

City of Snoqualmie Planning Commission

Position 1 – Cara Christensen

Position 2 - Steve Smith

Position 3 – Jolyon Johnson, Chair

Position 4 – Darrell Lambert

Position 5 - Luke Marusiak, Vice-chair

Position 6 - Muhammad Shakil

Position 7 – David Goodman

Position 8 - Mayor Matt Larson*

Position 9 - Councilmember Katherine Ross*

*Non-voting Member

PLANNING COMMISSION MEETING AGENDA

Monday, April 5, 2021 at 7:00 pm

REMOTE/VIRTUAL MEETING

This is an open public meeting, however under Governor Inslee's Proclamation 20-28, in-person attendance is not allowed, and all participation must occur remotely. Please contact Gwyn Berry, Planning Technician, with the City's Community Development Department at gberry@snoqualmiewa.gov or 425-766-9031 for more information.

Zoom link:

<https://us02web.zoom.us/j/86487502701?pwd=QUx6N2FJR05jeUI1V2hPVUJXdjZlZQT09>

If you are joining by telephone only, please:

- Dial: **1-253-215-8782**
- Enter the Meeting ID: **864 8750 2701** and press #
- If you are prompted to enter a password, enter: **1900040121** and press #
- If prompted to enter the host key, press # to wait for the meeting to start.
- If prompted to enter a unique ID, press # to skip.

Telephone meeting participation instructions:

- Press *9 to raise your hand to speak. *Raising your hand signals the meeting moderator that you have a comment.*
- Press *6 to mute and unmute.

AGENDA:

I. OPEN PLANNING COMMISSION MEETING

1. Call to Order
2. Roll Call
3. Approval of the agenda
4. Citizen Comments and requests for items not on the agenda
5. Council liaison report
6. March 15, 2021 meeting minutes; **ACTION**

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II. PUBLIC HEARING

N/A

III. PERMIT REVIEW / DESIGN REVIEW BOARD ITEMS**

N/A

IV. LEGISLATIVE / POLICY ITEMS / REGULATIONS

7. Downtown Relook; **DISCUSSION**
8. Fence Height Standards; **DISCUSSION**

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V. BUSINESS WITHIN THE SCOPE OF PLANNING COMMISSION AUTHORITY

- 9. Follow up of previous items of Planning Commissioner interest
- 10. Items of Planning Commissioner interest
- 11. Upcoming schedule

VI. ADJOURNMENT

** Note: Public comment may be limited or not allowed for these items due to the nature of the permit approval process.

P l a n n i n g C o m m i s s i o n

Position 1- Cara Christensen Position 4- Darrell Lambert Position 7- David Goodman
Position 2- Steve Smith Position 5- Luke Marusiak, Vice-chair Position 8*- Matt Larson, Mayor
Position 3- Jolyon Johnson, Chair Position 6- Muhammad Shakil Position 9*- Katherine Ross, Council liaison

* Non-voting Member

MINUTES FOR THE 3/15/2021 PLANNING COMMISSION REGULAR MEETING
This meeting was conducted remotely under Governor Inslee's Proclamation 20-28

OPEN PLANNING COMMISSION MEETING

Call to Order

Chair Johnson called the meeting to order at 7:05pm.

Roll Call

PRESENT

Planning Commissioners

Cara Christensen
Steve Smith
Jolyon Johnson
Darrell Lambert (arrived 7:09pm)
Luke Marusiak
Muhammed Shakil

Staff

Matt Larson, Mayor
Mark Correira, Interim City Administrator
Mark Hofman, Community Development Director
Jason Rogers, Senior Planner
Dylan Gamble, Assistant Planner
Gwyn Berry, Planning Technician

Also present

Katherine Ross, Councilmember
Peggy Shepard, Councilmember

ABSENT

Planning Commissioners

Steve Smith

MOTION by Commissioner Christensen, **SECONDED** by Commissioner Marusiak to excuse Commissioner Smith.
Motion carried unanimously.

Approval of the agenda

MOTION Commissioner Marusiak, **SECONDED** by Commissioner Christensen, to approve the agenda as presented. Motion carried unanimously.

February 16, 2021 meeting minutes

MOTION by Commissioner Marusiak, **SECONDED** by Commissioner Lambert, to approve the minutes of the February 16, 2021 meeting as amended. Motion carried unanimously.

Council Liaison Report

Councilmember Ross reported that the City Council adopted the 2018 Building Code updates and also updated the building permit fees. Council approved an EMS contract that is based on mileage rates. City Council will discuss the CIP and non-CIP budget at the upcoming retreat. Fire Chief Mark Correira has been appointed as Interim City Administrator. Community Development Committee had presentations from Helping Hands and Snoqualmie Valley Shelter Services regarding affordable housing short and long term needs and rental assistance funding.

Citizen comments and requests for items not on the agenda

No citizens commented.

