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MEMO:

To: Sedro-Woolley Planning Commission

From: John Coleman, AICP
Planning Director

Date: March 20, 2018

Subject: Requested Amendments to Requirements for Residential Recreation Areas
– Ch17.38 SWMC

ISSUE

A local land developer/builder requested that the city amend its regulations for small privately owned parks. Chapter 17.38 SWMC requires that subdivisions and new multi-family developments of more than four units provide 8000 sf of recreation area. The specific requirement reads:

SWMC 17.38.010 "New developments of more than four dwelling units (including but not limited to new subdivisions, planned developments, mobile home parks, and multifamily residential developments) shall be required, as a condition of approval, to provide a minimum of eight thousand square feet of unpaved, usable open space with lawn or other soft surface for an outdoor recreation area, plus an additional one hundred square feet of usable open space for each additional unit beyond the initial twenty-five units, except that this requirement does not apply to residential development which is secondary to a commercial use in the central business district."

The request to amend Chapter 17.38, submitted by Paul Woodmansee, is attached as Attachment 1. Mr. Woodmansee included the recommended code changes in that letter. Staff refined the proposed language to fit city formatting and specify where the money would be deposited; the staff amended language is in Attachment 2.

Staff believes that the Planning Commission and City Council should carefully review the proposed \$15,000 in-lieu amount that has been proposed and consider if that amount is adequate and how that number shall be revised regularly to make sure it keeps up with increasing parks costs and real estate values. Staff also recommends that the proposed section c be eliminated. Staff does not believe that a multi-family development should be able to forego a recreation area. A recreation area is crucial for families that live in apartments and do not have back yards.

ATTACHMENTS

Attachment 1 – Letter with proposed updates to Recreation Area regulations – Chapter 17.38 SWMC
Attachment 2 – Staff modifications to proposed updates to Recreation Area regulations – Chapter 17.38 SWMC

RECOMMENDATIONS

Discuss proposed amendments and schedule a public hearing for proposed amendments (or modified amendments) at the April 17, 2018 Planning Commission meeting.

Attachment 1

to March 20, 2018 Recreation Areas memo –
Letter requesting modifications to Ch. 17.38 SWMC

create the maximum amount of lots or housing units that are available with the planned density of each zone.

The new code I am proposing could have a way to raise funds from developers that would allow an increase in the Parks department special projects funds. As a developer I believe strong regional parks are much better than small localized parks.

I would propose the City code to allow any plat 5 acres or less in size to have a second option instead of building a Park onsite in their development. The following verbiage could be added to the code -

17.38.010 Required Recreation Areas

A. A developer can elect to replace the 8,000 sf park requirement with a \$15,000 park fee when:

a. When a development has 5 acres or less of net acreage, and can prove that there would be a loss of the underlying density requirements of the City's zone.

b. If the proposed plat has 15 lots or less.

c. In multifamily, and or mixed use development - if the proposed development requires more parking than available, and the park requirement eliminates space that can be used for parking spots to meet code requirements.

We thank you for the opportunity to discuss this and we look forward to hearing back from you. We will make ourselves available for any meetings where Planning Commission and or City Council could have some questions. We also can show examples of this on a plat map for exhibit.

Sincerely,



Paul Woodmansee
BYK Construction, Inc.



BYK Construction

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February 8, 2018

John Coleman
Sedro-Woolley Planning Department
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Letter about a proposed code change to Residential Recreation Areas Code Chapter 17.38

John:

I appreciate the opportunity to discuss the Residential Recreation Area Code Chapter 17.38 to allow a second option to new developments that can benefit the City Parks Department, Future home owners, and Developers who are creating these small community plats.

Currently the code requires an 8,000 sf park are for use of the future residents of the new plat. I believe that the intent of this code is to add outdoor spaces for residents near their homes when the lots that created were small. The outdoor spaces are typically smaller on the small lots that are created in dense development.

While the intent is appropriate for larger developments, the code severely hinders small projects and small acreage plats.

There are three reasons why this code should be reviewed -

The HOA of these communities must maintain the parks: this is typically a hard task for small HOA's to complete. Landscape maintenance is costly and with small developments there are less home owners to pay for the maintenance. If some HOA's do not maintain the park, they can become an eyesore to the public. Also, Park's create an increased liability situation for an HOA.

The park requirement actually reduces lot sizes throughout the plat when most Home Buyers would prefer a larger lot. The park requirement can actually reduce the amount of lots that Developers can get even though the density allows more lots. With our current housing shortage in Skagit County, our main focus as a community should be to

Attachment 2

to March 20, 2018 Recreation Areas memo –
Staff modified amendments to Ch. 17.38 SWMC

Chapter 17.38

RESIDENTIAL RECREATION AREAS

Sections:

17.38.010 Required recreation areas.

17.38.020 Standards.

17.38.030 Open space.

17.38.010 Required recreation areas.

New developments of more than four dwelling units (including but not limited to new subdivisions, planned developments, mobile home parks, and multifamily residential developments) shall be required, as a condition of approval, to provide a minimum of eight thousand square feet of unpaved, usable open space with lawn or other soft surface for an outdoor recreation area, plus an additional one hundred square feet of usable open space for each additional unit beyond the initial twenty-five units, except that this requirement does not apply to residential development which is secondary to a commercial use in the central business district.

A developer may elect to pay \$15,000 to the Parks Reserve fund in-lieu of providing an eight-thousand square foot recreation area if any of the following situations exist:

- A. When a development is five net acres or less and the developer can demonstrate that providing the required recreation area will not allow the development to meet the underlying density allowed by the zone.
- B. If the proposed subdivision has fifteen or fewer lots.
- C. In multi-family and/or mixed use development, if the proposed development requires more parking than available and the required recreation area eliminates area that can be used to accommodate required parking spaces.

17.38.020 Standards.

The standards and guidelines in the Sedro-Woolley Design Standards and Guidelines Manual shall be followed when designing a recreation area.

17.38.030 Open space.

A. The recreation area shall not be located in areas sensitive to human disturbances such as wetlands, riparian corridors and slopes of ten percent or more, or in required street frontage landscaping.

Exception: Slope may be greater in limited recreation elements.

B. The recreation area may be dispersed on the site; provided, that the minimum size of each area is six thousand square feet or larger.