



Date: November 30, 2021
To: City of Kalama Planning Commission
From: Todd Johnson, TRJ Planning Inc., City of Kalama Consulting Planner
Regarding: The Lofts at Kalama PUD, Preliminary Subdivision, and Critical Areas Permit

Summary of Proposal

The Lofts at Kalama LLC, represented by Windsor Engineers, is proposing to construct 329 dwelling units on 17.03 acres located at 6445 Old Pacific Highway on parcel number 411460100. The proposal will be developed in up to 6 phases.

The project will create 60 lots for multifamily housing. Lot Sizes are 1,800 square feet. Units are a combination of 3 and 4 story units. 3 story units will be 36' high and 4 story units will be up to 46' in height.

The proposal includes approximately 4.7 acres of area set aside for open space and parks. A clubhouse building is also proposed. The Clubhouse facility will include a leasing office, exercise room, and pool.

The site had previous approvals for Sunset Terrace, a 65 lot single family residential development. Sunset Terrace included the Subdivision approval and approval of a Critical Areas Permit. Sunset Terrace was reviewed by Planning commission and recommended for approval by Kalama City Council on November 14, 2018. City Council subsequently approved the preliminary Subdivision on December 6th, 2018. The applicant completed the engineering construction plan review and received construction approval for the Sunset Terrace subdivision. The applicant started construction on the approved Sunset Terrace Subdivision and the site has been graded and cleared as a part of that approval. That construction also led to the design of a retaining wall and modification to the grading and critical areas permit to better address site grading constraints and to minimize critical areas impacts. That Grading and Critical areas modification was approved by staff on 8/31/2021. No changes to the Critical Areas impacts or mitigation is proposed with this change to a PUD/ Multi Family project.

Because there is a change to the project approval, now including a multi-family project through the PUD process, a new approval is required for The Lofts at Kalama. The proposal is subject to a new Subdivision and PUD approval process.

Possible Actions:

- Recommend Council Approve the request for Preliminary Plat Approval and Critical Areas Permit as proposed.
- Recommend Council Approve the request for Preliminary Plat Approval and Critical Areas Permit with conditions.
- Recommend Council Deny the request for Preliminary Plat Approval and Critical Areas



- Permit.
- Continue to a future date to obtain additional information or deliberate further.

Site Description:

The site is currently an approved subdivision for Sunset Terrace and various grading and other construction activities have occurred in support of that subdivision approval. The site is approximately 17 acres, with up to 35% sloped lands and a combination of grasses, evergreen and deciduous trees. The site is predominantly logged and cleared for development, except for the areas within the critical area buffers Oregon White Oak are present on the site and are already addressed in the previous approval. The applicant is proposing to avoid impacts to the Oregon White Oak trees on site with this modification. This is consistent with prior approvals. There are several mapped wetland areas on the site. A seasonal stream, DNR type Ns, flows through the south end of the project site with a 50 foot buffer. A category III depressional wetland along the western edge of the site, and a DNR Type F stream flows along the southeast side of the wetland. Wetlands were delineated by CES in July of 2018. No changes to the delineated wetland boundaries, impacts, or classification are proposed.

Review of Code Standards with Findings:

The following section provides a detailed review and examination of the proposed project in comparison to the Kalama Municipal Code (KMC) and other applicable regulations. The review is categorized by topical headings as well as specific land use controls.

Critical Areas Criteria and Findings (KMC 15.02):

The proposed wall impacts areas currently reserved as wetland buffers in the previous Sunset Terrace subdivision approval, as modified in the grading and critical areas modification approval issued by the City of Kalama on 8/31/2021. No other changes to any of the onsite critical areas are proposed, and no new impacts are proposed with this request to change the density and lots for the residential development. A condition of approval requiring continued compliance with previously issued conditions for the Sunset Terrace subdivision, as modified by the 8/31/2021 approval will ensure that critical areas requirements are met with this proposal and that impacts and critical areas remain consistent with existing approvals.

Finding: Staff finds that the proposal, as conditioned, complies with the Critical Areas Permit requirements of 15.02 KMC.

Zoning, Lot Size and Density (KMC Title 17):

The proposed project includes land zoned for R-3, multiple-family or high density residential. The R-3 high density residential zone is created in order to reduce possible use conflicts resulting from different housing types. The PUD process allows modification of the base zone standards and provides greater flexibility and imaginative design in the residential areas. The table below compares the base zone standard to the proposed standard for density, lot sizes, and dimensional standards with a comment on how the proposal meets or does not meet the standard with the PUD regulations applied.



