Tuesday, June 16, 2020
College Place Planning Commission

7:00 P.M.
395th Regular Planning Commission Meeting

Meeting may be viewed at:Live Stream on City of College Place, Washington YouTube at https://www.youtube.com/channel/UCbx3qrqzLDL_05NusReSl-g/featured

Or you may call this number to listen: 1-669-900-9128 ID#951 4793 6437

1. OPENING ITEMS

Subject :	1.01 Call To Order
Meeting :	Jun 16, 2020 - College Place Planning Commission
Category :	1. OPENING ITEMS
Access :	Public
Type :	Procedural
Subject :	1.02 Roll Call
Meeting :	Jun 16, 2020 - College Place Planning Commission
Category :	1. OPENING ITEMS
Access :	Public
Type :	Procedural

Public Content

Ken Louderback- Chair

Wrandoll Brenes-Morua - Vice Chair

Monty Puymon

Eileen Davis

Dennis Olson

Brian Roth

Todd Reiswig

Subject :	1.03 Public Comment
Meeting :	Jun 16, 2020 - College Place Planning Commission
Category :	1. OPENING ITEMS
Access :	Public
Type :	Information

Public Content

Planning Commission meetings are primarily structured to permit Commission membersto make recommendationsto the City Council regarding decisions necessary to govern the City.

Public Comment is the time set aside for Citizens to address the Planning Commission regarding items of concern/interest either not appearing on this agenda, or on the consent agenda.*If you wish to speak on anysuch item,this is the time to come forward when the Chair asks for public comments.*

COVID-19 Virtual Meeting Protocol for Public Comment:

When submitting public comments, include the following regardless of the manner you are using: - Note that there are deadlines for each method of commenting.

- Your Name
- Your Address

Public comments may be provided in one of three ways:

- Comments in writing of no more than 1 page (If typewritten, no less than 11 pt font.) may be submitted no later than 4:30PMon the meeting date to be read into the record.
- Comments may be madeby telephone during the meeting by calling a number that will be provided to you upon notification to the City Clerkno later than 4:30 PM the day of the meeting.*
- Comments may be made by virtual meeting attendance with alink that will be provided to your emailupon notification to the City Clerkno later than 4:30 the day of the meeting.*

***If you would like to make a public commentby either phone or virtual meeting, you can contact the clerk at lneissl@cpwa.usor by phone at 509-394-8511 no later than 4:30 on the meeting date.**

2. CONSENT AGENDA

Subject :	2.01 Approve Agenda for June 16, 2020
Meeting :	Jun 16, 2020 - College Place Planning Commission
Category :	2. CONSENT AGENDA
Access :	Public
Type :	Action (Consent)

Consent

Our adopted rules of Parliamentary Procedure, The Standard Code of Parliamentary Procedure, provide for a consent agenda listing several items for approval of the Board by a single motion. Most of the items listed under the consent agenda have gone through Board subcommittee review and recommendation. Documentation concerning these items has been provided to all board members and the public in advance to assure an extensive and thorough review. Items may be removed from the consent agenda at the request of any board member.

Subject :	2.02 Approve Minutes from Feb 18, 2020

Meeting :	Jun 16, 2020 - College Place Planning Commission
Category :	2. CONSENT AGENDA
Access :	Public
Type :	Action (Consent), Minutes
Minutes :	View Minutes for Feb 18, 2020 - College Place Planning Commission

File Attachments

Feb 18 2020 Min.pdf (62 KB)

Consent

Our adopted rules of Parliamentary Procedure, The Standard Code of Parliamentary Procedure, provide for a consent agenda listing several items for approval of the Board by a single motion. Most of the items listed under the consent agenda have gone through Board subcommittee review and recommendation. Documentation concerning these items has been provided to all board members and the public in advance to assure an extensive and thorough review. Items may be removed from the consent agenda at the request of any board member.

