

# 2020 Land Development Code Amendments

Title 22

LAND DEVELOPMENT

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## Chapter 22.24

### PERSONAL WIRELESS TELECOMMUNICATIONS FACILITIES

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**22.24.011 Design criteria.**

(a) As provided in FMC 22.24.010, new facilities shall be designed to accommodate co-location, unless the applicant demonstrates why such design is not feasible for economic, technical, or physical reasons.

(b) Facilities shall be architecturally compatible with the surrounding buildings and land uses and screened or otherwise integrated, through location and design, to blend in with the existing characteristics of the site.

(1) Setback. Antennas and associated support structures shall comply with the minimum setback requirements specified in the underlying zone district and shall not be located within the area between the front setback line and the front of the main building(s) on a lot; provided, however, that the city may reduce such requirements if:

(A) There are unusual geographical limitations which preclude the placement of the facilities in full compliance with the specified setback requirement;

(B) The placement of the facilities within the required setback will allow for more effective screening and camouflaging of the facilities; and

(C) There will be no significant adverse impact on adjoining properties resulting from the reduced setback.

The city may, on a case-by-case basis, increase the required setbacks for antennas and associated support facilities, if necessary, to ensure that potential impacts on adjoining properties are effectively mitigated.

(2) Right-of-Way Setback Exception. The setback requirement may be waived if the antenna and antenna support structure are located in the city right-of-way.

(3) View Corridors. Due consideration shall be given so that placement of towers, antennas, and personal wireless service facilities does not obstruct or significantly diminish views of Mt. Rainier or the Olympic Mountains.

(4) Color. Towers shall have a color generally matching the surroundings or background that minimizes their visibility, unless a different color is required by the FCC or FAA.

(5) Lights, Signals and Signs. No signals, lights, or signs shall be permitted on towers unless required by the FCC or FAA. Should lighting be required, in cases where there are residents located within a distance which is 300 percent of the height of the tower, then dual mode lighting shall be requested from the FAA.

(6) Equipment Structures. Ground level equipment, buildings, and the tower base shall be screened from public view. The standards for the equipment buildings are as follows:

(A) The maximum floor area is 300 square feet and the maximum height is 12 feet. Except in unusual circumstances or for other public policy considerations the equipment building may be located no more than 250 feet from the tower or antenna. Depending upon the aesthetics and other issues, the city, in its sole discretion, may approve multiple equipment structures or one or more larger structures.

(B) Ground-level buildings shall be screened from view by landscape plantings, fencing, or other appropriate means, as specified herein or in the city's design guidelines or other applicable standards, unless it can be demonstrated that such screening will create a greater negative visual impact than an unscreened building.

(C) Equipment buildings mounted on a roof shall have a finish similar to the exterior building walls. Equipment for roof-mounted antenna may also be located within the building on which the antenna is mounted.

(D) Equipment buildings shall comply with setback requirements specified in the underlying zone district and shall be designed so as to conform in appearance with nearby residential structures if located within a residential land use designation area.

(E) Equipment buildings, antennas, and related equipment shall occupy no more than 25 percent of the total roof area of the building the facility is mounted on, which may vary in the city's sole discretion if co-location and an adequate screening structure are used.

(7) Federal Requirements. All towers must meet or exceed current standards and regulations of the FAA, the FCC, and any other agency of the federal government with the authority to regulate towers and antennas. If those standards and regulations are changed, then personal wireless service providers governed by this chapter shall bring their towers and antennas into compliance with the revised standards and regulations within three months of their effective date or the timelines provided by the revised standards and regulations, whichever time period is longer. The revised standards and regulations are not retroactively applicable to existing providers, unless otherwise provided or permitted by federal law. Failure to bring towers and antennas into compliance with the revised standards and regulations shall constitute grounds for the city to remove a provider's facilities at the provider's expense.

(8) Building Codes, Safety Standards. To ensure the structural integrity of towers, the provider/owner of a tower shall ensure that it is maintained in compliance with standards contained in applicable city building codes and the applicable standards for towers that are published by the EIA, as amended from time to time. If, upon inspection, the city concludes that a tower fails to comply with such codes and standards and constitutes a danger to persons or property, then upon notice being provided to the provider/owner of the tower, the owner shall have 30 days to bring the tower into compliance with such standards. If the provider/owner fails to bring its tower into compliance within 30 days, the city may remove the tower at the provider's/owner's expense.

(9) Structural Design. Towers shall be constructed to the EIA standards, which may be amended from time to time, and to all applicable construction/building codes. Further, any improvements or additions to existing towers shall require submission of plans stamped by a licensed structural engineer which demonstrate compliance with the EIA standards and all other good industry practices. The plans shall be submitted and reviewed at the time building permits are requested.

(10) Fencing. A well-constructed wall or wooden fence not less than six feet in height from the finished grade shall be provided around each personal wireless service facility. Access to the tower shall be through a locked gate. The use of chain link, plastic, vinyl, or wire fencing is prohibited unless it is fully screened from public

view by a minimum eight-foot-wide landscaping strip. All landscaping shall comply with the city's design guidelines and other applicable standards.

(11) Landscaping/Screening.

(A) Landscaping, as described herein, shall be required to screen personal wireless service facilities, as much as possible, to soften the appearance of the cell site. The city may permit any combination of existing vegetation, topography, walls, decorative fences, or other features instead of landscaping, if they achieve the same degree of screening as the required landscaping. If the antenna is mounted flush on an existing building, and other equipment is housed inside an existing structure, landscaping shall not be required.