The PUD allows variations in requirements for dimensional and bulk design standards in KMC 16.18.040 as follows “*Subject to the limitations specified as minimum requirements below, the standards of the zoning ordinance concerning minimum lot size, width, depth, frontage, coverage, setbacks, building height, distance between buildings, and outdoor living areas shall not apply to PUDS, except as a guide. Use of the procedure provided in this chapter superimposes each approved PUD on the underlying zoning district regulations as an exception to such regulations to the extent that each approved PUD shall modify and supersede the regulations of the underlying zoning district. The city's public works standards may be modified in accordance with this title.*”

Standard	R-3 Zone Requirement	Provided in Proposed PUD	PUD Allowance
Minimum Lot Size	2,000 square feet for townhouse 5,000 square feet for single-family residence 6,000 square feet for duplex 7,500 square feet for other residential types	1,722 sf smallest lot, most are 1,800 sf	No minimum lot sizes required, does not apply except as a guide.
Maximum Lot Size	N/A	11,122 sf is the largest lot size proposed for development of residential uses, except for the tracts for open space and wetlands which are larger.	N/A
Minimum Lot Frontage ²	50 feet; provided that townhouse lots shall have a minimum frontage of 20 feet	36 feet	No Minimum lot frontage, does not apply except as a guide.
Minimum Lot Frontage on a cul-de-sac	In all zones, lot frontage on cul-de-sac lots may be reduced up to 25 percent of base standard (see above), with the exception of townhouse lots	36 feet	No Minimum lot frontage, does not apply except as a guide



Front Yard Setback	20 feet	5 feet Building to internal ROW, 0 Feet Balcony to internal ROW	Setbacks do not apply, used only as a guide
Front Yard Setback-alley access	10 feet	N/A	Setbacks do not apply, used only as a guide
Rear Yard Setback	15 feet	5 feet Building to internal ROW, 0 Feet Balcony to internal ROW	Setbacks do not apply, used only as a guide
Side Yard Setback ³	5 feet	5 feet Building to property line (10 foot building separation), 0 Feet attached	Setbacks do not apply, used only as a guide
Side yard (street) setback—Corner lot, street flanking	15 feet on street side	5 feet Building to ROW, 0 Feet Balcony to ROW	Setbacks do not apply, used only as a guide
Setback Along Perimeter of Development	N/A	The greatest distance for a setback in the base zone is 20 feet. The proposed development is generally separated from neighboring properties by a right of way with 50 feet on the north, east, and west. South the critical areas tract provides separation from I-5. The closest structure to a neighboring parcel line is on lot 1, where the unit is more than 20 feet from the neighboring property line.	The perimeter of the development shall be aesthetically compatible with the land uses of adjoining properties. Existing uses adjacent to a PUD shall be afforded reasonable privacy and protection. Structures located on the perimeter within the development must be set back at least the distance pertaining to the zone in which the development is located. Screening by means of fences, walls, buffer strips or greenbelts should be considered and may be required to afford protection to adjacent property comparable to that otherwise required by the zone. The



			method of screening, however, should not, if at all possible, shade south-facing walls and roofs of residences on adjacent properties.
Maximum building height	40 feet and no more than 4 stories	46 feet maximum, average building height max is 40'	Buildings shall not be more than three stories high or more than thirty-five feet in height, except that a greater height may be approved if surrounding open space is increased or other design features are used to avoid any adverse impact or loss of privacy due to the greater height.
Maximum accessory structure height ⁴	20 feet	N/A	No accessory structures proposed, 20 feet does not apply except as a guide
Maximum lot coverage	75%	28% (Building area/ Gross Site Area minus streets)	The percentage of coverage of the gross acreage by buildings and structures, exclusive of streets, shall not exceed fifty percent. On a per lot basis, does not apply only used as a guide

Findings: The proposal meets the requirements for a PUD by generally following the base zone requirements as a guide. The lot size requirements for a town house are 2,000 square feet, with the proposal generally providing a 1,800 square foot lot for four plex development. The smallest lot is 1,722 square feet. The lot sizes are generally consistent with the base zone for town homes and provide for a four plex instead of a single unit on a lot as would be the case in a town home development. The proposal therefore meets the lot size requirements for a PUD.



The proposal for a 36 foot frontage minimum for lots also is greater than a town home requirement of only 20 feet. The PUD standard is therefore met for lot frontages.