Subject :	2.03 Approve Consent Agenda - Our adopted rules of Parliamentary Procedure, The Standard Code of Parliamentary Procedure, provide for a consent agenda listing several items for approval of the Council by a single motion. Most of the items listed under the consent agenda have gone through previous review either during the budget process, at a workshop, or by subcommittee review and recommendation. Documentation concerning these items has been provided to all Councilmembers and the public in advance to assure an extensive and thorough review. Items may be removed from the consent agenda at the request of any Councilmember.
Meeting :	Jun 16, 2020 - College Place Planning Commission
Category :	2. CONSENT AGENDA
Access :	Public
Type :	Action (Consent)
Recommended Action :	Motion to approve consent agenda items 2.01 through xxxx

Consent

Our adopted rules of Parliamentary Procedure, The Standard Code of Parliamentary Procedure, provide for a consent agenda listing several items for approval of the Board by a single motion. Most of the items listed under the consent agenda have gone through Board subcommittee review and recommendation. Documentation concerning these items has been provided to all board members and the public in advance to assure an extensive and thorough review. Items may be removed from the consent agenda at the request of any board member.

3. REGULAR AGENDA

Subject :	3.01 Unified Development Code Revisions - Commercial Hemp Production; Development Agreement; RV Parks; &

	Accessory Buildings
Meeting :	Jun 16, 2020 - College Place Planning Commission
Category :	3. REGULAR AGENDA
Access :	Public
Type :	Discussion

Public Content

The City may consider amendments to the regulations that govern development activities at any time. As a practical matter, it is more efficient to review and potentially enact several revisions at the same time. In addition to proposed amendments, the City Council enacted a one-year moratorium on commercial hemp production and has directed the Planning Commission to develop regulations for the Council to consider.

Proposed Unified Development Code Revisions: (see attached memo for details on each of the following)

1. Commercial Hemp Production

2. Development Agreements

3. RV Parks; and

4. Accessory Buildings

File Attachments

PC.Transmittal.memo.06-12-20C-Presented.to.PC.2020.06.16.pdf (457 KB)

Subject :	Approve Minutes from 6/16/2020 394th Meeting
Meeting :	Jun 16, 2020 - College Place Planning Commission
Category :	3. REGULAR AGENDA
Access :	Public
Type :	Action (Consent), Minutes
Minutes :	View Minutes for Jun 16, 2020 - College Place Planning Commission

Consent

Our adopted rules of Parliamentary Procedure, The Standard Code of Parliamentary Procedure, provide for a consent agenda listing several items for approval of the Board by a single motion. Most of the items listed under the consent agenda have gone through Board subcommittee review and recommendation. Documentation concerning these items has been provided to all board members and the public in advance to assure an extensive and thorough review. Items may be removed from the consent agenda at the request of any board member.

4. REPORTS

5. OTHER BUSINESS

6. CLOSING ITEMS

Subject :	6.01 Adjourn
Meeting :	Jun 16, 2020 - College Place Planning Commission
Category :	6. CLOSING ITEMS
Access :	Public
Type :	Procedural

College Place Planning Commission (Tuesday, February 18, 2020)
Generated by Carolyn Holm on Tuesday, February 18, 2020

PRESENT:

Commission Members	Ken Louderback, Wrandoll Brenes-Morua, Monte Puymon, Eileen Davis, Dennis Olson, Brian Roth
Staff	Community Development Director, Jon Rickard; Carolyn Holm, Deputy City Clerk Gregg Dohrn; Dohrn & Associates

MEMBERS EXCUSED:
MEMBERS ABSENT:

1. OPENING ITEMS
Procedural: 1.01 Call To Order
The meeting was called to order at 7:02 p.m.

Information, Procedural: 1.02 Roll Call
Information: 1.03 Public Comment

2. CONSENT AGENDA
Action (Consent): 2.01 Approve Agenda for 2/18/20
Action (Consent), Minutes: 2.02 Approve Minutes from 9/17/19

Action (Consent): 2.03 Approve Consent Agenda - Our adopted rules of Parliamentary Procedure, The Standard Code of Parliamentary Procedure, provide for a consent agenda listing several items for approval of the Council by a single motion. Most of the items listed under the consent agenda have gone through previous review either during the budget process, at a workshop, or by subcommittee review and recommendation. Documentation concerning these items has been provided to all Commission members and the public in advance to assure an extensive and thorough review. Items may be removed from the consent agenda at the request of any Commission member.

