



PLANNING COMMISSION REGULAR MEETING

Monday, October 21, 2024, at 7:00 PM

Snoqualmie City Hall, 38624 SE River Street & Zoom

COMMISSIONERS

Chair: Luke Marusiak

Vice Chair: Andre Testman

Commissioners: Steve Smith, Ashleigh Kilcup, Michael Krohn, Darrell Lambert, and Dan Murphy.

This meeting will be conducted in person at Snoqualmie City Hall and remotely using Zoom.

Join by Telephone: To listen to the meeting via telephone, please call **253.215.8782** and enter Webinar ID **864 8750 2701** and Password **1900040121** if prompted.

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.

Join by Internet: To watch the meeting over the internet via your computer, follow these steps:

- 1) Click this [link](#)
- 2) If the Zoom app is not installed on your computer, you will be prompted to download it.
- 3) If prompted for Webinar ID, enter **864 8750 2701**; Enter Password **1900040121**
- 4) Please confirm that your audio works prior to participating.

CALL TO ORDER & ROLL CALL

PUBLIC COMMENT - *Public comment will be accepted by in-person attendees. Remote attendees may submit written comments to the staff liaison.*

AGENDA APPROVAL

COUNCIL LIAISON REPORT

MINUTES

1. Approval of the minutes dated October 7, 2024.

PERMIT REVIEW/DESIGN REVIEW BOARD

The Planning Commission, sitting as the Design Review Board or the Historic Design Review Board, reviews the design of certain development proposals in Snoqualmie. The Planning Commission also reviews certain development permits per the Snoqualmie Municipal Code. Public comment may be limited for some or all of these items due to the nature of the permit approval process.

2. **PUBLIC HEARING:** Historic Design Review Board Variance.

LEGISLATIVE/POLICY ITEMS/REGULATIONS

The Planning Commission reviews proposed legislation within its scope of authority, including Comprehensive Plan amendments and development regulation amendments, and planning and development replated policy items referred by the City Council.

3. **PUBLIC HEARING:** Historic Downtown Retail District Overlay Code Amendments.
4. Critical Areas Ordinance Update Presentation.

OTHER BUSINESS

Items of Planning Commissioner Interest

Upcoming Schedule

[5.](#) Future Agenda List.

[6.](#) Work Program.

ADJOURNMENT



PLANNING COMMISSION REGULAR MEETING MINUTES

October 7, 2024

This meeting was conducted in person at Snoqualmie City Hall and remotely using Zoom.

CALL TO ORDER & ROLL CALL: Chair Marusiak called the meeting to order at 7:04 p.m.

Commissioners:

Chair Luke Marusiak, Vice-Chair Andre Testman (remote), Ashleigh Kilcup (remote), Michael Krohn (remote), Steve Smith (remote), and Dan Murphy were present.

Commissioner Darrell Lambert was absent.

Councilmember liaison Jolyon Johnson was present.

Andrew Levins (remote), Land Use Planning Consultant from Van Ness Feldman, was present.

Chris Green (remote), Planning Manager from Otak, was present.

City Staff:

Mike Chambless, City Administrator; Emily Arteche, Community Development Director; Gretchen Garrett, Deputy City Clerk; Nicole Wiebe, Community Liaison; and Andrew Jongekryg, IT Support Systems.

PUBLIC COMMENT

No public comments.

AGENDA APPROVAL

Motion by Commissioner Marusiak to add a presentation on climate change to the future agenda list. Seconded by Commissioner Testman. The agenda was unanimously approved as amended.

MINUTES

1. The minutes dated September 16, 2024, were unanimously approved.

COUNCIL LIASION UPDATE

Councilmember Johnson briefly discussed Council approval of the Development Agreement for the Model Train Museum and Council approval of the City's 2025-2026 Biennium Budget. Commissioner questions followed.

DESIGN REVIEW BOARD

2. **Historic Design Review Requirements Variance.**

Planning Consultant Andrew Levins reviewed an application submitted for a variance from the standard palette of approved colors in Historic Downtown Snoqualmie (“Historic District”) for a building located at 8050 Railroad Ave. Purpose of variance is to make the exterior more complimentary to the intended use which will be a candy shop. Staff recommended the Commission approve the variance and adopt the findings. Commissioner discussion followed.

MOTION by Commissioner Marusiak, **SECONDED** by Commissioner Smith to:

Approve the color pallet as presented.

PASSED: 6-0 (Marusiak, Testman, Kilcup, Krohn, Smith, Murphy)

LEGISLATIVE/POLICY ITEMS/ REGULATIONS

3. **Historic Downtown Retail District Overlay Code Amendments.**

Planning Consultant Andrew Levins presented the following proposed code amendments:

- Expand the extents of the Downtown Historic District Retail Overlay Zone to include all parcels zoned BR-1 and BR-2
- Remove parcels currently zoned OS-2
- Increase retail use requirement to 90%
- Remove retail use waiver process
- Apply 90% ground-floor retail use requirement to storefronts facing Center Blvd SE
- Require no more than 50% of ground-floor windows of a tenant space be covered for storefronts facing Center Blvd SE

Commissioner discussion followed.

MOTION by Commissioner Marusiak, **SECONDED** by Commissioner Kilcup to:

Approve the proposed Historic Downtown Retail District Overlay Code Amendments as presented.

PASSED: 6-0 (Marusiak, Testman, Kilcup, Krohn, Smith, Murphy)

OTHER BUSINESS

Items of Planning Commission Interest

Commissioner Kilcup had a positive experience at last Saturday’s tree planting and expressed kudos to the forestry folks.

Upcoming Schedule

4. Future Agenda List. Planning Manager Chris Green presented an update to the Climate Change Element of the City’s Comprehensive Plan. The update included a recap of the objectives (adaptation and mitigation); introduction of the Climate Planning Advisory Team (CPAT); and review of the CPAT meeting topics and timeline. Commissioner Testman volunteered to be on the CPAT team and act as liaison to the Planning Commission.
5. Work Program.

ADJOURNMENT

MOTION by Commissioner Marusiak, **SECONDED** by Commissioner Murphy to adjourn the meeting at 7:58 p.m. Motion was unanimously approved.

Minutes by Gretchen Garrett, Deputy City Clerk.

Recorded meeting audio is available on the City website after the meeting.

Minutes approved at the _____ Planning Commission Meeting



Community Development Department

Emily Arteche, Director
38624 SE River St. | P.O. Box 987
Snoqualmie, Washington 98065
(425) 888-5337 | earteche@snoqualmiewa.gov

STAFF MEMO

To: Planning Commission
From: Andrew Levins, Land Use Planning Consultant
Date: October 7, 2024
Subject: Application for variance from historic design review requirements

BACKGROUND:

On September 26, 2024, Joelle Gibson submitted an application for a variance from certain requirements of Snoqualmie Municipal Code (“SMC”) Chapter 17.35 establishing the palette of approved colors within Historic Downtown Snoqualmie (“Historic District”) for a building located at 8050 Railroad Avenue in Downtown Snoqualmie. According to the King County Landmarks and Heritage Commission, 8050 Railroad Avenue is designated as a non-contributing structure. Pursuant to SMC 17.35.120.B.2, any exterior alteration to a non-contributing structure that is not identified as a Type I project is a Type II project. The Planning Commission, acting as the Snoqualmie Landmark and Heritage Commission, reviews applications for Type II projects and variances from requirements applicable to Type II projects (SMC 17.35.150.C). Per SMC 17.35.150.C, a variance from the requirements may be considered when “if the applicant demonstrates the need for such a variance; and provided, that the request is in keeping with the intent and purposes of [SMC 17.35].”

An application for a variance from Historic District requirements is a Category IV permit (SMC 14.30), requiring a notice of application and comment period, a public hearing, and decision by the Planning Commission. The SMC directs the Planning Commission to take the following factors into consideration with respect to decisions on variances from Historic District requirements:

1. The extent to which the project would adversely affect the character of the building or the overall historic district;
2. The reasonableness of the proposed project in light of other alternatives available to achieve the objectives of the owner and the applicant; and
3. The extent to which the proposed variance may be necessary to meet the requirements of a law or regulation, such as the building code, including the Washington State Barrier Free regulations, the Model Toxic Control Act or the Flood Hazard regulations.

The City maintains a list of approved colors, as defined by SMC 17.35.040.C, to be used for both contributing and non-contributing structures within the Historic District (see Attachment 1). The current

application seeks a variance from the approved colors and proposes to paint the exterior of the non-contributing structure according to the palette identified in Attachment 2.

ANALYSIS:

The applicant indicated the variance request would not adversely affect the character of the building or the overall Historic District because it would renovate the exterior of the building by refreshing the paint color. According to the application, the proposed colors are complementary to the businesses located within the building, which contains Wild Hare Antiques and will contain Carousel Candy. The applicant has also indicated that the variance request is reasonable because the proposed colors are neutral and would, according to the applicant, complement the Historic District approved color scheme and the uses within the structure.

Staff analyzed the Historic District variance request against the three criteria specified by SMC 17.15.150.C. This analysis is found below:

SMC 17.15.150.C	Staff Response
<p>The extent to which the project would adversely affect the character of the building or the overall historic district;</p>	<p>The applicant has proposed a color scheme consisting of three colors not found on the Historic District approved color palette. The colors proposed by the applicant consist of Lancaster Whitewash, Odessa Pink, and Van Buren Brown (“Proposed Colors”). The Proposed Colors are muted and are not fluorescent or unnecessarily bright, and are compatible with the colors of adjacent buildings and with the approved color palette. Staff has determined that the Proposed Colors, in limited applications, are not likely to adversely affect the character of the building or the Historic District as a whole.</p>
<p>The reasonableness of the proposed project in light of other alternatives available to achieve the objectives of the owner and the applicant; and</p>	<p>The application proposes to paint the exterior of a building with the Proposed Colors, which are not found in the Historic District approved color palette. The Proposed Colors may complement the uses contained by the building better than Historic District approved color palette, and would also result in a refreshed exterior appearance. Staff has determined the application is reasonable, given other alternatives and the objective of the applicant.</p>

The extent to which the proposed variance may be necessary to meet the requirements of a law or regulation, such as the building code, including the Washington State Barrier Free regulations, the Model Toxic Control Act or the Flood Hazard regulations	The proposed variance is not necessary to meet the requirements of a law or regulation. The proposed variance does not conflict with any law or regulation known to Staff.
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The applicant’s request appears consistent with the criteria specified by SMC 17.35.150, given that the building is a non-contributing structure and the proposed color palette was selected to complement the building’s intended use as a candy store, while maintaining compatibility with the color tones and shades of other buildings within the Historic District and the approved color palette. Per WAC 197-11-800(6)(e), the application is SEPA exempt.

RECOMMENDATION AND PROPOSED FINDINGS:

Staff recommends the Planning Commission **APPROVE** the application for a variance from the approved color palette requirements for the non-contributing building located at 8050 Railroad Avenue in historic downtown Snoqualmie. Staff recommends the Planning Commission adopt the following findings as part of its approval:

1. The Planning Commission, acting as the Snoqualmie Landmark and Heritage Commission, may consider variances from the strict application of the standards of SMC 17.35 if the applicant demonstrates a need for the variance and the request is in keeping with the purposes of SMC 17.35.
2. The Planning Commission has reviewed the application against the criteria for Historic District variances described in SMC 17.35.150.C and found the application is consistent with the review criteria.
3. Lancaster Whitewash (HC-174), Odessa Pink (HC-59), and Van Buren Brown (HC-70) align with the tone, brightness, and saturation qualities found in the Historic District’s approved color palette. The Proposed Colors may be used in limited applications, such as on a single non-contributing building, while maintaining consistency with other buildings in the Historic District and without adversely affecting the character of the building or overall Historic District.
4. The variance request is reasonable, given the applicant’s objective to utilize a color palette that is complementary to the intended use of the site.

