

Chapter 16.40 DEVELOPMENT STANDARDS – DENSITY AND DIMENSIONS

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16.40.010 Purpose.

The purpose of this chapter is to establish basic dimensional standards for development in relation to residential density, as well as specific rules for general application. These standards and rules are established to provide flexibility in project design, provide solar access, and maintain privacy between adjacent uses.

16.40.020 Interpretation of table.

(1) The table in POMC 16.40.025 contains general density and dimension standards for the various zones within the city, as well as limitations specific to a particular zone(s). Additional rules, exceptions, and methodologies relating to density and dimension are set forth in this chapter.

(2) The densities and dimensions table in POMC 16.40.025 is arranged in a matrix format. Development standards are listed down the left side of the table, and the zones are listed at the top. The matrix cells contain the minimum dimensional requirements of the zone. The parenthetical numbers in the matrix identify specific requirements applicable to a specific use or zone. A blank box indicates that the standard does not apply in that

situation. If more than one standard appears in a cell, each standard will be subject to any applicable parenthetical footnote following the standard. See Table 16.40.025, Densities and Dimensions.

16.40.025 Densities and dimensions.

ZONES	Greenbelt including Conservation and Open Space	Residential – 4.5 Units/Net Useable Acre	Residential – 8.0 Units/Net Useable Acre	Residential – 12.0 Units/Net Useable Acre	Residential – 20.0 Units/Net Useable Acre	Commercial Retail and Office	Business Professional	Mixed Use District	Employment Industrial and Office	Community Facilities
STANDARDS	Gb	R4.5	R8	R12	R20	Co	BP	Mxd	Eo	Cf
Maximum density (22)	0.5	4.5	8.0	12.0	20.0		12.0	30.0 (22)		
Minimum lot size (13)(14)		6,000	5,445 (24)	3,630	2,178		3,630			
Street right-of-way (1)(11)	30	15	15 10 (23)	15	15	10	10	10	30 (12)	15
Side yard	5	5	5	5	5		5			
Rear yard (9)	10	10	10	10	10		5			

ZONES	Greenbelt including Conservation and Open Space	Residential – 4.5 Units/Net Useable Acre	Residential – 8.0 Units/Net Useable Acre	Residential – 12.0 Units/Net Useable Acre	Residential – 20.0 Units/Net Useable Acre	Commercial Retail and Office	Business Professional	Mixed Use District	Employment Industrial and Office	Community Facilities
STANDARDS	Gb	R4.5	R8	R12	R20	Co	BP	Mxd	Eo	Cf
Corner lot rear yard	5	5	5	5	5		5			
From adjacent residential zoning (2)						5	5	5	20	20
From adjacent nonresidential zoning (2)(3)						5	5	5	5	5
Maximum impervious surface (4)	15%	45%	75%	85%	85%	85%	95%	95%	85%	95%

ZONES	Greenbelt including Conservation and Open Space	Residential – 4.5 Units/Net Useable Acre	Residential – 8.0 Units/Net Useable Acre	Residential – 12.0 Units/Net Useable Acre	Residential – 20.0 Units/Net Useable Acre	Commercial Retail and Office	Business Professional	Mixed Use District	Employment Industrial and Office	Community Facilities
STANDARDS	Gb	R4.5	R8	R12	R20	Co	BP	Mxd	Eo	Cf
Landscaped area – Softscape (5)	85%	55%	25%	15%	15%	15%	5%	5%	15%	5%
Landscaped area – Hardscape (6)						15%	5%	5%	15%	5%
Standard maximum allowed (7)	33	33	33	33	33	33	33	33	33	33
Within view protection district (8)(15)	15	15	15	15	15	27	27	27	27	27

ZONES	Greenbelt including Conservation and Open Space	Residential – 4.5 Units/Net Useable Acre	Residential – 8.0 Units/Net Useable Acre	Residential – 12.0 Units/Net Useable Acre	Residential – 20.0 Units/Net Useable Acre	Commercial Retail and Office	Business Professional	Mixed Use District	Employment Industrial and Office	Community Facilities
STANDARDS	Gb	R4.5	R8	R12	R20	Co	BP	Mxd	Eo	Cf
Downtown overlay district – North side of Bay Street (16)(18)(21)	27	27	27	27	27	27	27	27	27	27
Downtown overlay district – South side of Bay Street (17)(18)(21)	39	39	39	39	39	39	39	39	39	39
Downtown overlay district	39	39	39	39	39	39	39	39	39	39