> **Commissioner Brenes-Morua made a motion to approve the consent agenda items 2.01 through 2.03. Second by Commissioner Olson and the motion passed 6-0.**

3. REGULAR AGENDA
Discussion: 3.01 Election of Officers
Commissioner Louderback was nominated to be Chairman.

> **Commissioner Brenes-Morua made a motion to appoint Commissioner Louderback as Chairman. Second by Commissioner Davis and the motion passed 6-0.**

Commissioner Brenes-Morua was nominated to be Vice-Chairman.

> **Commissioner Puymon mad a motion to appoint Commissioner Brenes-Morua as Vice-Chairman. Second by Commissioner Davis and the motion passed 6-0.**

Commissioner Puymon was thanked for his service as Chairman for the Commission.

Discussion: 3.02 Discussion of Potential Comprehensive Plan Amendments.
Mr. Dohrn reviewed the background of the potential Comprehensive Plan amendments in detail. The items are as follows:

1. Are there properties in the College Place Urban Growth Area that cannot reasonably be served by the City or that are otherwise not suitable for urban levels of development that should be considered for removal from the UGA?
2. Are there revisions to the County-wide planning policies that the City would like to propose, particularly with respect to the methodology for allocating projected growth and how the County implements Future Land Use designations?
3. Should the City prepare adopt annexation priorities and criteria for evaluating annexations?
4. What is an appropriate Future Land Use designation for properties in and around Martin Airfield?
5. Should the City establish specific access routes and/or road standards for access to more intensive uses at Martin Airfield?
6. To what extent, should new agricultural uses be permitted in the UGA?

Discussion ensued. Mr. Rickard informed staff will be working on the Cities buildable land analysis and also to ensure we have a suitable Urban Growth Area (UGA).

Discussion: 3.03 Discussion of Potential Amendments to the City's Unified Development Code.
Mr. Rickard informed that every year the City seeks Public comment and advertises for Comprehensive Plan and City Development code updates. He informed they have become aware of some needs for updates for the codes. The questions noted are potential revisions that may be appropriate to consider. Discussion ensued.

1. Should commercial agricultural uses such as industrial hemp production be permitted in residential zones within the City? Should industrial hemp production be permitted at all within the City and if so which zones.
2. Adoption of specific provisions authorizing the execution of Development Agreements to guide the implementation of certain projects.
3. Revisions to the regulations governing accessory dwelling units to clarify the size limitations and the applicability of capital facility charges.
4. Clarification of setback requirements applicable to accessory buildings.
5. Clarification of requirements applicable to the height of fences on corner lots.
6. Clarification of public notice requirements.
7. Clarification of the type of permit(s) required for vacation rentals.
8. Clarification of the setback requirements applicable to front porches.

Discussion ensued.

4. REPORTS-None

5. OTHER BUSINESS-None

6. CLOSING ITEMS
6.01 Adjourn

Commissioner Louderback adjourned the meeting at 8:35 p.m.

Approved:

_____

Ken Louderback, Chair

Attest:

_____

Jon Rickard,
Community Development
Director

The foregoing minutes are the official record of the Planning Commission meeting that occurred February 18, 2020. Further detail may be obtained by reviewing the actual audio recording made during this session.

G. R. Dohrn and Associates

Memorandum

Date: June 11, 2020

To: City of College Place Planning Commission

From: Gregg Dohrn

Subject: Proposed Unified Development Code Revisions

During the virtual Planning Commission meeting on Tuesday June 16th, we will be presenting for your review potential revisions to the College Place Unified Development Code (UDC) applicable to:

1. Commercial Hemp Production.
2. Development Agreements.
3. RV Parks; and
4. Accessory Buildings.

In preparation for this meeting, it would be helpful if you could preview the following:

1. **Commercial Hemp Production.** In 2014 the Washington State Legislature authorized the Department of Agriculture to issue licenses to produce hemp for industrial uses as a pilot program administered through January 1, 2020. In 2019 the Legislature authorized the Department to establish a permanent program to license hemp producers. Hemp is similar to cannabis in appearance, and in smell during the growing season, but by law does not contain concentrations of THC, the psychoactive compound in marijuana that gives the high sensation. As a result, its production is highly regulated, and a state license is required.