NEXT STEPS:

1. Provide feedback on the application. The public hearing required for the application is tentatively scheduled for October 21, 2024 with the Snoqualmie Planning Commission.

ATTACHMENTS:

1. Approved Color Palette for Historic Downtown Snoqualmie
2. Applicant’s Proposed Color Palette
3. Application Package

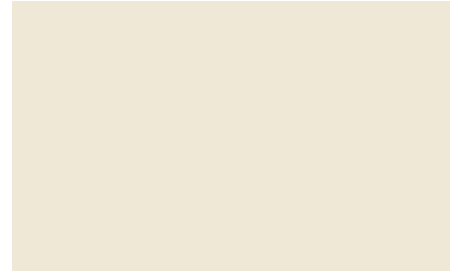
Palettes

Item 2.

Option 1



Building.....Benjamin Moore
Decatur Buff HC-38

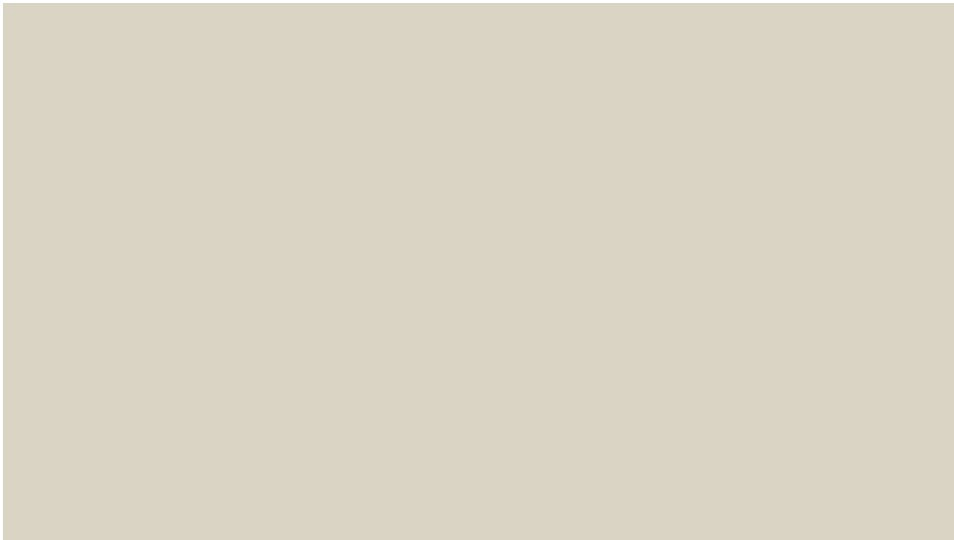


Trim.....Benjamin Moore
Navajo White OC-95



Accent.....Benjamin Moore
Newburyport Blue HC-155

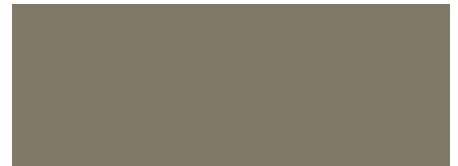
Option 2



Building.....Benjamin Moore
Edgecomb Gray HC-173



Trim.....Benjamin Moore
Yorktowne Green HC-133



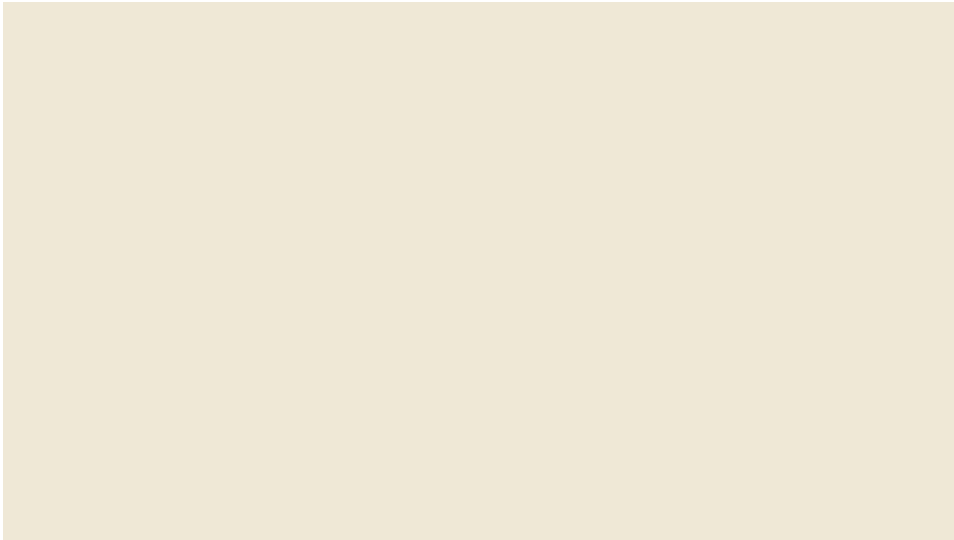
Accent.....Benjamin Moore
Cromwell Gray HC-103

**Screens and printers change the appearance of the color swatches, please use name and number of Benjamin Moore paint to achieve the correct color. Most other paint brands are able to color match to Benjamin Moore name or number.*

Palettes

Item 2.

Option 3



Building.....Benjamin Moore
Sail Cloth



Trim.....Benjamin Moore
Kendall Charcoal HC-166

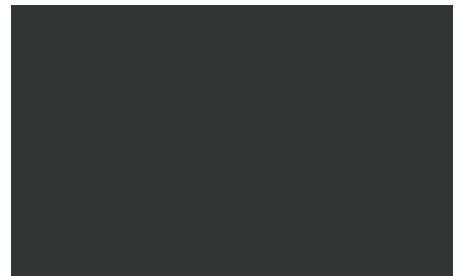


Accent.....Benjamin Moore
Ozark Shadows AC-26

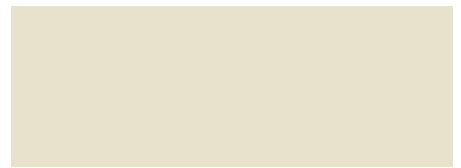
Option 4



Building.....Benjamin Moore
Hampshire Gray HC-101



Trim.....Benjamin Moore
Black Satin 2131-10

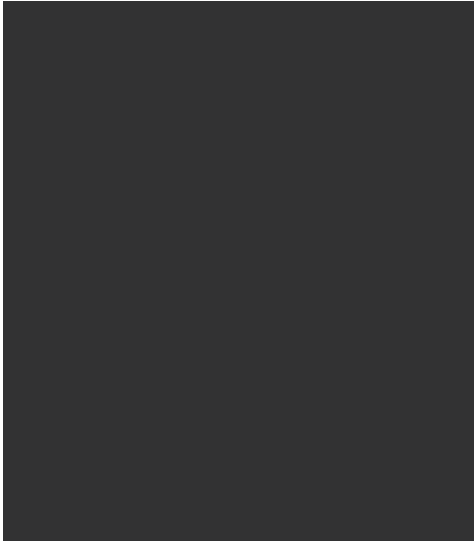


Accent.....Benjamin Moore
Landcaster Whitewash HC-17

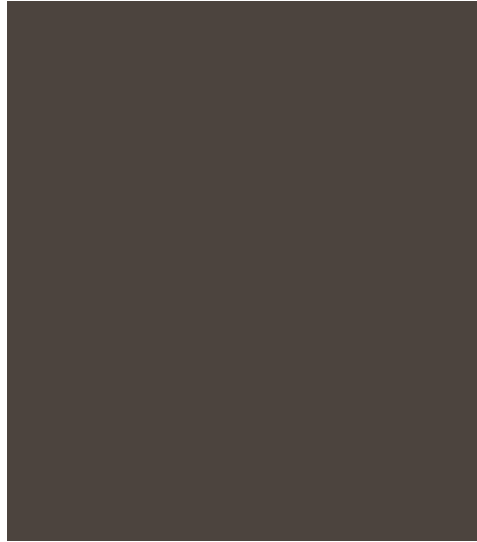
**Screens and printers change the appearance of the color swatches, please use name and number of Benjamin Moore paint to achieve the correct color. Most other paint brands are able to color match to Benjamin Moore name or number.*

Optional Trim/Storefront Window

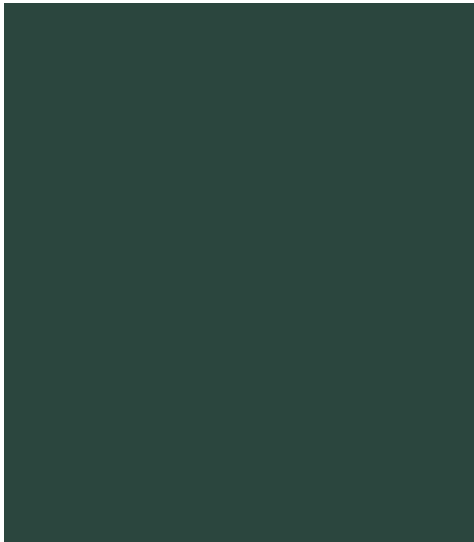
Item 2.



Benjamin Moore
Black 2132-10



Benjamin Moore
Night Horizon 2134-10



Benjamin Moore
Essex Green E-43

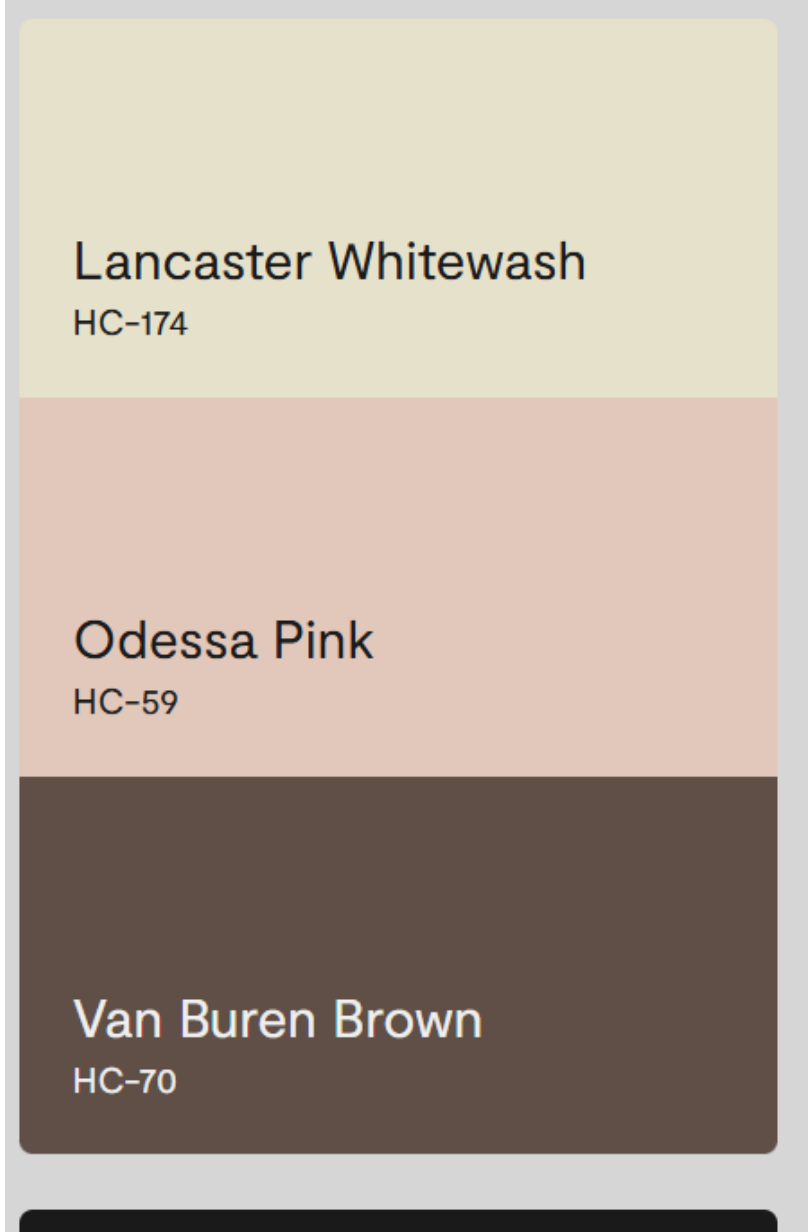


Benjamin Moore
Hodley Red HC-65

**Screens and printers change the appearance of the color swatches, please use name and number of Benjamin Moore paint to achieve the correct color. Most other paint brands are able to color match to Benjamin Moore name or number.*

