

## Attachment F

---

*Only those portions of Chapter 17.37 detailed in this attachment are being modified.*

*All other portions of Chapter 17.37 remain unchanged.*

### CHAPTER 17.37 MCO - MIXED COMMERCIAL OVERLAY

#### 17.37.070 Procedure for approval.

The procedure for approval of a MCO shall be composed of four steps:

- A. ~~All procedural processes are outlined in Chapter 18.02 PAMC. Conceptual plan submittal for pre-application review by affected City departments. This step occurs before an application is accepted as complete by the City;~~
  1. ~~Prior to applying for a MCO, a developer shall submit a conceptual plan to the Department of Community and Economic Development (DCED). The conceptual plan shall contain the information required in subsections 17.37.090.E and G.~~
  2. ~~The conceptual plan will be reviewed for its general compliance with the intent, standards and provisions of this chapter and other City ordinances.~~
  3. ~~Written comments will be furnished to the developer.~~
- B. ~~After conceptual plan review, and prior to accepting a MCO application, the City shall require a neighborhood meeting.~~
  1. ~~The neighborhood meeting shall be organized and sponsored by the project proponent.~~
  2. ~~Neighbors within 300 feet of the proposed location shall be included in notification of the meeting.~~
  3. ~~The purpose of the meeting is to:~~
    - a. ~~Solicit information regarding design alternatives;~~
    - b. ~~To minimize any adverse impacts from the MCO, and~~
    - c. ~~Provide an opportunity to inform the general neighborhood of the proposal and ask for comment.~~
- C. ~~Submittal to and acceptance of complete plan by the City. A complete plan packet shall contain all required elements deemed necessary by section 17.37.090;~~
- D. ~~A public hearing on the preliminary development plan and, if applicable, the preliminary plat and other permit actions. This step results in a decision by the Hearing Examiner on the proposal; and~~
- B. E. ~~Action on the final development plan and plat. Final approval shall be granted after all conditions of approval have been met or bonded for by the applicant. No lots may be offered for sale prior to preliminary plat approval by the Community and Economic Development Department.~~

---

### **17.37.090 Application procedure.**

The MCO shall be established only in conjunction with a Master Plan which generally specifies the parameters for development of the property. The Master Plan shall contain the following:

- A. The name, location, and legal description of the proposed development, together with the names, addresses and telephone numbers of the recorded owners of the land. The applicant, any authorized representative of the applicant, and if applicable, the names, addresses and telephone numbers of any land surveyor, architect, planner, designer or engineer responsible for preparation of the plan.
- B. A narrative explaining the proposed use(s) of the land and buildings, including, but not limited to, documentation of smart growth practices, infill, utilization of existing infrastructure, walkability, and orientation to transit; information on any special features, conditions of which cannot be adequately shown on drawings; and an explanation of continuous maintenance provisions, for the project.
- C. A survey of the property showing existing features, including contours at five-foot intervals, buildings, structures, streets, utility easements, rights-of-way, environmentally sensitive areas, and existing land uses.
- D. Site plans showing proposed contours at five-foot intervals, location and dimensions of buildings, open space, recreation areas, parking areas, circulation, landscape areas, subdivision platting and general arrangement.
- E. Detailed site statistics including but not limited to:
  - 1. Total site area in both acres and square feet;
  - 2. Total area in lots and number of lots being created;
  - 3. Site coverage expressed in square feet and percentage of:
    - a. Total footprint area of buildings and their proposed use;
    - b. Roadway and sidewalk paved surfaces;
    - c. Parking lot areas and total parking spaces proposed;
    - d. Any areas paved with permeable paving systems;
    - e. Location and percentage of common open space and landscaped area;
    - f. Number of residential units (if proposed) and approximate square footage.
  - 4. Preliminary elevation and perspective drawings of all project structures;
  - 5. A preliminary utilities plan, including fire hydrant locations;
  - 6. A preliminary storm drainage plan with calculation of impervious areas.
- F. Landscape plan:
  - 1. A landscape plan shall be created for the entire site with more detailed plans for each development within the respective portions of the larger site. The plan shall include a consistent palette of planting materials for use throughout the development.
  - 2. Each lot/parcel must be landscaped so as to fit into the overall scheme of the MCO landscape, regardless of who owns the individual lot.
  - 3. The landscape plan shall include "significant" tree and native vegetation inventory. The inventory must be conducted prior to development. "Significant" trees are those with at least a three-inch diameter trunk at breast height (dbh) (four feet) above grade.
    - a. All trees deemed as "significant" shall be protected during construction.

