

LAND USE ELEMENT

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I. INTRODUCTION

1. Growth Management Act Requirements

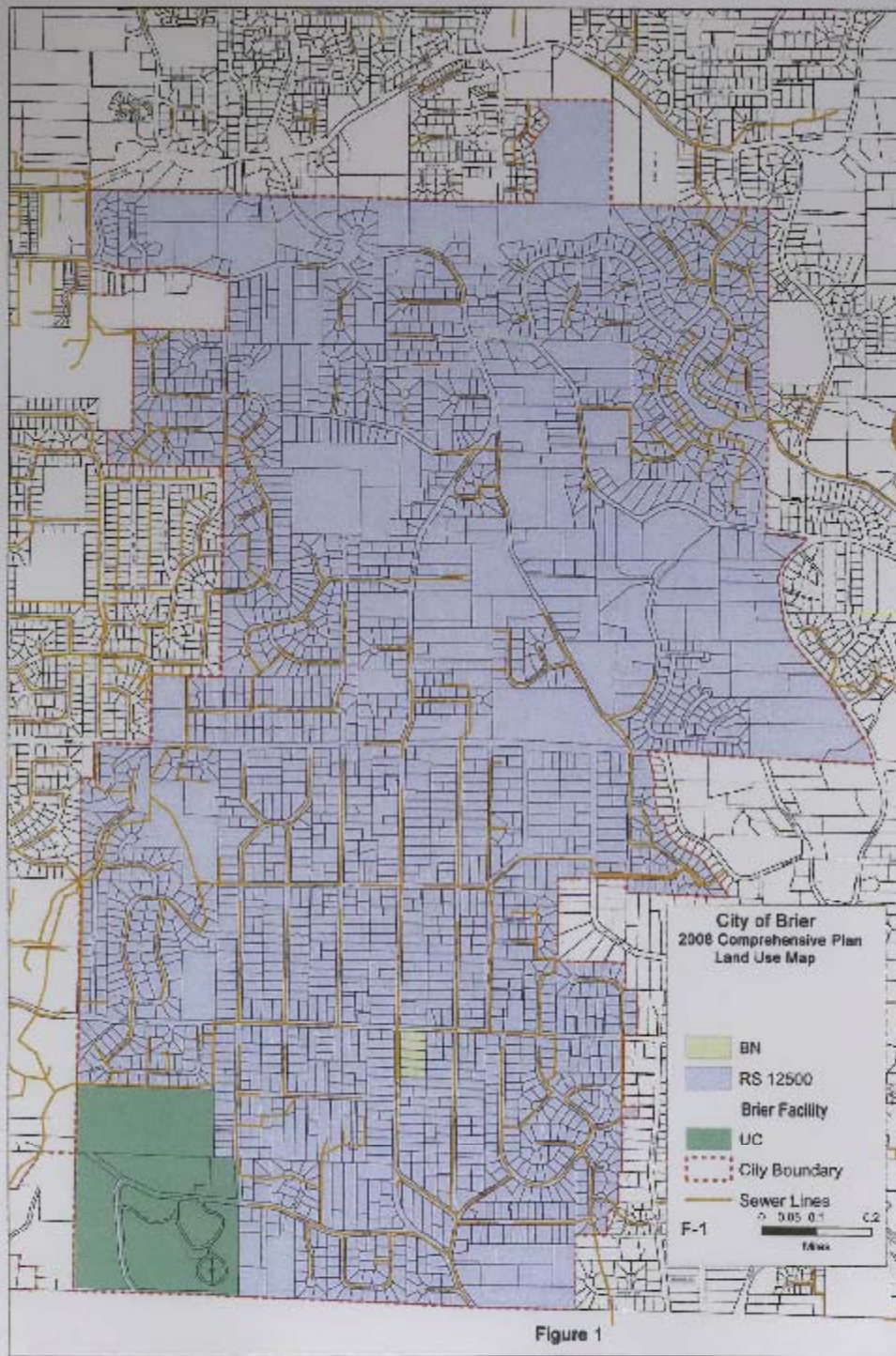
The Growth Management Act (GMA) requires cities to prepare a land use element that designates the proposed general distribution and general location and extent of the uses of land and includes population densities, building intensities, and estimates of future population growth. The element must provide for protection of the quality and quantity of ground water used for public water supplies. Where applicable, the land use element must review drainage, flooding, and storm water run-off in the area and provide guidance for preventing degradation of waters of the state.

2. Purpose of the Land Use Element

The Land Use Element addresses existing and future land uses in the City of Brier and its surrounding Urban Growth Area (UGA), and presents the community's policy plan for growth over the next 20 years.

The Land Use Element is the heart of the comprehensive plan. It is the focal point for analyzing and weighing the interrelationships between various plan elements and for achieving consistency between elements. Brier is a somewhat unusual community; therefore the Land Use Element serves to carry out the long-range character and "vision" of its citizens. The Land Use Element describes how the goals in the other plan elements will be implemented through land use policies and regulations, and thus, it is a key element in implementing the comprehensive plan.

A community's Land Use Element establishes the desirable character, quality, and pattern of the physical environment, which is the stage on which a community's day-to-day activities are played out. It specifies the appropriate amount and location of various lands uses, and establishes the appropriate densities or intensities of permitted land uses in the City. The Land Use Element guides public and private decisions about when, where and how future development takes place and where public facilities are located. It governs the development of land use regulations and other programs that will implement land use policy direction. (See Figure 1; the City's Land Use Map)



3. Urban Growth Area (UGA)

The GMA calls for establishing urban growth boundaries that contain areas characterized by urban growth or where growth will be encouraged and can be supported with adequate facilities. The Countywide Planning Policies (CPP) for Snohomish County specifies policy considerations for implementing UGA's. In addition to being part of the County's Southwest UGA, the City of Brier has designated UGA to the North and East of the City limits. (See Figure 6)

The function of the Cities UGA is to guide decisions on where to accept petitions for annexation and extension of city services. Delineation of the UGA does not mean that this unincorporated area will be annexed to the City. Annexation is a matter that will be determined by City officials and all residents affected, based on the interest of both City residents and those who seek annexation. Retaining large lot single-family residential character is a primary goal of the City, which will be an important factor in the consideration of annexations. It is recognized that decisions made by other jurisdictions and agencies affecting the UGA and other surrounding areas will have a certain relationship and impact upon the City of Brier. Brier is keenly interested in future developments in these areas because of the potential demands upon services provided within Brier -- its streets, schools, parks, police protection, sanitation, watershed, and ecology. It is a goal of the City to encourage land use, traffic, community facility and service decisions within the UGA that would be compatible with Brier and would not adversely impact existing land uses nor put an undue burden on the City's roads, parks or other public facilities.

II. EXISTING CONDITIONS

1. Natural Environment

Conditions of the natural environment in the City of Brier are analyzed and discussed in the 1989 Comprehensive Plan. Descriptive information and maps on geology, topography, soils, surface water, ground water, vegetation, and fish are included in Appendix A of the Comprehensive Plan. A summary of how the features of the natural environment may affect development conditions in the City of Brier is provided below.

a. Natural Environment Development Constraints

The existing conditions of the biological and physical elements of the environment described in Appendix A interrelate in the landscape posing development constraints of varying degree. The limitations posed by surficial geology, slope, soils, hydrology, and vegetation are additive, resulting in significant, moderate, or minor constraints within the Brier City planning area and its UGA. Figure 1, Development Constraints, depicts environmental limitations on development.

