TO: City Council
FROM: Ben Shumaker
DATE: May 15th, 2014
SUBJECT: Draft Educational District Text Regulations

Introduction
This memo presents the Planning Commission recommended draft regulations for a proposed Education District (Attachment 1).

This is the first of two public hearings on the legislative text amendment and will be followed by a quasi judicial public hearing on the requested map change. After review and public hearing on these text amendments the City Council may request changes and/or further input from the Planning Commission regarding the adoption of an amending ordinance.

Background
In 2013 the City led a proposal to rezone the School District properties from R1 Single-Family Residential to PR Public Use & Recreation. This proposal was abandoned by the City Council after neighborhood opposition. Earlier this year, the School District submitted an application to create a new zoning district specifically for educational uses and apply that zoning district to the school’s properties. Three public workshops were held to consider the allowable uses and design requirements of such a district.

Regulatory Intent & Format
The Planning Commission held several workshops on the proposed new Education District and have forwarded the draft amendment with a general policy of being very permissive of schools and school-related uses while incorporating several design and dimensional restrictions designed to reduce the potential neighborhood impacts of future development. The resulting draft has the following format

17.33.005- Purpose (May 12th Hearing)
17.33.010- Principal Uses (March 3rd workshop)
17.33.020- Conditional Uses (March 3rd workshop)
17.33.030- Accessory Uses (March 3rd workshop)
17.33.040- Density and Dimensional Regulations (March 10th workshop)
17.33.050- Other Regulations (April 14th workshop)
17.33.060- Parking Requirements (March 10th workshop)
17.33.060- Landscaping Requirements (April 14th workshop)
17.33.145- Signs (April 14th workshop)

Additional Considerations
In addition to the draft Chapter 17.33 and the definitions that are included in the comments, three other provisions of the Zoning Code will need to be changed to reflect the added district. The first is in SMC 17.12.050 which lists the zoning districts in order from most restrictive to least restrictive. Staff views this proposal as more permissive than the PR District and less restrictive than the CR District and has inserted the
proposed ED District in between these districts accordingly. The second necessary change is in SMC 17.14.010, which enumerates all zoning districts and specifies their map symbol. Staff is referring to this as the ED Education District and drafted the modification to the code section accordingly.

**Next Steps**

Please listen to public comments tonight and request any desired changes. Staff will incorporate the requests into an ordinance format for review at the next meeting, where two public hearings will be held on the text amendment and map change.

Prepared by,

Ben Shumaker
Planning Director

Attachments
- Draft SMC 17.33
Chapter 17.33
ED Education District

Sections:
17.33.005 Purpose.
17.33.010 Principal Uses.
17.33.020 Conditional Uses.
17.33.030 Accessory Uses.
17.33.040 Density and Dimensional Regulations.
17.33.050 Other Regulations.
17.33.060 Parking Requirements.
17.33.070 Landscaping Requirements.
17.33.145 Signs.

17.33.005 Purpose.
The Education (ED) District is intended to provide minimum development standards that will coordinate activities such as school site selection and school building use to complement surrounding neighborhood and recreational uses; that will facilitate school efforts to provide quality educational programs; and that will ensure the ability of schools to enhance facilities.

17.33.010 Principal Uses.
Principal uses permitted in the ED District are as follows:
A. Public, private and parochial school;
B. Child day care facility;
C. Public or private recreation and fitness facility, including swimming pools, tennis courts, game rooms, restroom and shower facilities, open space and pathways, and other recreational facilities;
D. Minor wireless telecommunications facility;
E. Community information signs, temporary signs, and signs placed by a governmental agency.

17.33.020 Conditional Uses.
Conditional uses that may be allowed in the ED District are set forth in the following list. In granting a conditional use request, the Planning Commission may attach to the conditional use permit such reasonable requirements as will ensure that the

Comment [b1]: From 1.6, 1.7, 1.7-1 of the Comprehensive Plan

Comment [b2]: DRAFT definition: "any publicly, privately, or parochially-financed school or facility carrying on a program from kindergarten through the twelfth grade or any part thereof including vocational education courses otherwise permitted by law. Public, private, and parochial school does not mean a private residence in which instruction is provided to the occupants' their own children and three (3) or fewer nonresident children or a school support facility as defined by this title"
development in its proposed location:
   Will not endanger the public health and safety;
   Will not substantially reduce the value of adjoining or abutting property;
   Will be in harmony with the area in which it is located; and
   Will be in conformity with the Comprehensive Plan, transportation plan, or other plan officially adopted by the Council.