PUBLIC HEARING

N/A

PERMIT REVIEW / DESIGN REVIEW BOARD ITEMS

N/A

LEGISLATIVE / POLICY ITEMS

Historic Downtown Relook

Staff provided a memo outlining the items that City Council had requested the Planning Commission take a closer look at. Discussion included wayfinding signage and downtown amenities such as benches, planters, canopies, lighting and statues at intersection corners. Also discussed was the beautification of Falls Ave including how to address dual frontage buildings, trash bin screening, and what items can be placed on the sidewalks.

Fence Height

Staff and Planning Commission discussed height of fences in front yards being three feet. Staff to look into the definition of "front of a house". Staff to determine how many houses have dual frontage or are on intersections this might affect. Planning Commission discussed applying the three-foot standards only in the landmark and historic districts.

Panorama Prospects

Staff provided the Planning Commission with summary of Panorama Applicants. At least 37% are from Snoqualmie with a total of 88% of the applicants being from Washington and 12% are out of state.

BUSINESS WITHIN THE SCOPE OF THE PLANNING COMMISSION AUTHORITY

Follow up of previous items of Planning Commissioner interest:

N/A

Items of Planning Commissioner interest

- King Street lot update.
 - The owners are still interested in pursuing a new building when the COVID-19 pandemic ends.

Upcoming schedule

- March 15, 2021 minutes (April 5)
- Downtown relook (April 5)
- Fence Height (April 5)

ADJOURNMENT

MOTION by Commissioner Marusiak, **SECONDED** by Commissioner Lambert to adjourn the meeting. Motion

carried unanimously.

The meeting adjourned at 9:06pm.

Next regularly scheduled meeting - 7:00pm on Monday, April 5, 2021

Jolyon Johnson, Chair

Attest: Gwyn Berry

Minutes taken by Gwyn Berry
Meeting audio is available on the City website



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MEMORANDUM

To: Planning Commission
From: Mark Hofman, Community Development Director
Jason Rogers, Senior Planner
Dylan Gamble, Assistant Planner
Date: April 5th, 2021
Subject: Historic Downtown Relook

BACKGROUND

Following amendments to the height limit for the historic districts, on September 10, 2018, the City Council directed the Planning Commission to undertake a relook of the Historic Downtown regulations. The Planning Commission began this effort in late 2018 by receiving briefings on the history of Snoqualmie focused on Downtown, downtown merchants, public infrastructure projects, flood risks and regulations, and the Northwest Railway Museum and the role of the railroad throughout Snoqualmie's history.

Following these briefings, the Planning Commission's initial discussion focused on preserving history and character, balancing history and aesthetics, business needs of the community, signage, creation of a full Historic Design Review Board, defining the 1940s and Pacific Northwest logging town look, balancing tourism, and a downtown visitor center. The Planning Commission then centered further discussions and recommendations on 15 elements, which were transmitted to the City Council in a memorandum dated November 4, 2019.

CD COMMITTEE DIRECTION

The City Council Community Development Committee (CD Committee) took up the Planning Commission's recommendations in 2020. Following extensive discussion, the CD Committee requested that the Planning Commission focus on elements that can occur immediately or in the near future that will drive outcomes. The CD Committee focused the request on seven elements and in these two groups:

- Elements 3, 8, 10 & 11

These elements center around purpose statements. The Planning Commission and staff would work towards integrating all the Downtown plans into the purpose section of Chapter 17.35 SMC. Also, the Planning Commission and staff can identify potential policies around storytelling tools that foster civic pride and preserving history.

3: Policy and implementation relevant to storytelling tools, e.g. plaques, events, art, and monuments that relay history and interest.

8: Purpose statements. Incorporate Downtown Master Plan and/or Vision Plan (or other) into Snoqualmie purpose section.

Chelan purpose 17.14.010A on p. 1

17.14.010 Administration.

A. Purpose. The downtown code was authorized by the city council as a major

implementation tool of Chelan's downtown master plan. Overall, the code intends to:

- 1. Provide clear objectives for those embarking on the planning and design of projects in downtown Chelan.*
- 2. To preserve and enhance downtown's historic resources and character.*
- 3. To ensure that new mixed-use and commercial development is of high quality and appropriate to downtown's character.*
- 4. To retain the generally small scale residential quality of residential areas.*
- 5. To upgrade the visual appearance of downtown's principal vehicular corridors.*
- 6. To promote increased pedestrian, bicycling, and transit use downtown.*
- 7. To increase awareness of design considerations among the citizens of Chelan.*
- 8. To maintain and enhance property values within Chelan.*

Existing SMC purpose 17.35.020

17.35.020 Purposes of chapter.

The purposes of this chapter are to:

- A. Designate, preserve, protect, enhance, and perpetuate those sites, buildings, districts, structures and objects which reflect significant elements of the city's, county's, state's and nation's cultural, aesthetic, social, economic, political, architectural, ethnic, archaeological, engineering, historic and other heritage;*
- B Foster civic pride in the beauty and accomplishments of the past;*
- C. Stabilize and improve the economic values and vitality of landmarks;*
- D. Protect and enhance the Snoqualmie tourist industry by promoting heritage-related tourism;*
- E. Promote the continued use, exhibition and interpretation of significant sites, districts, buildings, structures, and objects for the education, inspiration and welfare of the people of Snoqualmie;*
- F. Promote and continue incentives for ownership and utilization of landmarks;*
- G. Assist, encourage and provide incentives to public and private owners for preservation, restoration, rehabilitation and use of landmark buildings, sites, districts, structures and objects;*
- H. Work cooperatively with other jurisdictions to identify, evaluate, and protect historic resources in furtherance of the purposes of this chapter;*
- I. Provide for the most efficient process for review of all construction, alteration, or demolition of buildings and structures with the historic districts and the downtown landmark district to achieve the foregoing purposes.*

10: Explore kiosks and public information policy and implementation.

11: Foster civic pride, community awareness of historic assets and importance.

Existing SMC purpose 17.35.020

- Elements 5, 6 & 15

These elements center around the streetscape, and building uniformity and articulation. The Planning Commission and staff should explore exactly what that means. Does it include things such as benches, statues, signage, planting/landscaping, and types of canopies in historic downtown (e.g. mostly streetscape elements), or does it encompass larger ideas around building design?

5: Examine Street frontage uniformity.

Poulsbo p. 10. B.1.a

B. Building Design. The intent of the building design standards is to maintain and reinforce appropriately scaled design that is compatible with the existing development pattern

and community character of the C-1 zoning district, including active public spaces, friendly storefronts, varying rooflines, peak dormers, and visual access to the shoreline.

1. New or redeveloped buildings shall be placed adjacent to the front property line or sidewalk, unless a pedestrian courtyard, forecourt, or square is provided. Entrances to retail spaces shall be directly from the sidewalk.

a. Whenever possible, existing buildings not adjacent to the sidewalk should create pedestrian courtyard, forecourt, squares, seating areas or other pedestrian amenities with the space between the sidewalk and building wall consistent with subsection C of this section.

Existing SMC 17.35.200.C

C. Maintain the predominant street front along the east side of Railroad Avenue by building to the property line. Setbacks not exceeding three feet may be permitted if permanently dedicated to use for seating, landscaping or planter boxes. In other areas, the setback for commercial structures shall be no more than three feet.

6: Explore design standards that maximize building articulation even with zero lot line existing development to break up homogeneous store frontages.

Poulsbo p. 11, Section B.3

3. Building Articulation. Any new building facades publicly visible from a street or parking area shall include articulation features that create a pattern of smaller storefronts to reduce the scale of the building, and/or add visual interest. Multiple articulation methods shall be used, including window patterns, weather protection features, offsets, recesses, staggered walls, stepped walls, pitched or stepped rooflines, overhangs and other elements of the building's mass. Simply changing materials or color is not sufficient to accomplish this.

Chelan 17.14.040.F

(F) For facade additions to historic buildings, such additions should either extend the facade through use of consistent articulation, materials, and roofline treatment or design the addition to look like a separate building and comply with the guidelines for new buildings referenced in subsection (B)(2)(a)(iii) of this section. The director may allow alterations to the side or rear facades that are not character defining; provided, that the alterations do not interfere with existing building features or alter the historic character of the building. The director may allow alterations to the original primary facades in order to accommodate a desired use, provided deviation from historic conditions is minimized.

Existing SMC 17.35.210.D

D. Organize commercial building facades with the three-part horizontal division and vertical columns typically found in Snoqualmie's pre-World War II structures. Primary facades should have a clear base, middle and top. Box-like designs should be avoided.

E. Emphasize primary building entrances with a recessed entry and transom windows.

F. Break up street-facing walls more than 30 feet wide with recesses, columns, bays or entryways. Avoid long uninterrupted walls.

15: Explore amendments to the existing SMC standards for streetscape amenities.

Chelan 17.14.030.I on p. 35

I. Special Features and Amenities.

1. Intent.

a. To create attractive and comfortable pedestrian environments.

b. To enhance the unique character and identity of downtown Chelan.

2. Durable Pedestrian Furniture. Pedestrian furniture provided in public spaces shall be made of durable, vandal- and weather-resistant materials that do not retain rainwater and can be reasonably maintained over an extended period of time.