The setback requirements for front yard setbacks is 20 feet and rear yard setbacks are 15 feet in the base zone. The proposed PUD includes outer perimeter roadways that increase the building setbacks from the majority of the project boundary with the exceptions of the southern lots 65-69, which are at the top of the retaining wall constructed along the critical areas tract and lots 1-5 along Old Pacific Highway. Lot 1 directly abuts a neighboring residential parcel and deserves special attention for screening and buffering requirement along the neighboring private residential property line. As a condition of approval, the lot line for lot 1, where it abuts the neighboring property on the PUD boundary should include a visibly sight obscuring screen consisting of a completely sight obscuring fence, wall, or vegetative buffer at least 6 feet in height. The fence should be placed as close to the property line as possible. This requirement will be reviewed together with the construction plans for the proposed development for phase 1 lots. This condition of approval is necessary to afford protection to adjacent property comparable to that otherwise required by the zone.

The proposed PUD exceeds the PUD maximum height of 3 stories or 35 feet. However, staff agrees that the proposed development occurs on a sloped site that has greater topographical change than most multi-family development sites and therefore, staff agrees that the additional height is appropriate on the downhill side of the structure. Staff further recognizes that the slope provides for a unique design of the units, allowing access to the top unit in the building from the uphill side, resulting in the appearance of a single or two story unit from the uphill side and only realizing the full height of the units from the slope facing into the development and I-5. The PUD code KMC 16.18.050.D. allows greater height than is allowed in the PUD standard if *“surrounding open space is increased or other design features are used to avoid any adverse impact or loss of privacy due to the greater height.”* Staff finds that the proposed design, separating the proposed units from surrounding properties with street right of ways, together with the provision for internal parks, and a clubhouse meets the requirements for surrounding open space. Staff also finds that the unique design of the units to address site topography also avoids adverse impacts or loss of privacy in this unique case. KMC 17.08.070 defines Building height as:

"Building height" means the vertical measurement from average grade at the front of the house to the highest point of the roof beams in the case of flat roofs, to the deck line of mansard roofs, or to the center height between eaves and ridges for gable, hip or gambrel roofs. For this purpose, the level of the eaves shall be taken to mean the highest level where the plane of the roof intersects the plane of the outside wall on a side containing the eaves. The maximum building heights set forth in this Title shall be measured utilizing this definition. Chimneys, ventilators, antennas, skylights or solar panels shall not be considered part of the height limit. Domes, towers, or spires which are the integral part of churches or religious buildings shall not be subject to these limitations."

Because the buildings are multi facing buildings, where the front and rear of the building are not defined, it is appropriate to consider all elevations of the building for the purpose of interpreting



the height of the structure. The applicant has stated that the average height of the proposed buildings will not exceed 40 feet average. The base zone for the R-3 zone allows up to 4 stories and up to 40 feet in height. As a condition of approval, the units will be limited to a maximum average height of 40 feet for each unit, with no point of any unit exceeding 46 feet above average grade for that elevation.

The proposed PUD meets the maximum lot coverage standard of 50% by providing 28% of the gross lot area coverage.

Uses KMC table 17.60.020, Use Table

Finding: Table 17.60.020 allows multifamily dwellings of 5 or more units as well as single-family and duplex, and triplex housing in the R-3 zone. The PUD Code 16.18.030.A.1 allows the combination of permitted and accessory uses listed in the residential use districts. All of the proposed uses for residential development and the club house, open space, and accessory parks are permitted in the base zone R-3.

17.18.060 Multifamily development standards.

In addition to the standards required through site plan review or other chapters of this title, the following provisions apply to multifamily development consisting of more than four units in a single structure:

- A. Building Location and Orientation. Multifamily development shall be constructed consistent with the following requirements:
 - 1. Parking lots shall be located to the side and/or behind buildings and shall not dominate the front-yard area. A five-foot landscaped buffer shall rim the perimeter of the parking lot and planting islands shall be included for lots with more than twenty spaces. In addition to uses specified in Section 17.18.070.L(1) multifamily development may request deviation from this standard through a conditional use permit, utilizing the process and procedures set forth in Section 17.18.070.I(1).
 - 2. Units adjacent to public or private streets shall have the primary building entrances located on the facade facing the street. A minimum of forty percent of front (i.e., street-facing) elevations and a minimum of twenty-five percent of side and rear building elevations shall meet this standard. "Percent of elevation" is measured as the horizontal plane (lineal feet) containing doors, porches, balconies, terraces and/or windows. The standard applies to each full and partial building story.

