



City of Stevenson

Planning Department

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TO: City Council
FROM: Ben Shumaker
DATE: May 18th, 2017
SUBJECT: Residential Growth Tools Focusing on Planned Unit Developments (ZON2017-01)

Introduction

This memo summarizes the December 1st, 2016 joint meeting between the City Council and Planning Commission, describes the steps taken by the Planning Commission in response that meeting, and introduces the draft Residential Planned Unit Development regulations that have been recommended for adoption by the Council. The Council's public hearing on this issue is the 1st of 2, and no specific action is requested at this meeting

Tools to Guide and Support Residential Growth

The joint meeting between the City Council and Planning Commission considered 8 different tools available to the City and/or developers that influence how infrastructure relates to residential growth. In a workshop setting, 2 breakout groups applied each of these tools to a specific scenario to evaluate how it would impact the return on investment for developing the property. After the breakout sessions, the full group reassembled to discuss their findings and preferences.

	Base	IOU	Out of the Sewer	Money from Heaven	Road Diet	Shrink Ray	Gamble	Wild Card	Scales of Justice
Revenue	\$2,400,000	\$2,400,000	\$1,200,000	\$2,400,000	\$2,700,000	\$3,000,000	\$3,840,000	\$2,400,000	\$2,800,000
Expenses	(\$2,031,750)	(\$677,250)	(\$788,792)	(\$1,015,875)	(\$1,710,333)	(\$2,031,750)	(\$2,031,750)	(\$1,015,875)	(\$2,031,750)
Return on Investment	18%	254%	52%	77%	58%	48%	89%	136%	38%
Period	6 Years	8 Years	3 Years	6 Years	7 Years	8 Years	15 Years	24 Years	7 Years
Annual Return	3%	32%	17%	13%	8%	6%	6%	6%	5%

IOU = Local Improvement District

Money from Heaven = Grant Funded Improvements

Shrink Ray = Lowering Minimum Lot Size

Wild Card = Uncoordinated Tax Funding Strategy

Out of the Sewer = Development on Septic Systems

Road Diet = Reducing Road Width and Improvement Standards

Gamble = Latecomers' Agreements

Scales of Justice = Planned Unit Developments

Recommended Strategy at Joint Meeting

Included by Planning Commission

"Scales of Justice" was far and away the most preferred tool by the participants at this meeting because of the perceived flexibility a Planned Unit Development process would add during the land division process. By lowering the cost of entry, "Road Diet" also received support at this meeting. The Public Works Department was tasked with reevaluating and reducing road requirements in the *Stevenson Engineering Standards*, and the Planning Commission was tasked with developing planned unit development regulations.

Planning Commission Policy Development

After weather forced cancellation of their January, 2017 meeting, the Planning Commission first dealt with planned unit developments at their February meeting. The discussions at this meeting focuses on establishing a better understanding and common language for planned unit developments and evaluating how the concept compared to the goals, objectives, and tactics of the 2013 *Stevenson Comprehensive Plan*. At this meeting, planned unit developments were introduced both as a Process (establishing *how* developers should go about dividing land) and as a Development Type (focusing on *what* the development should look like in the end).

The public involvement strategies selected at this meeting reflected the agreements reached at the joint meeting and the clear support for planned unit developments from the comprehensive plan, which mentions the topic both in concept (CP objectives 1.16-2, 2.2-4, 2.5-4, 3.7-1, 9.2-3) and specifically (CP objective 3.2-1). The strategy involved maintaining an email list of active and potential stakeholders (13, currently), informing stakeholders of Planning Commission workshops (4 held), and issuing a press release to introduce the draft regulations (published on May 3rd).