Snoqualmie Facade *Exterior Color Palette*





Lancaster Whitewash - Exterior

Odessa Pink – Door

Van Buren Brown - Trim/accent

CITY OF SNOQUALMIE
GENERAL LAND USE APPLICATION

DRB2024-0002

RECEIVED
Item 2.

- Short Plat (or Subdivision)
- Design Review Board
- Conditional Use Permit
- Mixed Use Development Permit
- Planned Unit Development Permit
- Variance
- Binding Site Improvement Plan
- Unclassified Use Permits
- Preliminary Plat
- Comp Plan Change
- Temporary Use Permit
- Tree Removal Permit
- Other _____

For Office Use Only

Date _____ Rec'd By AJ

File # _____ Zone _____

Fee _____ Receipt # _____

Date Approved by:

_____ Staff

_____ Planning Commission

_____ Design Review Board

_____ City Council

Action Taken:

_____ Approved

_____ Denied

Applicant/ agent Joelle Gibson

Mailing address P.O.Box 122 Snoqualmie, WA 9806

Office Phone (425) 765-5469 Mobile Phone (425) 765-5469 Other Phone _____

Email address pcarousel@comcast.net

Property Owner Mike Kirkland; MK Property Services, LLC

Address P.O. Box 997 Snoqualmie, WA 98065 (physical: 8124 Falls Ave. SE, Snoqualmie, WA 98065

Office Phone (425) 888-2993 Mobile Phone (425) 445-4271 Other Phone _____

Email address mike@mkps.net

Project Address or location 8050 Railroad Ave. SE- Falls Building

Parcel number _____

Legal Description _____

The undersigned applicant, and his/her/its heirs, and assigns, in consideration of the processing of the application agrees to release, indemnify, defend and hold the City of Snoqualmie harmless from any and all damages, including reasonable attorney's fees arising from any action or infraction based in whole or in part upon false, misleading, inaccurate or incomplete information furnished by the applicant, his/her/its agents or employees.

The undersigned applicant grants his/her/its permission for public officials and the staff of the City of Snoqualmie to enter the subject property for the purpose of inspection and posting attendant to this application

The information given is said to be true under penalty of perjury by the Laws of the State of Washington.

Signature of Property Owner* : Mike Kirkland Date 09/19/2024

**I certify that I am the owner of the property depicted on the above section marked "project address or location" and, if applicable, I hereby give consent to my authorized applicant/agent, who is identified above by the section marked "applicant/agent", to apply for any and all necessary permits for proposed project hereby identified below in the section marked "Details of project or Proposed Use"*

Signature of Applicant/ Authorized Agent: [Signature] Date 09/18/2024

**I am an authorized agent representing the landowner(s) and have been given consent by the land owner(s) to seek permits.*

Relation to project: Tenant

CITY OF SNOQUALMIE
GENERAL PROJECT/SITE INFORMATION

Item 2.

All of the following questions should be answered prior to submitting this application form. If a question is not applicable to your project, answer the question with n/a.

1. Details of project or Proposed Use: Requesting a variance from the approved historic district color scheme. Painting the exterior of Falls Building, 8050 Railroad Ave. SE.

2. Will the project be temporary? No If Yes, how long? _____
3. Do you propose to develop this project in phases? No If yes, describe: _____

4. Project Date: **ASAP**
 - a) Land Area _____ SF or Acres (circle one)
 - b) Proposed parking spaces _____
 - c) Building Heights _____
 - d) Average slope of site _____ %
 - e) Lot Area Coverage
Building _____ SF _____ %
Paving _____ SF _____ %
Landscaping _____ SF _____ %
 - f) Number of proposed lots _____
 - g) Proposed name of subdivision _____
 - h) Has the property been subdivided before? _____ If yes, what is the Planning Department file number? _____
5. Existing Zoning _____
6. Proposed Use of Structure/Subdivision _____

7. Is this site designated for special consideration on the City's Flood Hazard Base Map?
Yes ____
No ____
8. If you wish to have copies of City correspondence, staff reports or other documents sent to addresses other than the applicant or property owner, please indicate below:

Name _____ Address _____
Name _____ Address _____
Name _____ Address _____

Joelle Gibson

Permit Submittal

Additional Criteria Q&A

09/18/2024

1) The extent to which the project would adversely affect the character of the building or the overall historic district

This project will not adversely affect the character of the building or the overall historic district. Instead, it will renovate the exterior of the Falls Building (8050 Railroad Ave. SE) by refreshing the paint color. This refresh will better complement the vibrant character of the businesses occupying Falls Building (Wild Hare Antiques & Carousel Candy), while contributing to the dynamic appeal that reinforces the district's rich historic charm.

2) The reasonableness of the proposed project in light of other alternatives to achieve the objectives of the owner and the applicant

Our request for variance from the approved paint color schemes is reasonable, as the colors chosen are neutral, complementary to the existing approved color scheme, and come from the Benjamin Moore Historic Paint Deck.

3) The extent to which the proposed variance may be necessary to meet the requirements of a law or regulation, such as the building code, including the Washington State Barrier Free regulations, the Model Toxic Control Act or the Flood Hazard regulations

N/A



Community Development Department

Emily Arteche, Director
38624 SE River St. | P.O. Box 987
Snoqualmie, Washington 98065
(425) 888-5337 | earteche@snoqualmiewa.gov

STAFF MEMO

To: Planning Commission
From: Andrew Levins, Land Use Planning Consultant
Date: October 7, 2024
Subject: SRI Retail Development Standards and SMC 17.37 Retail District Overlay Code Amendments

BACKGROUND:

In December of 2023 the Chair of the Economic Development Commission (“EDC”) sent a letter to the Community Development Council Committee regarding recommended draft amendments to the Snoqualmie Municipal Code Chapter 17.37, Downtown Historic District Retail Overlay Zone and 17.37.040 Waiver of special use regulations. The recommendations included:

1. 100 Percent of the storefronts on Railroad Avenue S.E. occupied by retail uses, increased from the current 75% requirement; and
2. 180-day allowance on good faith efforts to lease the premises for a retail use, increased from the current 120-day requirement.

Currently, 75% of the ground floor tenant spaces along Railroad Avenue are required to be occupied by a qualifying retail use. If total retail storefront occupancy drops below 75% on Railroad Ave, a ground floor tenant space must be vacant for 120 days before the landlord can apply to the City for a “retail waiver,” allowing a non-retail commercial use to occupy the space.

On February 5, 2023, the Council CD Committee remanded the draft amendments back to the commission for further discussion because the Economic Development Commission did not have the opportunity to make a formal recommendation. The Community Development Committee provided general feedback to the EDC stating that 100 percent of the storefronts on Railroad Avenue S.E. is too high of a percentage requirement for retail occupation and that the EDC should consider a percentage range within 70 to 100 percentage for retail occupation. Furthermore, the CD Committee stated 180 days is too low for the time allowance to demonstrate a good faith effort to find a retail tenant. Additionally, the definition of what constitutes a retail use should be evaluated and clarified, if necessary.

The City conducted public outreach with both the Downtown Business Association and the Ridge Merchants Association on May 2, 2024 and May 8, 2024, respectively. On May 15, 2024, the Economic Development Commission met and, in light of the findings from outreach with merchant associations,

considered appropriate threshold requirements for ground-floor retail uses, appropriate measures and timelines to demonstrate good faith efforts to lease qualifying tenant spaces to retail uses, and how the definition of retail uses could be clarified.

On May 20, 2024, the Planning Commission met and discussed the recommendations of the EDC, which were as follows:

- Expand the minimum threshold for ground floor retail uses to also apply to Falls Avenue.
- Increase the minimum retail use requirement from 75% to 90%.
- Increase the minimum time allowance to demonstrate a good-faith effort from 120 days to 180 days.
- Require that a vacant tenant space to which the retail use requirement applies be advertised online in order to demonstrate a good-faith effort, in addition to the other methods listed in SMC 17.37.040(B)(1).

On June 19, 2024, the Community Development department mailed an informational flyer and virtual meeting invitation to the owners, as identified by King County Assessor records, of all commercial property affected by proposed changes to retail use waiver requirements in both the Downtown Historic District Retail Overlay Zone and along Center Boulevard S.E. in Snoqualmie Ridge. Staff held two virtual open-houses on June 25, 2024 to give an opportunity for property owner feedback; however, neither session was attended by any member of the public. Additionally, no comments on the proposed changes were submitted based on the information provided.

On July 1, 2024, the Planning Commission met to discuss the strikethrough and underline versions of the draft amendments and the proposed revisions to the extents of the Overlay Zone. The Planning Commission indicated it would like to review further analysis regarding the waiver approval process and consider expanding the Overlay Zone to all parcels zoned BR-1 and BR-2 in Downtown Snoqualmie.

On September 16, 2024, the Planning Commission met to discuss the strikethrough and underline versions of the draft amendments and directed staff to study removal of the waiver process altogether.

Based on the recommendation of the EDC and public outreach, the Planning Commission directed Staff to study amendments to the SMC, as described below.