The development constraints analysis was completed for the 1989 Comprehensive Plan and the conclusions are very general in scope. Many of the constraints would not deter development in areas served with sewer systems or with careful site planning. The analysis is provided in the Plan for general planning reference only, and there are no regulations specifically associated with the mapping. Development limitations associated with environmentally sensitive areas are discussed further in section b. below.

The biological and physical elements interrelate to generally favor development in the areas of minor constraints. These areas are typically flat to gently sloping, located where surficial geology and soils favor building construction, and where groundwater recharge is not significant. Many of these areas are already developed and forests have been cleared for further development. However, important stands of vegetation do exist within the minor constraint areas.

The moderate development constraint areas are generally not favorable for building construction due to surficial geology, soils and slope. Special planning, design, or maintenance is needed to overcome or minimize the limitations. Groundwater recharge does not occur in these areas in significant quantities. Like the areas of minor constraints, stands of forests also occur in these areas, but to a greater degree.

The remaining landscape occurs where the biological and physical elements interrelate to pose development constraints of significant magnitude. Indeed, certain areas are so sensitive that no development should take place. In others, the elements are so unfavorable for building construction or so difficult to overcome that special design, significant increases in construction costs, and possibly increased maintenance is required. In addition, special feasibility and/or environmental studies may be required. Generally, the areas of significant constraints are steeply sloping, have soils with severe limitations for building upon, are areas of groundwater recharge, and in many instances undeveloped, with a nearly continuous belt of forest.

b. Sensitive Areas Ordinance

The City of Brier first adopted a Sensitive Areas Ordinance in February 1992, to comply with requirements of the GMA. An updated ordinance is currently being considered. Both versions provide regulations to protect environmentally sensitive areas such as wetlands, fish and wildlife habitat conservation areas, frequently flooded areas, and geologically hazardous areas. The environmentally sensitive areas are mapped, in part to implement the comprehensive plan. Figures shown in Appendix A. These maps are intended to depict the general location of environmentally sensitive areas for planning purposes. The maps are not intended as a substitute for site-specific investigation required at the time of a development proposal.

The Sensitive Areas Ordinance prohibits development in certain areas and specifies additional protective buffers and development setbacks for the preservation of environmentally sensitive areas. Site-specific limitations would be determined after a thorough on-site investigation of sensitive areas and review of specific development proposals.

c. Snohomish County Shoreline Management Master Program

The Shoreline Management Master Program regulates development along shorelines. Swamp Creek is the only shoreline in the city of Brier's Planning Area that is identified as a stream of statewide significance, from its confluence with Scriber Creek to its mouth at the Sammamish River. Swamp Creek flows just east of the Brier City Limits. Figure 5, of Appendix A, shows the stream course of Swamp Creek in relation to the City of Brier. The Snohomish County Shoreline Management Master Program designates the Snohomish County portion of Swamp Creek as Suburban Environment, recognizing that residential housing currently exists along its shores (within the 200-foot protection zone of either side of the banks of the creek).

d. Endangered Species Act

The City of Brier, as with all jurisdictions in the state, is responsible for monitoring all development for impacts to endangered species under the Endangered Species Act (ESA). This act was passed by Congress in 1973 to "provide a means whereby the ecosystems upon which endangered and threatened species depend may be conserved, and to provide a program for the conservations of these species." The Act seeks to preserve the ecosystems (including critical areas) upon which species depend, while finding a balance between conservation of endangered species and private use of land"¹

Two federal agencies, the National Marine Fisheries Service (NMFS) and the United States Fish and Wildlife Service (USFWS) are responsible for regulating marine species (including anadromous salmon) and terrestrial and freshwater fish species, respectively. Local jurisdictions are responsible for ensuring compliance with the federal ESA regulations.

When development applications are submitted, projects that may affect an endangered species would be required by the City to mitigate impacts through conditions on development (including grading and building permits), through State Environmental Policy Act (SEPA) mitigation and/or through enforcement of the requirements of the sensitive areas ordinance.

¹ Snohomish County Planning & Development Services, "The ESA and You," Bulletin #63, page 1.