(B) The visual impacts of a personal wireless service facility shall be mitigated through landscaping or other screening materials at the base of the tower and ancillary structures. The following landscaping and buffering shall be required around the perimeter of the tower and accessory structures, except that the city may waive the standards for those sides of the facility that are not in public view. Landscaping and any irrigation deemed necessary by the city shall be installed on the outside of fences. Further, existing vegetation shall be preserved to the maximum extent practicable and may be used as a substitute for, or as a supplement to, landscaping requirements.

(i) A row of evergreen trees a minimum of six feet tall at planting and a maximum of six feet apart shall be planted around the perimeter of the fence;

(ii) A continuous hedge at least 36 inches high at planting capable of growing to at least 48 inches in height within 18 months shall be planted in front of the tree line referenced above;

(iii) In the event that landscaping is not maintained at the required level, the city after giving 30 days' advance written notice may maintain or establish the landscaping and bill both the owner and lessee for such costs until such costs are paid in full.

(12) Tower and Antenna Height.

(A) The applicant shall demonstrate that the tower and antenna are the minimum height required to function satisfactorily. No tower or antenna that is taller than this minimum height shall be approved. No tower or mount shall exceed 60 feet in low density residential, medium density residential, high density residential and neighborhood commercial land use designation areas or 110 feet in the ~~mixed-use community commercial or industrial~~ mixed- land use designation areas. Towers or mounts shall not exceed 60 feet in areas designated parks, recreation, and open space, and public and quasi-public facilities, if located within 250 feet of a land use designation area with a 60-foot height limit. Otherwise, towers or mounts located in these two land use designation areas shall not exceed 110 feet.

(B) A variance from the height limit may be granted if the applicant can show by clear and convincing evidence that the additional height is necessary to provide adequate service to the residents of the city and no other alternative is available. When granting a variance, the hearing examiner shall require that a significant portion of the tower and related facilities be screened by existing trees or existing structures. Generally, this means that all but the top 15 feet of the tower and related facilities shall be screened by existing trees or existing structures. Variance criteria are listed in FMC 22.24.013.

(13) Antenna Support Structure Safety. The applicant shall demonstrate that the proposed antenna and support structure are safe, and the surrounding areas will not be negatively affected by support structure failure, falling ice, or other debris or interference. All support structures shall be fitted with anti-climbing devices, as approved by the manufacturers.

(14) Required Parking. If the cell site is fully automated, adequate parking shall be required for maintenance workers. If the site is not automated, arrangements for adequate off-street parking shall be made and documentation thereof provided to the city, unless it can be demonstrated that the use of on-street parking spaces will create less impact on the immediate neighborhood. Security fencing should be colored or of a

design which blends into the character of the existing environment consistent with the provisions listed in subsection (b)(10) of this section.

(15) Antenna Criteria. Antenna on or above a structure shall be subject to the following:

(A) The antenna shall be architecturally compatible with the building and wall on which it is mounted and shall be designed and located so as to minimize any adverse aesthetic impact.

(B) The antenna shall be mounted on a wall of an existing building in a configuration as flush to the wall as technically possible and shall not project above the wall on which it is mounted unless it must for technical reasons. In no event shall an antenna project more than 16 feet above the roof line including parapets. An antenna may project into a required building setback a distance not to exceed that allowed for architectural projections in the underlying zoning district; provided, that such encroachment is required for technical reasons.

(C) The antenna shall be constructed, painted, or fully screened to match as closely as possible the color and texture of the building and wall on which it is mounted.

(D) The antenna may be attached to an existing conforming mechanical equipment enclosure which projects above the roof of the building but may not project more than 16 feet above the roofline of the building including parapets but excluding the enclosure.

(E) If an accessory equipment shelter is present, it must blend with the surrounding buildings in architectural character and color.

(F) The structure must be architecturally and visually (color, size, bulk) compatible with surrounding existing buildings, structures, vegetation, and uses. Such facilities will be considered architecturally and visually compatible if they are camouflaged to disguise the facility.

(G) Site location and development shall preserve the preexisting character of the site as much as possible. Existing vegetation should be preserved or improved, and disturbance of the existing topography of the site should be minimized, unless such disturbance would result in less visual impact of the site on the surrounding area. The effectiveness of visual mitigation techniques must be evaluated in advance by the city relative to its design guidelines and other applicable standards.

(H) For installations on buildings 30 feet or less in height, the antenna may be mounted on the roof if the following additional criteria are satisfied:

(i) The city finds that it is not technically possible or aesthetically desirable to mount the antenna on a wall.

(ii) No portion of the antenna or base station causes the height of the building to exceed the limitations set forth herein.

(iii) The antenna or antennas and related base stations cover no more than an aggregate total of 25 percent of the roof area of a building, which may vary in the city's sole discretion, if co-locating and an adequate screening structure are used.

(iv) Roof-mounted antenna and related base stations are centrally located on the roof and completely screened from view by materials that are consistent and compatible with the design, color, and materials of the building.

(v) No portion of the antenna exceeds 16 feet above the roofline of the existing building including parapets but excluding mechanical equipment enclosures and other projecting features.

(I) Antennas attached to the roof or sides of a building at least 30 feet in height, an existing tower, a water tank, or a similar structure must be centrally located when placed on a building roof and in all locations either:

(i) An omnidirectional or whip antenna no more than seven inches in diameter and extending no more than 16 feet above the structure to which it is attached; or

(ii) A panel antenna no more than two feet wide and six feet long, extending above the structure to which it is attached by no more than 10 feet.

(J) Except as set forth herein, no signs, banners or similar devices or materials may be attached to the tower, antenna support structures or antennas.