3. Streetscape Amenities. Streetscape amenities must be integrated into the design of

sidewalks in conjunction with new construction along all designated storefront and secondary streets. Level I and II additions and project sites adjacent to sidewalks that were recently constructed or upgraded by the city (as determined by the director) shall be exempt from these standards. For each one hundred cumulative lineal feet of storefront street frontage, at least two of the desired amenity elements listed below shall be included. Along designated secondary streets, at least one amenity element shall be included. The type, location, and design of chosen amenities shall contribute to a well-balanced mix of features on the street, as determined by the director. Desired amenities include:

a. Seating. Each six feet of seating area or four individual seats count as one amenity element. Seating areas should generally be located in areas that provide views of pedestrian activity. Seating ledges must be at least twelve inches wide to qualify;

b. Trash Receptacles. To qualify as an amenity, at least one trash receptacle is needed per one hundred linear feet of sidewalk. For designated pedestrian-oriented streets, this shall be required;

c. Permanent landscaping elements including planting beds and other landscaping elements that add visual interest to the sidewalk as determined by the director;

d. Special pavement patterns and/or tree grates;

e. Bicycle racks;

f. Informational kiosks (may count as two amenity elements at the discretion of the director);

g. Decorative clocks (may count as two amenity elements at the discretion of the director);

h. Artwork as approved by the arts council (may count as two amenity elements at the discretion of the arts council);

i. Special lighting; and

j. Other amenities that meet the intent as determined by the director.

Features above that are publicly funded, already required by code, and/or obstruct pedestrian movement shall not qualify as an amenity to meet this standard.

All features are subject to city approval.

Existing SMC 17.35.240.D/E Street furniture standards

D. Use planters of moderate size (extending no more than 24 inches into the sidewalk) and made of wood, clay, terra cotta or other materials with a natural appearance. Do not use planters of shiny metal, glossy plastic or other materials that appear modern.

E. Wooden benches and other pedestrian amenities are encouraged. Use benches that have a simple design, are made of natural-looking materials, and extend no more than 24 inches into the sidewalk. Avoid modern designs.

Discussion of elements outside of the seven identified above is not needed at this time.

PLANNING COMMISSION REVIEW

The Planning Commission began review of the seven focus elements suggested by CDC on February 1, 2021. The Planning Commission requested staff provide the Downtown Vision Plan and Downtown Master Plan. In addition, examples of the City's current wayfinding and placemaking signage are included for context of current signage infrastructure. Click on the links below to review the Plans.

Downtown Master Plan link:

<https://www.ci.snoqualmie.wa.us/DocumentCenter/View/24593/Downtown-Master-Plan-Complete-Documents-2010-2015>

Callison Downtown Vision Plan link:

<https://www.ci.snoqualmie.wa.us/DocumentCenter/View/32002/Callison-Downtown-Vision-Plan-2007-05-10-PDF>

Staff is ready to assist the Planning Commission in identifying potential code amendments or other recommendation items for consideration by the City Council.

PUBLIC ART/STREET FRONTAGE REVIEW

The Planning Commission requested information regarding the City's current policy and code requirements relating to public artwork and street frontage. The following are examples of public art requirements and City Policy.

Snoqualmie Municipal Code: [SMC 3.80 Public Arts Funding](#)

- This code section details the requirements for municipally funded art projects related to public facilities.

Snoqualmie Municipal Code: [SMC 7.35.120 Types of projects requiring historical design review-Designated](#)

- This code section established three types of projects that are required to obtain Historical Design Review. Type 1 projects include the exterior painting of noncontributing buildings or structures, using the approved colors.

Snoqualmie Downtown Vision Plan: [Public artwork \(Link listed in Planning Commission Review section above\)](#)

- Goal 2: Objective 1(#6) & 4(#4): Recommendation for art promotion and integration.

Snoqualmie Downtown Vision Plan: [Falls Ave Frontage \(Link listed in Planning Commission Review section above\)](#)

- Goal 2: Objective 3(#3,4,5): Implementation strategy for incorporating Store/retail frontage along Falls Ave.

Snoqualmie Downtown Master Plan: [Public Artwork \(Link listed in Planning Commission Review section above\)](#)

- Chapter 2.7.1-2: Design Streetscapes: Recommendations for improvements to streetscape design, including artwork display.

Snoqualmie 2032 [Comprehensive Plan](#):

- Tourism 3.5.3: Recommendations for promoting events and activities including public artworks display.

Falls Avenue Frontage/Dual Frontage – Current Code

- Chapter 17.35 SMC does not presently address dual frontage on both Railroad and Falls Avenues directly. The current code includes provisions requiring primary entrances be on the principal street and to maintain parking to the rear. Service areas should be located in unspecified "unobtrusive locations" (SMC 17.35.200). Other architectural and site designed provisions are written generally, and because they are focused on the primary/principal frontage, are generally considered to not be applicable for properties fronting on both Railroad and Falls Avenues.
- The Form-Based Mixed Use (FBMU) Zone provisions in Chapter 17.32 SMC may be a useful guide in some respects. The FBMU provisions designate different streets as requiring different frontage design requirements; for example Railroad Avenue as "Storefront" and Falls Avenue north of Beta Street as "Mixed." These different frontage requirements would be applied to lots with dual frontage on the applicable street, although the FBMU provisions allow for a "departure" process to allow flexibility.