Figure 3 - Geological Hazard Areas

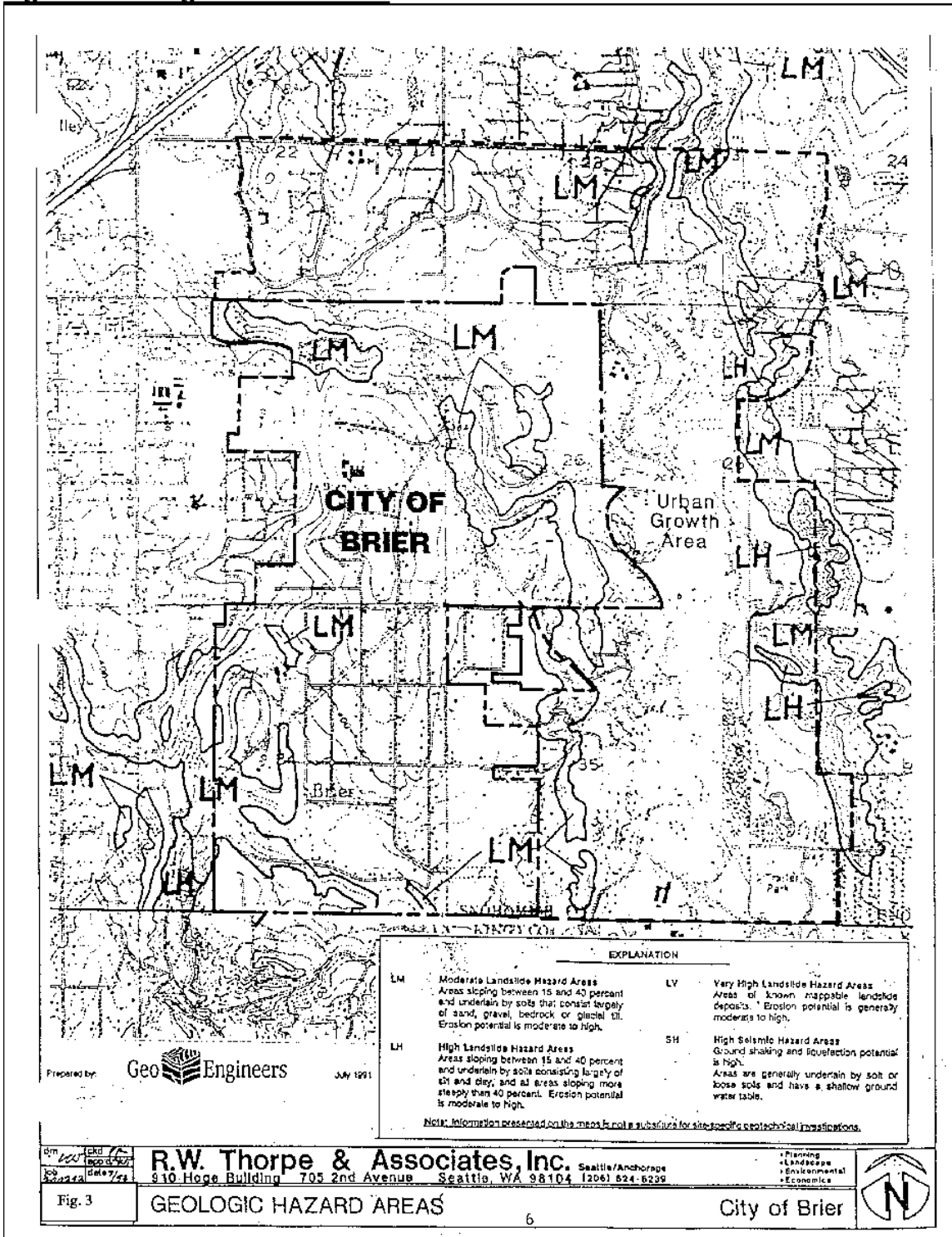


Figure 4 - Fish and Wildlife Conservation Areas

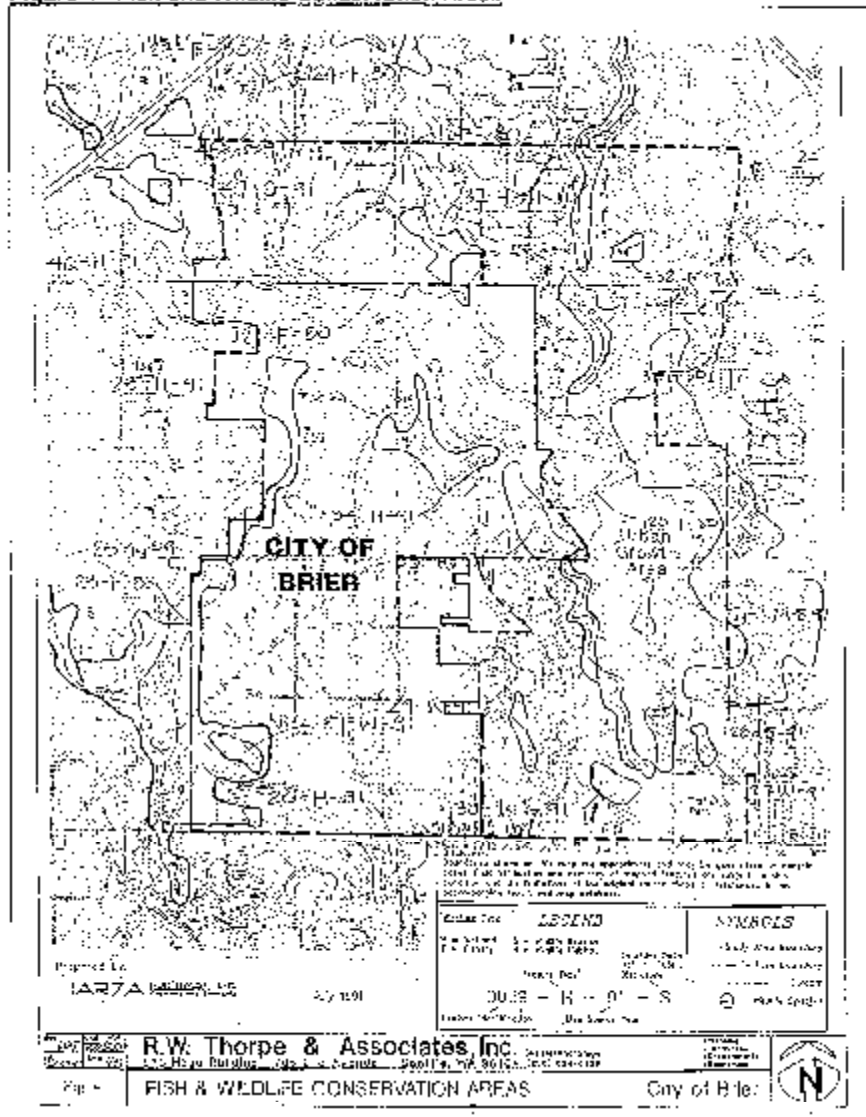
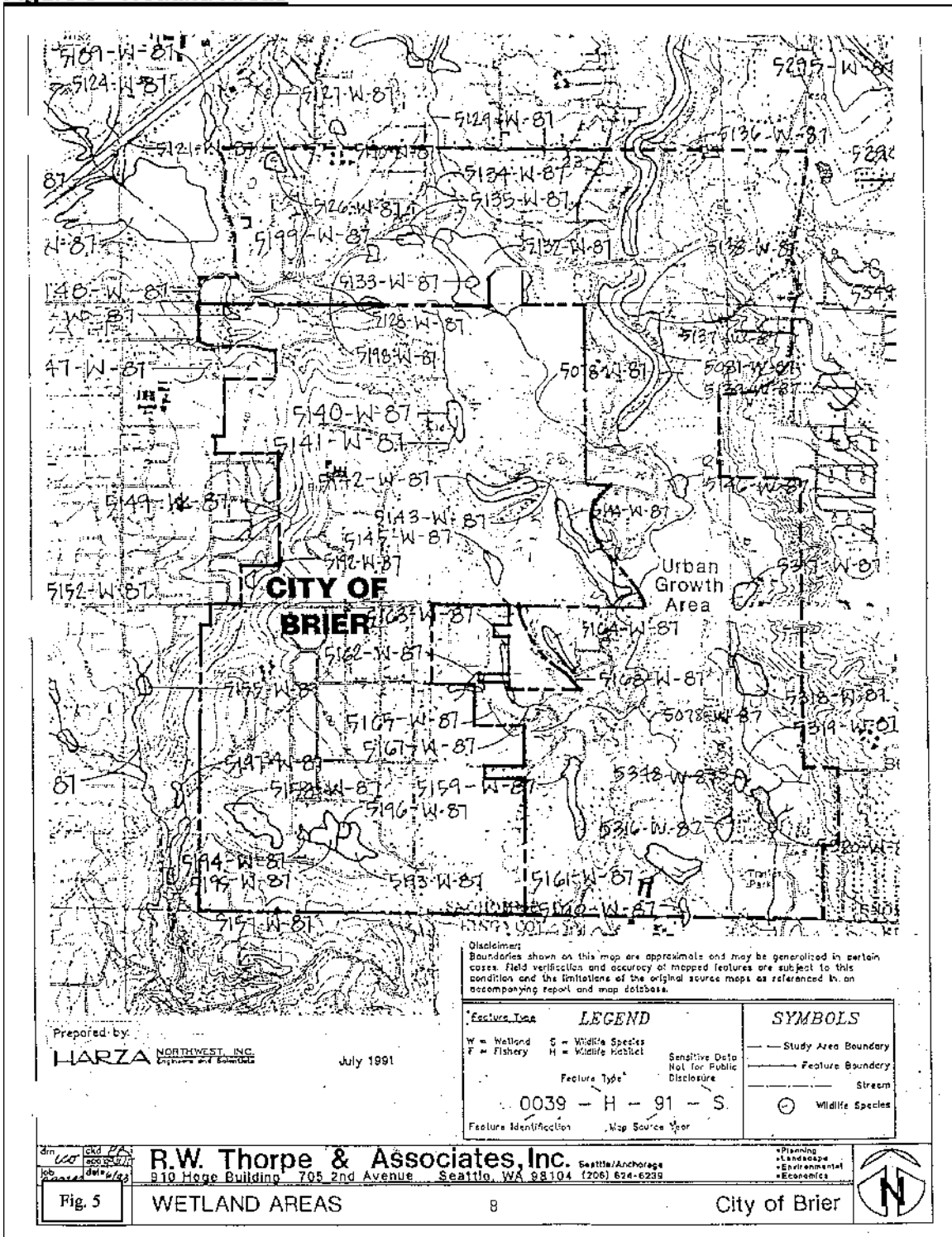


Figure 5 - Wetland Areas



2. Built Environment

a. Land Use Inventory

The GMA requires the preparation of a Land Use Element that identifies the existing general distribution and location of various land uses, and the approximate acreage and range of density of existing land uses.