Findings: The proposed project does not include a typical parking lot area, instead providing access to residential units in a front-loaded configuration and parallel parking along the streets. As each residential unit has its own access and parking space(s), these standards for parking are not applicable to this format of housing. All of the accesses to units face a street and parking area.



- B. Pedestrian Access and Circulation. Pedestrian access routes shall be provided from the public street(s) to all primary building entrances in the form of a continuous pathway of at least five feet in width.

Finding: The proposed layout includes pedestrian connections to Old Pacific Highway and also includes 5 foot and 6 foot sidewalks throughout the development as a part of their internal street network. Sidewalks provide access to each of the units, the club house, and internal parks and open spaces. This requirement is met.

- C. Building Modulation. Building Modulation shall be varied to break up the overall bulk and mass of buildings, avoid a monolithic presence, and provide visual interest. Building facade modulation or appropriate architectural treatment shall occur at least every twenty-five feet along the length of facades facing adjacent properties or public street. Minimum modulation depth shall be two feet.

Finding: The proposal includes separate buildings in 4 or 8 plex configurations. The western facing elevations have decks and glazing patterns that help to provide modulation. The site topography also assists in providing some modulation as the mass of a portion of the building is below grade on at least one building elevation. A condition of approval requiring the applicant demonstrate compliance with this standard prior to building permit issuance.

- D. Roof Line Variation. Roof lines shall be varied to break up the overall bulk and mass of multifamily buildings. Roof line variation shall be accomplished by using one or more of the following methods: vertical or horizontal off-set ridge line, variations in roof pitch, or other technique shown to break up the overall bulk and mass of the building(s).

Finding: The provision of separate buildings for four plex and 8 plex buildings helps to provide for some variation in the roof line. The roofs proposed are all pitched similarly but have an offset roof overhang on the front and rear. The proposed units do provide some roof line variation, but uses other techniques not specified in code. A condition of approval requiring the applicant demonstrate compliance with this standard prior to building permit issuance.

- E. Building Variation. Developments with multiple structures shall use appropriate architectural variations and use of colors to differentiate buildings within the development.

Finding: The narrative provided states that different uses will be differentiated by different color and materials. No information has been submitted to demonstrate this or how it would be applied. A condition of approval requiring the applicant demonstrate compliance with this standard prior to building permit issuance.

- F. Large multifamily complexes that have more than twenty-five units shall include an open space and recreational component into the site design, which comprises at least fifteen percent of the gross site area. This requirement can be accomplished through the use of landscaping, play areas and common open space, but may not include any required yard/setback areas.



Finding: The proposed open space exceeds the required 15%. According to the project narrative 27% of the gross site areas is proposed for open space. The plans show that 4.68 acres is proposed for open space on the 17.03 acre site. The open space includes passive walking trails, an internal park, and critical areas to be protected in a tract. This standard appears to be met.

Parking and Sidewalk Requirements KMC 17.44

Findings: The proposed Multi Family use requires two parking spaces for every two residential units per table 17.44.020(B). The parking summary table provided on the plan set indicates that 70 ADA spaces, 259 standard spaces, and 148 visitor spaces will be provided. The requirement for the proposed 329 residential units at a 2 space per 2 unit ratio would be 329 spaces. The proposal exceeds the required number of spaces. The parking is proposed to be paved with asphalt or concrete per the public works standards. Sizes of spaces will be required by a condition of approval to meet the requirements in table 17.44.020(E)(1). Sidewalks are provided for pedestrian circulation throughout the proposed project. These standards are met.

There are no parking lot landscape requirements in the residential zones, but some guidance is provided in the Mixed Use zone. KMC 17.44.020.G. provides the following:

Parking Lot Landscape Requirements in the Mixed Use Zoning District.

1. Parking lot perimeter landscaping abutting public streets in the mixed use zoning district shall include either a three-foot high shrub row or three-foot tall berm along city street frontages except where access to the street from the parking areas is used. The shrub row shall meet height requirements within three years of installation. Shrubs may be evergreen or deciduous. Groundcover plants shall be provided for the remainder of the planting area to provide full coverage within three years.

2. Ten percent of the total paved surface area for parking and drive aisles shall be landscaped.

Title 16.10 -- Plat Design Standards

Finding: As a condition of approval, the applicant will be required to submit for a final plat review for a 70 lot subdivision. The requirements of the Plat Design Standards in 16.10.030-050 will be met through that staff review and approval process and will be demonstrated prior to final plat acceptance by the City of Kalama.