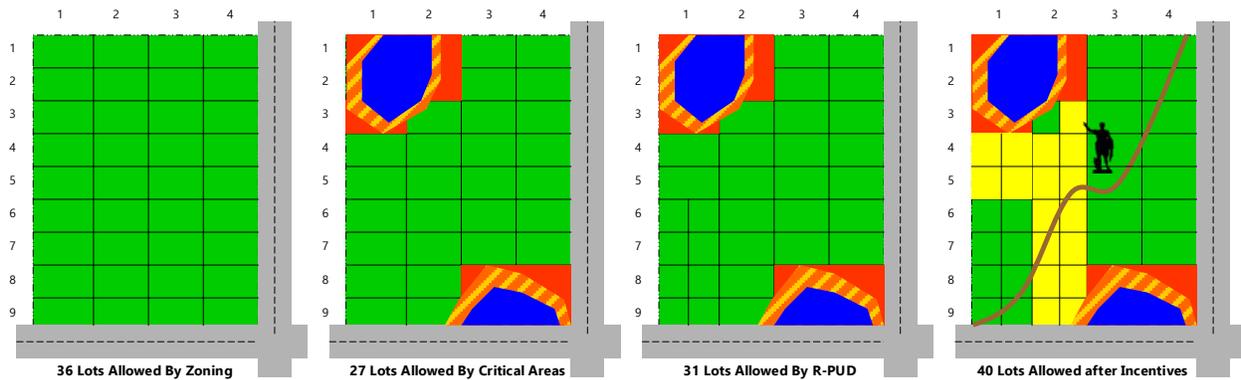
The Planning Commission's active progress to return this topic to the Council within 6 months, reflected their desire to ensure that the lack of planned unit development regulations didn't continue to be a friction point that would prevent residential growth in the short term. The current regulations from the cities of North Bonneville and White Salmon provided the main models for Stevenson's draft and are intended to help ensure common development frameworks exist between us and our closest neighbors.

Planning Commission Recommended Policy

Attachment 1 provides the Planning Commission's final draft Residential Planned Unit Development (R-PUD) regulations. The Residential designator here both 1) helps separate planned unit developments from the other type of PUD our community is familiar with and 2) leaves room for adoption of a mixed use PUD process that would assist in the development of the city's less residential areas. These draft regulations fully incorporate the flexibility that was so prized at the joint meeting and also contain incentives for developers adding publicly valued amenities. At a minimum, these bonus-worthy incentives include burial of utility lines (CP objectives 8.15 and 8.16), expansion of high-speed communication systems (CP Objective 8.14), and addition of affordable and workforce housing options to the city's overall supply (CP Goal 3 and Objective 3.3-1). Beyond that, additional bonuses are available for the preservation of historic/cultural, scenic, and environmental resource areas, and provision of trails, open spaces, and recreational amenities.

Development Area and Site Specific Density

The figure at the top of the next page is a highly conceptualized image of how this program changes what is possible for developers in the city. Green represents developable area. Blue indicates undevelopable areas. Red indicates lots lost to undevelopable areas. Yellow shows lots gained by the inclusion of development incentives (in this case, a trail and a statue/open space). The 2 images on the left represent how the Zoning and Critical Areas codes lead to conflicting expectations during the development process. The Zoning Code gives no consideration for undevelopable areas when it establishes maximum site density. The Critical Areas Code identifies undevelopable areas, and the protective buffers it establishes add additional undevelopable areas without considering the impact on site density. In this case, 9 lots are undevelopable based on site constraints.



The 2 images on the right show the impact of the draft R-PUD provisions. In the first, a balance is drawn between the Zone and Critical Areas Codes. Here, obvious undevelopable areas are still removed from the total, but additional smaller lots are added to the bottom left corner to offset impacts. In the final image, 30% more lots are allowed because the developer included extra public amenities in the proposal (in this case, a trail and statue with open space).

Planned Unit Development Process

In developing this alternative to the land division process, the City’s staff and the Planning Commission have a more active role in the development process prior to review by the City Council. The mandatory pre-application meeting is higher bar of entry than currently exists, but is intended to reward applicants with a smoother review by the Planning Commission and City Council. The process should also produce higher quality developments than are being produced under existing regulations and includes a Development Agreement between the City and the developer to ensure the approvals are acted upon.

Other Policies Reviewed by the Planning Commission

Agreement was not reached in time for recommendation and review as part of this City Council meeting, but additional recommendations for amendment may come from the Planning Commission at the June meeting. The topics being reviewed include:

- 1) Reducing minimum lot size for the R2 Two-Family Residential and R3 Multi-Family Residential districts with a concurrent increase in the allowed lot coverage.
- 2) Adding flexibility to lot dimensions in the R1 Single-Family Residential, R2 Two-Family Residential, and R3 Multi-Family Residential districts.
- 3) Allowing shared-wall, townhome development.
- 4) Prohibiting installation of new mobile homes (built before 1976).
- 5) Being more permissive of “tiny homes” on wheels.

After hearing public testimony on the recommended draft, staff welcomes suggestions to edit the proposal prior to the June meeting.