The inventory of existing land uses can be used to gauge the proportion of total land area that the city may need to devote to each land use in the future. The existing proportions and distribution of land uses may be adjusted for shifts in the desires or needs of citizens, or to accommodate projected future needs. This section compares the capacity of existing land use designations with projected needs.

The City of Brier is almost entirely composed of low-density single-family residential development. There is one residential zoning designation (RS 12,500), which comprises approximately 1,100 acres, almost 90% of the area of the City. The purpose of the residential use designations, as stated in the Zoning Ordinance (5/91), "is to provide an area for single-family residential development, while retaining Brier's semi-rural character and lifestyle."

There are presently 2.6 acres designated for Neighborhood Business (BN). This commercial designation is located on Brier Road, a major traffic street in the City. Presently, approximately 0.6 acres of the designated area are developed with commercial uses, and 2 acres are vacant. The Neighborhood Business (BN) designation is intended to provide goods and services for the every-day needs of the immediate neighborhood area, rather than provide for larger commercial needs.

Other land uses in Brier include; Parks, Open Space, Community Facilities (OS)-48.5 acres, and Cemetery Use (UC)-58 acres. There are no known sites, structures, or lands with historical or archaeological significance within Brier.

Table 1 below provides the approximate acreage of various land use types present in the City of Brier.

TABLE 1
Existing Land Use Types - Acreage

Land Use	Total Acres 2004	% of Total Area of City
Total Residential Land RS 12,500 Single Family +/-	1,100 ² 1,100	87.4%
Neighborhood Business	2.6 ³	.2%
Schools	20 ⁴	1.6%
Cemetery Use	58 ⁵	4.6%
Parks, Community Facilities	48.5	3.8%
Public Utilities	30 ⁶	2.4%
Total	1,259.1	100%

The -Comprehensive Plan prepared by R.W. Thorpe & Associates, November 1986, and modified by City staff in 2008 included land use inventory information on the City and a large study/interest area. This information is provided in Appendix B for background purposes.

b. Urban Growth Area - (UGA)

The proposed UGA for Brier is comprised of approximately 150 acres. A further discussion of the buildable lands within the proposed UGA can be found below. The UGA boundaries were changed in cooperation with the City of Bothell in order to eliminate an overlap in the Urban Growth Boundary area. The boundaries were redrawn in order to be consistent with the Fire District 1, which serves the City of Brier, and Fire District 10 which serves the City of Bothell, not Brier.

² DEA Traffic Element – 7/91.

³ Source Comprehensive Plan – Existing Conditions – 2/89.

⁴ IBID Comprehensive Plan.

⁵ IBID Comprehensive Plan.

⁶ IBID Comprehensive Plan.

3. Population/Employment Growth and Land Needed To Accommodate.

a. Historic growth in population

The following table provides data on historic population levels and growth projections for the 20-year planning period.

**TABLE 2
Historic Growth and 2025 Population Projection**

<u>1980⁷</u>	<u>1990⁸</u>	<u>% Increase average/ Yr since 1980</u>	<u>2000⁹</u>	<u>% increase average/yr since 1990</u>	<u>2004¹⁰</u>	<u>% increase average/yr since 2000</u>	<u>2025 Pop Projection</u>	<u>% increase average/yr since 2002</u>
<u>2,915</u>	<u>5,633</u>	<u>93.24%</u>	<u>6,383</u>	<u>13.31%</u>	<u>6,460</u>	<u>1.20%</u>	<u>7,790</u>	<u>20.58%</u>
		<u>9.32%</u>		<u>1.33%</u>		<u>.30%</u>		<u>0.98%</u>

Table 2 indicates that the projected rate of future population growth in the City of Brier will be less than the historic growth trends. In the 10-year period between 1980 and 1990, the population of Brier grew by 2,718 people, for an average annual growth rate of 9.32%. In the 10-year period between 1990 and 2000, population grew by 750 people for an average growth rate of 1.33%. Population forecasts for the Comprehensive Plan are estimated generally for the 20-year time frame of the Plan. In this case, the projections forecast an additional 1,330 people in Brier, an increase of 20.58% over a 21-year period from 2004 to 2025. This would amount to an average annual increase of 0.98%. This slowing growth rate reflects the overall trend in existing urban areas in the County, such as Brier. As the amount of vacant land decreases over time, the rate of growth also slows. The increase in population of 1,330 can largely be accommodated within the City limits, with some portion in the UGA.

b. Residential Land Area Requirements

As discussed above, the population of Brier is projected to grow by 1,330 people by 2025¹¹. According to the 2000 Census, the average household size in Brier was 3.05 people per household, compared to the countywide average of 2.65 people per household. Demographic trends indicate that average household sizes will decrease in the future. Assuming that the average household size in Brier stabilizes at 3.05 people per household, Brier would need 436 additional households (1,330 population/3.05 people per household) over the 20-year planning period.¹²

⁷ US Census Bureau (<http://www.census.gov/>)

⁸ IBID

⁹ IBID

¹⁰ IBID

¹¹ GMA calls for Planning for the 20-year period. Sometimes the “20-year planning period” may not be exactly 20 years. (For example in the previous section there are actually 23 years in between the year 2002 and the year 2025.) The measurement point and interval between years varies, depending on the statistical benchmarks referenced (e.g., whether using U.S. Census data measured from 1999 or 2000). The forecasted trends will, generally, be valid over the long-term.

¹² 1,330 increased population/3.05 people per household. If household size decreases to the same degree as projected (by PSRC) for the surrounding Forecast Analysis Zone (FAZ), household size may fall as low as 2.87 in 2020. The need for housing units would be greater, in that case, than discussed in this

In order to calculate the residential land area required to accommodate future population growth, the household target of, 436 additional households is divided by the net residential density. Density in the RS 12,500 zone is 2.8 to 3.2 dwelling units per acre. Therefore, a minimum of 145 acres zoned RS 12,500 is necessary to accommodate the population growth projected for the City of Brier over the 20-year planning period.

c. Residential Land Capacity

The Growth Management Act (GMA) requires jurisdictions to provide sufficient land to accommodate projected population growth and future land needs for the 20-year planning period. City jurisdictions need to consider the land supply and capacity within their city limits and established UGA. Both residential and non-residential land requirements should be considered in this assessment of land capacity.