(K) Antennas, antenna arrays, and support structures not on publicly owned property shall not extend more than 16 feet above the highest point of the structure on which they are mounted. The antenna, antenna array, and their support structure shall be mounted so as to blend with the structure to which the antenna is attached. The antenna and its support structure shall be designed to withstand a wind force of 100 miles per hour without the use of supporting guy wires. The antenna, antenna array, and their support structure shall be a color that blends with the structure on which they are mounted.

(L) Guy Wires Restricted. No guy or other support wires shall be used in connection with such antenna, antenna array, or its support structure except when used to anchor the antenna, antenna array, or support structure to an existing building to which such antenna, antenna array, or support structure is attached.

(M) To the extent that antennas are attached to electric, phone or light poles and such antennas are no more than two feet in height, administrative use and building permit review will be required, but such antennas shall not be subject to setback and screening requirements.

(N) If a proposed antenna is located on a building or a lot subject to a site review, approval is required prior to the issuance of a building permit.

(O) No antenna shall be permitted on property designated as an individual landmark or as a part of a historic district; unless such antenna is camouflaged in accordance with applicable design guidelines.

(P) All personal wireless service providers or lessees or agents thereof shall cooperate in good faith to accommodate co-location with competitors. If a dispute arises about the feasibility of co-locating, the planning/building director may require a third-party technical study, at the expense of either or both parties, to resolve the dispute.

(Q) All personal wireless service providers or lessees shall assure that their antenna complies at all times with the current applicable FCC standards. After installation, but prior to putting the antenna in service, each provider shall submit a certification by an independent professional radio frequency (RF) engineer to that effect. In the event that an antenna is co-located with another antenna, the certification must provide assurances that FCC-approved levels of electromagnetic radiation will not be exceeded by the co-location.

(R) No antenna shall cause localized interference with the reception of any other communications signals including, but not limited to, public safety, television, and radio broadcast signals.

(S) No person shall locate an antenna or tower for wireless communications services upon any lot or parcel except as provided in this chapter.

(16) Noise. No equipment shall be operated so as to produce noise in violation of the maximum noise levels set forth in Chapter 173-60 WAC.

**22.24.012 Permits required.**

~~(a) Where a tower or antenna support structure will be 110 feet or less in height and located within an industrial, community commercial, park, recreation and open space, or public and quasi-public facilities land use designation area, in addition to the other provisions of this chapter, an applicant will be required to obtain a Type II administrative use permit. In the event that a proposed tower or antenna support structure will be located in a neighborhood commercial, high density residential, medium density residential, or low density residential land use designation area, in addition to the other provisions of this chapter, an applicant will be required to obtain a Type III~~

~~conditional use permit. For all towers or structure-mounted or building-mounted wireless facilities which will require a variance, an applicant will be required to obtain a Type III conditional use permit.~~

(ba) Project permit review procedures are specified in this title. The following table specifies the permits required for the various types of personal wireless service facilities that meet the standards of this chapter.

**Type of Permit**

| Type of Facility  | Conditional Use                             | Administrative Use                       | <u>Building Permit</u> |
|---|---|--|------------------------|
| Towers ≤ 110 feet and structure-mounted or building-mounted wireless facilities in: <del>industrial; community-commercial mixed-use</del> ; parks, recreation and open space; and public and quasi-public facilities land use designation areas | X<br>(only if variance required)            | X<br><u>(if no variance is required)</u> |                        |
| Towers ≤ 60 feet and structure-mounted or building-mounted wireless facilities in: neighborhood commercial; high density residential; medium density residential; and low density residential land use designation areas                        | X   |  |                        |
| <u>Antenna mounted on building</u>  |   |  | <u>X</u>               |
| Modification of existing facilities to accommodate co-location, <u>including “eligible facilities request” pursuant to federal law</u>  | <del>X</del><br>(only if variance required) | <del>X</del>                             | <u>X</u>               |
| All other towers and structure-mounted or building-mounted wireless facilities which require a variance   | X   |  |                        |

**Chapter 22.26**

**SIGN REGULATIONS**

Sections:

- 22.26.001 Intent and purpose.
- 22.26.002 Applicability and interpretation.
- 22.26.003 Application procedures.
- 22.26.004 Permit requirements and approval authority.
- 22.26.005 Submittal requirements.
- 22.26.006 Master sign plans.
- 22.26.007 Variances.
- 22.26.008 Nonconforming signs.
- 22.26.009 Maintenance, renewal, and enforcement.
- 22.26.010 Classification and regulation of signs.
- 22.26.011 Sign standards applicable to all signs.
- 22.26.012 Illumination standards.
- 22.26.013 Accessory signs.
- 22.26.014 Awning, canopy, and marquee signs.
- 22.26.015 Changeable copy sign.
- 22.26.016 Digital signs.
- 22.26.017 Freestanding signs.
- 22.26.018 Portable signs.
- 22.26.019 Projecting signs.
- 22.26.020 Service island signs.



- 22.26.021 Temporary signs.
- 22.26.022 Under-canopy signs.
- 22.26.023 Wall signs.
- 22.26.024 Window signs.
- 22.26.025 Exemptions.
- 22.26.026 Prohibited signs.
- 22.26.027 Liability.

**22.26.010 Classification and regulation of signs.**

(a) Classification. Signs may be classified in the following general categories:

- (1) Accessory signs;
- (2) Awning, canopy, and marquee signs;
- (3) Changeable copy signs;
- (4) Digital signs;
- (5) Freestanding signs;
- (6) Portable signs;
- (7) Projecting signs;
- (8) Service island signs;
- (9) Temporary signs;
- (10) Under-canopy signs;
- (11) Wall signs; or
- (12) Window signs.