16.10.020 Standards Adopted

The "City of Kalama Development Guidelines and Public Works Standards" (hereafter referred to as "public works standards") are adopted herein by reference and the design and layout of streets, sanitary sewer, water and storm drainage systems and such other construction regulated or reviewed pursuant to this title shall be done in accordance with said standards. Where a conflict exists between this chapter and the public works standards, the more stringent standard shall apply unless otherwise approved by the public works director. The public works



standards are on file with the city clerk-treasurer or online at <https://www.cityofkalama.com/home/showpublisheddocument/5235/637377589188100000>, and may be reviewed upon request or purchased.

Finding: Public works standards for streets and curbs, installation of utilities, including stormwater, water, and sewer review are included in an attached memo from Gray and Osborne Inc. Dated November 17, 2021. That memo is attached and is a part of this staff report and findings.

16.10.130 Parks

The planning commission and city council shall review the need for park development when reviewing preliminary subdivision plats and may require the developer to dedicate land for park development and construct improvements thereon as a condition of approval in accordance with this title. Applicant-paid park improvements shall be constructed prior to final plat approval, unless otherwise approved by the city. As agreed to by the city, a fee in lieu of park land dedication proposal may be considered in accordance with RCW 82.02.020 and such fee shall be paid prior to final plat approval, unless otherwise authorized by the city. The developer should meet with the City of Kalama Public Works prior to final park design to review preliminary recreation proposals.

Finding: There is one clubhouse and one park area proposed as well as a passive trail/recreation system.

The narrative states that the clubhouse will contain a leasing office, exercise room, pool, and other features. A condition of approval will be included to require this be more clearly defined prior to building construction plan approval and the installation will be required prior to final plat approval.

There is little information provided in the application on what is proposed within these park areas, and the landscape plan indicated that the passive trail area will be undisturbed, and the park area will be planted in grass. The park areas should at a minimum contain landscaping that includes trees, shrubs and some active play equipment installed to meet current parks standards. A condition of approval will be added to require this prior to final construction plan approval and will require the installation prior to final plat acceptance.

16.10.140 Natural features preservation and landscaping Site Landscaping

- A. Plats shall be designed to preserve and enhance significant natural features and resources, including but not limited to natural contours, watercourses, marshes, scenic points and views, large trees, natural groves, rock formations, and sensitive areas; to be compatible with aesthetic values of the area; and to reflect natural limitations inherent in the property. Mass grading shall be limited to the minimum necessary to construct site infrastructure and provide a typical home site.



- B. Plats shall be designed to minimize impacts on adjacent properties and on off-site or citywide public facilities and services, such as streets, drainage ways and storm sewers.
- C. Plats shall be designed to preserve to the extent possible significant trees as defined by Section 16.04 KMC and as more specifically set forth in this section. When the preservation of at least twenty percent of significant trees, inclusive of those found in preserved critical area buffers and open space or recreation tracts, is deemed not feasible, the subdivider shall mitigate for the loss of tree canopy by incorporating additional landscaping, tree plantings and/or buffer enhancements (if applicable) or through other means as approved by the city. Significant trees that will remain on-site shall be protected during construction through the use of fencing, rock wells and other means that provide protection corresponding to the drip line of the tree(s), which is the vertical projection of the foliage at its greatest circumference. Assurances shall be provided to ensure the long-term protection of significant trees, or trees planted as mitigation, via notations on the final plat and within recorded covenants. Exemptions may be included to allow removal of those trees deemed dangerous or hazardous to public health, safety and welfare by a professional arborist.
- D. Cut-and-fill embankments for streets shall be seeded to provide a soil-holding vegetative cover or otherwise protected against erosion.

Findings: The proposal includes provisions for preservation of existing trees in the critical areas as well as the seeding and planting of cut and fill embankments. The tree preservation requirements are a part of the existing critical areas permit. The design of the plat to minimize impacts on surrounding properties is addressed below in the requirements for street trees and site buffering and screening.

- E. Street trees. Prior to issuance of an occupancy permit for a lot, street trees shall be planted per the following standards:
 1. Shall be at least five feet in height at time of planting and be spaced at approximately thirty-foot intervals on center;
 2. Shall be of a type and species approved by the public works director;
 3. Shall be located behind the sidewalk (or centered between the curb and sidewalk, if the city authorizes utility/planting strips per subsection F); and
 4. Shall be at least thirty feet from any corner where curb lines intersect; and shall be planted and maintained in accordance with the APWA specifications.
- F. Utility/Planting Strips. Unless otherwise approved, all subdivisions shall not utilize a planting strip between the sidewalk and curb. If a utility/planting strip is required as part of subdivision approval, prior to issuance of an occupancy permit for a lot, the utility/planting strip abutting the curb adjacent to the lot shall be planted in grass or other approved landscaping and with street trees per subsection E. The planting strip shall be at least three and one-half feet wide or as approved by the director.