ZONES	Greenbelt including Conservation and Open Space	Residential – 4.5 Units/Net Useable Acre	Residential – 8.0 Units/Net Useable Acre	Residential – 12.0 Units/Net Useable Acre	Residential – 20.0 Units/Net Useable Acre	Commercial Retail and Office	Business Professional	Mixed Use District	Employment Industrial and Office	Community Facilities
STANDARDS	Gb	R4.5	R8	R12	R20	Co	BP	Mxd	Eo	Cf
gateways – Bethel Avenue (19)(21)										
Downtown overlay district gateways – North side of Bay Street (16)(18)(21)	27	27	27	27	27	27	27	27	27	27
Downtown overlay district gateways –	39	39	39	39	39	39	39	39	39	39

ZONES	Greenbelt including Conservation and Open Space	Residential – 4.5 Units/Net Useable Acre	Residential – 8.0 Units/Net Useable Acre	Residential – 12.0 Units/Net Useable Acre	Residential – 20.0 Units/Net Useable Acre	Commercial Retail and Office	Business Professional	Mixed Use District	Employment Industrial and Office	Community Facilities
STANDARDS	Gb	R4.5	R8	R12	R20	Co	BP	Mxd	Eo	Cf
South side of Bay Street (17)(18)(21)										
Downtown overlay district (20)(21)	27	27	27	27	27	27	27	27	27	27

1. Measured from the existing edge of a street right-of-way. Applies to front yards, corner lots, and through lots.

2. From side or rear site or property boundary line. May be zero feet minimum within the mixed use district in the downtown area as allowed by the International Building Code (IBC).

3. May be zero lot line if structures meet IBC fire code and emergency access.

4. Useable acreage covered by buildings, roads, parking lots, and other built improvements. Mixed use developments within the downtown district may achieve 95 percent site coverage. Mixed use outside of downtown shall be no more than 85 percent site coverage.

5. Softscape may include perimeter buffers, parking lot plantings, and other landscape with soil or other natural surfaces.
6. Hardscape may include patios, plazas, entryways, and other paved or hard surfaced pedestrian/landscaped areas in lieu of softscape. Unless hardscape surfaces are constructed with permeable materials, the hardscape surface area shall be included in calculating the maximum impervious surface percentage.
7. Building height is measured to the roof drip line at any point around the structure from the lowest point of the finished grade, unless a fire protection plan is approved by both the city development director and the fire authority.
8. View protection districts are established separately by city council resolution. Additional height may be allowed as a conditional use. Refer to POMC 16.40.030 and view protection overlay district standards, POMC 16.20.700 through 16.20.713.
9. Except as defined in POMC 16.40.100.
10. All lot sizes are measured in square feet unless a planned residential development has been approved.
11. If required parking is served by an alley, residential street setbacks may be reduced to 10 feet for the front and side yard and 2 feet from the alley. Ten-foot front yard setback also applies to residential flag lots measured from the property line closest to the main entrance to the residence.
12. For every 10 feet of building height over 33 feet, an additional 10 feet of street setback shall be provided.
13. Plats recorded prior to 1910 as identified in the appendix are exempt from the minimum required lot size. Instead, minimum lot size shall be 5,000 square feet or any single lot of record in separate ownership on August 28, 1972.
14. See small lot development standards.
15. For purposes of the view protection overlay district, building height shall be measured to the mid-line of the roof from the elevation of the uphill property line.
16. Maximum building height may be increased from 27 feet up to a maximum of 39 feet through conditional use permit approval.

17. Maximum building height may be increased from 39 feet up to a maximum of 55 feet through conditional use permit approval.

18. For the purposes of those lots abutting Bay Street within the downtown overlay district, building height shall be measured from the existing Bay Street elevation.

19. Maximum building height may be increased from 39 feet up to a maximum of 55 feet through conditional use permit approval. Building height shall be measured from the existing elevation of Bethel Avenue at the parcel's frontage.

20. Maximum building height may be increased from 27 feet up to a maximum of 39 feet through conditional use permit approval. Building height shall be measured from the uphill elevation of either the existing or finished grade, whichever is lower, at the foundation or slab. Average uphill elevation shall be used if not level.

21. Building height shall be measured to the highest point of the structure or any appurtenance of the structure.

22. The maximum density allowed in the mixed use zone within the central downtown overlay district shall be 48 units per acre.