(b) Regulation. No classification of sign shall be permitted to be constructed, erected or placed on any property unless it is listed as a permitted sign within the sign group applicable to the subject property as set forth in subsection (c) of this section or listed as an exemption in FMC 22.26.025.

(c) Sign Groups. For purposes of this regulation, the various sign groups are established as follows:

- (1) Group 1. Properties located within a PROS, GC, or other nonresidential or noncommercial zoning classification; properties located within an R-4, R-4-C, R-6, R-8, R-10-TCD, R-20, R-30, or other residential zoning classification established subsequent to adoption of this chapter that are developed for nonresidential uses such as schools, churches, parks and municipal buildings or facilities;
- (2) Group 2. Residentially developed properties located within an R-4, R-4-C, R-6, R-8, R-10-TCD, R-20, R-30, or other residential zoning classification established subsequent to adoption of this chapter; and
- (3) Group 3. Properties located within a ~~NO, NC, MU, MU~~ MUN, MUUCMU, or other commercial or mixed-use zoning classification established subsequent to adoption of this chapter.

(d) Table 1 identifies the permitted types of signs by sign group. An “X” in the table indicates that the particular type of sign is allowed in a sign group. See applicable standards in the section noted for each sign type for specific requirements and for possible exceptions to the provisions below.

**Table 1**

| Sign Type                   | Sign Group                                    |                          |                                       |
|-----------------------------|---|--------------------------|---------------------------------------|
|                             | Group 1<br>(Nonresidential and noncommercial) | Group 2<br>(Residential) | Group 3<br>(Commercial and mixed-use) |
| Accessory                   | X <sup>1</sup>                                |                          | X                                     |
| Awning, canopy, and marquee | X   |                          | X                                     |
| Changeable copy             | X   |                          | X                                     |

| Sign Type      | Sign Group                                       |                          |                                       |
|----------------|--|--------------------------|---------------------------------------|
|                | Group 1<br>(Nonresidential and<br>noncommercial) | Group 2<br>(Residential) | Group 3<br>(Commercial and mixed-use) |
| Digital        | X  |                          | X                                     |
| Freestanding   | X  |                          | X                                     |
| Portable       | X  | X <sup>2</sup>           | X                                     |
| Projecting     |  |                          | X                                     |
| Service island |  |                          | X                                     |
| Temporary      | X  | X                        | X                                     |
| Under-canopy   |  |                          | X                                     |
| Wall           | X  | X                        | X                                     |
| Window         | X  | X <sup>2</sup>           | X                                     |

<sup>1</sup> Excluding large accessory signs

<sup>2</sup> Temporary only

**22.26.018 Portable signs.**

(a) No Permit Required. No sign permit is required for portable signs.

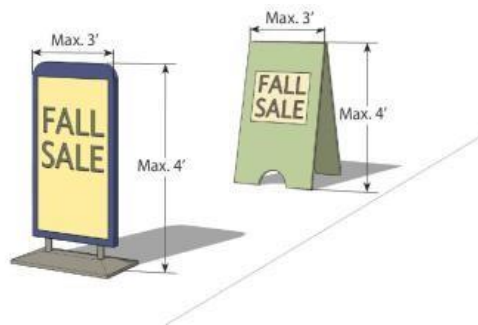
(b) Design and Materials. Portable signs must be designed with durable materials; otherwise they will be regulated as temporary signs under FMC 22.26.021. Portable signs must be designed to withstand wind and include a heavy weighted base for pole-mounted signs, and a heavy weight suspended between the opposing faces of a sandwich board sign.

(c) Size and Height (See Figure 18).

(1) Sandwich Board Signs. Maximum four feet in height and three feet in width. (Note: sandwich board sign height is measured in the flat standing position, rather than in open standing position.)

(2) Pole-Mounted Signs. Maximum four feet in height and three feet in width.

(3) Feather Signs. Maximum 13 feet in height.



**Figure 18**

(d) Number, Location and Spacing.

(1) Sandwich Board or Pole-Mounted Sign. One sandwich board or pole-mounted sign may be displayed per tenant space. Signs shall be located within 12 feet of the primary building entrance.

(2) Feather Sign. A feather sign may be displayed in lieu of a portable sandwich board or pole-mounted sign. Spacing of feather signs shall be no closer than 100 feet apart on a property frontage as shown in Figure 19. Each property may qualify for one feather sign regardless of frontage length.



**Figure 19**

Feather signs shall be placed at intervals of no more than one sign per 100 lineal feet of frontage and located behind the sidewalk outside the public ROW.

(e) Placement. No portable sign may be located on city right-of-way, including sidewalk, without city approval. Such signs shall not be placed within a clear vision triangle (see FMC 22.58.005) or any location that will impede vehicular traffic. Further, such signs shall not be placed in a manner that will block or otherwise obstruct the safe use of sidewalks, building entrances or stairs by pedestrians, including pedestrians who are visually impaired or otherwise handicapped.

(f) Display Hours. During business or operating hours only.

(g) Location. Portable signs (durable and temporary) may be permitted in Group 1 (nonresidential/noncommercial) and Group 3 (commercial), and temporary portable signs may be permitted in Group 2 (residential). Temporary portable signs are subject to the provisions of FMC 22.26.021. Feather signs are permitted only in the MUN and MUUCMU zones.