Conditional uses that may be allowed in the ED District are as follows:
   A. New places of public assembly for events relating to culture, education, amusement and entertainment, including theaters, performing arts auditoriums, sports stadia and outdoor amphitheaters;
   B. The keeping of any animals outside the building housing the principal use; provided, that there is adequate accommodations for the animals, low impact on adjoining neighbors, as long as such animals do not cause a public nuisance or public safety or public health problem;
   C. Building with a height greater than fifty (50) feet; provided, it does not interfere with the views of a substantial number of upland properties which are presently residential or have a potential for residential development and there is an overriding public interest in allowing a greater height. For each ten (10) foot increase in height that is allowed, there shall be an additional setback of fifteen (15) feet from any property line.
   D. Dormitory facility related to a public, private and parochial school;
   E. Fire, police and emergency services station;
   F. Government administration building;
   G. Library;
   H. **Hazardous waste storage**, in accordance with state of Washington regulations;
   I. Intermediate wireless telecommunications facilities;
   J. Minor wind power generation facilities;
   K. Street-side access, gradual charging EV station;
   L. Directly- and externally-illuminated signs, murals, signs of outstanding design, and signs identifying and/or related to any conditional use or existing nonconforming use.

Comment [b3]: EXISTING definition: “the holding of dangerous waste for a temporary period as regulated by State Dangerous Waste Regulations, WAC Chapter 173-303.”
Any other use determined to be of the same general character as the principal or conditional uses permitted outright in this chapter.

17.33.030 Accessory Uses.

Accessory uses and activities set forth in the following list are allowed in the ED District; provided that:

The accessory use or activity may be regarded as incidental or insubstantial in and of itself or in relation to the principal use on the lot; and

The accessory use or activity is commonly or frequently associated with the principal use on the lot.

Accessory uses and activities allowed in the ED District are as follows:

A. School support facility;
B. Replacement or expansion of places of public assembly for events relating to culture, education, amusement and entertainment, including theaters, performing arts auditoriums, sports stadia and outdoor amphitheaters;
C. Church and other religious or charitable organization;
D. Use of a school or school support facility for community recreation, education, meeting space, and like uses that do not conflict with the primary educational purpose of the school;
E. Vehicle repair; provided, that: (1) no repair work is conducted outside a fully enclosed building; and that (2) vehicles are not parked or stored overnight unless inside a fully enclosed building;
F. Emergency evacuation and/or displacement center;
G. The keeping of small animals inside the building housing the principal use; provided, that the animals are not allowed outside the building and do not endanger public health or safety;
H. Restricted and public access, gradual charging EV stations, and restricted access, rapid charging EV stations;
I. Public transportation stops and shelters;
J. Signs identifying and/or related to any principal or accessory use allowed in this chapter.

If an accessory use or activity is proposed that is different from those listed, but appears to meet the accessory
use criteria, the administrator may request an interpretation from the Planning Commission.

17.33.040 Density and Dimensional Regulations.

**ED District Density & Dimensional Standards**

<table>
<thead>
<tr>
<th>Maximum Height of Building</th>
<th>Minimum Lot Area</th>
<th>Minimum Lot Width</th>
<th>Minimum Lot Depth</th>
<th>Maximum Lot Coverage</th>
<th>Minimum Setbacks</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>50 ft^1</td>
<td>1 ac</td>
<td>100 ft</td>
<td>100 ft</td>
<td>50%</td>
</tr>
</tbody>
</table>

1. See also SMC 17.33.020 (C) for allowable increases in height of building.
2. Minimum setbacks for Zone Transition Areas shall be the same as the requirement of any adjoining, more restrictive district.

17.33.050 Other Regulations.

A. Garbage collection areas, ground-mounted electrical and mechanical equipment, outdoor storage areas, and parking areas shall be adequately fenced and/or screened from the street and nearby residential uses and maintained in a safe and orderly manner.

B. Rooftop mechanical equipment shall be set back a minimum of fifteen feet from the edge of a roof or screened to reduce visual prominence.

C. All new electrical, telephone, or other cable services shall be brought underground from a public street to the connected building. All existing electrical, telephone, or other cable services is encouraged to be brought underground.