ANALYSIS:

Both the existing retail occupancy requirement of 75% and the time allowance of 120 days apply to the ground floor of buildings facing Railroad Avenue only in the Downtown Retail Overlay Zone. Because of the way the Snoqualmie Ridge 1 Development Standards incorporate and apply to the Municipal Code, only the time allowance applies to retail tenant spaces facing specific intersections including Center Boulevard SE and SE Ridge Street, SE Mayrand Lane, and SE Kinsey Street. All uses at these intersections are required to be a retail use, as defined by SMC Section 17.37.020 (See Attachment 1). Please note: any future amendment to the Municipal code regarding the 120-Day limit or the percentage of retail will not be applicable to the businesses on the Ridge without a Mixed Use Final Plan Amendment. Table 1 further illustrates how these requirements currently apply to Snoqualmie’s two primary walkable retail districts:

Table 1: Existing Retail Use Requirements		
	Snoqualmie Ridge I Neighborhood Center, corner tenant spaces facing select intersections	Downtown Retail Overlay Zone along Railroad Avenue
Ground Floor Minimum Retail Use Ratio	N/A	75%
Minimum time allowance to demonstrate good-faith effort to find retail tenant	120 days	120 days

Public outreach was conducted on May 2 and May 8, 2024, with both the Downtown Business Association and the Ridge Merchants Association, respectively. Each group strongly favored increasing the retail occupancy percentage requirement in the Downtown Retail Overlay Zone along Railroad Avenue to between 90-100%. The Downtown Merchants proposed that this requirement also be expanded to Falls Avenue. Both the Downtown and Ridge Merchants expressed favor toward a 180-day minimum vacancy period, and suggested that some additional requirements, such as demonstrating online rental listings and site-postings, should be required as a part of demonstrating a good-faith effort to find a retail-use tenant consistent with the requirement. One Ridge Merchant Association landlord expressed that 180-days is an appropriate amount of time, but that the requirement should not exceed 180 days. No additional input was provided from either group with regards to the definition of retail. The EDC concurred with the sentiment that online advertising of the retail lease opportunity should be required.

The EDC considered this stakeholder feedback at its May 15, 2024 meeting. Members of the EDC agreed with the recommendations of the two merchants associations, although they recommended additional outreach that specifically includes the owners and landlords that would be affected by this change. Concurring with the suggestions of the Downtown Merchants Association, the EDC also recommends that the ground floor retail use requirement be expanded to also include buildings facing Falls Avenue.

The Planning Commission discussed the EDC’s recommendations on May 20, 2024. The Planning Commission’s directed Staff to study amendments proposing modifications to the minimum requirements to obtain a waiver from retail use requirements, which are presented in Table 2: Proposed Retail Use Requirements.

Table 2: Proposed Retail Use Requirements		
	Snoqualmie Ridge I Neighborhood Center, corner all storefronts facing select intersections <u>Center Boulevard SE</u>	<u>Parcels located in the BR-1 or BR-2 zone in Downtown Snoqualmie</u> (see attachment 4)

	(see Attachment 5)	
Ground Floor Minimum Retail Use Ratio	<u>90%</u>	<u>90%</u>
Minimum time allowance to demonstrate good-faith effort to find retail tenant	<u>N/A</u>	<u>N/A</u>

The Planning Commission directed Staff to study the expansion of the Historic District Retail Overlay to encompass all Business Retail 1 (“BR-1”) and Business Retail 2 (“BR-2”) zoned property in Downtown Snoqualmie. To accommodate this change, Staff proposes the Planning Commission consider recommending modifications to the [City’s Zoning Map](#) that depict the revised extent of the Overlay District in place of verbally describing the precise extent of the Overlay Zone. This change will increase clarity as to the overall extent of the Overlay Zone, compared to the current verbose description found in the SMC. Language is proposed to be added to the SMC exempting supportive housing uses required by state law as well as City-occupied properties from calculations when determining the retail use ratio.

Currently, the purpose statement of the BR-1 zone states that the zone was created to contain all properties located within the Downtown Historic Retail Overlay zone, and to provide a shopping and dining district in a pedestrian-oriented environment (SMC 17.20.020.C). Staff proposes to modify the purpose statement of the BR-1 and BR-2 zones in SMC 17.20.020.C to reflect the modification of the extent of the Downtown Historic District Retail Overlay Zone proposed by the Planning Commission.

Originally, the Planning Commission suggested a procedure in which all retail use waivers would be decided by the Community Development department with that decision appealable to the City Council. The City Attorney has identified a personal liability risk to individual City Council members that would result they were the decisionmakers for retail waivers, and continues to advise that this risk exceeds the acceptable level of risk tolerance for City of Snoqualmie officials. As a result, the Planning Commission recommended removal of the waiver process altogether.

In the Snoqualmie Ridge Neighborhood Center, the development standards are proposed to be modified to require that at least 50% of ground-floor windows remain uncovered by signs or other window coverings during normal business hours, ensuring visibility into the tenant space and enhancing the pedestrian experience.

Summarized, the attachments to this memo propose the following changes:

- Expand the extents of the Downtown Historic District Retail Overlay Zone to include all parcels zoned BR-1 and BR-2 in Downtown Snoqualmie as depicted on Attachment 4 and depict this change on the official zoning map. The minimum threshold for ground floor retail uses will apply to these parcels.
- Remove parcels that are currently zoned OS-2 from the Overlay Zone and are being incorporated into the Snoqualmie River Trail project.
- Increase the minimum ground-floor retail use requirement from 75% to 90%.
- Remove the retail use waiver process from the SMC altogether.

- Apply the 90% ground-floor retail use requirement to storefronts facing Center Boulevard S.E. (see Attachment 5).¹
- Require that no more than 50% of the ground-floor windows of a tenant space be covered for storefronts facing Center Boulevard S.E. in the Snoqualmie Ridge Neighborhood Center, in order to facilitate pedestrian interest.¹

NEXT STEPS:

- Discuss the contents and form of the proposed amendments.
- Staff will finalize the proposed amendments to the Snoqualmie Municipal Code prior to a future public hearing with the Planning Commission.

ATTACHMENTS:

1. **Planning Commission Motion Retail Waiver Amendments**
2. **SMC Chapter 17, Strikethrough and Underline Changes**
3. **Chapter 12 Snoqualmie Ridge Development Standards, Strikethrough and Underline Changes**
4. **Current and Proposed Downtown Historic District and SRI Retail Overlay Zone Maps**
5. **BR-1 and BR-2 zone use comparison table**

¹ This proposed change will only be enforceable if amendments to the Snoqualmie Ridge Mixed Use Final Plan Conditions are approved.



COMMUNITY DEVELOPMENT DEPARTMENT

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Item 3.

After consideration of the May 15, 2024, Economic Development Commission recommendation and the May 20, 2024, staff report on the Snoqualmie Ridge I Mixed-Use Final Plan amendments, the Planning Commission passed the following motion:

- | |
|---|
| 1. Delete conditions 4 and 5 from the SRI Mixed-Use Final Plan and Development Standards. |
| 2. Amend SR1 Development Standards Section 12E.040 to add a 90% retail requirement applicable to businesses in the three-block area of the Neighborhood Center facing Center Boulevard SE, between Snoqualmie Parkway to SE Ridge Street. |
| 3. Amend 17.37.040(A)(2) Waiver of special use regulations, to increase the vacancy period required prior to applying for a waiver to 365 days. |
| 4. Amend 17.37.040(B)(1) to require vacancies be advertised online during the vacancy period in order to qualify for an application for a waiver. |
| 5. Amend 17.37.040(C) to make the Council Community Development Committee the deciding body on allowing or denying a retail use waiver, with appeals to City Council. |
| 6. Amend 17.37.030(A) Special use regulations within downtown historic district overlay zone to increase the minimum percentage of storefronts to 90%. |
| 7. Increase Retail District Overlay to includes Falls Avenue SE (see Attachment 2). |

A MOTION BY THE CITY OF SNOQUALMIE PLANNING COMMISSION ON THE 20TH OF MAY 2024.

Luke Marusiak
Luke Marusiak (Jun 14, 2024 20:16 PDT)
Date Jun 14, 2024
Luke Marusiak
Planning Commission Chair

Attest by:
Ashley Wragge
Ashley Wragge (Jun 14, 2024 10:49 PDT)
Ashley Wragge
Planning Tech

Attachment 1: Retail Definition Crosswalk
Attachment 2: Proposed Historic District Retail Overlay Zone boundaries

Table of Uses Examples	Retail	Non- Retail
Apparel	✓	
Books	✓	
Arts and crafts	✓	
Furniture	✓	
Home Furnishings	✓	
Jewelry	✓	
Records/ CDs	✓	
Consumer electronic equipment	✓	
Hardware	✓	
Sporting goods	✓	
Stationery and office supplies	✓	
Toys	✓	
Convenience goods	✓	
Food and grocery	✓	
Pharmacies/ drug stores	✓	
Restaurants/ taverns	✓	
Barber shops/ beauty salons	✓	
Tailors	✓	
Florists	✓	
Shoe Repair	✓	
Movie Theaters	✓	
Bowling alleys	✓	
Museums/ galleries	✓	
Advertising		✓
Architecture		✓
Landscape architecture		✓
Engineering		✓
Planning		✓
Law		✓
Medicine		✓
Music Instruction		✓
Interior design		✓
Dentistry		✓
Accounting		✓
Insurance		✓
Real estate		✓
Finance/ securities investments		✓
Drive- through food or beverage service		✓
Motor vehicle related uses (sales, fueling, repair, storage)		✓
Outside storage of stock, vehicles or machinery		✓
Wholesale sales		✓










SMC 17.37 and MUFP amendments proposal (002)

Final Audit Report

2024-06-15

Created:	2024-06-14
By:	Ashley Wragge (AWragge@snoqualmiewa.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAAYAHQfHRWWc773ekOuzWWk6j0UmQbTHIb

"SMC 17.37 and MUFP amendments proposal (002)" History

-  Document created by Ashley Wragge (AWragge@snoqualmiewa.gov)
2024-06-14 - 5:48:31 PM GMT
-  Document e-signed by Ashley Wragge (AWragge@snoqualmiewa.gov)
Signature Date: 2024-06-14 - 5:49:51 PM GMT - Time Source: server
-  Document emailed to Imarusiak@snoqualmiewa.gov for signature
2024-06-14 - 5:49:52 PM GMT
-  Email viewed by Imarusiak@snoqualmiewa.gov
2024-06-15 - 3:14:52 AM GMT
-  Signer Imarusiak@snoqualmiewa.gov entered name at signing as Luke Marusiak
2024-06-15 - 3:16:12 AM GMT
-  Document e-signed by Luke Marusiak (Imarusiak@snoqualmiewa.gov)
Signature Date: 2024-06-15 - 3:16:14 AM GMT - Time Source: server
-  Agreement completed.
2024-06-15 - 3:16:14 AM GMT

17.20.020, Commercial/industrial districts.

The following commercial/industrial districts are hereby established:

- A. Business-General District (BG). The business-general district is intended to accommodate a broad range of retail and commercial uses, including businesses and services that are of a larger scale or are inappropriate for the historic downtown area, such as certain automotive services and limited light-industrial uses.
- B. Business-Office District (BO). The business-office district is intended principally for providing space within the city for smaller-scale office uses, but also allows for some retail and service uses.
- C. Business-Retail District (BR). The business-retail district is intended to serve as the core pedestrian-oriented shopping area within the historic downtown area, with uses serving as shopping catalysts to other businesses within the district. Ground floor retail sales and services are encouraged with offices and professional services on upper floors. The business-retail district should support the downtown historic district by encouraging the use of architectural styles which reflect the history of the city and the railroad depot. The business-retail district is divided into two subdistricts, as follows:
 1. BR-1. The BR-1 subdistrict ~~contains all properties located within the downtown historic district retail overlay zone pursuant to Chapter 17.37 SMC, and~~ is intended for retail, shopping and dining uses in a pedestrian-oriented environment.
 2. BR-2. The BR-2 subdistrict contains all properties within the BR district outside of those listed within the BR-1 subdistrict ~~and is intended to contain retail as well as commercial and professional service uses.~~
- D. Office Park District (OP). The office park district is intended to provide areas appropriate for commercial and office uses, such as medical, dental, and other professional services.
- E. Planned Commercial/Industrial District (PCI). The planned commercial/industrial district is intended to provide areas in the city for master planned commercial/industrial uses, which might include single- or mixed-use retail, office, light industrial and open space uses. All development on parcels of two acres or larger upon which more than one principal structure is to be constructed shall be subject to the requirements of this chapter.
- F. Industrial District (I). The industrial district is intended to provide areas for a broad range of light industrial uses, and includes heavy/resource-based industrial uses as conditional uses. This district is also known as the resource extraction district. (Ord. 1203 § 7, 2018; Ord. 1198 § 22 (Exh. D), 2017; Ord. 1066 § 3, 2010; Ord. 980 § 2, 2005; Ord. 744 § 2, 1995).