- Due to the complexity of the various code requirements, significant changes to the Historic District regulations may not be possible in the near-term.

NEXT STEPS

The Planning Commission should review the above information regarding the City's Downtown Vision/Master plan in conjunction with Planning Commissions downtown relook recommendations. In addition, retaining the direction recommended by CDC's discussion, along with the November 4, 2019, recommendation memo from the Planning Commission to the City Council (attached). The audio recording of the June 15, 2020, CD Committee meeting is also available on the City website if Planning Commissioners desire further context.

<https://www.ci.snoqualmie.wa.us/DocumentCenter/View/31130/2020-06-15-Community-Development-Committee-meeting-audio>

This item is for continued discussion on April 5, 2021. The Planning Commission should be prepared to discuss these items at this meeting and at future meetings with the objective of providing a report back to the City Council and CD Committee.



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MEMORANDUM

To: Planning Commission
From: Mark Hofman, Community Development Director
Jason Rogers, Senior Planner
Date: April 5, 2021
Subject: Fence Regulations – Proposed Amendments

BACKGROUND

The City code has not directly regulated fences until recently¹. On June 8, 2020, the City Council adopted Ordinance 1234 (the 2020 Code Amendments) which added a new SMC 17.55.130 Fences. The Planning Commission discussed fence heights during consideration of the 2020 Code Amendments, and ultimately decided to recommend the City Council adopt regulations that do the following:

- Limit fence height to 6 feet in residential zones
- Limit fence height to 8 feet in commercial zones
- Limit fence height to 3 feet within 60 feet of an intersection
- Provides for exceptions as determined by the Community Development Director

The City Council ultimately adopted the fence height language as recommended by the Planning Commission.

While considering the Planning Commission’s recommendation, the City Council Community Development Committee discussed fence heights extensively, including the following:

- Whether all fences in front yards should be limited to 3 feet.
- How the City’s code treats corner lots as it relates to fences.
- Whether the fence heights in the ordinance were appropriate.
- How a uniform City fence standard could be achieved.

Because the City Council was interested in hearing a fuller discussion of fences, and the intent of the adopted amendments was to address sight distance issues at intersections, the City Council decided to refer the fence issue to the Planning Commission.

The Planning Commission has discussed fences at multiple meetings, beginning on June 15, 2020. Following discussion, the Planning Commission made five recommendations to the City Council, summarized as follows:

1. Fences abutting alleys should be no more than 3 feet tall up to 5 feet back from where an alley meets a road. This requirement could be relaxed if the fence is at least 60% visibly permeable or see-through;
2. Additional design standards should be adopted for fences in the landmark and historic districts;
3. Fence design standards in the historic district design regulations, Chapter 17.35 SMC, should direct fences “shall complement the primary building”. This would also provide the HDRB discretion to

¹ Snoqualmie Ridge I and II have design standards for fences in the applicable Residential Design Guidelines, and some design review outside of SR I and II have addressed fences on a case-by-case basis.

- consider a wide variety of fence types, materials, and colors to meet that direction;
4. Additional language or clarification regarding existing fences is not needed; and
 5. No new permit process be created, and a clarification to the methods of measuring fence height is needed.

The full Planning Commission Recommendation memo to the Community Development Committee is attached.

DRAFT ORDINANCE

A draft ordinance with the changes is included in the packet. This draft ordinance also includes the changes discussed at the March 15, 2021, meeting, including adding provisions to allow see-through fences for corner lots in lieu of limiting fence height; and making minor adjustments to the historic district language for clarity.

NEXT STEPS

Pursuant to the direction of the Community Development Committee (CDC), this item is a formal Zoning Code amendment and requires Planning Commission review and recommendation, including a public hearing. Following the Planning Commission's recommendation, this item would proceed to the City Council (via the Community Development Committee) for action.

The Planning Commission should set a public hearing for April 19, 2021, to take formal public input on the proposed ordinance.

17.55.130 Fences

- A. Fence height. Except as provided below, fences in residential zones shall be no taller than six feet, and fences in commercial zones shall be no taller than eight feet. Fence height shall be measured from whichever side of the finished grade is higher.
- B. Fences near intersections.
 - 1. Fences located between buildings and public streets, and within 60-30 feet of the intersecting centerlines of an intersection, shall be no taller than three feet, except that for properties that front onto more than two public streets fences shall instead conform to the provisions of subsection B.2. below.
 - 2. Fences located between buildings and alleys, and within 5 feet of the alley intersection with the street, shall be either:
 - a. No taller than three feet; or
 - b. Constructed of materials such that at least 60 percent of the face of the fence is open/see-through, and no taller than six feet.
- C. Fences taller than specified in subsections A. and B. above may be allowed in two cases:
 - 1. Where specifically required by other sections of the Snoqualmie Municipal Code or other governing regulations; or
 - 2. By the Community Development Director upon request. In deciding whether a taller fence should be allowed, the Director shall consider the criteria for a Conditional Use Permit in SMC 17.55.030.