   In 2019, a College Place resident living in the Single-Family Residential zoning district applied for and received a state license to grow hemp. During the growing season, the producer had plants stolen and he posted a sign indicating that the plants did not contain THC. The City also received numerous complaints of the odors from neighboring property owners. Chief Tomaras has indicated that he would like to participate in your meeting and can elaborate on the problems associated with this commercial agricultural activity in a residential zone. Unfortunately, the state law does not require, and the Department of Agriculture did not elect to establish procedures to give the City the opportunity to review and comment on applications for state licenses, so it is up to the City to determine where and under what terms if any, the production of hemp should be permitted in College Place.

Walla Walla is an agricultural community, and the production of agricultural products is the foundation of the local economy. The Growth Management Act recognizes the importance of local agricultural activities and requires counties to adopt measures to identify, preserve, and protect agricultural lands. The Growth Management Act also recognizes the potential for conflicts between agricultural and residential uses, and as a result, provides that urban growth areas should not include agricultural lands of long-term commercial significance. But it is left to the City to decide the extent to which agricultural activities that are not of long-term commercial significance may occur in urban areas. Depending on the nature of the crop and the method of production, agricultural activities may be more or less compatible with the residential, commercial, and industrial uses typically found in urban areas. Fruit trees for instance may be relatively benign, although there could be concerns about the use of pesticides. Growing sweet onions could be innocuous, but neighbors may be bothered by dust during hot, dry, and windy periods. And attempting to regulate agricultural activities based on smell, can really be a challenge. For instance, the smell of spearmint may be pleasing in chewing gum but try driving through the lower Yakima Valley on a hot summer night with the windows open on your car!

All factors considered, the City has several options, including:

a. Permitting agricultural activities in some or all zoning districts subject to conditions, such as limiting the size of lots.

b. Prohibiting commercial agricultural activities in some or all zoning districts, particularly in or near residential areas; or

c. Prohibiting or regulating specific agricultural activities that by their nature are not compatible with typical urban land uses, particularly residential uses.

Very few communities in Washington State permit the state licensed production of marijuana outdoors and in College Place it is prohibited. Given the recent experience in the City with hemp production, which we understand was not a unique experience, we have prepared revisions to the UDC that would prohibit the state licensed producers from growing hemp in all zoning districts, with the possible exception of the Light Industrial zoning district. While there is little industrially zoned land in the City, 218-acres around the Martin Airfield in the College Place UGA has been designated as Industrial, so it is something that we would like to discuss with you. The proposed revisions include:

"***Hemp production***" refers to planting, cultivation, growing, or harvesting of hemp, including seed hemp, as licensed by the State of Washington.

Use	***SFR***	***MFR***	***DMU (3)***	***GC***	***LI (2)***	***UD (4)***	***PU***
Hemp production	*X*	*X*	*X*	*X*	*?*	*X*	*X*

At the meeting we would appreciate your thoughts on the following:

1. Should the state licensed production of hemp be permitted in the Light Industrial zoning district? Are there any other zoning districts that would be appropriate?

2. What commercial agricultural activities, if any, should be specifically permitted in the City?

3. Are there any commercial agricultural activities that should not be permitted in the City, or not in certain areas, such as residential neighborhoods?

4. Are there any other agricultural activities, besides marijuana and hemp, that warrant special consideration?

2. **Development Agreements –** State law authorizes cities and counties when approving a proposed development to enter into a written agreement with the property owner, in the form of a binding contract, to document the conditions of approval, including required mitigating measures and phasing requirements. RCW 36.70A 170-210 provides very specific authorization and the following, which is based on a similar provision from the City of Pasco, enables the City to execute development agreements with the owners of property inside the city limits as well as in the unincorporated portions of the College Place Urban Growth Area. Since the state law is so prescriptive, this is being presented as an informational item.

14.10.080 Development Agreements.

A. The City may, in accordance with the provisions of RCW 36.70B.170-210, enter into a development agreement with a person(s) having ownership or control of real property within its jurisdiction, or outside its boundaries as part of a proposed annexation or a utility service agreement.