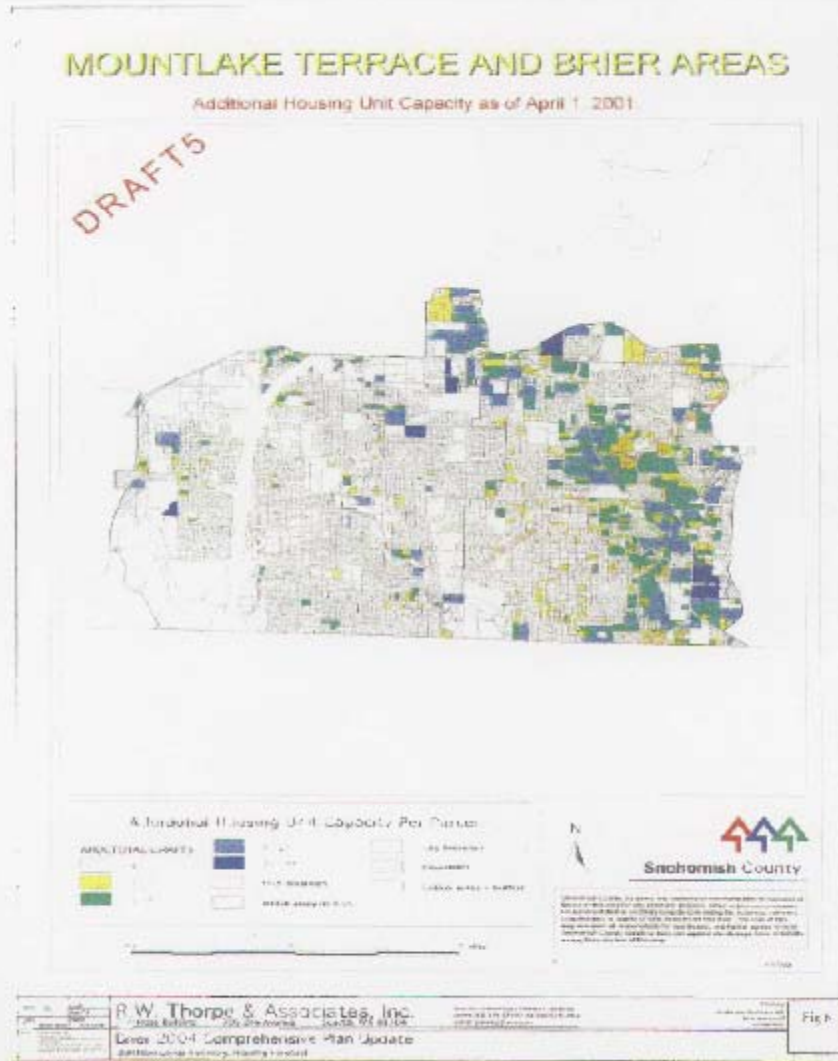
The following analysis evaluates the residential land supply and theoretical residential capacity within the Brier City limits. It then compares the existing residential capacity to the residential land area required to accommodate the projected population. The "Land Capacity Methodology for Residential Land," July 1992, accepted by the Snohomish County Tomorrow Steering Committee, and the 2002 Final Buildable Lands Report (Snohomish County Planning) have been used in this analysis. Additionally the analysis utilized the most recent Snohomish County Buildable Lands map entitled "Draft 5", showing Brier's, "Additional Housing Capacity per Parcel" (See Figure 6). From this map each lot was assessed using Snohomish Counties Interactive Permit / Zoning Map and then placed into one of four categories:

1. No Longer Vacant Land
2. Vacant Land
3. Partially Developed (Existing Lot Can Be Further Developed)
4. Redeveloped Parcel (Subdivided Parcels)

This analysis provides only a theoretical, maximum estimate. Several factors will affect the residential capacity including:

1. The theoretical housing capacity will be reduced after subtracting land for public rights-of-way and other public purpose lands.
2. There may be a reduction in the housing capacity due to development limitations on environmentally sensitive lands.

The theoretical housing capacity does not consider adjustments for market availability. It assumes that all the vacant acreage in Brier will be made available by property owners and developed to the maximum density permitted by through existing zoning regulations.



d. Summary Comparison of Residential Capacity and Projected Population

Within the City of Brier there are enough vacant lots zoned 12,500—to accommodate approximately 48 units.¹³ Additionally, there are an estimated 134 units on partially developed parcels and approximately 45 units on redeveloped parcels.¹⁴ There are 61 additional housing units pending. The City of Brier has an estimated capacity for 288 additional dwelling units. This falls short of the 436-unit capacity needed to meet the estimated population projections and results in a deficit of 148 dwelling units by the year 2025. The proposed Brier UGA is made up of a range of higher density zoning than is found within the city limits. The UGA is made up of the following zoning designations,

- PDR -
- PDR - 9,600
- PCB & CB
- MR
- LDMR
- R - 9,600
- R - 8,400
- R - 7,200

There is no information available in the “2007 Buildable Lands Report” because of the alteration of the UGA boundaries for the Cities of Brier and Bothell in 2007. Therefore it is not possible to identify the residential capacity and population projections at this time.

Relying on the above analysis, the ability of the City to absorb the assigned population will be very tight in the next 20 years. It cannot be accommodated alone within the city limits, and the City must use its potential UGA.

In order for the city to meet projected housing targets and affordable housing goals, various methods to increase density are being considered.

Measure: Rezone RS-20,000

Description: Rezone RS20,000 areas to RS-12,500. This would result in 3.2 dwelling units per acre, versus 2.0.

Measure: Cottage Housing

Description: The option for cottage housing within the UGA could be considered after two five year cycles (i.e. after 10 years), or 3 cycles (after 15 years). This would allow for higher density likely age-restricted (i.e. 50 years and older), housing that would be part of a site design review process. (Note: Normandy Park’s current cottage ordinance is a model for this type of discussion.)

¹³ Analysis of “2007 Final Buildable Lands Report,” Snohomish County Planning and Development Services.

¹⁴ IBID

Measure: Permit Accessory Dwelling Units (ADUs) in single family zones.

Description: Communities use a variety of terms to refer to the concept of accessory dwellings: secondary residences; “granny” flats; and single-family conversions, among others. Regardless of the title, all of these terms refer to an independent dwelling unit that shares, at least, a tax lot in a single-family zone. Some accessory dwelling units share parking and entrances. Some may be incorporated into the primary structure; others may be in accessory structures. Accessory dwellings can be distinguished from “shared” housing in that the unit has separate kitchen and bathroom facilities. ADUs are typically regulated as conditional uses. Some ordinances only allow ADUs where the primary dwelling is owner-occupied.

Measure: Clustered Residential Development.

Description: Clustering allows developers to increase density on portions of a site, while preserving other areas of the site. Clustering is a tool most commonly used to preserve natural areas or avoid natural hazards during development. It uses characteristics of the site as a primary consideration in determining building footprints access. Clustering is typically processed during the site review phase of development review.

Measure: Mandate Minimum Residential Densities.

Description: This policy is typically applied in single-family residential zones and it places a lower bound on density. Minimum residential densities in single-family zones are typically implemented through maximum lot sizes. In multiple-family zones they are usually expressed as a minimum number of dwelling units per net acre. Such standards are typically implemented through zoning code provisions in applicable residential zones.

Measure: Encourage Infill and Redevelopment.

Description: This policy seeks to maximize use of lands that are fully-developed or underdeveloped. Make use existing infrastructure by identifying and implementing policies that (1) improve market opportunities, and (2) reduce impediments to development in areas suitable for infill or redevelopment.

Measure: Plan and zone for affordable and manufactured housing development.

Description: This policy would add manufactured housing as an outright use in specified residential zones. This policy ensures that land is available for this housing type.

Measure: Develop an Economic Development Strategy.

Description: An economic development strategy is intended to (1) identify desired types of business, and (2) identify the land needs of those businesses. Economic development strategies can be incorporated into the economic element of local comprehensive plans, or can be stand-alone policy documents.

Measure: Encourage the Development of Urban Centers and Urban Villages.