17.37.010, Created.

There is hereby created a special purpose zoning classification to be known as the downtown historic district retail overlay zone, ~~the boundary of~~ which shall ~~include all lots and parcels fronting on Railroad Avenue S.E. from the southerly margin of the right-of-way of S.E. Northern Street at its intersection with Railroad Avenue to a line intersecting Railroad Avenue defined as the southerly property boundary of 8250 Railroad Avenue S.E., commonly known as the Town Pump extended.~~ be depicted on the official zoning map.

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17.37.030, Special use regulations within downtown historic district overlay zone.

- A. Subject to the underlying use regulations of this title, and subject to the provisions of SMC 17.37.040, within the historic district overlay zone at least ~~75-90~~ percent of the storefronts ~~in the downtown historic retail overlay zone on Railroad Avenue S.E.~~ shall be occupied by retail uses, and no more than ~~25-10~~ percent of storefronts shall be occupied by nonretail uses. For purposes of this section, a “storefront” shall mean separately owned or leased ground floor premises with a separate ~~entrance in the downtown historic retail overlay zone on Railroad Avenue S.E.~~. A building may have one or more storefronts. ~~Permanent supportive housing, transitional housing, and emergency housing or shelter uses as defined in Chapter 17.10- and~~ City-occupied buildings ~~in the downtown historic retail overlay zone fronting on Railroad Avenue S.E.~~ shall not be included within the definition of “storefront.”
- B. The director shall establish and maintain a list by address of all storefronts within the downtown historic district retail overlay zone and a determination of whether such storefront is occupied by a retail use. The list shall include a calculation of the percentage of storefronts occupied by retail uses as of the date of the list. The list shall be updated prior to the issuance of any business license for a business intending to locate in any storefront ~~in the downtown historic retail overlay zone fronting on Railroad Avenue S.E. within the downtown historic district retail overlay district.~~ No business license shall be issued for any business proposing to locate in a ground floor storefront ~~in the downtown historic retail overlay zone on Railroad Avenue S.E. within the downtown historic district retail overlay zone~~ unless the director certifies that the issuance of such business license is in compliance with the requirements of subsection A of this section; provided, the renewal of business licenses for businesses in existence as of the effective date of the ordinance codified in this chapter shall not be prohibited by this section.
- C. ~~Second story uses and s~~Storefronts ~~and second-story uses fronting on Falls Avenue S.E. or Maple Avenue S.E. located outside the downtown historic district retail overlay zone~~ shall be subject to the underlying zoning only and shall not be subject to the special use regulations of this chapter. (Ord. 1198 § 22 (Exh. D), 2017; Ord. 869 § 1, 2000).

17.37.040, Waiver of special use regulations.

- ~~A) The owner or authorized agent of the owner of any premises subject to the special use regulations of SMC 17.37.030 may apply for a waiver of such regulations upon making a written application therefor describing the premises by address, the last retail use, the date such premises became vacant, the proposed nonretail use, and the date such proposed nonretail lease is proposed to commence. The application shall be supported by declaration signed under penalty of perjury setting forth the facts supporting the application. The grounds for such waiver shall be as follows:~~
- ~~1) Such premises are vacant;~~
 - ~~2) Such owner or agent has made a good faith effort to lease the premises for a retail use for a period greater than 120 days from the latter of the date of vacancy and the date of commencement of efforts to lease the premises for a retail use;~~
 - ~~3) Such owner or agent has offered the premises for lease for a retail use at a rate no higher than the rate for the proposed nonretail use and upon other terms and conditions at least as favorable;~~

95
96 4) ~~Despite such good faith efforts, such owner or agent has not been able to lease the premises for a~~
97 ~~retail use and such premises remain vacant; and~~

98
99 5) ~~Such owner or agent has not offered the premises to a potential nonretail user prior to the date of~~
100 ~~application for the waiver.~~

101
102 B) ~~Such application and declaration shall be supported by copies of the following documentation:~~

103
104 1) ~~Copies of all published and nonpublished advertising or other solicitations offering the premises~~
105 ~~for lease, including but not limited to newspaper advertisements, circulars or flyers, and~~
106 ~~advertisements used by brokers or agents, with annotations as to the date and place of publication;~~

107
108 2) ~~A list of potential retail users contacted or expressing interest in leasing the premises, and the reason~~
109 ~~of each potential user for not leasing the premises, if known; and~~

110
111 3) ~~Any other document the owner or agent desires to have considered by the director.~~

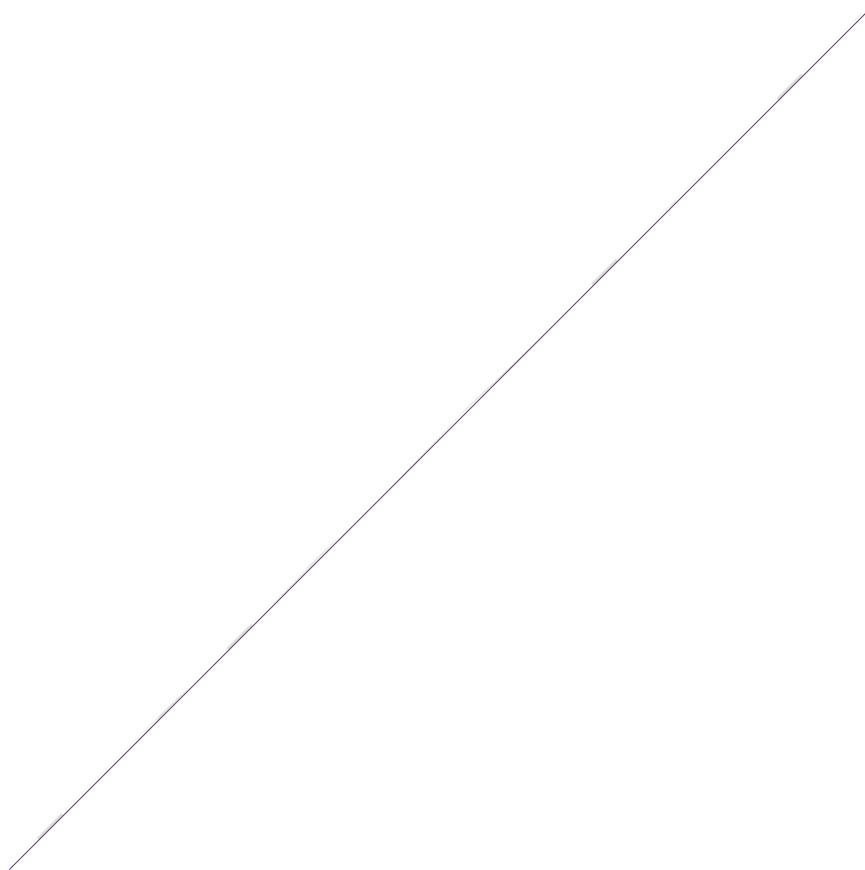
112
113 C) ~~The planning commission shall review all requests for waivers under this section. The planning~~
114 ~~commission shall review and evaluate a waiver request at a regularly scheduled meeting within 30 days~~
115 ~~following receipt of a complete application for a waiver. The planning commission director shall make~~
116 ~~a decision on the waiver request by majority vote to either approve or deny the waiver; issue a written~~
117 ~~decision allowing or denying the waiver within 14 days of receipt of a complete application; provided,~~
118 ~~the application shall be allowed unless the director/planning commission affirmatively finds that one or~~
119 ~~more of the grounds of subsection A of this section have not been met, or the application or declaration~~
120 ~~is fraudulent or not made in good faith. The director shall prepare a written notice of decision reflecting~~
121 ~~the decision of the planning commission. The notice of director's decision shall be mailed to the~~
122 ~~applicant by certified mail, return receipt requested, and by ordinary mail. The effective date of the~~
123 ~~decision shall be deemed to be the date of mailing of the notice of decision.~~

124
125 A) ~~The decision of the on the waiver request director may be appealed to the planning commission hearing~~
126 ~~examiner by filing a written notice of appeal with the city clerk, setting forth the factual and legal basis~~
127 ~~of the appeal within 10 days of the date of the director's decision. The planning commission shall hold~~
128 ~~a hearing thereon at a regular meeting not less than seven nor more than 30 days from the date of filing~~
129 ~~of the appeal, and shall immediately deliberate and decide the matter upon conclusion of the hearing.~~
130 ~~The planning commission shall issue a written decision signed by the chairman within five business~~
131 ~~days after the hearing, which written decision shall be final unless appealed to superior court. (Ord.~~
132 ~~1198 § 22 (Exh. D), 2017; Ord. 884 § 1, 2001; Ord. 869 § 1, 2000).~~

133
134 **17.37.050 Revocation of waiver for fraud.**

135 A) ~~The planning commission may revoke a waiver granted pursuant to SMC 17.37.040, and any business~~
136 ~~license issued in reliance thereon, after a hearing on notice to the property owner and holder of the~~
137 ~~business license, upon the grounds that such waiver was obtained by a material misrepresentation in~~
138 ~~the application, declaration or supporting documents. For purposes of this section, a "material~~
139 ~~misrepresentation" is a false statement upon which reliance was placed in order to find the existence of~~
140 ~~one or more of the grounds for granting the waiver. (Ord. 1198 § 22 (Exh. D), 2017; Ord. 869 § 1,~~
141 ~~2000).~~

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12E.040, Ground Floor Commercial Tenant Spaces