1. The execution of a development agreement is a proper exercise of the City's police power and contract authority.

2. A development agreement may obligate a party to fund or provide services, infrastructure, or other facilities.

3. A development agreement shall reserve authority to impose new or different regulations to the extent required by a serious threat to public health and safety.

B. A development agreement must set forth the development standards and other provisions that shall apply to, govern and vest the development, use, and mitigation

of the development of the real property for the duration specified in the agreement, provided that:

1. *The development agreement shall be consistent with all applicable development regulations.*

2. *The provisions of this Section do not affect the validity of a contract rezone, concomitant agreement, annexation agreement, or other agreement in existence or adopted under separate authority.*

3. *For the purposes of this section, "development standards" include, but are not limited to:*

    a. *Project elements such as permitted uses, residential densities, and nonresidential densities and intensities or building sizes.*

    b. *The amount and payment of impact and mitigation fees imposed or agreed to in accordance with any applicable provisions of state law, any reimbursement provisions or other financial contributions by the property owner, inspection fees, or dedications.*

    c. *Mitigation measures, development conditions, and other requirements under RCW 43.21C.*

    d. *Design standards such as maximum heights, setbacks, drainage and water quality requirements, landscaping, and other development features.*

    e. *Affordable housing.*

    f. *Parks and open space preservation.*

    g. *Phasing.*

    h. *Review procedures and standards for implementing decision.*

    i. *A build-out or vesting period for applicable standards; and*

    j. *Any other appropriate development requirement or procedure.*

C. *Development agreements applicable to properties within the boundaries City are limited to a ten-year timeframe. An extension of one to ten years may be exercised upon mutual approval of both the developer and the City. Development agreements applicable to properties outside of the City boundaries may continue in effect until a date as specified in the agreement. Agreements outside the City may contain variable expiration dates for some, or all, of the standards listed in this Section.*

D. Upon approval, a development agreement shall be recorded with the Walla Walla County Auditor.

1. During the term of a development agreement, it is binding on the parties and their successors.

2. Unless amended or terminated, a development agreement is enforceable during its term by a party to the agreement.

3. Any permit or approval issued by the City after the execution of a development agreement must be consistent with the terms of the development agreement.

4. A development agreement and the development standards incorporated in the agreement govern during the term of the agreement, or for all or that part of the build-out period specified in the agreement, and may not be subject to an amendment to a zoning ordinance or development standard or regulation or a new zoning ordinance or development standard or regulation adopted after the effective date of the agreement.

2. **RV Park Standards.** As housing becomes more expensive and options more limited, individuals and families are increasingly looking to non-traditional forms of housing including recreational vehicles, campers, trailers, tiny houses, and even tents. We have reviewed the standards for RV parks from several communities including Pasco and Milton-Freewater and have prepared the following for your consideration:

14.60.200 Recreational Vehicles (RV's), Campers, Trailers, Tiny Houses, and Tents.

A. Recreational vehicles, campers, trailers, tiny houses, and tents may be used for human habitation only in approved recreational vehicle parks unless otherwise specifically provided in this Title.

B. All RV parks shall:

1. Be designed, constructed, operated, and maintained in compliance with all applicable federal, state, and local laws and regulations.

2. RV's, campers, trailers, tiny houses, and tents may only be located in RV spaces as designated on a site plan approved by the City.

a. The minimum width for each RV space shall be twelve feet (12').

b. The minimum length for a back-in RV space shall be fifty six feet (56') long and for each pull through RV space seventy feet (70') long, and the space

shall not include any common areas, roadways, general use structures, walkways, parking areas for vehicles other than RVs, or landscape areas.

c. *There shall be a minimum distance of fifteen feet (15') between all recreational vehicles, campers, trailers, tiny houses, and tents.*

d. *Each designated space shall have at least one (1) 10' x 20' parking space.*

e. *Parking and driveway areas shall be paved with asphalt or concrete or similar surface, in accordance with City standards.*

2. *RV parks shall be designed to provide the following setbacks from neighboring properties:*

a. *There shall be an average twenty-foot (20') setback between the park and any public streets, but in no case shall the setback be less than ten feet (10').*

b. *Side and rear setbacks shall be the same as, or greater, than the setbacks required by the zoning district(s) of the abutting properties, but in no case shall the setback be less than five feet (5').*