Description: An urban center or urban village provides mixed uses with a development. Residences are near retail establishments, parks, schools, and other urban amenities. The goal of urban centers and villages is to create integrated, more complete, and inter-related neighborhoods. Such concepts are often implemented through specific area or downtown plans and may require public investment.

Measure: Allow Mixed Uses.

Description: The zoning code would specifically allow multiple uses in a zone, instead of all residential, or all commercial. Mixed uses can be vertical (i.e., multiple uses within a single building) or horizontal (i.e., multiple uses in a given geographic area).

Measure: Downtown Revitalization.

Description: Downtown revitalization includes redevelopment of blighted areas, developing a viable business district, and improving retail opportunities.

Measure: Impose High Development Fees and Exactions.

Description: The local jurisdiction raises fees required for a new development, to more fully cover development costs. This policy is implemented through the development approval process.

Measure: Specific Development Plans.

Description: Work with landowners, developers, and neighbors to develop a detailed site plan for development of an area. Allow streamlined approval for projects consistent with the plan. This policy results in a plan for a specific geographic area that is adopted as a supplement or amendment to the jurisdictions comprehensive land use plan.

Measure: Create Annexation Plans.

Description: In an Annexation Plan, cities identify outlying areas that are likely to be eligible for annexation. The Plan identifies probable timing of annexation, needed urban services, effects of annexation on current service providers, and other likely impacts of annexation.

Measure: Implement a process to expedite plan and permit approval for smart growth projects.

Description: Streamlined permitting processes provide incentives to developers. This policy would be implemented at the development review phase.

Measure: Design Standards.

Description: Design standards seek to preserve and enhance the character of a community or district. They are most typically applied in the design phase of projects or during the site review. Design standards are typically implemented as another section of the development code. Some cities have design review boards in addition to the planning commission.

Measure: Conduct community visioning exercises to determine how and where the community will grow.

Description: Community visioning processes attempt to build consensus around the type, amount, and location of future development. Visioning exercises are typically included at the beginning of a comprehensive planning process and are used to update plan goals and objectives.

Measure: Phasing Urban Growth.

Description: This policy is related to other urban service policies that seek to direct growth. The primary objective is orderly urban growth.

Measure: Capital Facilities Investments.

Description: Investment in public facilities can be effectively used to guide the location of growth. This policy is implemented through capital improvement plans and the local capital budgeting process.

Measure: Environmental Review and Mitigation Built into the Subarea Planning Process.

Description: Building environmental review and mitigation into the subarea planning process can address key land use concerns at a broader geographic scale, streamlining review and approval of individual developments.

e. Existing and Projected Employment

The 2007 employment estimate for Brier is 310. The employment target for 2025 is 359 jobs, a net increase of 49 over the 20-year planning period.¹⁵ Presently, employment in Brier is permitted in the residential zone designations as home occupation businesses, and in the Neighborhood Business (BN) land use designation. A home occupation must be operated by resident(s) of the dwelling with not more than 3 non-resident persons employed on a full-time basis. Currently there are approximately one hundred and twelve home occupations in the City of Brier. The businesses represented range from woodworking and welding to consulting and personal services.

If fully developed, 2.6-acres of BN would yield at 1 story, approximately 20,000 to 24,000 sq. ft. and accommodate up to 50 to 60 employees at maximum utilization. The balance of employment growth would need to come from the City, Public Agency, and home occupation growth. A goal that was adopted as a result of the Buildable Lands Report was to create a mixed use, business and residential, zone in order to meet the established goals. In order to do so it is quite probable that the City would need to add additional square feet in order to accommodate the employment and housing needs. It is also quite likely that the Mixed Use Zone would be allowed to build as high as three stories. It may be unlikely that the City will ever achieve the estimated employment target for 2025 if this doesn't occur.

The Neighborhood Business (BN) designation is 2.6 acres, with approximately .6 acres presently developed with commercial uses leaving 2 acres vacant for development of future businesses.

III. LAND USE ELEMENT GOALS AND POLICIES

1. Goals

LU 1 To accommodate the amount of population growth forecasted by the State Office of Financial Management and Snohomish County for the City of Brier over the 20-year term of the Plan.

LU 2 To coordinate with surrounding jurisdictions and Snohomish County in delineating UGA's sufficient for projected urban growth levels. Urban Growth Areas shall include only those areas which may be feasibly provided with future urban services over the 20-year term of the Plan.

LU 3 Control and direct growth in a manner that enhances the community qualities and values.

LU 4 Encourage development where adequate public facilities and services exist or can be provided in an efficient manner.

¹⁵ The 2025 figures were developed by Snohomish County using Puget Sound Regional Council's (PSRC) population and employment forecasts as well as the State Office of Financial Management (OFM) forecasts. See Appendix C "Technical Notes to Accompany Initial 2025 Population and Employment Growth Targets" for a more detailed discussion of the methodology.

2. Policies

1. General Policies

G-1 The Land Use Plan Map adopted in this Plan shall establish the future distribution, extent, and location of generalized land uses in the City. The Land Use Plan designations on the map are defined as follows:

Single-Family Residential – Areas appropriate for single-family residential development, retaining Brier's semi-rural character and lifestyle. Density for residential use shall not exceed 1 residence per 12,500 square feet.

Neighborhood Business – Areas intended to permit those uses which provide for the every-day needs of the immediate neighborhood area, maintaining a limited intensity of land use and a scale and character of development that is compatible with the neighborhood residential areas.

Park – Areas intended to be preserved for parks, open space, and greenbelt purposes including but not limited to: natural areas and natural features with scenic or recreational value; lands that may provide public access to water bodies or natural areas, lands that visually or physically connect natural areas or provide important linkages for recreation and wildlife areas, or environmentally sensitive areas. Environmentally sensitive areas located on private lands are not included in the Park designation of the Comprehensive Plan unless dedicated or purchased for this purpose.

Cemetery – Areas intended for cemetery use; including the subdivision into burial lots, the construction and maintenance of monuments, mausoleums or other related structures.

G-2 Encourage the development of a well planned residential city which is free from nuisance and physical hazard and which provides for the general health, safety, welfare and security of its residents.

G-3 Maintain the quality of life values for the City's single- family residential citizens.

G-4 Protect and encourage the development of the residential areas in a manner consistent with density patterns already established. The population density should therefore conform to the established pattern of a neighborhood with a minimum of 12,500 square feet. No higher densities are planned in order to maintain the established pattern and so as to adequately preserve the public health, welfare and safety of Brier residents.

G-5 Make the most beneficial use of and for residential purposes while preserving the essential land established nature and character of the residential community.

G-6 Since Brier is essentially a low-density community, - industrial type development is inconsistent with the well-established land use patterns. Industrial uses are not compatible in the RS zone, and therefore not permitted.

G-7 Recognize the environmental base maps of the Brier Planning area, which illustrate the location and extent of natural amenities and use these maps as a general planning guide.

G-8 Insure the preservation of land for a variety of open space uses within the City.

G-9 Protect and enhance existing natural resources and environmentally sensitive areas.

G-10 Pursue and support development in the City of Brier and Urban Growth Area which makes a positive contribution to the area and which is consistent with the goals of this plan.

G-11 Manage and guide growth to conform to this plan and to ensure orderly physical development, resource conservation and preservation.

G-12 Annexation requests will only be considered within the planning area when they are consistent and compatible with this plan and the established pattern of growth in Brier.