Thank you,

Ben Shumaker
 Planning Director

Attachment

- 1- Draft SMC Chapter 17.17 – Residential Planned Unit Developments

Stevenson Zoning Code

SMC 17.17 Residential Planned Unit Developments

SMC 17.17.010 Purpose, Intent.

- A. The Residential Planned Unit Development (R-PUD) is an alternative to the traditional approach to subdividing property. It accommodates changing social and economic needs of residents by:
 - 1. Allowing innovative residential land division design;
 - 2. Encouraging a range of residential land uses, housing sizes, types, and price ranges;
 - 3. Allowing trade-offs as a development incentive (CP 3.2, 3.2-2).
- B. The R-PUD provisions of this chapter are intended to:
 - 1. Preserve historic and cultural resources; preserve ecologically sensitive areas; preserve scenic areas; provide open space and recreation areas, lands and facilities; provide pathways and trails; (CP 1.16-2, 2.2-4, 2.5-4, 3.7-1, 9.2-3, 9.6)
 - 2. Promote housing affordability through inclusionary zoning; (CP 3.3-1)
 - 3. Promote the efficient and cost-effective extension of public utilities; (CP 8.8, 8.8-2, 8.9)
 - 4. Facilitate the expansion of high-speed communication utilities; (CP 8.14)
 - 5. Facilitate the burial of utility lines; (CP 8.15 & 8.16)
 - 6. Ensure a design that is compatible with the value, character, and integrity of surrounding areas that have been or are being developed under the Stevenson Comprehensive Plan. (CP 3.8)

SMC 17.17.020 Applicability

- A. An R-PUD may be permitted in any LDR Low Density Residential or HDR High Density Residential area on the Future Land Use Map (SMC 17.10.400).
- B. An R-PUD may be permitted only when its lots will be served by municipal water and sanitary sewer systems.
- C. An R-PUD may be permitted for one or more contiguous properties. If there is more than one owner of the properties, the application shall show that the property is under unified control through the use of enforceable covenants or other commitments that run to the benefit of the City.

SMC 17.17.030 Development Area and Site Specific Density Calculations

- A. Gross Development Area is calculated by subtracting the following from overall Lot Area (SMC 17.10.430):
 - 1. The area of any wetland delineated according the most recent Department of Ecology guidance and for which the US Army Corps of Engineers has determined to be jurisdictional;
 - 2. The area of any lands lying below any ordinary high water mark determined according to the most recent Department of Ecology guidance;
 - 3. The area of any slope exceeding 40%;
 - 4. Any area included in a public utility easement or public right-of-way identified within a current Subdivision Guarantee.

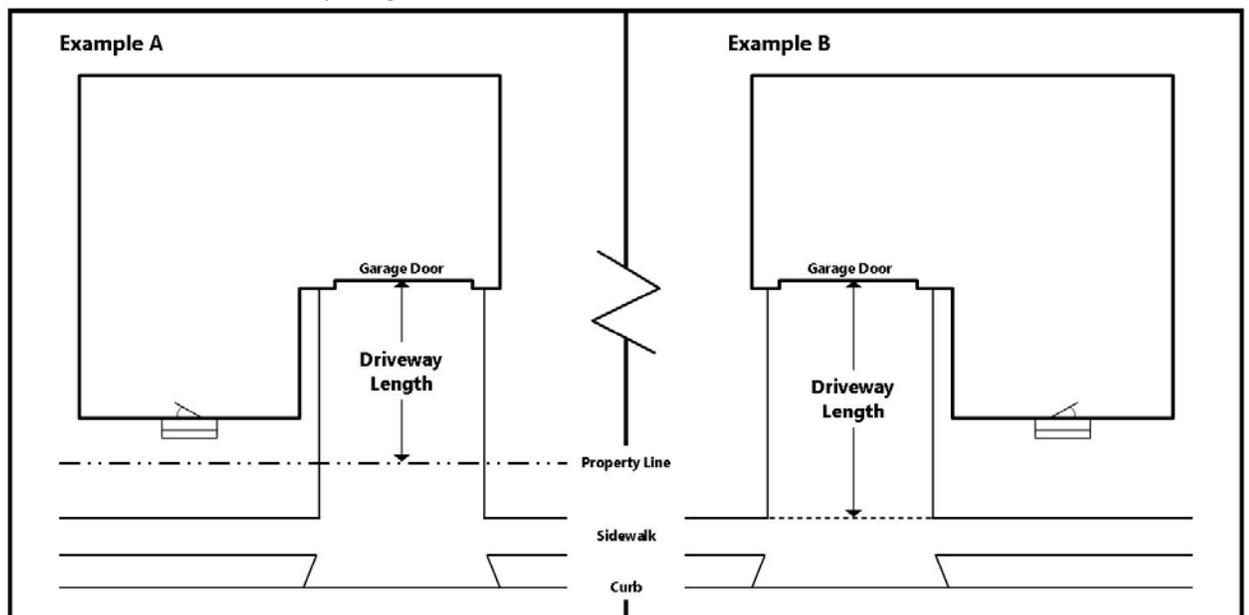
- B. The Site Specific Density is calculated by dividing the gross development area by SMC Table 17.15.050-1's minimum lot area for single-family residences in the underlying zoning district.

