Permit," "Erosion and Sedimentation Control Requirements," and "Grading and

Storm Drainage Requirements” – all contain provisions that leave a lot of determination to the Town Engineer or other reviewing party. Clearer requirements support the applicant’s ability to submit a more complete application the first time around, rather than a permit bouncing between reviewers and applicants – delaying the whole process.

In addition, the interface with other permits, as mentioned in YPMC 20.12.010(E), needs increased clarity. In order to facilitate integrated permit applications, this section will need additional information on how the integrated process can occur for site development permits. This ties back to Chapter 14.04, where references between sections on the integrated permit process will require careful reviews to ensure consistency and clarity across the municipal code.

Chapter 20.22 PRIVATE PROPERTY TREE CODE:

The Town Council has adopted an update to the private property tree code. While these updates include changes to the requirements for reporting and mitigation of trees, the code needs administrative updates to improve the processing time for consolidated building permits. Administrative updates will support a clear application process, criteria for completion, and consolidation with building permits. The current code causes delays and confusion between applicants and reviewers, which poses significant issues to compliance with SB 5290.

New Code Review

Middle Housing Typologies

The Town does not currently have code provisions implementing the middle housing regulations enacted by HB1110. Existing regulations only consider single-family residencies and accessory dwelling units. As the Town allows for additional typologies, it will need to account for them in the code and in the administration of project permits. While the Town has a middle housing grant and additional Town funds dedicated to the project, the team will need to conduct targeted reviews to ensure new regulations are accounting for SB5290 requirements.

Unit Lot Subdivisions

The subdivision code, YPMC Title 16, does not account for unit lot subdivisions as required by SB5258. The municipal code must allow for unit lot subdivisions, and as noted in the section above, YPMC Title 16 will undergo a substantial rewrite from the code update team, including the addition of unit lot subdivisions. The code update team must ensure SB5290 provisions are accounted for when updating legal and administrative processes to accommodate these subdivisions.

ADU Requirements

Accessory dwelling units are allowed as an accessory use by YPMC 17.12.030. The current provisions do not comply with HB1337, and the team is currently working on an update to align the code with the new legislation. In addition to this work, the team identified the opportunity to clarify administrative procedures for permitting ADUs and integrating those reviews with the other associated permits which would shorten timeframes and consolidate the review process.