23. Minimum setback from front yard ROW: The minimum setback from front yard right of way shall depend on whether the lot is located between two existing houses or structures on the same street block, or, whether the house is to be constructed on a street block which does not yet have any new homes constructed. When a lot is located between lots that each have an existing house, on the same street block, the setback for the front porch, garage, and front wall of the house shall be a minimum of 15 feet or the average setback of the adjacent houses, whichever is less. When construction is proposed on a street block with no existing residential buildings, the setback shall be as follows: 10 feet to house wall; 20 feet to garage door; 5 feet to porch; 20 feet to accessory structures.

24. A 4,000 square foot minimum lot size may apply for single-family detached residences, and a 2,500 square foot minimum lot size may apply for single-family attached residences, where lot averaging is used in a preliminary subdivision. Smaller lots may be permitted with a planned unit development. ~~24. Minimum setback for side yard: 5 ft to lot line; 10 ft to ROW (corner lot).~~

~~25. Minimum setback for rear yard: 10 ft to house wall; 5 ft to unenclosed patio at ground level.~~

16.40.030 Measurement methods.

The following provisions shall be used to determine compliance with this chapter:

- (1) Street setbacks shall be measured from the existing edge of public rights-of-way, improved or unimproved.
- (2) Structure height shall be measured from the uphill elevation of the finished grade at the slab or foundation, whichever is lower, to the highest point on the structure roof. If the uphill elevation is not level, then the average uphill elevation shall be the measurement basis.
- (3) Lot area shall be the total horizontal land area contained within the boundaries of a lot.
- (4) Impervious surface calculations shall not include areas of turf, softscape landscaping, natural vegetation, or surface water retention/detention facilities

16.40.035 Calculations – Minimum and maximum density.

- (1) The minimum density shall be calculated by multiplying the development's subject site net useable site area, as calculated pursuant to POMC 16.40.040, by the minimum number of dwelling units required in the applicable zoning district.
- (2) The maximum density shall be calculated by multiplying the development's subject site net useable site area, as calculated pursuant to POMC 16.40.040, by the maximum number of dwelling units allowed in the applicable zoning district.
- (3) The units associated with assisted living, congregate care, nursing home, residential care facilities and the like, that rely on shared cooking/dining facilities, will not be counted for purposes of the minimum/maximum density calculation. Independent dwelling units (i.e., containing a bed, bathroom, and a kitchen with a sink, stove, and refrigerator) in such group living residential uses, however, shall be counted as individual dwelling units in the density calculation. The density for nonindependent dwelling units shall not be transferred to another portion of the development.

16.40.040 Calculations – Net useable site area.

The net useable site area is the development subject site's total (gross) site area minus areas for public rights-of-way, private road easements, designated critical areas and buffer protection, and stormwater management facilities; but not including parks and public or private recreation facilities dedicated or created as an integral part of the development.

16.40.050 Calculations – Allowable dwelling units.

Permitted number of units shall be determined as follows:

(1) The maximum allowed number of dwelling units shall be computed by multiplying the net useable site area by the applicable residential density.

(2) When calculations result in a fraction, the fraction shall be rounded to the nearest whole number as follows:

(a) Fractions of 0.50 or above shall be rounded up; and

(b) Fractions below 0.50 shall be rounded down.

16.40.060 Density credits.

Critical areas and their buffers may be used in the calculation of allowed residential density whenever two or more residential lots or two or more multifamily dwelling units are created subject to the following limitations:

(1) Full density credit shall be allowed for erosion and seismic hazard areas. Flood hazard areas outside of streams, wetlands, or associated buffers shall be counted for full density credit.

(2) No density credit shall be allowed for streams, lakes, ponds, and other bodies of water.

(3) Partial to full density credit shall be allowed for steep slopes, landslide hazard areas, wetlands, and required buffers for any critical area according to the following table:

Percent of Site in Buffers and/or Critical Areas (percent)	Density Credit (percent)
1 – 10	100
11 – 20	90
21 – 30	80
31 – 40	70
41 – 50	60
51 – 60	50
61 – 70	40

Percent of Site in Buffers and/or Critical Areas (percent)	Density Credit (percent)
71 – 80	30
81 – 90	20
91 – 99	10

(4) Allowed density on sites containing critical areas shall be calculated as follows:

(a) Determine the percentage of site area in critical areas and buffers by dividing the total area in required critical areas and buffers by the total site area.

(b) Multiply the density credit percentage set forth in subsection (3) of this section by the site area in critical areas and buffers to determine the effective critical area.

(c) Add the effective critical area to the site area not in critical areas or buffers. The resulting acres shall be considered the effective site area for purposes of determining the allowable dwelling units pursuant to the zoning regulations.