SMC 17.17.040 Allowed Uses. The uses permitted in an R-PUD shall be governed by the use regulations of the underlying zoning district, however, alternative housing types may be permitted according to SMC 17.17.160 and any Development Agreement terms entered into pursuant to SMC 17.17.190.

SMC 17.17.050 Allowed Modification of Density and Dimensional Standards.

- A. An R-PUD may be permitted to modify the Density and Dimensional Standards of SMC Table 17.15.050-1 and SMC Table 17.15.060-01 and similar standards in SMC 16.02.190 – Review Standards—Lot Sizes, Dimensions and Proportions and SMC 16.30 – Design Standards.
- B. Under no circumstances shall an R-PUD permit:
 - 1. A lot width less than 20 feet;
 - 2. A driveway (SMC 17.10.250 Amend “Driveway means that portion of the vehicle travel area that consists of a minor private way providing access for vehicles and pedestrians to a lot, parking space, garage, dwelling, or other structure. For residential uses, a driveway frequently serves a secondary purpose as a parking space (SMC 17.10.630)) less than 20 feet in length. This shall be done to eliminate the parking of vehicles on or over curbs, sidewalks, or vehicle travel areas (SMC 17.10.855). For the purposes of this chapter driveway length is measured conservatively as the shortest distance between a) a garage door or other physical obstruction to the parking of a vehicle and b) a curb, sidewalk, public pedestrian way (SMC 17.10.660), or right-of-way line.

FIGURE 17.17.050-1 Driveway Length Illustration



- 3. A setback along the outside perimeter of the lot which is less than 1/2 the distance required in SMC Table 17.15.060-1.

- C. An R-PUD may be permitted to modify the parking location requirements of SMC 17.15.130(B). If a location modification is approved, an R-PUD may be required to provide up to 20% more spaces than would otherwise be required under SMC 17.15.130(A).
- D. The provisions of all other applicable codes and ordinance of the City of Stevenson shall apply to any R-PUD.

SMC 17.17.060 Density Bonuses.

- A. Density Bonus Allowed- An R-PUD may be used to permit densities greater than the Site Specific Density.
- B. Minimum Criteria- No density bonus shall be permitted unless the R-PUD agrees to:
 - 1. Underground all new and existing utility lines within the property boundaries and within the right-of-way immediately adjacent to the property. Proponents of an R-PUD are expected to underground all single-phase electrical lines, but may ask the City for relief from an obligation to underground any existing 3-phase electrical lines. Proponents of an R-PUD are not expected to underground existing utility lines if the lines are located across a right-of-way and immediately adjacent to a property under separate ownership;
 - 2. Install an underground fiber-to-the-home system [SMC 17.10.306 Underground Fiber-to-the-Home means a system of vaults, conduits, handholds, and/or pedestals which allow the installation and splicing of fiber optic cables to provide direct service to a dwelling unit.] to serve all lots within the development. Proponents of an R-PUD are not expected to install the actual fiber optic cables in the R-PUD property, however, the remainder of the underground fiber-to-the-home system shall be installed and reserved for future installation of fiber optic cables;
 - 3. Make one lot available for purchase by Columbia Cascade Housing Corporation or some other entity capable of creating and maintaining workforce housing (ADD SMC 17.10.387 Housing, Workforce- Workforce Housing means housing intended for occupancy by families whose income does not exceed 120% of the Area Median Income for Skamania County, and where occupants pay no more than 30% of said income for housing costs, including utilities other than telephone and cable/satellite television.) or affordable housing (ADD SMC 17.10.385 Housing, Affordable- Affordable Housing means housing intended for occupancy by families whose income does not exceed 80% of the Area Median Income for Skamania County, and where the occupants pay no more than 30% of said income for housing costs, including utilities other than telephone and cable/satellite television.) options in Stevenson. As an alternative to selling a lot, an R-PUD proponent may develop such housing and attach CC&Rs to maintain the property as workforce or affordable housing for no less than 60 years.
- C. Optional Criteria- The City may increase Site Specific Density within an R-PUD by up to 30%. All increases are calculated based on the percentage increase over the site specific density established for the property in SMC 17.17.130. Density Bonuses will be considered if the R-PUD proposes to:
 - 1. Donate additional lots to the entity described in SMC 17.17.060(B)(3). A Density increase of 10% is allowed for the first lot donated and a 2.5% increase for each additional lot. In its review of this density increase, the City may modify proposals to ensure that the donated

