

CITY OF GRANITE FALLS

ORDINANCE NO. 564

AN ORDINANCE OF THE CITY OF GRANITE FALLS,  
WASHINGTON, AMENDING SECTION 3.10, ORDINANCE  
370, CODIFIED AS 19.44, GRANITE FALLS MUNICIPAL  
CODE, REVISING THE GUIDELINES FOR A PLANNED  
RESIDENTIAL DEVELOPMENT (PRD).

THE CITY COUNCIL OF THE CITY OF GRANITE FALLS,  
WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Planned Residential Development (PRD), Section 3.10,  
Ordinance No. 370, Codified as 19.44 of the Granite Municipal Code is  
amended to read as follows:

PLANNED RESIDENTIAL DEVELOPMENT (PRD)

- 3.10.01 Purposes
- 3.10.02 Approval Criteria
- 3.10.03 Consideration of Density Bonus
- 3.10.04 Minimum Size
- 3.10.05 Permitted Zones
- 3.10.06 Multiple Zones
- 3.10.07 Who May Apply
- 3.10.08 Availability of Public Services
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- 3.10.10 Site Design Criteria (Density, Open Space, Lots, Streets)
- 3.10.11 Review Criteria
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- 3.10.14 Amendments and Modifications
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- 3.10.18 Final Plat Recording
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- 3.10.20 Special Requirements for Sensitive Areas
- 3.10.21 Enforcement
- 3.10.21 Severability
- 3.10.23 Injunctive Action

3.10.01 Purposes

The purposes of this chapter are:

1. To offer an alternative form of development that benefits the city in ways that are superior to traditional lot-by-lot subdivision development;
2. To allow flexibility and creativity in the layout and design to protect valued critical areas and to provide usable open space and recreation facilities;
3. To promote a variety of housing choices in harmony with the surrounding areas;
4. To provide a more efficient street and utility system that may reduce housing prices and the amount of impervious surface;
5. To achieve the goals of the City's Comprehensive Plan, other ordinances and development regulations with regard to livable, desirable residential communities.

3.10.02 Approval Criteria

A PRD may be approved by the City Council if the application meets all of the following requirements:

1. The proposed PRD meets the requirements of this chapter.
2. Any adverse impacts or undesirable effects of the proposal are clearly outweighed by specific benefits to the residents of the City.
3. The applicant provides one or more of the following improvements to the subject property as part of the proposed PRD:
  - a. The PRD provides public facilities that the City could not require of the applicant without a PRD.
  - b. The PRD will preserve, enhance, or rehabilitate natural features such as significant woodlands,
  - c. The design of the proposed PRD is superior to a traditional lot-by-lot proposal in one or more of the following ways:
    1. Additional usable open space and recreation areas;
    2. Recreation facilities including, but not limited to, bicycle or pedestrian paths, children's play areas and play fields;
    3. Superior circulation patterns and location of parking;

4. Superior landscaping, buffering, or screening in or along the perimeter;
5. Superior design, layout, and orientation of structures.

**3.10.03 Consideration of Density Bonus**

The City Council may approve a residential density increase of up to 115% of the underlying zoning in the proposed PRD if the requirements for providing amenities (open space, recreation facilities) and housing needs (innovative layout and design, special uses) are met.

**3.10.04 Minimum Size**

PRDs may only be permitted on a minimum of 2.5 acres.

**3.10.05 Permitted Zones**

PRDs are permitted in all residential zones including single family zones (R9600 and R7200) and multiple family zones (MR2500 and MR4000). Any uses permitted or conditioned in the underlying zones shall be permitted in the PRD. duplexes or multifamily dwellings may be permitted in any residential PRD. No uses shall be permitted except in conformance with a specific and precise final development plan in accordance with the procedural and regulatory provisions of this section.

**3.10.06 Multiple Zones**

If a PRD proposal spans two or more residential zones or comprehensive plan land use designations, the permitted land uses in the more restrictive zone shall apply to the entire PRD.

**3.10.07 Who May Apply**

- (A) A PRD application may be initiated by:
1. The owner of all of the subject property, if under one ownership;
  2. All owners with joint ownership having title to the subject property proposed for the PRD, if there is more than one owner;
  3. A government agency;
  4. A person having interest in the property to be included in the PRD.