- 
- b. A tree protection plan shall be included as part of the landscape plan showing root zone protection areas, appropriate methods to exclude construction impacts.
  - 4. Native plant and tree species. The use of native plant and tree species for landscaping is permitted and encouraged within the MCO. Specifically, drought-resistant plantings will eliminate the need for irrigation other than collected rainwater.
  - 5. Detailed specifications of plants and trees proposed for landscaping on-site.
  - G. A preliminary plat, if applicable, pursuant to Chapter 58.17 RCW and Chapters 16.04 and 16.08 PAMC.
  - H. An off-street parking plan and circulation plan showing all means of vehicular and pedestrian ingress and egress to and from the site; and size and location of driveways, streets, sidewalks, trails and parking spaces. Any new traffic control devices required for the safety of the project must be shown.
  - ~~I. Mailing labels of property owners within 300 feet of the proposed project pursuant to section 17.96.140 PAMC.~~

### **17.37.100 Routing and Staff recommendations.**

~~Upon receipt of an application satisfying the requirements of section 17.37.090 PAMC, the Department of Community and Economic Development (CED) shall route the same to all appropriate City departments. Each department shall return recommendations and comments regarding the application to CED.~~

~~The Planning Division shall prepare a report to the Hearing Examiner summarizing the factors involved, recommendations of other departments, and CED staff recommended conditions, findings and conclusions.~~

The following characteristics shall be among those used by the Director of the Department of Community and Economic Development to determine whether a use is functionally integrated with or substantively related to, the central mission of the use:

- A. Functional association of buildings;
- B. How well are proposed uses integrated with one another;
- C. Ease of physical circulation/access connections;
- D. Potential for shared facilities or staff;
- E. Degree of interdependence among uses;
- F. Similar or common functions, services or products;
- G. Proximity to areas previously developed under this MCO Code section.

~~A copy of the report shall be mailed to the applicant and copies shall be made available, for use by any interested party.~~

### **17.37.110 Hearing Examiner public hearing—Scheduling and notice.** Is Repealed in its Entirety.

### **17.37.120 Hearing Examiner action.**

~~Prior to making a decision on an application for a MCO, the Hearing Examiner shall hold a public hearing. The Hearing Examiner's decision for approval, denial, or approval with modifications or conditions of the preliminary MCO shall be made in written form based upon compliance with section 17.19.050 PAMC and the following criteria:~~

- A. The proposed development will comply with the policies of the Comprehensive Plan and further attainment of the objectives and goals of the Comprehensive Plan.

- 
- B. The proposed development will, through the improved utilization of landscaping, and integrated circulation systems, create an environment of higher quality than that normally achieved by traditional lot by lot development.
  - C. The proposed development achieves smart growth goals and principles through infill, redevelopment, and establishment of a pedestrian and transit-friendly environment.
  - D. The proposed development will be compatible with adjacent, existing and future developments.
  - E. All necessary municipal utilities, services, and facilities, existing and proposed, are adequate to serve the proposed development.
  - F. Internal streets serving the proposed development are adequate to serve anticipated traffic levels and the street system of the proposed development is functionally connected by an improved collector street to at least one improved arterial street.
  - G. If the development is planned to occur in phases, each phase shall meet the requirements of a complete development.

**17.37.180 Modifications after final approval.** Is Repealed in its Entirety.