4. *Streets within an RV park shall have a minimum twelve foot (12') wide paved surface for one- way travel, and a minimum twenty-four foot (24') wide paved surface for two-way travel.*

a. *No dead-end streets are allowed.*

b. *Streets shall be paved with asphalt, concrete, or similar surface, in accordance with City standards.*

5. *All parking associated with the RV park, including guests, visitors, and employees, shall be on-site in areas designated on the site plan approved by the City. No off-site parking or parking that obstructs access by emergency vehicles shall be permitted at any time.*

6. *The perimeter of the RV park shall be landscaped and screened on all sides in accordance with City standards.*

7. *The RV park shall be designed in compliance with the City Stormwater Regulations.*

8. *All RV spaces shall have access to water, sewer, and electrical service in accordance with City standards.*

9. *The RV park shall provide toilets, lavatories, and showers as required by State and local laws and regulations.*

10. *At least one (1) sanitary disposal station for removing and disposing of wastes from holding tanks shall be provided.*

11. *Trash receptacles for the disposal of solid waste materials shall be provided in convenient locations throughout the park. The number and capacity of trash receptacles shall be sufficient to insure there is no uncovered accumulation of trash at any time in the park.*

12. *All lighting shall be screened and downward facing.*

13. *No permanent buildings, structures, or additions may be constructed on a designated RV space, or attached to an RV, camper, trailer, or tiny house, or tent.*

14. *The RV park owner or a designated agent shall always be on the site. It shall be the continuing responsibility of the RV park owner to:*

    a. *Assure that all required landscape and common areas are perpetually maintained.*

    b. *Keep the park free of unsightly brush, leaves, weeds, and debris.*

    c. *Keep the park free from nuisances as defined in 8.24 CPMC.*

    d. *Assure that all private stormwater facilities are perpetually maintained; and*

    e. *That no outside storage of materials or equipment is allowed.*

C. *Recreational vehicles, campers, trailers, tiny houses, and tents may be occupied on a temporary basis not to exceed fourteen (14) days by visitors to a single-family residence, provided that the recreational vehicle, trailer or tent is located in the driveway, or in the yard outside of required setbacks.*

D. *Recreation vehicles may be parked in residential zoning districts by residences or their guests, provided the following conditions are met:*

    1. *The recreational vehicle must not be in use for temporary or permanent housing.*

    2. *No more than one recreational vehicle may be stored outside on a parcel.*

3. *The recreation vehicle shall not intrude into the public right-of-way or obstruct sight visibility from adjacent driveways.*

4. *The recreation vehicle shall not be parked in the front or side yard setback.*

5. *The recreation vehicle shall be maintained in a clean, well-kept state which does not detract from the appearance of the surrounding area.*

6. *The recreational vehicle and its use comply with the provisions of CPMC 8.24 Nuisances.*

As you review these proposed standards, we would appreciate your thoughts on the following:

1. Some communities limit the duration of stay in a RV park, as written, there would be no limitation in College Place, is this appropriate?

2. If the life safety considerations have been addressed, such as establishing the minimum distance between RVs, and requiring the availability of water, sewer, and garbage service, too what extent should the City prescribe the layout of the park?

3. As written, no structures or accessory buildings may be constructed in an RV park. Should storage buildings, ramps, or covered areas on individual RV spaces be permitted?

4. **Accessory Buildings.** Jon has suggested some clarifications to the regulations governing accessory buildings, the proposed revisions are highlighted in the following:

14.60.170 Accessory buildings, Structures, Dwelling units, and Uses.

A. ~~Applicability.~~ Accessory structures or buildings shall not occupy any parcel~~lot~~ independent of the primary building and shall comply with the following provisions:

1. *Accessory buildings may include the following or similar structures, in accordance with the provisions of this Title, as determined by the City:*

   a. *Detached and attached accessory dwelling units.*

   b. *Garages.*

   c. *Shops.*

   d. *Buildings utilized by an approved home business.*

e. Storage sheds.

f. Greenhouses and potting rooms; and

g. Children's playrooms.