**3.10.08 Availability of Public Services**

- (A) A PRD proposal will be denied unless adequate public facilities such as water lines, sewer lines, and streets that serve the proposal are in place or are planned.
- (B) A PRD proposal shall have direct access to major streets and highways or other transportation facilities and will not create adverse additional traffic on minor streets in existing residential areas.

**3.10.09 Application Process**

- (A) The application shall be filed with the City Clerk together with the application fee and required documents in compliance with Granite Falls Municipal Code.
- (B) The PRD application fee shall cover the reimbursable costs of the preapplication conference, technical review, and the staff report to the Planning Commission. The application will be accompanied by a nonrefundable fee in the amount of \$500.00 plus \$10.00 for each dwelling unit. Any application for an amendment to the PRD shall be accompanied by a nonrefundable fee of \$250.
- (C) Written documents required with the application may include:
  - 1. Application for an amendment to the Comprehensive Plan;
  - 2. Application for a rezone;
  - 3. Application for a short plat or subdivision approval, if needed;
  - 4. Application for a Binding Site Plan;
  - 5. Environmental checklist (SEPA determination);
  - 6. A legal description of the total site including a statement of present and proposed ownership and the current and proposed zoning;
  - 7. A Project Description:
    - a. How the proposal complies with the purposes of the PRD requirements
    - b. A rationale for any other underlying assumptions
  - 8. A Site Description:
    - a. Total number, type, and location of dwelling units;
    - b. Parcel sizes;

- c. Proposed lot coverage by all structures;
  - d. Approximate gross and net residential density;
  - e. Total amount of proposed open space (divided into usable and protected) and identified recreation areas;
  - f. Economic feasibility studies, market analysis, or other required studies.
9. A Site Plan and Maps:
- a. Site plan of all existing and proposed structures and improvements;
  - b. Map of existing and proposed circulation system (pedestrian and vehicular) including public rights-of-way and notations of ownership;
  - c. Map of existing and proposed location of public utilities and facilities;
  - d. Landscape plan showing greenbelts, buffers and open space (usable and protected);
  - e. Proposed treatment of the perimeter indicating the location of vegetation to be retained and to be installed;
  - f. Schematic plans and elevations of proposed buildings with samples of all exterior finish material and colors, the type and location of all exterior lighting, signs, and accessory structures.
10. A description of the proposed sequence and timing of construction, the provisions of ownership and the management once the PRD is developed.
11. Any information about adjacent areas that might assist in the review of the proposal.

**3.10.10 Site Design Criteria**

(A) **Basic Density.** The allowable basic density shall be the same as permitted by the underlying zoning districts (Section 3.3 through 3.6 of this Chapter).

<u>Underlying Zone</u>	<u>No. of dwelling units / acre</u>
Urban Residential (R7200)	six (6)
Suburban Residential (R9600)	four (4)
Multiple Residential (MR4000)	twelve (12)
Multiple Residential (MR2500)	eighteen (18)

- (B) **Density Bonus.** The Planning Commission may recommend City Council may approve a density increase of up to 15% of the allowable density if the required amenities and needs are proposed. Bonuses may be based on a formula of :
- \* 10% if the PRD proposal provides for the following:
    - up to 25% of the net area is designated as common open space. Where reasonable, active recreation facilities such as: paths, trails, play grounds and equipment, ball fields, and basketball courts for people of all ages, are preferable and will generate the larger bonus.
  - \* 5% for innovative site design and layout (facing views, buffered parking, accommodating land constraints).
- (C) **Definition of Common Open Space**
- 1, **Usable Open Space:**
    - a. Land concentrated in large portions suitable for active recreation use;
    - b. Land not credited toward setbacks along the perimeter, rights of way, driveways, parking lots, or seasonal wetlands;
    - c. Land maintained as an integral part of the site; not segregated from remainder of development;
  2. **Protected Open Space:**
    - a. Land designated as critical areas (wetlands, slopes, floodways, habitats);
    - b. Land containing an unusual or significant vista, natural feature, or valued resource;
    - c. Land suitable for passive recreation use (trails, overlooks, vistas);
    - d. Land not credited toward setbacks along the perimeter, rights of way, driveways, parking lots or seasonal wetlands.
- (D) **Minimum Lot Size.** The Planning Commission may recommend and the City Council may approve a proposal that averages the lot sizes with no lot size of less than 7200 square feet in the R9600 zone and no lot size of less than 6500 square feet in the R7200 zone.