G-13 Transportation needs will be addressed to best serve the residents of Brier without compromising the quiet residential atmosphere of the city. Transportation issues will be handled so as to discourage non-local traffic and to promote the safe movement of Brier residents utilizing all modes of travel including horses.

G-14 Establish a neighborhood traffic control program to address the concerns of Brier residents and to encourage safe road systems.

G-15 Provide the most effective service levels needed as efficiently as possible.

G-16 Provide a planned and coordinated utility system.

G-17 Design, locate and construct utilities to avoid significant adverse environmental impacts and to protect valuable environmental features.

G-18 Provide through design review process with the owner/developer, incentives to provide the City with flexibility in order to achieve design goals, amenities or desired objectives.

G-19 Conditional Use Permits, street vacations, variances, and other special applications from established codes and ordinances shall be allowed only when there is an overriding and permanent public benefit consistent with the Goals and Policies of this Comprehensive Plan.

G-20 Commercial land use shall be limited to the neighborhood business zone. Home occupations may be allowed when in conformance with the goals and policies of the plan and not detrimental to the residential character of Brier's neighborhoods

3.Residential

a. General

R-1 Residential densities shall not average less than the 12,500 square feet minimum lot size.

R-2 Landscape buffering should be provided by nonresidential users when adjacent to residential uses to preserve single family residential home values.

R-3 Use natural features such as topography and vegetation to separate other land uses from residential areas.

R-4 Utilize open space areas such as natural vegetative easements and parks to separate incompatible land uses from the residential areas.

R-5 All developments should contribute their fair share to parks, street improvements, signalization and sidewalks for project mitigation.

R-6 Encourage at the time of subdivision, and with other developments where possible, easements through properties for trail systems.

R-7 Consider the development of policies to address the needs of the elderly housing in the community (e.g. housing for persons over 55 years old, handicapped, etc.) Encourage assisted living facilities (particularly facilities for disabled and senior adult living) that increase the population while resulting in low impact on community resources.

b. Single Family

SF-1 Preserve and protect the existing residential character of the city with large lots consistent with the established minimum lot size of 12,500 square feet.

SF-2 Prohibit spot zoning in the established residential neighborhoods of the city.

SF-3 Recognize that historically home businesses and occupations have contributed to the livelihood and quality of life of many of our residents and the unique semi-rural nature of our community. Therefore, home businesses and occupations can be compatible with single family zoning in Brier as long as they comply with all ordinances and other laws governing all Brier citizens regarding sensory, safety, land use and other impacts on their neighbors and the community, and do not adversely impact or be inconsistent with the goals and policies of this Comprehensive Plan.

SF-4 Specific performance standards for home businesses and occupations shall be established as part of the Plan. Existing home business and occupation uses, which are determined to be incompatible with performance standards, should be amortized. No new incompatible home business licenses shall be issued.

SF-5 Consider the need in the community for elderly housing (i.e. Handicapped and Elderly) and their provision by Conditional Use permit in the Zoning Code.

SF-6 Encourage accessory dwellings in all residential zones provided that the underlying lot meets the minimum size required by the applicable zone. Permit leasing these units to the general population.

c. Residential Design

RD-1 The City Comprehensive Plan, Zoning Subdivision Ordinances and Sensitive Area Ordinance should emphasize the RS 12,500 SF as the zoning for single family homes in Brier.

RD-2 Site characteristics that enhance residential development such as trees, watercourses and similar amenities should be preserved through creative design.

RD-3 When feasible, residential development should be planned to enhance usability and privacy of yards, preserve views and consider solar access.

RD-4 Encourage housing designs which provide for the visual surveillance of public spaces both from dwelling units and from the street.

RD-5 Provide for adequate lighting of residential streets and parking lots.

RD-6 Encourage preservation and enhancement of open space and planting of natural vegetation by residential property owners.

RD-7 All development in the City of Brier shall be consistent and compatible with single family homes and shall not be industrial or commercial in nature. Commercial/neighborhood business operations shall be confined to the existing 2.6 acre neighborhood business zone.

RD-8 In order to respond to changing household sizes and ages, to provide opportunities for ownership of more affordable, smaller homes, and in order to support the GMA goals of allowing urban densities and affordable housing, permit development of "cottage housing" for residents 55 years and older that may exceed densities of 4 units per acre. Such housing should be small, detached units adjacent to a common area such as a garden or courtyard.

4. Commercial

a. General

C-1 Promote a well planned **mixed use** for the neighborhood business zone which **will** serve the local residents of Brier. All development should be well buffered from adjacent single family uses.

C-2 Promote development which does not increase non -local traffic or create other adverse impacts.

C-3 Encourage a diversity of compatible uses to promote maximum occupancy.

C-4 Discourage scattered retail or incompatible development of the neighborhood business zone.

C-5 Establish a design review process (through Planning Commission and City Council) with set performance standards for the neighborhood business zone. Performance standards should protect and promote the surrounding single family character and natural environmental amenities.

C-6 On site and off site improvements and utilities as well as any adverse impacts, including traffic from any new development, shall be the responsibility of the site developer/user. Appropriate mitigation measures shall be agreed upon prior to development.

C-7 ~~Mixed Use~~- in the Neighborhood Business zone shall be compatible and not adversely impact the surrounding residential community.

C-8 Commercial development and/or Mixed Use development in Brier shall be limited to the neighborhood business zone. Additional or expanded commercial use shall not be allowed.

b. Neighborhood Business Zone Standards

CS-1 Encourage aesthetic building and site design to enhance and compliment surrounding residences. Noise, light and glare, hours and type of operation and other performance standards will be compatible with the single family character of Brier.

CS-2 Promote attractive and interesting shopping and dining opportunities for the citizens of Brier within the existing neighborhood business site.

CS-3 Discourage development that attracts traffic from outside Brier.

CS-4 Site plans should include design considerations for landscaping, building orientation, vehicular circulation, transit access, and other measures.

CS-5 Provide design flexibility in development by offering a planned unit development approach or incentives/bonus program intended to protect the natural landscape and environmentally sensitive areas. The planned unit development should also provide amenities for its residents and sensitivity to its neighbors.

CS-6 Signs for buildings in the Neighborhood Business zone shall be limited in size and be made of wood or other approved material. All signs should be generally attractive and compatible with the design review guidelines for signs. Signs should be compatible in design and scale with the surrounding low density residential atmosphere.

CS-7 Any development in the Neighborhood Business zone shall provide "people spaces" which are pedestrian and equestrian oriented. Safe, convenient and accessible sidewalks and trails shall facilitate getting to and from the stores.

5. Urban Design

UD-1 Establish SEPA and design review standards and guidelines for all commercial and special uses and for all residential plats exceeding four lots or four lot potential. Design review standards for the City of Brier shall be consistent with the goals and policies of this Comprehensive Plan.

UD-2 Create a gateway image at the entryways to the city which provides a sense of arrival and welcome.

UD-3 Encourage the use of natural vegetation to enhance aesthetic and environmental quality of the city.

UD-4 Preserve existing natural landscaping wherever possible.

6. Natural Environmental and Open Space

a. Environmental Constraints

E-1 Land use and zoning should reflect environmental constraints.