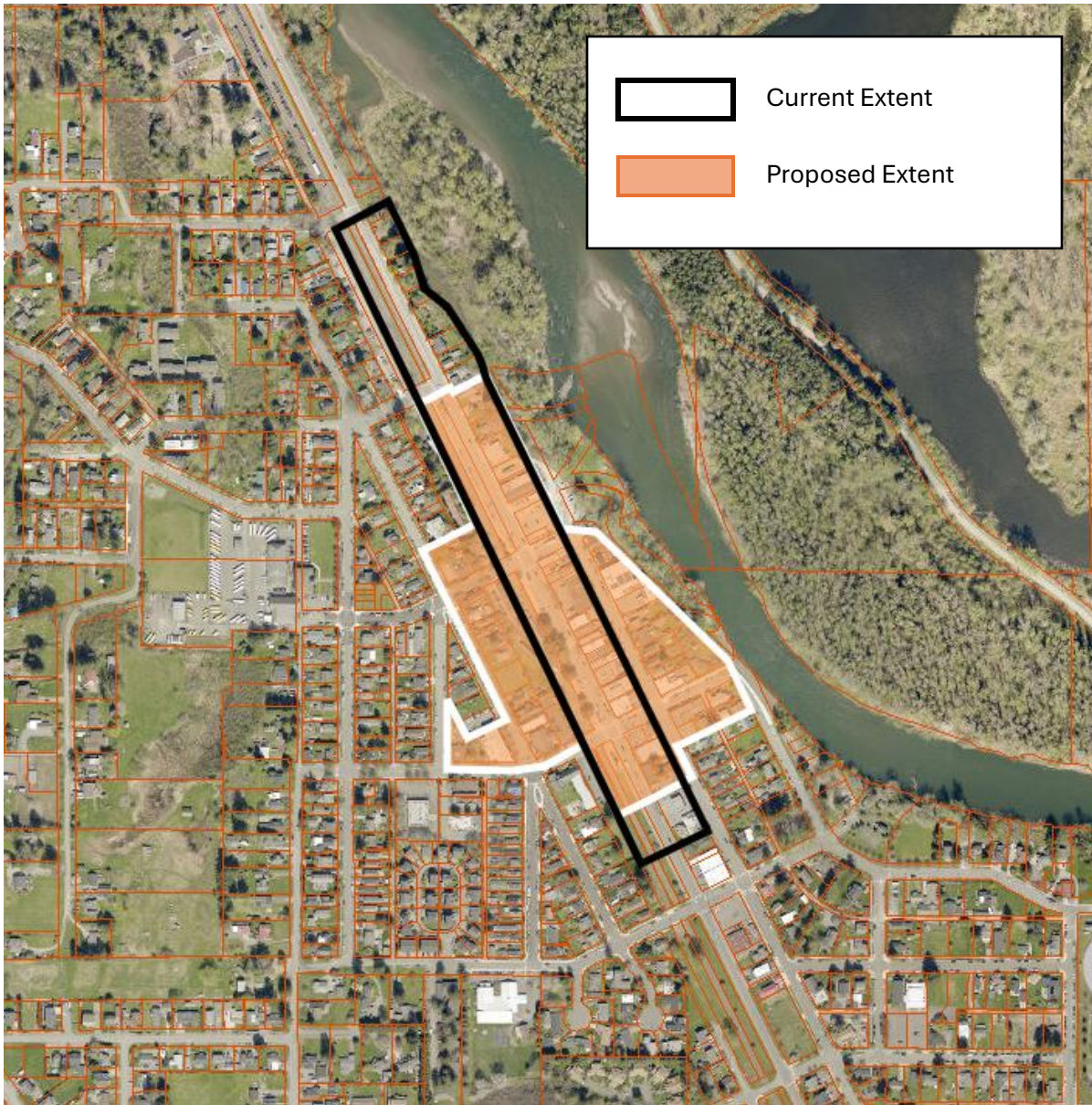
- 1
2 A. No more than one single-user ground floor retail or commercial space greater than 7,500 sq. ft. in area
3 shall be allowed within the neighborhood center retail district. Other than the block containing this
4 larger commercial business space, no more than 50 percent of the number of ground floor retail or
5 commercial spaces within each block shall be greater than 2,500 sq. ft.
- 6 B. There shall be a minimum of four separate, ground floor retail or commercial tenant spaces, each with
7 a separate, functional storefront entrance to the street, along each side of each block of Center Blvd.
8 For the block containing the single-user retail commercial space 7,500 sq. ft. or greater in size, a
9 minimum of three separate ground floor retail or commercial spaces, each with a separate, functional
10 storefront entrance to the street, shall be provided. Appendix A-4 illustrates examples of
11 compliance/noncompliance with this standard.
- 12 C. Retail business uses shall occupy a minimum of 90 percent of all ground-floor tenant spaces and
13 storefronts facing Center Boulevard S.E. all corner tenant spaces at the Center/Mayrand, Center/Kinsey
14 and Center/Ridge intersections. These corner retail tenant spaces shall be a minimum of 400 gross
15 square feet in area. All leasing plans, demising plans and promotional materials shall carry a notation
16 of "Retail Use Required" on all ~~corner-tenant~~ spaces subject to this requirement.
- 17 ~~D. The owner or authorized agent of any building containing a corner space subject to the retail use~~
18 ~~requirement of subsection C of this section may apply for a waiver of such requirement. The required~~
19 ~~showing and procedures for granting such waiver shall be as set forth in SMC 17.37.040, provided in~~
20 ~~the case of the initial leasing, the time period shall commence from the date the building is~~
21 ~~constructed and the first unit is occupied. The provisions of SMC 17.37.050 shall also apply.~~

12E.053, Storefront Standards.

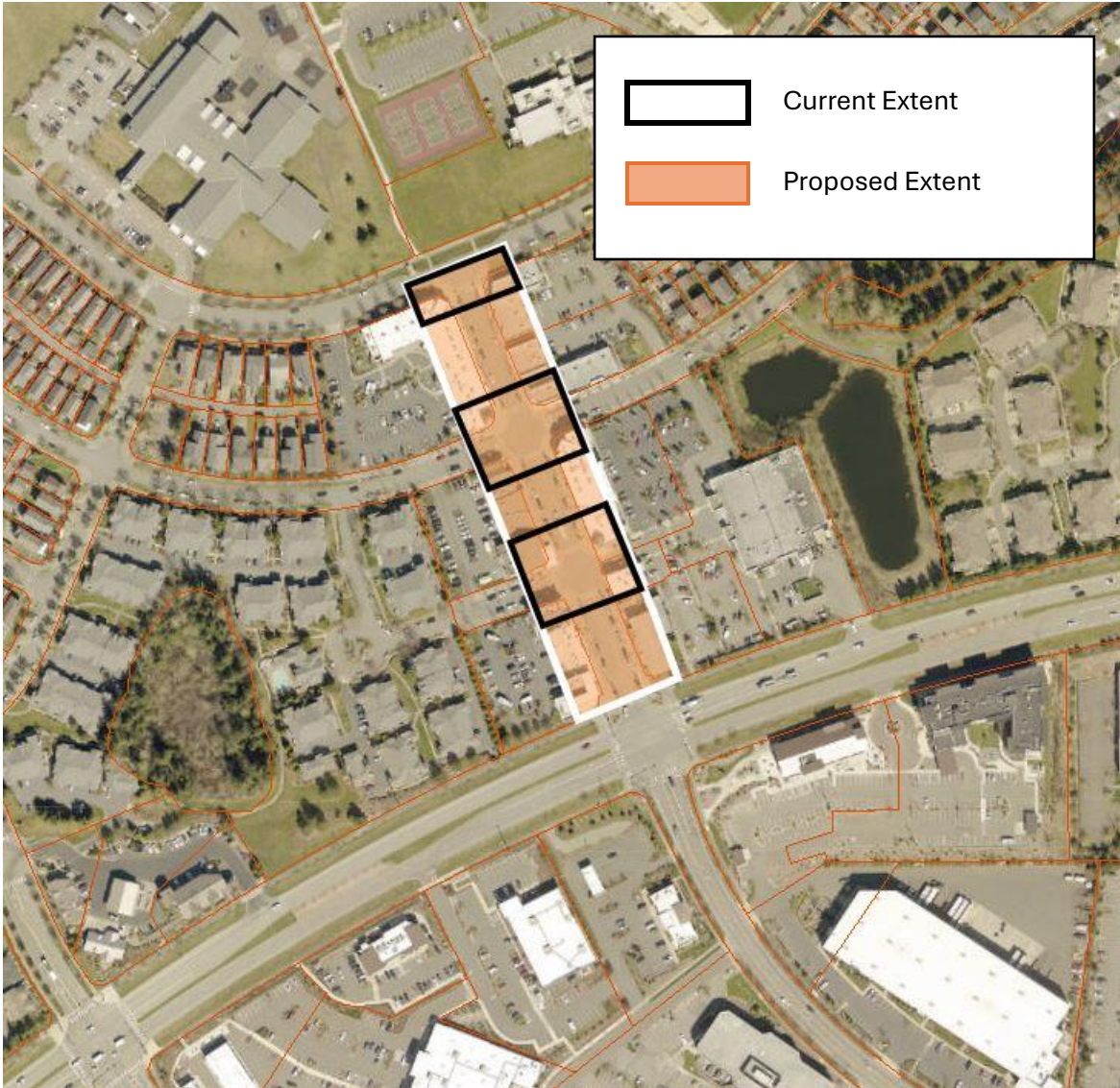
- 22
23
24 A. The storefront is the most important and prominent architectural feature of traditional commercial
25 district buildings and plays a significant role in defining the character of the retail or commercial area.
26 The storefront also plays a crucial role in a store's advertising and merchandising efforts to draw
27 customers and increase business. The storefront is the most transparent portion of the facade, allowing
28 for maximum light and display and enhancing pedestrian interest and interaction. Storefronts also create
29 visual openness that is part of the overall proportional system of the entire facade. Although a storefront
30 normally does not extend beyond the first story, the rest of the building is often related to it visually
31 through a unity of form and detail.
- 32 B. To provide a regular rhythm and unity at the ground floor level, storefronts shall not exceed 30 feet in
33 width and shall be separated by opaque wall areas/pilasters that are at least 16 inches, but should not
34 be more than 10 ft. wide.
- 35 C. All ground floor windows shall be located within a storefront system containing a base panel, display
36 windows and transom windows.
- 37 D. To emphasize the sense of containment and provide relief at the ground floor facade, the storefront base
38 panel and display window system shall be recessed a minimum of 3 in. from the face of the adjoining
39 opaque wall areas.
- 40 E. Storefront base panels shall generally be between 12 in. and 30 in. high, except where grade conditions
41 require more variation on either end. The finished appearance of the base panel may be wood, finish
42 grade wood paneling, aluminum paneling, brick, masonry, concrete, tile or metal.
- 43 F. Display windows may be solid or paned glass.
- 44 G. Transom windows at least 2 ft. in height shall be provided above doors in all storefronts. Storefront
45 glazing shall extend to the height of the top of the transom windows.

- 46 H. Clerestory windows above transom windows are encouraged, particularly within one-story
47 storefronts, as a way to add architectural interest or emphasize single storefront bays or corner
48 facades.
- 49 I. The storefront entrance doorway shall be recessed at least 3 ft. from the back of the sidewalk for all
50 commercial spaces, including lobbies, with a gross leasable area of 1,500 sq. ft. or greater. The
51 recessed entry shall have a minimum width of 6 ft. The landing within the recessed entrance area may
52 include special surfacing details such as mosaic tile, painted or textured concrete, brick or other
53 paving pattern. Storefront entrances need not be located symmetrically within the storefront.
- 54 J. Storefront entry doors shall include transparent glazing.
- 55 K. Storefront entrances shall be located at building corners at the Center/Mayrand and Center/Kinsey
56 intersections. Alternatively, storefront entrances may be located within 15 feet of the corner, where
57 fronting directly onto a pedestrian courtyard, plaza or other recessed corner treatment.
- 58 L. Storefront design and materials should be allowed to be unique while maintaining the character of the
59 building facade of which they are a part.
- 60 M. The interior of stores and/or offices shall be designed to provide for interesting window display and
61 views into the main retail, restaurant or business merchandise or activity areas.
- 62 N. Appendix D depicts typical storefront design and components.
- 63 ~~N.O.~~ No more than 50% of the ground-floor windows of a retail tenant facing Center Boulevard S.E.
64 space may be covered with an opaque material that blocks visual penetration into the retail space
65 from the sidewalk during normal business hours. Opaque materials include, but are not limited to,
66 signage, adhesive film, curtains, tints exceeding 50% visible light transmission, or shutters located on
67 the interior or exterior of the glazing.