- lots are not unnecessarily clustered in one area of the development. As an alternative to donating these lots, an R-PUD proponent may develop such housing as described above.
2. Create public pedestrian ways [SMC 17.10.660] beyond conventional sidewalk requirements. A density increase of up to 5% is allowed based on this provision.
 3. Create public open space, recreational amenities, or viewpoints for the benefit of the general public. A density increase of up to 5% is allowed based on this provision.
 4. Preserve significant landscape features, such as trees, rock outcrops, etc. A density increase of up to 5% is allowed based on this provision, depending on the size and significance of the area or feature being preserved.
 5. Preserve historic/cultural resources. A density increase of up to 5% is allowed based on this provision, depending on the size and significance of the area or feature being preserved.
 6. Restore and/or enhance critical area buffers. A density increase of up to 5% is allowed based on this provision, depending on the size and significance of the area or feature being restored and/or enhanced. Any buffer area restored or enhanced shall be set aside as designated open space.

SMC 17.17.100 R-PUD Review—Process Overview.

Review of R-PUDs occur over the following 4 stages:

- A. Concept planning between the applicant and city staff;
- B. Planning Commission review and recommendation to City Council;
- C. City Council Action on R-PUD and Development Agreement;
- D. Subdivision review according to SMC Title 16 – Subdivisions.

SMC 17.17.110 R-PUD Review—Concept Plan.

- A. Prior to submitting an R-PUD application, applicants shall consult with the Zoning Administrator and other City staff at a pre-application conference. The purpose of conference is to review the concept plan prepared by the applicant, and for City staff to explain whether the plan can comply with the purpose and code provisions of this chapter.
- B. The concept plan developed for this conference shall be prepared by a professional:
 1. Architect licensed by the State of Washington,
 2. Civil engineer registered in the State of Washington,
 3. Surveyor licensed in the State of Washington, or
 4. Landscape architect licensed by the State of Washington.
- C. The concept plan prepared for this conference shall include the following information:
 1. A vicinity map showing all properties, rights-of-way, parks, and recreational amenities within 1,000' [Service area of Pocket Parks identified in CP] of the site;
 2. A preliminary gross development area map of the project area displaying the approximate location of all ordinary high water marks, wetlands, slopes greater than 40%, and public easements and rights-of-way assumed to exist on the site;
 3. A preliminary development plan identifying:
 - a. The general location of proposed building sites, utility systems, and pedestrian and vehicular circulation systems;

- b. The general locations where density and dimensional modifications and alternative housing types will be proposed;
 - c. The general locations, amenities, and features to be used to achieve density bonuses, if applicable.
4. A preliminary list of the provisions of SMC Title 16 – Subdivisions for which the developer intends to seek pre-clearance.
- D. At this conference, City staff will review the concept plan and discuss what items must be submitted with the application. A written summary of this conference and resulting submittal requirements may be prepared to assist the remainder of the review process.

SMC 17.17.120 R-PUD Review—Submittal Requirements.