(d) By way of example, the density credit provisions apply as follows for a 10-acre site under the R8 zone:

(i) The square feet in the site is 435,600 of which ponds include 45,000 square feet, steep slopes include 82,000 square feet, and required wetland buffers include 60,000 square feet.

(ii) Divide the total amount of critical areas and buffers (187,000 square feet) by the total site (435,600 square feet) equal to 42.9 percent.

(iii) Apply the density credit from the chart (equal to a 60 percent density credit where the amount of site in a critical area is between 41 and 50 percent).

(iv) Multiply the steep slopes and required buffers only (142,000 square feet since no credit is received for ponds) by the density credit of 60 percent equal to 85,200 square feet.

(v) Add the unconstrained site area (248,600 square feet) plus the critical area density credit (85,200 square feet) to create the effective site area for density calculations (333,800 square feet).

(vi) Divide the total effective site area by 43,560 square feet to determine acreage (333,800 square feet/43,560 square feet/acre equals 7.6 acres) and multiply by the density allowed in the R8 zone (7.6 acres multiplied by eight dwelling units/acre) equals 60.8 which is rounded up to 61 dwelling units maximum (note that the maximum density may be reduced by other provisions of this code).

(5) The density transfer can be utilized only within the development proposal site. The applicant may cluster and configure the site's development to accommodate the transfer of density but cannot change the type of uses or housing products allowed within the zone proper.

16.40.070 Lot area – Reduction prohibited.

Any portion of a lot that was required to calculate and ensure compliance with the standards and regulations of this chapter shall not be subsequently subdivided or segregated from such lot.

16.40.080 Setbacks – Modifications.

The following setback modifications are permitted:

(1) When the common property line of two lots is covered by a building(s), the setbacks required by this chapter shall not apply along the common property lines.

(2) When a lot is located between lots with structures having nonconforming street setbacks, the required street setback for such middle lot may be the average of the two nonconforming setbacks or 60 percent of the required street setback, whichever results in the greater street setback.

16.40.090 Setbacks – Regional utility corridors.

(1) In subdivisions and short subdivisions, areas used as regional utility corridors as identified in this code shall be contained in separate tracts.

(2) In other types of land development permits, easements shall be used to delineate such corridors.

(3) All buildings shall maintain a minimum distance of five feet from property or easement lines delineating the boundary of regional utility corridors, except for utility structures necessary to the operation of the utility corridor and/or as required by the Department of Health

16.40.100 Setbacks – Alleys.

(1) Structures may be built no closer than 15 feet from the center line of an abutting alley.

(2) Vehicle access points from garages, carports or fenced parking areas shall be set back a minimum of 10 feet from the alley property line to provide a driving surface.

16.40.110 Setbacks – Adjoining half-street rights-of-way.

In addition to providing the standard street setback, a lot adjoining a half-street right-of-way or designated arterial shall provide an additional width of street setback sufficient to accommodate construction of the future planned right-of-way.

16.40.120 Setbacks – Projections allowed.

Projections complying with the adopted International Building Code may extend into the required setbacks as follows:

(1) On ground and upper floor uses in all districts and on upper floor uses only in the mixed use district (Mxd) in the downtown area – fireplace structures, bay or garden windows, enclosed stair landings, closets, or similar structures may project into any setback, provided such projections are:

(a) Limited to two per facade;

(b) Not wider than seven feet; and

(c) Not more than 24 inches into an interior setback or 24 inches into a street setback.

(2) Uncovered porches and decks which exceed 18 inches above the finished grade may project:

(a) Twenty-four inches into interior setbacks; and

(b) Six feet into the street setback except where the allowable setback is zero feet as in the mixed use district within the downtown area.

(3) Uncovered porches and decks not exceeding 18 inches above the finished grade may project to the property line.

(4) Roof eaves, including any part of a roof structure whether unsupported or supported by diagonal bracing to the building, must be more than seven feet above finished grade and may not project more than:

(a) Twenty-four inches into an interior setback including within a zero lot line development; or

(b) Twenty-four inches into a street setback except where the allowable setback is zero feet as in the mixed use district within the downtown area.

(5) Fences with a height of six feet or less may project into any setback; provided, that the sight distance requirements are maintained along street corridors.

16.40.130 Heights – Exceptions to limits.

The following structures may be erected above the height limits:

(1) Roof structures housing or screening the following: elevators, fire access stairways, tanks, ventilating fans, fire or parapet walls, skylights, or similar equipment required for building operation and maintenance; and

(2) Flagpoles, chimneys, smokestacks, church steeples, clock towers, communication transmission structures, utility line towers and poles, and similar structures.