(h) Visually Obscured Building Signage. In order to provide increased visibility for businesses and other tenants located in buildings that are visually obscured from public street frontage by an intervening building, sandwich or pole-mounted signs may be placed along the arterial street frontage in lieu of these signs being placed within 12 feet of the primary entrance to the rear building or business, subject to the following limitations:

- (1) The property is located within a MUU, MUN, CMU or NC zone.
- (2) Signs shall be placed on private property subject to the property owner's permission.
- (3) The number of signs shall be limited to one per tenant.
- (4) Spacing shall be no closer than 40 feet apart to minimize their visual impact.

#### **22.26.024 Window signs.**

Window signs may be used in place of permitted wall signs (except where otherwise specified herein), provided they comply with the following standards:

(a) Number. One permanent window sign may be placed in a single window.

(b) Area. Maximum four square feet or 10 percent of the area of the window in which they are placed, whichever is greater (temporary and permanent window signs combined). These area limits apply to individual windows or to window units separated from another window or window unit by a pier, column, or other substantial architectural element. These limits do not apply to uses providing commercial services located within a ~~MUN or MUUCMU~~ zone located at least 150 feet from a public or private street.

(c) Location. Permanent signs shall not be placed in windows above the second story level. For the requirements applicable to temporary window signs, see FMC 22.26.021.

(d) Design. Permanent signs are limited to individual painted or vinyl cut-out letters and graphics, or neon signs constructed without a solid or opaque background. Permanent signs with solid backgrounds or opaque backgrounds are not permitted in windows ~~in order~~ to ensure maximum light and visibility through windows. Temporary window signs are exempt from these design restrictions.

(e) Location. Window signs may be permitted in Group 1 (nonresidential/noncommercial) and in Group 3 (commercial).

**Chapter 22.30**

**ZONING DISTRICTS, MAPS AND BOUNDARIES**

Sections:

- 22.30.001 Establishment of zoning districts.
- 22.30.002 Official zoning map.
- 22.30.003 Zoning map amendments (rezones).
- 22.30.004 Interpretation of map boundaries.
- 22.30.005 Zoning regulations applicable within districts.

**22.30.001 Establishment of zoning districts.**

In order to carry out the purpose of this title in the interest of public health, safety and general welfare, the following zoning districts are established:

|   |                   |
|---|-------------------|
| Residential-4                                       | R-4               |
| Residential-4-Conservation                          | R-4-C             |
| Residential-6                                       | R-6               |
| Residential-8                                       | R-8               |
| Residential-10-Traditional Community Design         | R-10-TCD          |
| Residential-20                                      | R-20              |
| Residential-30                                      | R-30              |
| Neighborhood Office                                 | NO                |
| Neighborhood Commercial                             | NC                |
| <del>Commereial-Mixed-Use</del> <u>Neighborhood</u> | <del>MUNCMU</del> |
| <u>Mixed-Use Urban</u>                              | <u>MUU</u>        |
| Park, Recreation and Open Space                     | PROS              |
| Golf Course   | GC                |

Chapter 22.48

MIXED-USE NEIGHBORHOOD DISTRICT (MUN)

Sections:

22.48.001 Purpose.

22.48.002 Permitted uses.

22.48.003 Accessory uses.

22.48.004 Conditional uses.

22.48.005 Administrative uses.

22.48.006 Prohibited uses.

22.48.007 Development standards.

22.48.001 Purpose.

The MUN zoning district is intended to implement the comprehensive plan’s mixed-use land use designation. This district provides opportunities for a broad mix of retail and office uses, personal, professional and business services, institutions, recreational and cultural uses, residential uses, and other facilities that provide services for the needs of nearby residents and businesses and the surrounding community. Development standards support moderate density residential development and moderately intense commercial development. In addition, the MUN district provides limited opportunities for light industrial activities that enhance the city’s economic base and provide employment for residents in the area in a manner that is compatible with neighboring commercial and residential uses. Site and building design support pedestrian, bicycle and transit use while accommodating automobiles. Applicable form-based code standards require new development to establish a fine-grained street grid and block pattern as properties redevelop. Community greens, squares, plazas, and other publicly accessible spaces are incorporated into mixed-use developments that include a variety of complementary uses. High quality architecture, landscaping, streetscape, artwork, and other public amenities contribute to making the area inviting, attractive, functional, and vibrant for residents, employees, and visitors alike.

22.48.002 Permitted uses.

Uses permitted subject to compliance with form-based standards in accordance with Chapter 22.57 FMC, site plan approval in accordance with Chapter 22.72 FMC and administrative design review approval in accordance with Chapter 22.66 FMC:

- (a) Commercial use, including retail, service, office, financial institution, fitness center, and food-serving establishment.
- (b) Microbeverage production facility, including microbrewery, microdistillery and microwinery.
- (c) Culturally enriching use, including art gallery, dance studio, library, museum, live theater venue, and senior center.
- (d) Laboratory, including medical, dental, and optical.
- (e) Civic, labor, social, and fraternal organization.
- (f) Veterinary clinic, with treatment and storage of animals within an enclosed building.
- (g) Entertainment and recreation facility (indoor only).
- (h) Automobile, recreational vehicle, and boat sales or rental, new or used (indoor showroom only).
- (i) Child day-care center.
- (j) Preschool, accredited, public or private.

(k) Lodging.

(l) Religious institution.

(m) Family group home, including adult family home.

(n) Cottage housing, live-work unit, and multifamily dwelling.

(o) Assisted living facility, including congregate care facility, convalescent home, hospice care center, residential care facility, and residential treatment facility.

(p) Necessary public or quasi-public utility building, structure or equipment, unstaffed and less than or equal to 500 square feet in gross floor area (subject to compliance with landscape standards in Chapter 22.62 FMC). Excludes substation.