The following shall be submitted as part of a complete R-PUD application:

- A. Application form,
- B. Application fee, which may be established and amended from time to time by resolution of the City Council.
- C. An updated R-PUD Concept Plan including the following information:
 - 1. A vicinity map;
 - 2. A proposed gross development area map of the project area displaying the location of all ordinary high water marks, wetlands, slopes greater than 40%, and public easements and rights-of-way existing on the site,
 - 3. A proposed development plan identifying:
 - a. The location of proposed building sites, utility systems, and pedestrian and vehicular circulation systems;
 - b. The locations where density and dimensional modifications and alternative housing types are proposed;
 - c. The locations, amenities, and features to be used to achieve density bonuses, if applicable;
- D. Any applicable written reports used to justify Gross Development Area and Site Specific Density. Wetland delineations and/or habitat area assessments shall be prepared by a qualified professional. Slope assessment shall be prepared by a civil engineer registered in the State of Washington. Subdivision guarantees shall be prepared by a title company showing public utility easements and rights-of-way.
- E. Preliminary Plat Pre-Clearance Submittals. A final list of the provisions of SMC Title 16 – Subdivisions for which pre-clearance is sought.
- F. Traffic Impact Study. A study, prepared by a civil engineer registered in the State of Washington, documenting the existing traffic condition of the receiving roads in the vicinity, estimating the added traffic expected from the proposed R-PUD, and analyzing the resulting impacts on the receiving roads and intersections.
- G. Density Bonus Submittals.
 - 1. A signed statement indicating the developer’s agreement to comply with the minimum criteria listed in SMC 17.17.060(B).
 - 2. Professionally prepared reports containing enough detail to review the significance and appropriateness of the amenity proposed for density bonus purposes

- H. Any additional information the administrator deems necessary to adequately inform the Planning Commission of the R-PUD proposal, including any items necessary for the review of any provisions for which preliminary plat pre-clearance is sought.

SMC 17.17.130 R-PUD Review—Site Specific Density, Density & Dimensional Modifications.

- A. Site Specific Density and Density & Dimensional Modifications are presumed to be design-dependent and approval of development at the maximum permissible density is not assured in every instance;
- B. Burden is on the applicant to demonstrate that innovative site planning techniques and/or buffering can be employed to accommodate densities and dimensional standards comparable with those provided for in other city residential zones in a manner that is: responsive to the specific characteristics of the R-PUD site, and compatible with surrounding residential areas that have been or are being developed under the Stevenson Comprehensive Plan.
- C. Site Specific Density. The following minimum qualifications shall be reviewed by the City prior to the establishment of site specific density:
 - 1. The Gross Development Area has been calculated based on written wetland delineations and habitat area assessments by a qualified professional, a slope assessment by a civil engineer registered in the State of Washington, and a title report showing public utility easements and rights-of-way, as applicable.
- D. Density & Dimensional Modifications. An applicant requesting approval of an R-PUD has the burden of proving, by a preponderance of the evidence that:
 - 1. All applicable standards have been met, modified or can be adequately addressed by conditions of approval;
 - 2. The proposal uses an innovative approach to meet the purposes and intents stated in SMC 17.17.010;
 - 3. Structures located on the site are located on ground that is not subject to instability;
 - 4. Public services will not be overburdened by the proposed development:
 - a. The R-PUD plan shall demonstrate that local, collector and arterial streets have the capacity to carry increased traffic from the R-PUD. Site design shall prioritize street connectivity and use of collector or arterial streets for R-PUD main access point with secondary access provided to adjacent local streets.
 - b. The applicant shall work with the Public Works Director and/or City Engineer to confirm adequacy of water, sanitary sewer, onsite surface/stormwater, and all other utilities. If improvements are determined necessary to accommodate increased demand, improvements will be made at the developer's expense. The city and developer may agree on a cost sharing strategy if included in a Development Agreement adopted pursuant to SMC 17.17.180. All utilities shall be constructed to city approved standards of design, consistent with accepted engineering practices.
 - c. The applicant shall submit proof of adequacy of services including but not limited to: fire and police protection, schools, health care.
- E. Any modification allowed under this section shall be clearly noted on the subdivision final plat.

SMC 17.17.140 R-PUD Review—Density Bonuses.

- A. Density bonuses are presumed to be design-dependent and approval of development at the maximum permissible density is not assured in every instance. The goal of a density bonus is to have added amenities offset any negative effects of increased density, and any proposed amenities must advance that goal to be permitted;
- B. Burden is on the applicant to demonstrate that innovative site planning techniques and/or buffering can be employed to accommodate densities comparable with densities provided for in other city residential zones in a manner that is: responsive to the specific characteristics of the R-PUD site, and compatible with surrounding residential areas that have been or are being developed under the Stevenson Comprehensive Plan.
- C. Required Standards. In addition to the statement required in SMC 17.17.120(F), the applicant shall meet the following standards prior to the City allowing any specific density bonus:
 - 1. Affordability Standard. The Planning Commission must find that any draft agreement-in-principle and/or draft CC&Rs submitted for this bonus has been reviewed by the City Attorney and found to contain adequate provisions to ensure the lots will be developed and will remain as workforce and/or affordable housing.
 - 2. Adequacy of Amenities. The Planning Commission must find that any creation, preservation, or restoration of public amenities proposed for the purposes of obtaining a density bonus adequately considers the context of the proposal's location and its relative proximity and contribution to other existing or needed public amenities or resources.