E-2 The City of Brier shall preserve and protect environmentally sensitive areas to support important ecological functions and to avoid potential hazards to life and property. The Sensitive Areas Ordinance (Ordinance No. 252) shall provide the regulations to implement this policy. The following environmentally sensitive areas are addressed in the Sensitive Areas Ordinance:

- Wetlands
- Fish and Wildlife Habitat Conservation Areas
- Frequently Flooded Areas
- Geologically Hazardous Areas
- Areas with unstable or defective soil permeability

E-3 Maintain the natural wooded character of environmentally sensitive areas, greenbelts, gateways, etc.

E-4 As slopes increase, development intensity, site coverage and vegetation removal should be discouraged to reduce problems of erosion, landslides, siltation and drainage.

E-5 In areas susceptible to erosion, native ground cover should be retained if at all possible or replaced immediately after construction. Limitations on the time when site work can demonstrate that slopes will be stable after site modifications.

E-6 Discourage development in areas where slopes are known to be unstable. In areas where the stability of slopes is in question, allow development only after a qualified professional can demonstrate that slopes will be stable after site modifications.

E-7 Discourage development on slopes in excess of 30 percent.

b. Natural Land Forms

N-1 Preserve and promote the quality of natural landforms.

N-2 Strive to preserve steep hillsides and wooded areas in a scenic natural condition. Encourage replanting of denuded areas to enhance the scenic amenities of Brier and decrease the potential erosion hazards.

N-3 Discourage filling, grading or excavations of land when not in conjunction with the actual development of the land.

N-4 Recognize the advantages and opportunities afforded by the topography and plan its use accordingly. Discourage alteration of natural topography.

c. Water Resources

W-1 Protect and preserve water quality, natural drainage, fish and wildlife habitat and the aesthetic functions of streams.

W-2 Strive to preserve steep hillsides and wooded areas in a natural vegetated or wooded condition. Encourage replanting of denuded areas to decrease potential erosion hazards.

W-3 Preserve streams and stream corridors in a natural condition.

W-4 Enhance and maintain natural drainage systems to protect water quality and quantity of storm water runoff.

W-5 Require that all development adjacent to streams protects and preserves an undisturbed corridor to maintain a natural state.

W-6 Maintain natural drainage courses wherever possible.

W-7 Piping and tunneling of water should be discouraged, or allowed only when going under a road. Bridging is encouraged over use of culverts for stream crossings. Where piping or tunneling is necessary use oversized culverts.

W-8 Recognize the importance of all levels of vegetation (i.e.) trees, shrubs, under story) in regard to the drainage system.

W-9 Encourage the preservation and protection of marshes, ponds and watercourses for open space purposes and include them in the open space systems.

W-10 Encourage open shallow ponding with slopes less than 3:1 for storm water detention and multiple use (i.e.: playfields, parking, etc.).

W-11 Protect the aesthetic habitat values of wetlands.

W-12 Protect natural vegetative buffers along waterways to the maximum extent possible.

W-13 The City shall coordinate with the Snohomish County Shoreline Management Master Program concerning development proposals along Swamp Creek or other shorelines of statewide significance.

W-14 Protect wetlands and wetland buffers to preserve wetland functions and values such as flood attenuation, wildlife habitat, water quality improvement and groundwater exchange. This shall be accomplished through enforcing regulations in the Sensitive Areas Ordinance.

d. Open Space/Natural Land

OS-1 A wide variety of lands should be preserved for park, open space, and greenbelt purposes including but not limited to:

1. Natural areas and natural features with scenic or recreational value;
2. Land that may provide public access to water bodies, natural areas and parks;
3. Lands which define through their natural features, land use boundaries and city boundaries;
4. Lands that visually or physically connect natural areas or provide important linkages for recreation and wildlife habitat, and;

5. Environmentally sensitive areas, including severe landslide hazard areas, steep slopes, and floodways of 100-year floodplains, wetlands, stream corridors, and habitat for established, threatened, endangered or highly sensitive wildlife species.

OS-2 Open space or natural areas should be encouraged to buffer differing types of land uses.

OS-3 Lands preserved for open space should provide multiple open space benefits whenever possible including active or passive recreation opportunities, scenic amenities, and fish or wildlife habitat.

OS-4 Areas designated as parks and open space should be preserved through incentives, trades, purchase of land, easements, or transfer of development rights.

OS-5 Adjacent development should relate to each other in a manner that will allow major areas of open space to be combined for their visual effect.

OS-6 Zoning regulations should offer the City some limited flexibility in their design requirements when developers offer to set aside a portion of their property in a planned unit development for open space along with other mitigating improvements.

OS-7 Designate waterways and adjacent lands and wetlands as open space which cannot be built upon or impacted in such a way as to degrade the natural area.

OS-8 Incorporate water resources into the open space network.

OS-9 Discourage the disturbance of vegetation when not in conjunction with the actual development (i.e. establish tree preservation policies and ordinance).

7. Vegetation

V-1 Provide that all land development include reseeding and replanting of cleared or poorly developed areas of vegetation to maintain a naturally green landscape, to ensure adequate erosion control and that such provisions be included as part of the clearing and subdivision ordinance.

V-2 Douglas fir's sporadic (every three or four years) seed crop production and its need for a warm seedbed situation makes natural germination a slow unpredictable process. Therefore, Douglas fir seedlings should be planted in open areas to give them a competitive edge over alders. Douglas fir will suppress alder, thereby reducing the time for natural succession to a subclimax forest.

V-3 Planting of the more drought-tolerant Douglas fir and red cedar should be undertaken in City-owned spaces that contain large stands of fully aged alder. This will insure that, as the short-lived alder dies, already established cedar and Douglas fir will take its place, producing longer-lived, more stable and more aesthetically pleasing greenbelts.

V-4 To minimize erosion, silting of streams, clogging of storm sewers, and other related problems, existing trees and ground cover should be maintained where possible, not removed or buried. Selective clearing, reseeding and replanting practices can help minimize these problems and should be included in a clearing ordinance.

V-5 Brier has several fragile ecosystem areas such as marshes, bogs, streams, and other areas that support unusual groupings of plants and animal species. These areas should be further inventoried in the Park Plan. Some should be included in open space planning or developed as private open space tracts, through the open space option of the subdivision ordinance.

V-6 Recognize that noise and visual pollution can be minimized by both retaining belts of vegetation and by replanting a mixture of trees and shrubs around high noise generators such as arterials, schools, recreational sites, etc. Further studies are recommended concerning noise and visual pollution problems in the community, toward development of plans to retain or replant vegetation areas as well as replant noise and visual screens.

V-7 A City wide landscape plan should be developed as part of the Park Plan to provide a basis for:

- a. Further inventories of vegetation.
- b. Open space planning and acquisition proposals.
- c. The specification of areas to be acquired to provide essential elements to the trail system with linkages to activity nodes.
- d. Development of noise and visual buffers.
- e. Evaluating the impacts of any new development on the natural elements and environmental systems.

V-8 Use greenbelts and vegetation to reduce noise and visual pollution and encourage natural buffering between land uses.

7. Annexation

A-1 Annexations within the City Planning or Urban Growth Area (UGA) and contiguous to the city boundaries will be consistent with Brier's Comprehensive Plan and Zoning Ordinances in addition to state law and guidelines of the Snohomish County Boundary Review Board.

A-2 Any annexation proposal should undergo vigorous examination of service boundaries, fiscal impacts, environmental values and compatibility with existing and contiguous parts of the city.

A-3 Annexation of established residential units shall require the owner/developer to commit to sewer, street and sidewalk improvements and any other improvements deemed necessary by the Brier Planning Commission and City Council.