Current vs. Proposed Extent of Downtown Historic Retail Overlay Zone



Current vs. Proposed Extent of Retail Use Requirements along Center Boulevard S.E.



The table below depicts uses that SMC 17.55.020, Table 1, differ in whether they are allowed in the BR-1 or BR-2 zone.

Land Use Descriptions		BR-1	BR-2
1.0	Residential		
	1.3.2 Day Care II	P ¹	P
	1.4 Miscellaneous Rooms for Rent Situations		
	1.4.1 Bed and Breakfast	C ¹	C
	1.4.2 Boarding Houses	C ¹	C
2.0	Commercial/Business		
	2.1 Retail/Service		
	2.1.4b Tattoo Parlor	P ¹	P
	2.1.4c Shoe Repair	P ¹	P
	2.1.4d Copy/Print/Photo Shop	P ¹	P
	2.1.5 Commercial Services	P ¹	P
	2.1.5a Banks	X	P
	2.1.5d Dry Cleaner	X	P
	2.1.8 Formula Take-Out Food Restaurants	P ³	X
	2.1.9 Espresso/Snack Stands	P	X
	2.1.10 Drive-Through Associated with Restaurant or Espresso/Snack Stand	X	P
	2.2 Office/Professional		
	2.2.1 Professional Services	P ¹	P
	2.2.2 Corporate Offices	P ¹	P
	2.5 Wholesale Sales	X	C
	2.6 Small Animal Veterinarian Clinic	X	P
	2.7 Automotive Uses		
4.0	Institutional		
	4.1 Schools (elementary, middle, or high school)	C ¹	C
	4.2 Churches and Religious Institutions	P ¹	P

Land Use Descriptions			BR-1	BR-2
	4.3	Health Services		
	4.6	Social/Fraternal/Youth Clubs, Lodges, Halls	P ¹	P
5.0	Recreation			
	5.2	Country Club	X	P
	5.3	Swimming Pool	X	P
6.0	Public Service			
	6.2	Public Utilities	C	P
7.0	Agricultural			
	7.1	Commercial Greenhouse	X	C
	7.2	Commercial Farm/U-Pick	X	X
	7.3	Large Animal Veterinarian Facility	X	C
	7.4	Public/Pea Patch Gardens	X	P

¹. Second floor only within downtown retail overlay district per Chapter [17.37](#) SMC.



Community Development Department

Emily Arteche, Community Development Director

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MEMORANDUM

To: Planning Commission
From: Emily Arteche, Community Development Director
Date: October 21, 2024
Subject: Critical Areas Update and Best Available Science, BAS

Introduction:

The Washington Growth Management Act (GMA) requires cities to update their critical area ordinance or before December 31, 2024. Counties and cities have an additional 1-year extension, beyond the periodic update deadline, to complete the review and update of the Critical Areas Ordinance (CAO Update) pursuant to RCW 36.70A.130(7)(b). All critical areas must be designated, and functions and values protected using the best available scientific, (BAS) information.

The City’s updated regulations should consider increased conservation and protection measures that may be necessary to preserve or enhance anadromous fisheries which are intended to preserve the natural environment, maintain fish and wildlife habitat, and protect drinking water.

In addition to updated critical area regulations the City will also consider updates flood hazard regulations in SMC Chapter 15.12.

Background:

The City of Snoqualmie critical area codes are regulated by [SMC 19.12](#) and last updated by Ordinance 1176 in 2016. The Planning Commission recently completed draft Environmental Goals and Policies in March 2024, which included recommended policies for the use of Best Available Science; (BAS), the protection of anadromous fisheries, the restoration and maintenance of riparian management zones and their buffers, and for the protection of the City’s environmental critical areas. The Department of Commerce provided a Critical Area Handbook; a complete guidance document for updating critical area regulations. This [2023 publication](#), addresses the following: Wetlands rating system, Voluntary Stewardship Program, agricultural activities, FEMA Biological Opinion, availability of LiDAR, monitoring and adaptive management, a salmon recovery roadmap, and other issues.

Washington State Department of Fish and Wildlife, (WDFW) and the Washington Department of Ecology (Ecology) released updated guidance based on BAS for management of riparian zones along streams and for wetland mitigation. BAS information was also provided by the Snoqualmie Tribe including information on Indigenous Knowledge/Traditional Ecological Knowledge (IK).

Analysis:

BAS is available in multiple environmental areas including riparian ecosystem, wetlands, critical aquifer recharge areas and others. BAS review for riparian ecosystem is best synthesized in Department of Ecology Volume 1, *Science Synthesis and Management Implications* (Quinn et al. 2020) which describes how riparian ecosystems and watersheds affect ecological functions and aquatic habitats and Volume 2, *Management Recommendations* (Rentz et al. 2020) which provides guidance for cities to protect and restore functioning riparian ecosystems. Healthy functioning riparian ecosystems are fundamental for clean water, productive salmon populations, and climate resilient watersheds.

According to Quinn et al. (2020) and Rentz et al. (2020), riparian ecosystems are defined as the area that provides full ecological function for bank stability, shade, pollution removal, detrital inputs, recruitment of large woody debris, and wildlife movement. The current term or approach to managing these habitats is to identify them as Riparian Management Zones (RMZ) rather than buffers, as is commonly used in most critical area ordinances. The preferred term is RMZ because buffer implies undeveloped natural areas that can contribute habitat to riparian functions, whereas RMZ is meant to capture the area capable of providing full functions and is managed to that end.

One of the goals of managing RMZs is the Desired Future Condition (DFC), in which habitat composition and structure is old, structurally complex conifer-dominated forest with large diameter trees, numerous snags and logs, and multi-strata canopies that promote plant diversity. This is used as the benchmark for the DFC in riparian areas. Riparian restoration is also expected to counteract climate change and protect juvenile salmon according to climate change models (Fullerton et al. 2022; Yan et al. 2021). A significant component of implementing the RMZ management concept is to use the site-potential tree height (SPTH) for determining RMZ widths on streams.

Tree height refers to the average height of the tallest dominant tree (200 years or older) in which key riparian ecosystem functions are effectively captured. The effectiveness of providing riparian functions decreases as the distance from a stream increases. Designating RMZs based on at least SPTH200 is therefore a scientifically supported approach to protecting and managing fully functioning riparian ecosystems, including salmon.

Rentz et al. (2020) describes procedures for delineating RMZs in city forested ecosystems. The inner edge of the RMZ should be based on the active channel as determined by the location of the stream ordinary high-water mark (OHWM) following the Department of Ecology's OHWM delineation manual (Anderson et al. 2016). The outer edge should be the recommended minimum based on SPTH200, (Site Potential Tree Height; SPTH) vegetation composition, and pollution removal.

The minimum RMZ width for pollution removal is 100 feet, which has been documented to remove 80-95% or more of common stream contaminants (e.g., nitrogen, phosphorous, sediment, and most pesticides). The mean SPTH200 in western Washington ranges from 100 to 240 feet and is correlated with soil types that support different climax tree species. The greater of the two (e.g., one full SPTH200 or the 100-foot pollution removal overlay) should be utilized to determine the regulated RMZ to protect all key riparian functions. WDFW created the SPTH mapping tool <https://arcg.is/1ueq0a> which may be used to help inform how BAS can be applied to RMZ's in the City. It provides 200-year site-potential tree height information at the parcel level for those areas that are proximate to waterbodies.

In addition, Quinn et al. (2020) and Rentz et al. (2020) do not distinguish between non-fish bearing and fish-bearing streams. No evidence or scientific literature has been identified that full riparian ecosystem functions along non-fish bearing streams are less important to aquatic ecosystems than full riparian ecosystem functions along fish-bearing streams, due to their connectivity.

BAS review for wetlands is best synthesized, *Wetland Mitigation in Washington State, Part 1; Agency Policies and Guidance (Version 2)* (Ecology et al. 2021) which provides updated guidance on compensatory mitigation specifically for or selecting, designing, and implementing compensatory mitigation based on BAS, to ensure that environmental policies and regulatory requirements are achieved.

A draft ordinance and draft code amendments using BAS will be prepared for Planning Commission review at a subsequent meeting, along with a public hearing. Updates to Snoqualmie Municipal Code will also include updates to the City's Flood Hazard Regulations, [SMC 15.12](#). Statutory requirements for the updates are defined in RCW 36.70A.030(5) and through Federal Emergency Management Agency (FEMA).

Next Steps

The City's consulting Senior Scientist, Jeff Gray Otak will present how Best Available Science could be applied to Snoqualmie critical area ordinance. After the presentation time will be allocated for questions and answers.

City of Snoqualmie

Critical Areas Code (SMC 19.12) 2024 Updates

October 21, 2024



Best Available Science Review and City Code Updates (SMC 19.12 – Critical Areas)

- Critical Areas Definitions (SMC 19.020)
- Critical Areas Review Process (SMC 19.12.070)
- General Provisions (SMC 19.12.090)
- Frequently Flooded Areas (SMC 19.12.150) and Flood Hazard Regulations (SMC 15.12)
- Streams (SMC 19.21.160)
- Wetlands (SMC 19.12.170)
- Fish and Wildlife Habitat Conservation Areas (SMC 19.12.190)
- Administrative updates

Best Available Science Review and City Code Updates (SMC 19.12 – Critical Areas)

Critical areas definitions (SMC 19.020) – Additions

- “Ordinary high water mark” means the point on the sides of streams or lakes which is historically or normally at water’s edge, as identified by a visible change in vegetation and/or soil. The ordinary high water mark should be determined using the most current federal and state methodologies.
- “Hazard tree” is defined as a threat to life, property, or public safety.
- “Sensitive species” means any wildlife species native to the state of Washington that is vulnerable or declining and is likely to become endangered or threatened in a significant portion of its range within the state without cooperative management or removal of threats, as currently listed by the Washington Department of Fish and Wildlife.

Best Available Science Review and City Code Updates (SMC 19.12 – Critical Areas)

Critical areas definitions (SMC 19.020) – Additions

- “Waters of the state” means lakes, rivers, ponds, streams, inland waters, underground waters, salt waters, and all other surface waters and watercourses within the jurisdiction of the state of Washington.
- “Riparian management zone” means an area that has the potential to provide full riparian functions, synonymous with stream buffer. Primary functions of riparian management zones include shading, bank stability, nutrient input, wood recruitment, and pollution control.