17.35.200 Site Planning Standards

The following site planning standards are established in order to ensure that new construction, additions, alterations and other regulated improvements fit in compatibly with the existing historic pattern of site development:

- A. Orient buildings toward the principal street, with the primary entrance facing the street front. Avoid buildings or entrances facing to the side.
- B. Locate off-street parking to the rear or side of the building whenever possible. Rear access to parking is preferred. Parking may not dominate the street front. No additional curb cuts shall be permitted on Railroad Avenue or on the west side of Falls Avenue between River and King streets, except for curb cuts of no more than 18 inches in width to allow water to enter LID BMPs. Elsewhere, the number and size of curb cuts and driveways shall be minimized. Shared driveways are encouraged.
- C. Maintain the predominant street front along the east side of Railroad Avenue by building to the property line. Setbacks not exceeding three feet may be permitted if permanently dedicated to use for seating, landscaping or planter boxes. In other areas, the setback for commercial structures shall be no more than three feet.
- D. Place mechanical and electrical equipment, utility equipment and services areas, including trash and recycling receptacles, in unobtrusive locations and screen from view.
- E. Fences shall be designed to complement the primary building and site, and constructed of materials that complement the primary building. The Historical Design Review Board may consider other provisions of this chapter including but not limited to SMC 17.35.210, SMC 17.35.220, and SMC 17.35.230 when reviewing fences. The Historical Design Review Board may consider other types of fence designs and fence materials using the criteria in SMC 17.35.150(C).



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MEMORANDUM

To: Planning Commission
From: Mark Hofman, Community Development Director
Jason Rogers, Senior Planner
Date: December 7, 2020
Subject: Fence Regulations - Planning Commission Recommendation

BACKGROUND

The City code has not directly regulated fences until recently¹. On June 8, 2020, the City Council adopted Ordinance 1234 (the 2020 Code Amendments) which added a new SMC 17.55.130 Fences. The Planning Commission discussed fence heights during consideration of the 2020 Code Amendments, and ultimately decided to recommend the City Council adopt regulations that do the following:

- Limit fence height to 6 feet in residential zones
- Limit fence height to 8 feet in commercial zones
- Limit fence height to 3 feet within 60 feet of an intersection
- Provides for exceptions as determined by the Community Development Director

The City Council ultimately adopted the fence height language as recommended by the Planning Commission.

While considering the Planning Commission's recommendation, the City Council Community Development Committee discussed fence heights extensively, including the following:

- Whether all fences in front yards should be limited to 3 feet.
- How the City's code treats corner lots as it relates to fences.
- Whether the fence heights in the ordinance were appropriate.
- How a uniform City fence standard could be achieved.

Because the City Council was interested in hearing a fuller discussion of fences, and the intent of the adopted amendments was to address sight distance issues at intersections, the City Council decided to refer the fence issue to the Planning Commission, as follows:

Move to refer to the Planning Commission an evaluation of fence heights and locations, specifically consideration of fences along street side yards and alleys, and request the Planning Commission report back to the City Council with recommendations by the end of 2020.

The Planning Commission has discussed fences at multiple meetings, beginning on June 15, 2020.

On November 16, 2020, the Planning Commission reviewed five issues for consensus and final inclusion. The Planning Commission then directed staff to prepare a final memorandum reflecting the final review and return to the December 7, 2020, meeting for a potential recommendation to the City Council.

¹ Snoqualmie Ridge I and II have design standards for fences in the applicable Residential Design Guidelines, and some design review outside of SR I and II have addressed fences on a case-by-case basis.

This memorandum consists of the final listing of individual elements that collectively form a recommendation to the City Council. Once a formal recommendation action is taken, the Planning Commission desires the recommendation be transmitted to the City Council, with initial consideration by the Community Development Committee.

FIVE ELEMENTS

The Planning Commission has identified five elements through its discussions:

- 1. Safety considerations including sight distance at intersections, especially alleys.*

As an initial question, the Planning Commission discussed safety regarding fence height and design. The Planning Commission noted the recently-adopted amendments did not address alleys, and that some kind of setback for taller fences would be needed to ensure adequate sight distance. However, as alleyways are traversed at lower speeds, a large setback for sight distance was not needed, or desirable as a larger setback has potential to negatively impact use of properties.

After discussion, the Planning Commission recommends that fences abutting alleys be no more than 3 feet tall up to 5 feet back from where an alley meets a road. Alternatively, this could be relaxed if the fence is at least 60% visibly permeable or see-through.