Findings: The applicant has stated in the narrative that these requirements will be met, however no detail has been provided in the current application. A condition of approval requiring these standard be met through a final engineering construction plan review is included in the staff recommendations.



G. Screening shall be implemented as follows:

1. Fences, hedges or landscaping buffer strips shall be installed to separate residential zoning districts from commercial or industrial zoning districts or uses in conformance with the zoning ordinance standards.
2. In the case of residential subdivisions abutting major arterials, the subdivider shall provide a buffer strip a minimum of ten feet wide along the property line abutting the arterial. Hedges or trees shall be planted in the buffer strip of a height that will become a solid, effective sight screen within three years, unless existing vegetation provides substantial screening.
3. Fencing may be required to limit access to areas that may be hazardous to the public, including stormwater detention ponds and facilities. Landscaping shall be required along the perimeter of the fence and may include a mix of trees and shrubs.

Finding: The applicant has stated in the narrative that these requirements will be met, however no detail has been provided in the current application. Specifically, the requirement for the planting of the buffer strip along Old Pacific Highway to include hedges, trees, and ground cover to become an effective sight screen within 3 years is applicable. Also, fencing along the top of the retaining wall, and around the proposed stormwater facility may also be required. A condition of approval requiring these standards be met through a final engineering construction plan review is included in the staff recommendations.

Phasing of Subdivisions 16.10.150

Findings: The applicant is proposing 6 phases of development, with all required utilities and infrastructure to be constructed to support each phase of development as it occurs. This number of phases is consistent with the requirements of 16.10.150.

Assurance for completion and maintenance of improvements (KMC 16.10.170)

Findings: The applicant will be required to comply with this section as a condition of approval. The compliance will be verified prior to building permit issuance and prior to acceptance of a final plat.

16.18 Planned Unit Developments Dimensional and Bulk Standards 16.18.050

Findings: These are addressed above in the staff findings in the table included in the responses to KMC title 17 in the R3 zoning district.

Improvements of a public nature 16.18.060

Findings: These are addressed above in the responses to the platting standards KMC 16.10.020.



Off Street Parking (KMC 16.18.070)

Response: These standards are addressed in the responses above to KMC 17.44. Additional requirements for landscaping in a PUD exist in KMC 16.18.070.A.3-7. Additional findings for this section conclude that an additional condition for parking areas in this PUD to demonstrate that no more than 15 spaces in a contiguous row are proposed without interruption by landscaping, no more than sixty spaces shall be in any single parking area with parking areas separated by curbs and landscaping, and that parking areas be adequately lighted. All of these additional requirements will be met prior to approval of construction plans.

Open Space (KMC 16.18.080)

- A. General. Open space is an essential component of the PUD. While no specific amount or percentage of open space is required, no PUD shall be approved without significant provision of usable open space. Provision of open space in PUDs shall be guided by and shall conform to the definitions and guidelines of this section.
- B. Open Space Defined. For the purposes of this chapter, open space is improved or unimproved area that is: (1) designated and maintained for active or passive recreation, other activities normally carried on outdoors, visual buffering, or for preservation in a natural state because of natural assets or unsuitability for development, and (2) not covered by buildings, parking structures, parking lots or accessory buildings, except that structures appropriate for the authorized recreational use of the open space may be sited on the open space and used to conserve or enhance the amenities of the open space. Additionally, landscaped roof areas that are devoted to recreational or leisure-time activities, freely accessible to residents, structurally safe, and adequately surfaced shall be considered open space. Open space does not include street right-of-way, parking lots or yards in platted lots.
- C. Open Space Guidelines.
 - 1. Most of the total area designed as open space should be contiguous rather than scattered around the development in small parcels and should be accessible to all residents.
 - 2. The area of any parcel designed for active recreational use shall not be less than six thousand square feet nor less than thirty feet in width or length.
 - 3. Areas documented in geologic reports prepared pursuant to Section 16.40.020 of this title as being hazardous or probably hazardous to develop shall be reserved as unimproved open space.
 - 4. While it is the intent of this chapter that areas unsuitable for development because of identified or probable hazard or steep slope be included in the open space, it is also the intent that the PUD design be superior in the amount of usable space for recreational activity.
 - 5. The amount, use and character of the open space shall be appropriate for the expected population and number and type of dwelling units.