**22.48.003 Accessory uses.**

Uses permitted in conjunction with, or accessory to, a principal use permitted in FMC 22.48.002:

(a) Temporary accessory use or structure (subject to compliance with FMC 22.58.015).

(b) Home occupation – Type I and Type II (subject to compliance with FMC 22.58.013).

(c) Family day-care facility (subject to compliance with FMC 22.58.010).

(d) Electric vehicle charging station (subject to compliance with FMC 22.58.025).

(e) Electric vehicle battery exchange station (subject to compliance with FMC 22.58.025).

(f) Other accessory use or structure that is subordinate and incidental to a principally permitted use, as determined by the director.

**22.48.004 Conditional uses.**

Uses permitted subject to conditional use permit approval in accordance with Chapter 22.68 FMC and administrative design review in accordance with Chapter 22.66 FMC:

(a) Essential public facility, as determined by FMC 22.58.022. Excludes family and general group homes and includes correctional group homes.

(b) Necessary public or quasi-public structure or equipment greater than 500 square feet in gross floor area (subject to compliance with landscape standards in Chapter 22.62 FMC). Excludes substation.

(c) Personal wireless service facility for which a variance is required (subject to compliance with Chapter 22.24 FMC).

(d) A use not listed above which: is not listed in another zoning district as a permitted or conditional use; is similar in nature to the above list of permitted and conditional uses; is consistent with the purpose and intent of this zoning district; and is compatible with the uses on adjoining properties.

**22.48.005 Administrative uses.**

Uses permitted subject to administrative use permit approval in accordance with Chapter 22.70 FMC:

(a) Outdoor sidewalk cafe or other food- or beverage-serving facility or establishment, when located on a public sidewalk or other public right-of-way area (subject to compliance with FMC 22.58.017).

(b) Establishment licensed by the Washington State Liquor and Cannabis Board to serve liquor for on-premises consumption in an outdoor customer seating area (subject to compliance with FMC 22.58.029).

(c) Drive-up or drive-through facility established prior to effective date of the ordinance codified in this section (modifications subject to compliance with FMC 22.60.012 and FMC 22.64.043).

(d) Light industrial uses including: engineering-oriented pursuits such as electronics, robotics, 3-D printing, and the use of computer numerical control (CNC) tools; metalworking, woodworking, and traditional arts and crafts; small-scale assembly and manufacturing of products using processed materials that do not have the potential to create a nuisance for adjoining land uses; wholesale sale of products manufactured on site; and technological and biotechnological uses, including scientific research, testing and experimental development laboratories.

(e) Outdoor seasonal sales, such as Christmas tree or pumpkin patch lots, or other outdoor special event sales.

(f) Personal wireless service facility (subject to compliance with Chapter 22.24 FMC).

**22.48.006 Prohibited uses.**

The following uses are prohibited:

(a) Vehicle wrecking yard.

(b) Impound yard.

(c) Junk or salvage yard.

(d) Mini-storage or mini-warehouse.

(e) Service station or vehicle repair.

(f) New drive-up or drive-through facility.

**22.48.007 Development standards.**

|  |   |
|--|---|
| <u>Residential density</u>   | <u>Determined through project compliance with development standards.</u>  |
| <u>Building placement</u>  | <u>See form-based building standards in Chapter 22.57 FMC.</u>  |
| <u>Minimum height/number of stories</u>  | <u>25 feet/2 stories above grade.</u>   |
| <u>Maximum height/number of stories</u>  | <u>50 feet/4 stories above grade.</u>   |
| <u>Form-based standards</u>  | <u>See Chapter 22.57 FMC.</u>   |
| <u>Additional specific use and structure regulations</u>   | <u>See Chapter 22.58 FMC.</u>   |
| <u>Parking and circulation</u>   | <u>See Chapter 22.60 FMC.</u>   |
| <u>Landscaping regulations</u>   | <u>See Chapter 22.62 FMC.</u>   |
| <u>Design standards and guidelines</u>   | <u>See Chapter 22.64 FMC. See also multifamily design standards and guidelines adopted by reference in Chapter 22.63 FMC.</u> |
| <u>Calculations resulting in a fraction shall be rounded to the nearest whole number with 0.50 being rounded up.</u> |   |



Chapter 22.50

~~COMMERCIAL MIXED-USE~~ URBAN DISTRICT (MUUCMU)

Sections:

- 22.50.001 Purpose.
- 22.50.002 Permitted uses.
- 22.50.003 Accessory uses.
- 22.50.004 Conditional uses.
- 22.50.005 *Repealed.*
- 22.50.006 Administrative uses.
- 22.50.007 Prohibited uses.
- 22.50.008 Development standards.

**22.50.001 Purpose.**

The ~~CMUU~~ zoning district is intended to implement the comprehensive plan’s ~~commercial-mixed-use~~ land use designation. This district provides opportunities for a broad mix of retail and office uses, personal, professional and business services, institutions, recreational and cultural uses, residential uses, and other facilities that provide services for the needs of nearby residents and businesses and the surrounding community. Development standards support higher density residential development and more intense commercial development compared to the MUN zoning district. In addition, the ~~MUU commercial-mixed-use~~ district provides limited opportunities for light industrial activities that enhance the city’s economic base and provide employment for residents in the area in a manner that is compatible with neighboring commercial and residential uses. Site and building design ~~support~~encourage pedestrian, bicycle and transit use while accommodating automobiles. Applicable form-based code standards require new development to establish a fine-grained street grid and block pattern as properties redevelop. Community greens, squares, plazas, and other publicly accessible spaces are incorporated into mixed-use developments that include a variety of complementary uses. High quality architecture, landscaping, ~~hard~~streetscape, artwork, and other public amenities contribute to making the area inviting, attractive, functional, and vibrant for residents, employees, and visitors alike.