- 2. Areas of applicability for fence design regulations, e.g. only the historic/landmark district, a "transition zone" around the historic/landmark district, or citywide.*

When discussing design regulations for fences, such as requiring certain materials, or mandating specific looks/feels (e.g. picket fences), the Planning Commission noted there was a wide variety of fence types, materials, and colors already in use throughout the City. Administration and enforcement of new design regulations for fences could be both difficult and onerous, with for a questionable gain to the public compared to the imposition on private property. However, the Planning Commission noted that some changes to fence design regulations in the Historic Districts is appropriate to ensure fencing in these commercial and historic areas conforms with the intent of the historic district design standards in Chapter 17.35 SMC. Currently, there is only one subsection applicable to residential fences in the historic district (SMC 17.35.270(N)), and none at all for commercial fences.

The Planning Commission discussed how this is a limited area of applicability, and considered defining a "transition" zone around the historic and/or landmark districts where enhanced fence design standards could apply. Ultimately the Planning Commission determined it would be both difficult to define an appropriate transition zone, and implementing such a transition zone would burden the properties in that zone.

After discussion, the Planning Commission recommends the adoption of additional design standards for fences **only** in the landmark and historic districts.

- 3. Consideration of see-through elements for fences, such as required spacing between elements, use of different materials, etc.*

Requiring see-through elements especially along with limitations on materials and designs would be very beneficial for the historic and landmark districts. The exact wording could be part of the discussion regarding the historic relook, but in the meantime some additional language that provides additional direction to the Historic Design Review Board (HDRB) would be helpful. Language providing the HDRB with discretion and flexibility would allow the HDRB to ensure they can consider project design holistically without being locked in to specific colors and materials.

After discussion, the Planning Commission recommends the adoption of fence design standards in the historic district design regulations, Chapter 17.35 SMC, that direct fences “shall complement the primary building” and also provides the HDRB discretion to consider a wide variety of fence types, materials, and colors to meet that direction.

4. How any new or revised fence regulations would affect (or not affect) existing fences.

The Planning Commission expressed concerns that any new or revised regulations about fences may result in existing fences becoming non-conforming, such that a homeowner would need to change or remove their fence to come into compliance with the new regulations. The Planning Commission discussed how it may be necessary to add language to any new fence regulations to clarify the status of existing fences. Staff clarified that the provisions of SMC 17.55.040 (Nonconforming structures, lots and uses) would apply, and in general non-conforming structures are “grandfathered” in and may be maintained and repaired (up to a 50% replacement cost) indefinitely.

After discussion, the Planning Commission recommends that additional language or clarification regarding existing fences is not needed.

5. Administration and enforcement of fence regulations, including how fence height is measured and how different permit processes would function.

This was discussed tangentially above, however the Planning Commission’s specific concerns are that adding a new permit and review for fences would be unwieldy in general, would add to staff’s workload, and would impose greater burdens on homeowners, businesses, and property owners. The Planning Commission discussed whether permit review could or should be undertaken by staff (e.g. an administrative approval), by the existing Design Review Board, or through some other process. The Planning Commission noted that the Historic Design Review Board already reviews site alterations in the historic and landmark districts, so a process is already designed and operational; adding fences is not a concern.

The Planning Commission also discussed how fences are measured. Staff noted a minor code amendment is possible to clarify from what point fence height is determined; in this case, the highest adjacent grade to ensure fences are not excessively tall.

After discussion, the Planning Commission recommends that no new permit process be created, and recommends the adoption of a clarification to the methods of measuring fence height.

At this time, staff has prepared proposed code amendments in alignment with the Planning Commission’s recommendations. These changes include specifying how fence height is measured, addition of height restrictions near alleys, and additional design requirements for fences in the Landmark and Historic Districts.

NEXT STEPS

Pursuant to the recommendation by the Planning Commission on December 7, 2020, staff will work with the Chair of the Community Development Committee (CDC) to schedule the item for CDC consideration. The recommendation will be presented before forwarding to the full City Council. Direction from the CDC and City Council is needed prior to commencing drafting of a specific ordinance.

ORDINANCE NO. ____

AN ORDINANCE OF THE CITY OF SNOQUALMIE, WASHINGTON RELATING TO FENCE REGULATIONS; PROVIDING FOR PUBLIC SAFETY BY LIMITING FENCE HEIGHT AND DESIGN NEAR INTERSECTIONS; ADOPTING AMENDMENTS TO CHAPTER 17.35 AND CHAPTER 17.55 OF THE SNOQUALMIE MUNICIPAL CODE; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, RCW 36.70A.130(4)(a) requires continuous review and evaluation of the City's comprehensive Plan and development regulations; and

WHEREAS, the City adopted various amendments to the Zoning Code in 2020, including fence regulations; and