6. If a PUD is to be developed in phases, the development schedule shall coordinate the provision and improvement of the open space with development of the area for residential buildings, so that no phase shall be without significant amount of open space. The council may require a certain amount or certain sites of open space to be provided with any development phase.

Findings: Open space is partially addressed above in the findings for Parks for subdivisions (KMC 16.10.130). Additional emphasis is placed on open space for PUD approval. The proposed development includes open space for preservation of critical areas and also includes open space for a park and passive trail activity as well as a club house. The proposed open space meets the characteristic requirements above because it is not within parking or building areas, and is also included to buffer the critical areas. The open spaces are generally more than 6000 square feet in area and are generally aggregated within the site. The amount of open space and recreational areas is consistent with the density proposed. **Planning commission should review the specific plans for these recreational areas in their review process. The condition added for compliance with Parks above would meet the minimum necessary approval requirements for this PUD.**

- D. Open Space Ownership and Maintenance. All area shown as open space on the plats and site plans required herein shall be conveyed and maintained under the following options:
 1. If open space is suitable for general public use and a public agency agrees to maintain it, the open space, including any buildings, structures or improvements thereon, may be dedicated to the public;
 2. If open space is appropriately intended for use solely of the residents of the development, it shall be conveyed to an association of property owners created as a nonprofit corporation under the laws of the state, through which the property owners shall own undivided interest in the open space. In such case, the developer shall file with the city copies of the articles of incorporation and bylaws of the association. In addition, the developer shall present for recording with the final plat a declaration of covenants acceptable to the city council and city attorney, which covenants shall provide for the following:
 - a. The property owners association will be established by the developer before any properties in the PUD are sold,
 - b. Membership in the association will be automatic and mandatory for each property buyer and any successive buyer,
 - c. Use of the common open space will be restricted as shown on the approved final plat and final site plan, and the restrictions will be permanent, not just for a period of years. In lieu of a covenant permanently restricting use of the common open space, the developer may convey and the city may require conveyance of the development rights to the city,
 - d. The association will be responsible for liability insurance, local taxes and the maintenance of recreational and other facilities,



- e. Property owners will pay their pro rata share of the cost of the insurance, taxes and maintenance. The assessment levied by the association can become a lien on the property, and foreclosures can be instituted to collect defaulted payments,
- f. The association will be able to adjust the assessment to meet changed needs,
- g. The city will be authorized to enforce the covenants to ensure maintenance.

Findings: A condition of approval will require compliance with this section to be further demonstrated prior to final plat acceptance.

Density and density bonus KMC 16.18.090

Findings: The permitted density is based on the gross density allowed in the base zone for the PUD. The proposed site is zoned for high density residential development R-3. This zone allows town home development on 2,000 square foot lots. Although Gross density is not defined in the zoning code, net density is. Net density subtracts the areas used for roads, utilities and public improvements. Staff interprets gross density to include those elements excluded from the net density calculation. The gross site area is 741,827 square feet. With the 2,000 sf lot minimum, a gross density of 370 units could be provided. The proposed 329 units complies with this density maximum without utilizing the available density bonus provisions.

Zero Lot Line Development (KMC 16.18.100)

Findings: The proposal includes zero lot line development but does not include any single-family development. These standards therefore do not apply.

KMC 15.04 Environmental Policy (SEPA)

Findings: A SEPA Determination of Non-Significance (DNS) was issued by the City of Kalama as lead agency on November 19, 2021, and a 14-day public comment period was observed.

The comment period ends on December 3, 2021, and no comments were received as of the writing of this staff report. The issued DNS is therefore determined to be final by the City of Kalama. No appeal has been filed at the time of writing of this staff report. Appeals of SEPA determinations are subject to RCW 43.21C.060, 43.21C.075, and 43.21C.080 and WAC 197-11-680.

Conclusions and recommendations of staff

The proposal meets or can meet the requirements of the Kalama Municipal Code as stated above. Based on the findings in this staff report and the conditions of approval below, staff recommends that planning commission review the elements of the staff report and findings and forward a recommendation of approval on to City Council.

