

**CITY OF FIRCREST  
ORDINANCE NO. 1616**

**AN ORDINANCE OF THE CITY OF FIRCREST, WASHINGTON,  
AMENDING ORDINANCE 1562 SECTION 37 AND FIRCREST  
MUNICIPAL CODE 22.58.003, ACCESSORY BUILDINGS SETBACKS.**

**WHEREAS**, the City has identified the desire to amend the setback requirements for accessory structures; and

**WHEREAS**, the City submitted a *Notice of Intent to Adopt Amendment* with a request for *Expedited Review* to the Washington State Department of Commerce on March 16, 2018, which was issued to state agencies for a comment period that ended on April 2, 2018 as required pursuant to RCW 36A.70 RCW, and no comments were received; and

**WHEREAS**, the City issued a *Determination of Nonsignificance* on March 19, 2018 with a 14-day comment period ending April 2, 2018, and no adverse comments were received; and

**WHEREAS**, the Planning Commission conducted a public hearing on April 3, 2018 to accept public testimony and comment on the proposed amendments; and

**WHEREAS**, the Planning Commission adopted the following findings in support of approval of the proposed amendments, in consideration of the criteria listed in FMC 22.78.004, prior to final action:

(a) The proposed amendment is consistent with the goals, objectives and policies of the comprehensive plan; and

(b) The proposed amendment will promote, rather than detract from, the public health, safety, morals and general welfare by minimizing the impact on adjacent properties by increasing side and rear setbacks for accessory structures that will provide better fire, stormwater, and aesthetic separation and by improving equitability and preserving backyard space by establishing a five-foot rear yard of a through-lot setback for accessory structures that do not require a permit.

**WHEREAS**, the City Council conducted a public hearing on May 8, 2018 to accept public testimony and comment on the proposed amendments. Now, Therefore,

**THE CITY COUNCIL OF THE CITY OF FIRCREST DO ORDAIN AS FOLLOWS:**

**Section 1.** Ordinance 1562 §37 and FMC 22.58.003 are hereby amended to read as follows:

**22.58.003 Accessory buildings.**

(a) One or more detached accessory buildings, including, but not limited to, garages, carports, garden sheds, greenhouses and other similar structures, may be constructed on a parcel containing a principal residential structure, subject to the following standards:

Maximum building footprint area	600 sf.
Maximum lot coverage	10% of the lot area or 1,000 sf, whichever is less, for all accessory buildings combined on a single lot.
Maximum building height	18 feet at top of ridge and 10 feet at top of wall.
Minimum front yard setback	Same as specified for principal residential structure.
Minimum interior side yard setback	5 feet.
Minimum side street side yard setback on a corner lot	Same as specified for principal residential structure if building permit required, otherwise 5 feet.
Minimum rear yard setback	5 feet.
Minimum setback from "rear" lot line of a "through lot"	Same as specified for required front yard for principal residential structure if building permit required, otherwise 5 feet.
Minimum setback from alley	5 feet. Vehicle access points from garages, carports or fenced parking areas shall be set back from the alley property line to provide a straight-line separation of at least 22 feet from the access point to the opposite property line of the alley. No portion of the garage or the door in motion may cross the property line abutting the alley.
Minimum separation from principal residential structure	5 feet. Note: the building code may require additional separation based on construction design.
<i>Calculations resulting in a fraction shall be rounded to the nearest whole number with .50 being rounded up.</i>	

(b) Exceptions to Building Footprint Area, Height and Lot Coverage Limits. The director may grant an administrative use permit for a building that exceeds the building footprint, height or lot coverage standards listed in subsection (a) of this section if it finds that:

- (1) The building and its use will not significantly impact adjoining properties;
- (2) The architecture will incorporate exterior finish materials and design elements consistent with, or superior to, that of the principal residential structure on the property;
- (3) The building will fit the character of the neighborhood;
- (4) The architecture complies with the city's design guidelines;

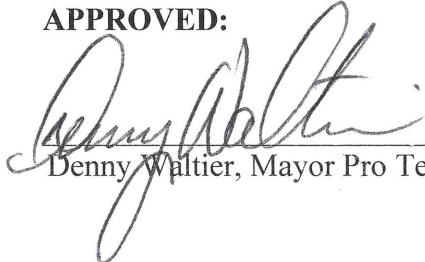
(5) The building footprint will not exceed 800 square feet, and the building height will not exceed 21 feet at the top of ridge or 12 feet at the top of wall; and  
(6) The combined building footprints of existing and proposed accessory buildings on the same lot will not exceed 1,000 square feet.  
(c) Determination of Attached Versus Detached Status for Garages. A garage that is connected to a principal residential structure by an architecturally integrated, covered breezeway is classified as an attached garage if the separation between the parallel walls of the garage and principal structure does not exceed eight feet. For purposes of determining allowable setbacks, height and lot coverage, an attached garage is treated as if it were part of the principal structure. If the separation between the parallel walls of a garage and principal structure exceeds eight feet, the garage is classified as a detached building subject to the accessory building standards listed in this section.

**Section 2. Severability.** If any section, sentence, clause or phrase of this title shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this title.

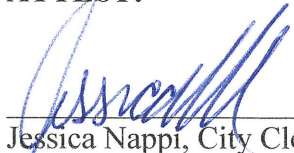
**Section 3. Publication and Effective Date.** A summary of this ordinance consisting of its title shall be published in the official newspaper of the city. This ordinance shall be effective five (5) days after such publication.

**PASSED BY THE CITY COUNCIL OF THE CITY OF FIRCREST, WASHINGTON,** at a regular meeting thereof this 22nd day of May, 2018.


**APPROVED:**

  
Denny Waltier, Mayor Pro Tempore

**ATTEST:**

  
Jessica Nappi, City Clerk

**APPROVED AS TO FORM:**

  
Michael B. Smith, City Attorney

**DATE OF PUBLICATION:**  
**EFFECTIVE DATE:**