- (E) **Criteria for Lot Coverage and Setbacks.**
  - 1. No portion of any building or structure shall be constructed to project onto any common open space. Where front, side and rear yards adjoin common open space, the minimum requirements may be reduced by an amount equal to the distance from the lot line to the centerline of the open space.
  - 2. The minimum front yard is intended to provide privacy and usable yard area for residents. Typically privacy may be more important factor than use and where the preliminary plan can demonstrate privacy by reducing traffic flow in front of the dwelling, screening or planting, or by facing the structure toward common open space, a reduction in the front yard requirement is possible.
  - 3. Minimum lot widths are intended to prevent the construction of long buildings with inadequate light and air. In situations which create irregular lot configurations, if the design can accommodate light, air, and privacy provisions (particularly for living spaces and bedrooms) a narrower lot width may be permitted.
- (F) **Street Design Flexibility**

Design and construction standards for both public and private roadways may be modified as deemed appropriate by the City Engineer with concurrence of the technical review committee, Planning Commission, and City Council. Right of way width and street roadway widths also may be reduced if the PRD plan provides for the separation of vehicular and pedestrian circulation patterns and if the plan provides for adequate off-street parking facilities.
- (G) **Buffer Between Uses**

A buffer of 30 feet shall be established between single and multiple family structures within a PRD. Buffers must be free of structures and must be landscaped, screened, or protected by natural features. Buffers may be used as part of the permitted common open space if the Planning Commission find it consistent with the intent of the design criteria and suitable for that purpose.

**3.10.11 Review Criteria**

These criteria will guide the Planning Commission's review and recommendations and the City Council's final decision.

1. Does the preliminary plan make appropriate provisions for the public health, safety and general welfare of the public including the following;
  - a. Open space (protected and usable) and recreation facilities;
  - b. Water, sewer, drainage, and stormwater utilities;
  - c. Streets, vehicle and pedestrian facilities, appropriate ingress and egress;
  - d. Fire and Emergency vehicle Access;
2. Does the proposal minimize soil erosion, landslides, and mudslides?
3. Does the preliminary plat meet the requirements of the subdivision standards?
4. Does the proposal comply with all applicable provisions of Granite Falls Municipal Code, RCW 58.17 and 46.70A, and all other applicable state and federal laws and regulations?
5. Is the proposal in general accord with the Comprehensive Plan?
6. Wherever practical, does the proposal include measures to minimize clearing, with priority given to maintaining existing vegetation?
7. Wherever possible, is revegetation incorporated into the proposal design?
8. Are the proposed lots sufficient to accommodate a reasonable building site?
9. The following criteria will also be considered:
  - a. Will all public and private facilities and improvements on and off the site necessary to provide for the proposed PRD be available when needed?
  - b. Will use of existing public facilities and services degrade levels of service to existing users?
  - c. Will the scenic value of existing vistas be protected?
  - d. Will the existing vegetation and permeable surfaces (which provide watershed protection, groundwater recharge, climate moderation, and air purification) be protected?
  - e. Will the existing habitat, wildlife corridors, and areas used for nesting and foraging by endangered, threatened or protected species be protected to the extent consistent with the proposed new development?

**3.10.12 Binding Site Plan**

The Binding Site Plan, as approved by the Council, shall become the official site plan of the PRD.

**3.10.13 Maintenance of Open Space and Utilities**

Prior to final plat approval the applicant shall submit to the City covenants, deeds and home owner association by-laws and other documents guaranteeing maintenance and construction and common fee ownership of public open space, community facilities, private road and drives, and all other commonly owned and operated property.