**22.50.002 Permitted uses.**

Uses permitted subject to compliance with form-based standards in accordance with Chapter 22.57 FMC, site plan approval in accordance with Chapter 22.72 FMC and administrative design review approval in accordance with Chapter 22.66 FMC:

~~(a) Retail sales store including, but not limited to, the sale or rental of the following items: antiques, appliances—(new), art and art supplies, bicycles, books, building materials, clothing, fabrics, floor coverings, flowers, food, gifts, groceries, hardware, hobby and craft supplies, home furnishings, jewelry, lawn and garden equipment and supplies,—newspapers, office equipment and supplies, paint, music, pets and pet supplies, pharmaceuticals, photography—supplies and processing, sporting goods, stationery, toys, vehicle parts (new/remanufactured), videos and wallpaper.~~

~~(b) Commercial service including, but not limited to: beauty and hair care, consulting, copying, dry cleaning,—fitness/health studios, funeral services, laundry and cleaning (self-service), locksmithing, optical, pet grooming, post office or substation, printing, studio photography, real estate sales, repair of products listed in subsection (a) of this section, security, signs, tailoring, telecommunication sales, title, travel agency service, upholstery and vehicle—detailing.~~

~~(c) Food serving establishment including, but not limited to, bakery, cafeteria, coffee shop, confectionery,—delicatessen, espresso stand, ice cream or yogurt shop, restaurant and other sit-down, self-service, or take-out establishments.~~

(a) Commercial use, including retail, service, office, financial institution, fitness center and food-serving establishment.

(b) Microbeverage production facility, including microbreweryies, microdistilleryies and microwineryies.

~~(e) Commercial office including, but not limited to: medical, dental, optometric, business and professional offices.~~

(fc) Culturally enriching use, including, ~~but not limited to:~~ art gallery, dance studio, library, museum, live theater venue, and senior center.

(gd) Laboratory, including ~~but not limited to:~~ medical, dental, and optical.

(he) Civic, labor, social, and fraternal organization.

(hf) Veterinary clinic, with treatment and storage of animals within an enclosed building.

(jg) Entertainment and recreation facility (indoor only), ~~including but not limited to: arcade, bowling alley, indoor miniature golf course, indoor movie theater, indoor skating rink, racquetball court and tennis court.~~

(h) Automobile, recreational vehicle, and boat sales or rental, new or used (indoor showroom only).

(i) Child day-care center.

(j) Preschool, accredited, public or private.

(k) ~~Lodging~~ Hotel and motel.

~~(l) Financial institution, including but not limited to: bank, savings and loan, and credit union.~~

(m) Religious institution.

(n) Family group home, including adult family home.

(o) ~~Live-work unit and M~~ multifamily dwelling.

(p) Assisted living facility, including congregate care facility, convalescent home, hospice care center, residential care facility, and residential treatment facility.

(q) Necessary public or quasi-public utility building, structure, or equipment, unstaffed and less than or equal to 500 square feet in gross floor area (subject to compliance with landscape standards in Chapter 22.62 FMC). Excludes substation.

### **22.50.003 Accessory uses.**

Uses permitted in conjunction with, or accessory to, a principal use permitted in FMC 22.50.002:

(a) Temporary accessory use or structure (subject to compliance with FMC 22.58.015).

(b) Home occupation – Type I and Type II (subject to compliance with FMC 22.58.013).

~~(c) Employee recreation facility and play area.~~

~~(d) Employee cafe or cafeteria operated in conjunction with a principally permitted use.~~

(e) Family day-care facility (subject to compliance with FMC 22.58.010).

~~(f) Other accessory use or structure that is subordinate and incidental to a principally permitted use, as determined by the director.~~

(gd) Electric vehicle charging station (subject to compliance with FMC 22.58.025).

(he) Electric vehicle battery exchange station (subject to compliance with FMC 22.58.025).

(f) Other accessory use or structure that is subordinate and incidental to a principally permitted use, as determined by the director.

**22.50.004 Conditional uses.**

Uses permitted subject to conditional use permit approval in accordance with Chapter 22.68 FMC and administrative design review in accordance with Chapter 22.66 FMC:

- ~~(a) Child day care center.~~
- ~~(b) Preschool, accredited, public or private.~~
- ~~(c) Home occupation— Type II (subject to compliance with FMC 22.58.013).~~
- ~~(d) Automobile and boat sales or rental, new or used.~~
- ~~(e) Vehicle repair established prior to effective date of the ordinance codified in this section.~~
- (~~a~~f) Service station established prior to effective date of the ordinance codified in this section.
- ~~(g) Entertainment facility, outdoor.~~
- (~~b~~h) Adult entertainment establishments (subject to compliance with FMC 22.58.014).
- (~~c~~i) Essential public facilities, as determined by FMC 22.58.022. Excludes family and general group homes and includes correctional group homes.
- (~~d~~j) Necessary public or quasi-public structure or equipment greater than 500 square feet in gross floor area (subject to compliance with landscape standards in Chapter 22.62 FMC). Excludes substation.
- (~~e~~k) Personal wireless service facility for which a variance is required (subject to compliance with Chapter 22.24 FMC).
- (~~f~~) A use not listed above which: is not listed in another zoning district as a permitted or conditional use; is similar in nature to the above list of permitted and conditional uses; is consistent with the purpose and intent of this zoning district; and is compatible with the uses on adjoining properties.