D. Reasonable effort shall be made to provide screening and buffering between dissimilar uses to minimize negative impacts, such as those from noise, traffic, lighting, glare, and playing fields.

E. Pedestrian sidewalks, pathways and access ways shall be located and constructed to minimize conflict with vehicular traffic and natural hazards.

F. Developments shall not contribute to the instability of a parcel or to adjoining lands. Surface drainage systems shall be designed so as not to adversely affect neighboring properties, roads or water bodies.
17.33.060 Parking Requirements.
   A. Except for the circumstances set forth in subsection B of this section, off-street parking must be provided in accordance with the requirements of Chapter 17.42.
   B. The location and number of access points to the site, their relationship to existing streets and traffic, the interior circulation patterns, and the separation between pedestrians and vehicles shall be designed to maximize safety and convenience.
   C. Parking areas, aisles, loading aprons and access ways shall be paved, be of adequate strength for the traffic expected and shall be well drained.
   D. Larger parking areas shall be broken into segments of twelve (12) or fewer stalls and separated by landscaping.
   E. Parking may be located under a building provided it is screened from direct view from public streets and adjacent properties.
   F. No motor vehicle, recreational vehicle or equipment, or other equipment, whether operational or not shall be parked, stored or otherwise located in a required side yard.

17.33.070 Landscaping Requirements.
   A. Landscaping shall be provided in the area between the building line and the street right-of-way line excluding drives, parking areas and pathways.
   B. In areas where vegetation plays an important role in erosion control, aesthetic considerations or slope stabilization, any vegetation removed during construction, excavation or grading shall be promptly replaced.
   C. Trees and shrubs which are intended to be retained on a site shall be protected during construction.

17.33.145 Signs.
   Signs in the ED District are subject to the following standards:
   A. Maximum Sign Area.
      1. Maximum individual sign area: Forty (40) square feet.
      2. Maximum cumulative sign area allowed on or in front of any primary building wall: Ten (10) percent of the building wall area.
3. Maximum cumulative sign area allowed on or in front of any secondary building wall: Three (3) percent of the building wall area.

4. Maximum cumulative area for window signage on any one building wall: Twenty-five (25) percent of the window area of said building wall, provided that this provision remains subject to the overall maximums established in subsections (A)(2) or (A)(3) above.

5. The area for freestanding signs directed to a single street frontage is included in the cumulative area calculation for the closest primary building wall.

6. The area for signs that face more than one street is included in the cumulative area calculation for the closest primary or secondary building wall, as assigned by the applicant.

7. Maximum cumulative sign area allowed on vacant land: Eighty (80) square feet.

8. The maximum cumulative sign area applies to single-business and multiple business lots.

9. Maximum portable sign area: Two (2) feet wide by four (4) feet tall.

B. Maximum Sign Height.

1. Maximum building sign height: Twenty-six (26) feet, provided that no part of a building sign shall be higher than the highest point of the building to which it is attached.


C. Sign Clearance. Minimum sign clearance for building signs projecting more than twelve inches from a building: Eight (8) feet.

D. Sign Illumination.

1. Dark-sky friendly signs may be permitted in the ED District.

2. Directly-illuminated signs placed in windows may be permitted, provided that each sign does not exceed four (4) square feet, and that such area is included in the cumulative sign area.

E. Sign Placement.

1. A property may have more than one sign.

2. No sign shall be placed within any vision
clearance area or within five (5) feet of any property line, provided that signs within a public right-of-way may be permitted according to Chapter 12.02 of this code.

F. Maximum Time Period.

1. Temporary signs may be displayed on a property for a maximum time period of forty-five (45) days, provided that signs related to a specific event, sale, etc. must be removed within five (5) days after such event, provided further that political signs pertaining to an upcoming election in the voting district where the sign is placed may be installed at any time prior to the election and shall be removed within five (5) days after the election date, provided further that real estate signs advertising a property for sale or lease may continue to exist for as long as the property is available.

2. The sign structure for an abandoned sign may continue to exist until it becomes a dilapidated sign, provided that the sign face is covered by material that is unobtrusive in color and installation or is otherwise removed from public view.

3. All other signs allowed in this district may continue to exist until such time as they become an abandoned or dilapidated sign.

G. Prohibited Signs. The following sign characteristics, structures, and types shall not be permitted under any circumstances:

1. Animated signs;
2. Back-lit cabinet signs;
3. Dilapidated signs;
4. Off-premises signs.