Best Available Science Review and City Code Updates (SMC 19.12 – Critical Areas)

Critical areas definitions (SMC 19.020) – Updates

- “Wetlands” – aligned with current RCW 36.70A(030(48)
- “Fish and Wildlife Habitat Conservation Areas” – added **Riparian Management Zones** to locally important habitats/species, federal and state sensitive wildlife species, waters of the State; maintains exemptions for artificial features (e.g., irrigation, ditches)
- “Critical area” – includes critical areas and associated buffers
- “Buffer” – synonymous with **Riparian Management Zones**

Best Available Science Review and City Code Updates (SMC 19.12 – Critical Areas)

- Critical Areas Definitions (SMC 19.020)
- **Critical Areas Review Process (SMC 19.12.070)**
- General Provisions (SMC 19.12.090)
- Frequently Flooded Areas (SMC 19.12.150) and Flood Hazard Regulations (SMC 15.12)
- Streams (SMC 19.21.160)
- Wetlands (SMC 19.12.170)
- Fish and Wildlife Habitat Conservation Areas (SMC 19.12.190)
- Administrative updates

Best Available Science Review and City Code Updates (SMC 19.12 – Critical Areas)

Critical Areas Review Process (SMC 19.12.070)

- Monitoring **required** when mitigation is required

Best Available Science Review and City Code Updates (SMC 19.12 – Critical Areas)

- Critical areas definitions (SMC 19.020)
- Critical Areas Review Process (SMC 19.12.070)
- **General Provisions (SMC 19.12.090)**
- Frequently Flooded Areas (SMC 19.12.150) and Flood Hazard Regulations (SMC 15.12)
- Streams (SMC 19.21.160)
- Wetlands (SMC 19.12.170)
- Fish and Wildlife Habitat Conservation Areas (SMC 19.12.190)
- Administrative updates

Best Available Science Review and City Code Updates (SMC 19.12 – Critical Areas)

- General Provisions (SMC 19.12.090)
 - Whenever mitigation is required, the applicant shall prepare and submit a mitigation plan using a watershed approach for city review and approval.

Best Available Science Review and City Code Updates (SMC 19.12 – Critical Areas)

- Critical areas definitions (SMC 19.020)
- Critical Areas Review Process (SMC 19.12.070)
- General Provisions (SMC 19.12.090)
- **Frequently Flooded Areas (SMC 19.12.150) and Flood Hazard Regulations (SMC 15.12)**
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Frequently Flooded Areas (SMC 19.12.150) and Flood Hazard Regulations (SMC 15.12)

- Frequently flooded areas = FEMA's FIRM maps
- WDOE encouraging local governments to go beyond FEMA minimum requirements (40% of NFIP claims from 2017-19 for properties outside of FEMA mapped flood zones)
- E.g., King County extends no-rise requirement to flood fringe (FEMA only requires no-rise in floodway)
- Hydraulic study by KC showed a 1.4' drop in the Snoqualmie River's BFE from downstream projects (e.g., lowering falls)
- Safety/Climate factor already built into city mapping and regulations
- Considering additional protections to lower flood insurance rates for citizens

Best Available Science Review and City Code Updates (SMC 19.12 – Critical Areas)

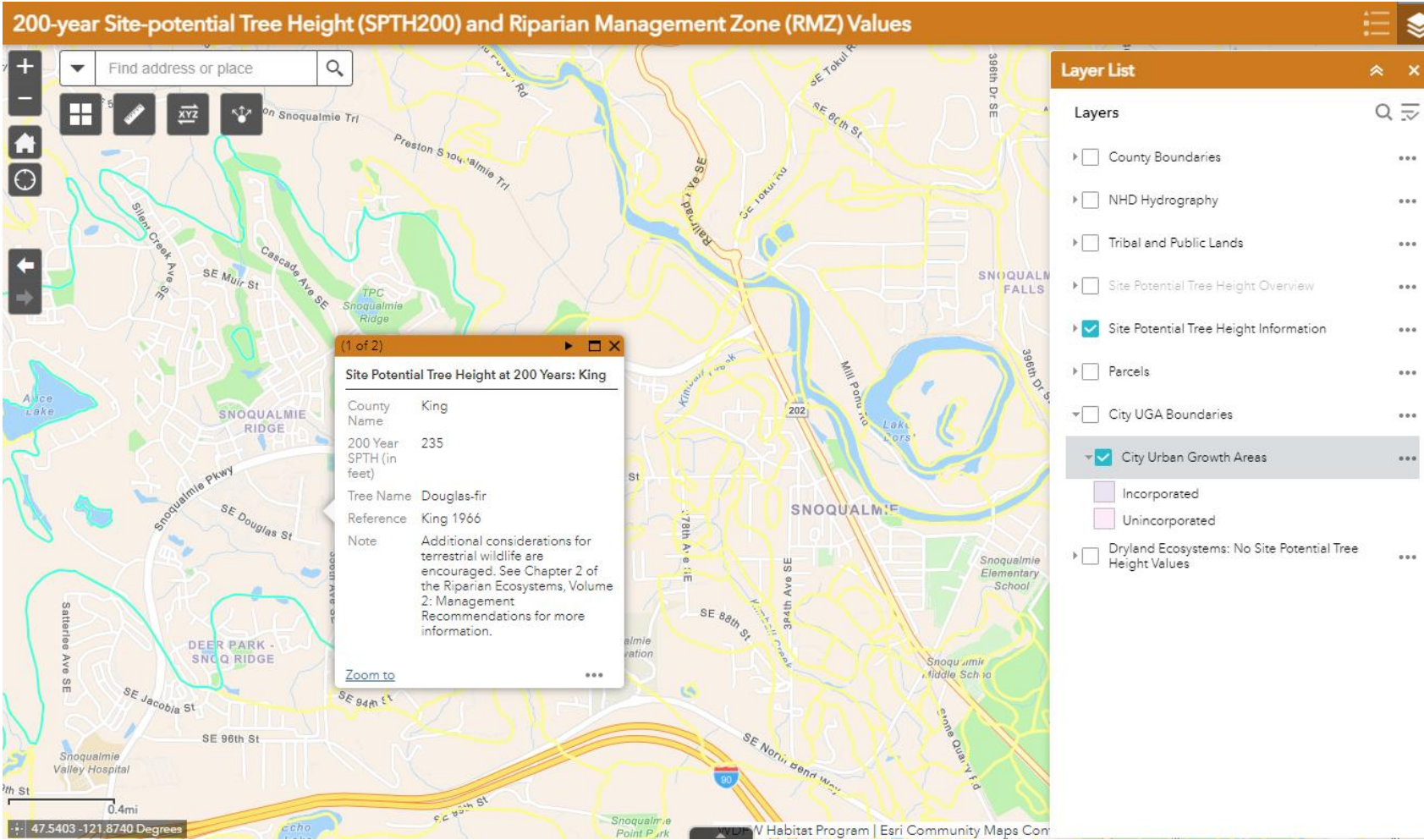
- Critical areas definitions (SMC 19.020)
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Streams (SMC 19.21.160)

BAS: Volume 1: Science Synthesis and Management Implications (Quinn et al. 2020)
and *Volume 2: Management Recommendations* (Rentz et al. 2020)

- Riparian Management Zones (RMZs)
- Site Potential Tree Height (SPTH) and Desired Future Condition (DFC)
- Climax tree height (+200 years) and soil types
- 100' to 240' RMZs

Streams (SMC 19.21.160)



Streams (SMC 19.21.160)

Current Code (19.12.160-1)		2024 WDFW BAS	
Stream Classification	Buffer Width (ft)	Stream Classification	RMZ Width (ft)
Class 1 streams and Class 2 streams with anadromous salmonids	100	Class 1 (Type S)	See Shoreline Regulations (SMC 19.08)
Class 2	75	Class 2 (Type F)	200
Class 3	50	Class 3 (Type Np)	100
Class 4	25	Class 4 (Type Ns)	100
Snoqualmie River SF and RB within Natural Shoreline Env.	200	-	-
Snoqualmie River within Urban Riverfront Env.	25	-	-

Streams (SMC 19.21.160)

- Replaced “Buffers” with Riparian Management Zones
- Stream crossings designed in accordance with WDFW’s Water Crossing Design Guidelines (2013), as updated. New crossings shall be evaluated under future climate change scenarios for 2040 and 2080, or similar, as required by state and federal agencies.

Best Available Science Review and City Code Updates (SMC 19.12 – Critical Areas)

- Critical areas definitions (SMC 19.020)
- Critical Areas Review Process (SMC 19.12.070)
- General Provisions (SMC 19.12.090)
- Frequently Flooded Areas (SMC 19.12.150) and Flood Hazard Regulations (SMC 15.12)
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- **Wetlands (SMC 19.12.170)**
- Fish and Wildlife Habitat Conservation Areas (SMC 19.12.190)
- Administrative updates

Wetlands (SMC 19.12.170)

- Allowed Uses, Exemptions, and Exceptions maintained (e.g., <1k SF exemption)
- Impacts and Mitigation Ratios: Direct and Indirect
 - 2021 Interagency Manual: Wetland Mitigation in WA State, Part 1: Agency Policies and Guidance, Version 2 – Ecology, USACE, EPA
- Wetland Buffers: widths align with Ecology’s Wetland Guidance for Critical Areas Ordinance (CAO) Updates (2022)
 - Functionally disconnected buffers
 - Widths based on land use intensity, wetland class, and habitat functions (min. 40’)

Best Available Science Review and City Code Updates (SMC 19.12 – Critical Areas)

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- **Fish and Wildlife Habitat Conservation Areas (SMC 19.12.190)**
- Administrative updates

Fish and Wildlife Habitat Conservation Areas (SMC 19.12.190)

Additions

- All waters of the state (.e., wetlands, streams)
- Areas with primary association for state and federal listed wildlife species, state sensitive species, and Priority Habitat Species as designated by the Washington Department of Fish and Wildlife, as well as Habitats of Local Importance.



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FUTURE AGENDA LIST

Agenda Items	2024														
	20-May	3-Jun	17-Jun	1-Jul	15-Jul	5-Aug	19-Aug	3-Sep	16-Sep	7-Oct	21-Oct	4-Nov	18-Nov	2-Dec	16-Dec
Comprehensive Plan Review															
Climate Change Element		Climate Change Introduction												Climate Change	
Design Review / Historic Design Review										Historic DRB-Var of Color	Historic DRB-Var				
Training	Historic Preservation	Historic Preservation			Historic Preservation	Historic Preservation									
Other	MUFP Amendment					MUFP Amendment									
Staff/Chair comment items					Splash Pad				New Commissioner Intro	Climate Change Committee					
Code Amendments	Historic Downtown Introduction				Critical Areas Code Intro	Downtown Historic Retail			Historic Downtown Retail	Historic Downtown Retail	Critical Areas Code & Historic Downtown Retail	Wireless Code Intro & Critical Areas Code	Critical Areas Code		
Key:															
Public Hearing															
Discussion															
Training															



Planning Commission Work Program

Items are not listed in any order. Subject to change.

2024 WORK PROGRAM ITEMS		
TOPIC	DATE	STAFF
Comprehensive Plan Update	Q1-4	Emily
Snoqualmie Ridge Mixed Use Final Plan Amend – Center Blvd Retail Uses	Q1-Q4	Andrew
Code Amendment Temporary & Emergency Housing	Q1-2	Andrew
Climate Change Element	Q2 and thru 2025	Emily
Historic Design Review Board Training	Q2	Ashley
Code Amendment Critical Areas Ordinance, Flood Improvement	Q3-4 and thru 2025	Emily
Retail Code Amendments	Q2-4	Andrew
Wireless Code Amendment	Q-4	Emily

FUTURE WORK PROGRAM ITEMS		
TOPIC	DATE	STAFF
Sign Code update	TBD	TBD
Historic Preservation and Color Palette	TBD	TBD
Snoqualmie Mill Design Standards	TBD	Andrew
Citywide Development Standards	Q1	TBD
Permitting Co-living, RCW36.70A.535	TBD	TBD
Permitting commercial buildings to multifamily, RCW35A.21.440 or RCW35.21.990	TBD	TBD