WHEREAS, the City Council directed the Planning Commission to further discuss further fence regulations and provide a recommendation to the City Council; and

WHEREAS, the Planning Commission transmitted their recommendation to the City Council in December 2020; and

WHEREAS, required notice was sent to the State of Washington Department of Commerce on April xx, 2021; and

WHEREAS, environmental review was done for the proposed amendments and a Determination of Non-Significance was published on April xx, 2021; and

WHEREAS, the Planning Commission held a duly-noticed public hearing on April 19, 2021, to receive testimony on the proposed fence regulations; and

WHEREAS, one person testified at the public hearing regarding the proposed amendments, specifically concerning xxxxx; and

WHEREAS, the Planning Commission, by motion on April 19, 2021, recommended approval of the proposed amendments; and

WHEREAS, the Snoqualmie City Council's Community Development Committee considered the recommendation of the Planning Commission and City Administration on May xx, 2021; and

WHEREAS, the Snoqualmie City Council has considered the recommendations of the Community Development Committee, the Planning Commission, and the City Administration, and has determined to take the actions set forth in this ordinance;

NOW, THEREFORE, BE IT HEREBY ORDAINED by the City Council of the City of Snoqualmie, Washington, as follows:

Section 1. SMC Section 17.35.200 Amended. Section 17.35.200 of the Snoqualmie Municipal Code is hereby amended to read as follows:

17.35.200 Site Planning Standards

The following site planning standards are established in order to ensure that new construction, additions, alterations and other regulated improvements fit in compatibly with the existing historic pattern of site development:

- A. Orient buildings toward the principal street, with the primary entrance facing the street front. Avoid buildings or entrances facing to the side.
- B. Locate off-street parking to the rear or side of the building whenever possible. Rear access to parking is preferred. Parking may not dominate the street front. No additional curb cuts shall be permitted on Railroad Avenue or on the west side of Falls Avenue between River and King streets, except for curb cuts of no more than 18 inches in width to allow water to enter LID BMPs. Elsewhere, the number and size of curb cuts and driveways shall be minimized. Shared driveways are encouraged.
- C. Maintain the predominant street front along the east side of Railroad Avenue by building to the property line. Setbacks not exceeding three feet may be permitted if permanently dedicated to use for seating, landscaping or planter boxes. In other areas, the setback for commercial structures shall be no more than three feet.
- D. Place mechanical and electrical equipment, utility equipment and services areas, including trash and recycling receptacles, in unobtrusive locations and screen from view.
- E. Fences shall be designed to complement the primary building and site, and constructed of materials that complement the primary building. The Historical Design Review Board may consider other provisions of this chapter including but not limited to SMC 17.35.210, SMC 17.35.220, and SMC 17.35.230 when reviewing fences. The Historical Design Review Board may consider other types of fence designs and fence materials using the criteria in SMC 17.35.150(C).

Section 2. Section 17.55.130 Amended. Section 17.55.130 of the Snoqualmie

Municipal Code is hereby amended to read as follows:

17.55.130 Fences

- A. **Fence height.** Except as provided below, fences in residential zones shall be no taller than six feet, and fences in commercial zones shall be no taller than eight feet. Fence height shall be measured from whichever side of the finished grade is higher.
- B. Fences near intersections.
1. Fences located between buildings and public streets, and within 30 feet of an intersection, shall be no taller than three feet, except that for properties that front onto more than two public streets fences shall instead conform to the provisions of subsection B.2. below.
 2. Fences located between buildings and alleys, and within 5 feet of the alley intersection with the street, shall be either:
 - a. No taller than three feet; or
 - b. Constructed of materials such that at least 60 percent of the face of the fence is open/see-through, and no taller than six feet.
- C. Fences taller than specified in subsections A. and B. above may be allowed in two cases:
1. Where specifically required by other sections of the Snoqualmie Municipal Code or other governing regulations; or
 2. By the Community Development Director upon request. In deciding whether a taller fence should be allowed, the Director shall consider the criteria for a Conditional Use Permit in SMC 17.55.030.

Section 6. Effective Date. This ordinance shall be effective from and its adoption and the expiration of five days after its publication, as provided by law.

Section 7. Severability. If any portion of this chapter, if found to be invalid or unenforceable for any reason, such finding shall not affect the validity or enforceability of any other section of this chapter.

Section 8. Corrections by the City Clerk or Code Reviser. Upon approval of the City Attorney, the City Clerk and Code Reviser are authorized to make necessary corrections to this ordinance, including the correction of clerical errors; references to other local, state or federal laws, codes, rules, or regulations, or ordinance numbering and section/subsection numbering.

PASSED by the City Council of the City of Snoqualmie, Washington, this ____ day of June, 2021.

Matthew R. Larson, Mayor

Attest:

Jodi Warren, MMC, City Clerk

Approved as to form:

Bob C. Sterbank, City Attorney

DRAFT