**3.10.14 Amendments and Modifications**

- (A) Any amendments or major modifications shall be reviewed in the same manner as an original application. A major modification means any proposed change in the basic use in a Binding Site Plan or any proposed change in the plans and specifications for structures or location of features whereby the character of the approved development will be substantially modified or changed in any material respect or to any material degree.
- (B) Prior to issuing a building permit for any structure in a PRD, the final plat, subdivision, or dedication shall have been approved by the City Council and filed for record by the City Clerk and Snohomish County Auditor. If a PRD does not require subdivision or dedication, a Binding Site Plan and accompanying documents shall be filed with the County Auditor, together with covenants running with the land, binding the site to development in accordance with all the terms and conditions of approval.
- (C) Prior to final plat approval these documents shall be reviewed by an attorney and accompanied by a certificate stating that they comply with the requirements of this section. Such documents and conveyances shall be accomplished and be recorded, as applicable, with the Secretary of State and the Snohomish County Auditor as a condition precedent to the filing of any final plat of the property or division thereof, except that the conveyance of land to a homeowner's association may be recorded simultaneously with the filing of the final plat.

**3.10.15      Covenants**

PRD covenants shall include a provision whereby unpaid taxes on all property owned in common shall constitute a proportioned lien on all property of each owner in common.

**3.10.16      Time Limit**

Preliminary applications and/or Binding Site Plan approval for the entire PRD shall expire four (4) years after preliminary approval.

**3.10.17      Phased Developments**

If a PRD is to be constructed over a period of more than two years from the date of preliminary plan approval, the PRD will be divided into phases or divisions of development and numbered sequentially in the order construction is to occur. The preliminary and final plats for each phase shall be reviewed separately. Each phase of the project shall meet all the requirements of a single PRD.

**3.10.18      Final Plat - Recording Required**

- (A) Upon City Council approval of a final plat, the Mayor and the City Engineer shall execute the written approval on the face of the plat and the original final plat shall be recorded by the City.
- (B) A certificate giving a full and correct description of the lands divided as they appear on the final plat and all other requirements of RCW 58.17.165 as appropriate must be recorded with the final plat.
- (C) Approval of the final plat for recording shall be deemed to constitute acceptance of any dedication shown on the plat. Approval of the final plat shall be null and void if the plat is not recorded with the Snohomish County Auditor's Office within ninety days after the date of the approval.

**3.10.19      Final Plat Assurance Device**

The city may require assurance devices to assure compliance with the conditions of the approved final plat. All required

improvements must be completed within one year from the date of final plat approval unless work is continuous beyond that point or unless modified by the conditions of approval. A maintenance assurance device for at least one year after city acceptance of all required improvements shall be provided. A longer period may be established by the conditions of final approval or by the City Engineer for improvements of facilities which may not reasonably demonstrate their durability or compliance within a one year period.

3.10.020 Special Requirements for Sensitive Areas

In accordance with RCW 36.70A.060, when appropriate, the final plat must contain a notice that the subject property is on or within 300 feet of lands designated agricultural lands, forest lands or mineral resource lands.

3.10.21 Enforcement

Any division of land contrary to the provisions of this section or approved amendments, shall be declared to be unlawful and a public nuisance. Compliance with this section or approved amendments may be enforced by mandatory injunction brought by the owner or owners of land in proximity to the land with the proscribed condition. The prosecuting attorney may immediately commence action or actions, or proceedings for abatement, removal and enjoinder thereof, in a manner provided by law, and shall take such other steps and shall apply to such court or courts as may have jurisdiction to grant such relief as will abate or remove the illegal division.

3.10.22 Severability

If any section, subsection, sentence, clause or phrase of the ordinance or amendment thereto, or its application to any person or circumstances, is held invalid, the remainder of this ordinance or application to other persons or circumstances shall not be affected.

3,10.23 Injunctive Action

The City of Granite Falls, through its authorized agents and to the extent provided by State law, may commence an action to restrain and enjoin violations of this chapter, or of any term or condition of plat approval prescribed by the city, and may compel compliance with the provisions of this chapter, or with such terms or conditions as provided by RCW 58.17.200 and 58.17.320. The costs of such action, including reasonable attorney fees, may be taxed against the violator.

PASSED by the Council of the City of Granite Falls, this 28 day of August, 1996.

APPROVED:

Rella R. Morris  
Mayor

ATTEST:

Arroy James  
City Clerk

APPROVED AS TO FORM:

Cheryl L. Beyer  
City Attorney

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