2. The following shall not be converted to, or used as a storage building, accessory building, or accessory dwelling unit, unless specifically authorized in this Title.

a. Trailer.

b. Bus.

c. RV.

d. Vehicle.

e. Camper.

f. Mobile home.

g. Used shipping container.

h. Railroad car.

i. Tent; or

j. Park model or tiny house.

3. The rental of buildings or rooms for periods of 30 days or less require a Special Use Permit and/or related permits from the City, in accordance with the provisions governing short-term or vacation rentals.

4. Accessory buildings, dwelling units, or structures shall only be permitted on parcels with a legally established primary residence, primary building, and/or primary use.

5. All accessory buildings and structures shall comply with the applicable provisions of this Title, including setback, lot coverage, building height, and stormwater management, as well as the provisions of the International Codes, as adopted and administered by the City, unless otherwise specifically authorized in this Title.

a. Accessory buildings or structures legally established before November 1, 2019 that do not conform with the size, height, lot coverage, or setback

requirements of this Chapter may continue to be used, provided that the degree of non-conformity is not increased in the future.

~~*6. No accessory building or structure shall have a footprint greater than 600 square feet and the total footprint of all accessory buildings or structures shall not exceed 720 square feet*~~ *The footprint of the primary residence shall not exceed 35% of the size of the parcel and the total footprint of all accessory buildings and structures shall not exceed 10% of the lot size.*~~*, provided that:*~~

~~*a. No more than one accessory building or structure with a footprint of 120 square feet or less may be permitted on a parcel*~~

~~*b. Accessory buildings or structures with a footprint of 120 square feet or less do not require a building permit in accordance with the provision of the International Codes, as adopted and administered by the City.*~~

7. No accessory building or structure shall occupy the front or side yard setback.

8. An accessory building or structure may be located in the rear yard setback, up to 5' from the property line.

9. The minimum distance *to* ~~*between*~~ *buildings* ~~*on a lot, as well as buildings*~~ *on an adjacent lot*~~*,*~~ *shall be at least ten feet, in accordance with the provisions of the International Codes as adopted and administered by the City.*

10. The maximum height of an accessory building or structure shall not exceed 15' at the eave line.

11. Windows on accessory buildings shall be oriented to protect the privacy of adjacent property owners. This may include the placement of windows above or out of view into adjacent yards or windows, or by using obscure glass.

B. ***Accessory Dwelling Units****. In addition to the preceding criteria applicable to all accessory buildings, the following criteria shall also apply to accessory dwelling units:*

1. Not more than one accessory dwelling unit may be permitted on a parcel.

2. An accessory dwelling unit may be detached from the primary structure, an addition to a primary structure, within a primary structure, or above an approved detached accessory building such as a garage or shop, provided that an accessory dwelling unit that is attached to or within the primary building, must have a separate entrance and must be a self-contained residential unit.

3. ~~*The maximum lot coverage standard may be increased from 35% to 45% with the approval of an attached or detached accessory dwelling unit.*~~

4. *Existing non-conforming accessory buildings may be converted to accessory dwelling units provided that the degree of non-conformity is not increased and that all improvements comply with the provisions of this Chapter.*

5. *Accessory dwelling units shall comply with the provisions of the International Codes, as adopted, and administered by the City.*

6. *All accessory dwelling units must have* ~~*an approved connection to City*~~ *water and sewer* *service in accordance with City standards*, *provided that the accessory dwelling unit may share sewer and water connections and services with the primary residence.*

   a. *A capital facility charge for water and sewer service will be required regardless of whether the water and sewer service are shared or not; and*

   b. *Accessory dwelling units 600 sq. ft. or less may be eligible for a reduced capital facility charge*.

7. *One additional paved, off-street parking space is required.*

~~*8. An accessory dwelling unit that is attached to, or located within, a primary residence may have a floor area greater than 600 square feet, provided that:*~~

   ~~*a. It shall be considered a duplex for purposes of determining capital facilities fees and charges for city services; and*~~

   ~~*b. Two additional on-site parking spaces shall be provided.*~~

We look forward to "seeing" you on the 16th!