SMC 17.17.150 R-PUD Review—Preliminary Plat Pre-Clearance. When preliminary plat pre-clearance is sought as part of an R-PUD approval, the Planning Commission shall review all submittals according to the specific provision of SMC Title 16 – Subdivisions for which pre-clearance is sought.

SMC 17.17.160 R-PUD Review—Alternative Housing Types. The R-PUD process is created to support design innovation and a range of housing types. Land use standards and approval criteria provide essential guidance to applicants and administrators but not every circumstance can be anticipated in the drafting of standards and criteria. An applicant may request inclusion of an alternative housing type within an R-PUD subject to the conditional use standards of SMC 17.39. The Planning Commission review of such a proposal shall occur concurrently with the R-PUD Review and shall only be valid upon City Council approval of the final plat.

SMC 17.17.170 R-PUD Review—Planning Commission Recommendation.

- A. Density & Dimensional Modifications. Based on the findings required in SMC 17.17.130 the Planning Commission may recommend City Council approval of site specific density and dimensional tables for the R-PUD. The tables should resemble SMC tables 17.15.050-1 and 17.15.060-1.
- B. Density Bonuses. Based on the findings required in SMC 17.17.140(B) the Planning Commission may recommend City Council approval of a Density Bonus. The total percentage of any Density Bonus recommended may be less than that requested but not more.
- C. Preliminary Plat Pre-Clearance. Based on its review under SMC 17.17.150 the Planning Commission may recommend pre-clearance of any preliminary plat provision requested.

SMC 17.17.180 R-PUD Review—City Council Action.

- A. Upon receipt of the Planning Commission's recommendation on an R-PUD, the Council shall, at its next public meeting, either:
 - 1. Consider the planning commission recommendation, or
 - 2. Set a date for the public meeting at which the council shall consider the record established by the planning commission.
- B. The Council shall, after reviewing the recommendations of the Planning Commission, the administrator, the public works director, the public utility district and any other relevant evidence presented to it, either concur in or reject the Planning Commission's recommendation.
- C. If the Council does not summarily approve the Planning Commission recommendation on any R-PUD, it may remand the proposal back to the Planning Commission by citing the specific findings of fact and conclusions of law being remanded. The Planning Commission shall then reopen the public hearing to complete the R-PUD review of the remand. At the conclusion of such public hearing and receipt of a revised Planning Commission recommendation the Council may approve, conditionally approve, or disapprove the R-PUD or a revised version thereof.

SMC 17.17.190 Effect of Approval—Development Agreement.

- A. All approved R-PUDs shall be accompanied by a development agreement mutually approved by the applicant and the city pursuant to RCW 36.70B.170 through .210.
- B. The provisions of a development agreement authorized under this chapter shall be reviewed for acceptability by the City Attorney and shall include:
 - 1. The approved Site Specific Density for the development.
 - 2. Any approved modifications to the Density and Dimensional Standards of SMC 17.15.
 - 3. Any approved Density Bonuses, including specific descriptions of how the developer intends to satisfy the Minimum and Optional Criteria.
 - 4. Any approved pre-clearance of the provisions of SMC 16 – Subdivisions which has been reviewed for acceptability during the R-PUD process. Any such description vests the proposal in the subdivision ordinance effective at the time of the complete R-PUD application is received and may be cited in the preliminary plat application as prima facie evidence of compliance with the provision described.
 - 5. A preliminary understanding regarding the entity to be responsible for maintenance of all easements, open spaces, amenities, or areas to be provided in the R-PUD.
- C. Any development agreement authorized under this chapter shall expire 5 years after the effective date of the agreement. If a preliminary plat is not approved within the initial 5 years, the applicant may make written request for extension prior to the expiration date of the development agreement. The City Council may grant an extension for up to 2 additional years upon demonstration of good faith effort to file for preliminary plat approval and finding by the City that such extension is in the City's best interests. [Based on WS 17.75.060]