Conditions of approval



KMC 16.18.110.D. includes the following guidance for conditions placed on a PUD:

Action and Conditions. The commission shall prepare one set of recommendations and findings on the preliminary plat and one set on the preliminary site plan and any landscaping plan and floor plan, for forwarding to and action by the council. For approval of a preliminary plat and the preliminary plans, it must be concluded that the plat and plans are consistent with the purpose and requirements of this chapter and such other zoning and subdivision regulations not inconsistent with this chapter. In consideration of the latitude given to PUDs, the commission and council shall have wide discretionary authority in judging and approving or disapproving PUD plans. The commission may recommend and the council may impose conditions found necessary to prevent detrimental impacts, to otherwise protect the best interest of the surrounding area or the city as a whole, or to further the purpose of this chapter. In addition to conditions otherwise permitted by this title, such conditions may include but are not limited to the following:

1. Limiting the manner in which uses are conducted, including restricting the time an activity may take place;
2. Establishing an open space area, lot area, yard, setback or dimension;
3. Limiting the height, size or location of a building or other structure;
4. Amending the layout of streets and lots in order to more fully meet the guidelines and requirements of this chapter;
5. Increasing the amount of street dedication, street pavement width or improvements in the street right-of-way;
6. Designating the size, location, screening, drainage system, surfacing or other improvement of a parking area;
7. Requiring greenbelts, buffer strips, landscaping, berms, fences or other means to protect adjacent or nearby property and designating standards for their installation;
8. Protecting and preserving existing trees, vegetation, water resources, wildlife habitat or other resources.

Based on the above findings and conclusions, and the guidance in KMC 16.18.110.D., staff recommends the following conditions of approval:

1. Building Permit approval will be required prior to construction of any proposed structures.
2. Prior to construction, final engineering plans shall be submitted for review and approval by the City. Any proposed changes or modifications to these plans and specifications, including those required by other agencies, shall require additional regulatory review and approval by the Planning Department prior to implementation.
3. Prior to construction, submit final stormwater report and plans for review and approval by the City. Stormwater coming from the Cedar Springs subdivision must either be bypassed through a separate conveyance system through the site or treated on-site in a facility sized for both the on-site stormwater and off-site stormwater. Conveyance calculations must be provided demonstrating that the manmade conveyance is adequate to convey site runoff without surcharging or causing damage to adjacent properties. The bioretention swale



- must be designed to comply with the manual's requirements. A turnaround must be provided for the stormwater facility access road.
4. Prior to construction, submit an updated plan set to include the requirements of this approval and additional requirements from the Kalama Planning Commission.
 5. All construction must be completed in accordance with the approved plans and the City of Kalama Development Guidelines and Public Works Standards.
 6. The project shall adhere to all conditions of any required local, state, or federal permits.
 7. The fire hydrant locations should be verified with the local fire authority.
 8. Comply with the conditions and design requirements in the November 17, 2021 Memorandum from Gray & Osborne, Inc.
 9. All area shown as open space on the plats and site plans required shall be conveyed and maintained as required by KMC 16.18.080.D. Such instruments for maintenance shall be provided prior to final plat recording.
 10. Provide an updated landscape and open space plan consistent with the requirements of 16.10.130 (Parks) and 16.10.080 (open space) consistent with the findings above.
 11. Provide an updated site plan to demonstrate compliance with parking lots landscaping and design standards findings in sections KMC 16.18.070.A.3-7, KMC 17.44 and KMC 16.18.070 above.
 12. Provide Assurance for completion and maintenance of improvements (KMC 16.10.170) prior to final plat acceptance
 13. Provide an updated plan set demonstrating compliance with the standards and findings for 16.10.140 (Natural features preservation and landscaping Site Landscaping) as discussed in the findings above.
 14. The applicant will be required to submit for a final plat review for a 70 lot subdivision. The requirements of the Plat Design Standards in 16.10.030-050 must be demonstrated prior to final plat acceptance by the City of Kalama
 15. Provide an updated plan set demonstrating compliance with 17.18.060.C-E. showing roof line variation, building modulation through color or texture, and building variation as discussed in the findings above.
 16. Provide an application for final plat to the city consistent with the requirements of the code, this decision, and suitable for recording in Cowlitz County.

List of Exhibits

- A. Master Permit Application
- B. Project Narrative
- C. Previous approval for critical areas modification
- D. Site and Construction Plans
- E. SEPA Determination of Non-Significance
- F. SEPA Environmental Checklist
- G. Traffic Impact Study
- H. Notice of Application

cc: Adam Smee, City Administrator
 Cris Dodd, Permit Technician
 Coni McMaster, City Treasurer/Clerk
 Kelly Rasmussen, Public Works Director
 Mike Johnson, Consulting City Engineer
 Applicant