**22.50.006 Administrative uses.**

Uses permitted subject to administrative use permit approval in accordance with Chapter 22.70 FMC:

- (a) Outdoor sidewalk cafe or other food- or beverage-serving facility or establishment, when located on a public sidewalk or other public right-of-way area (subject to compliance with FMC 22.58.017).
- (b) Establishment licensed by the Washington State Liquor and Cannabis Board to serve liquor for on-premises consumption in an outdoor customer seating area (subject to compliance with FMC 22.58.029).
- (c) Drive-up or drive-through facility established prior to effective date of the ordinance codified in this section (modifications) subject to compliance with FMC 22.60.012 and FMC 22.64.043).
- (d) Light industrial uses including: engineering-oriented pursuits such as electronics, robotics, 3-D printing, and the use of computer numerical control (CNC) tools; metalworking, woodworking, and traditional arts and crafts; small-scale assembly and manufacturing of products using processed materials that do not have the potential to create a nuisance for adjoining land uses; wholesale sale of products manufactured on site; and technological and biotechnological uses, including scientific research, testing and experimental development laboratories.
- (e) Outdoor seasonal sales, such as Christmas tree or pumpkin patch lots, or other outdoor special event sales.
- (f) Personal wireless service facility (subject to compliance with Chapter 22.24 FMC).

**22.50.007 Prohibited uses.**

The following uses are prohibited:

- (a) ~~Automobile~~Vehicle wrecking yard.

(b) Impound yard.

(c) Junk or salvage yard.

(d) Mini-storage or mini-warehouse.

(e) New service station or vehicle repair.

(f) New drive-up or drive-through facility.

**22.50.008 Development standards.**

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|--|--|
| <del>Maximum Residential density</del>                       | <del>Determined through project compliance with development standards, 30- dwelling units per acre.</del>  |
| <del>Building placement</del>                                | <del>See form-based building standards in Chapter 22.57 FMC.</del>   |
| <del>Minimum height/number of stories</del>                  | <del>35 feet/3 stories above grade.</del>  |
| <del>Maximum height/number of stories</del>                  | <del>4580 feet/7 stories above grade. A maximum 55-foot height may be authorized if 1 or more levels of structured parking are provided at or below grade level within the building footprint. For other exceptions, see FMC- 22.58.007.</del>   |
| <del>Front yard and side-street side yard setback</del>      | <del>0 feet minimum/20 feet maximum for first 2 stories. Additional stories shall be stepped back at least 10 feet from the wall plane established for the first 2 stories.</del>  |
| <del>Minimum interior side yard setback</del>                | <del>10 feet for first 2 stories. Additional stories shall be stepped back at least 5 feet from the wall plane established for the first 2 stories.</del>  |
| <del>Minimum rear yard setback</del>                         | <del>10 feet, except when abutting an R-district (see below).</del>  |
| <del>Minimum setback when abutting an R-district</del>       | <del>20 feet for first 2 stories. Additional stories shall be stepped back at least 10 feet from the wall plane established for the first 2 stories.</del>   |
| <del>Maximum lot coverage for structures</del>               | <del>65% for all structures combined. 75% for all structures combined if at least 50% of required parking is provided at or below grade level within the building footprint.</del>   |
| <del>Maximum impervious surface coverage</del>               | <del>85% for structures and other impervious surfaces combined.</del>  |
| <del>Exterior wall modulation</del>                          | <del>Building elevations greater than 80 feet in length, measured horizontally, shall incorporate wall plane projections or recesses having a depth of at least 4% of the length of the facade, but no less than 6 feet. The projections or recesses shall extend at least 20% of the length of the facade. No uninterrupted length of any facade shall exceed 80 horizontal feet. See FMC 22.64.009 for an illustration of this requirement. Alternative designs that: incorporate recessed or projecting balconies; use base, middle and top treatments with different forms; include roof modulation; and/or provide strong articulation of the facade through the use of multiple siding materials and textures, various building forms, awnings and variation in colors—in conjunction with appropriate landscaping, may be approved in lieu of compliance with the wall modulation standard specified above.</del> |
| <del>Business hours</del>                                    | <del>Limitations may be imposed through the site plan review or conditional use permit review processes in order to mitigate impacts on nearby land uses. See Chapters 22.68 and 22.72 FMC.</del>  |
| <del>Limitation on nonretail use</del>                       | <del>For a lot or a group of lots having a gross lot area greater than 0.5 acres, the ground floor of buildings within 250 feet of the Mildred Street ROW on such lots shall be designed to accommodate retail use per FMC 22.64.016 and FMC 22.64.020. Not more than 20% of building floor within this ground floor may be leased or otherwise made available for nonretail use. A lot with an area that exceeds 0.5 acres prior to the effective date of the ordinance codified in this section, and that is subsequently subdivided or otherwise reduced in area to less than 0.5 acres, shall remain subject to these requirements.</del>  |
| <del>Form-based standards</del>                              | <del>See Chapter 22.57 FMC.</del>  |
| <del>Additional specific use and structure regulations</del> | <del>See Chapter 22.58 FMC.</del>  |
| <del>Pedestrian plaza requirements</del>                     | <del>See FMC 22.58.016.</del>  |

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|--|--|
| Parking and circulation  | See Chapter 22.60 FMC.   |
| Landscaping regulations  | See Chapter 22.62 FMC.   |
| Design standards and guidelines  | See Chapter 22.64 FMC. See also multifamily design standards and guidelines adopted by reference in Chapter 22.63 FMC. |
| <del>Ground floor use of a commercial or mixed-use building</del>  | <del>See FMC 22.64.016(a).</del>   |
| <del>Continuous storefront requirement for parking structures</del>  | <del>See FMC 22.64.016(b).</del>   |
| <del>Minimum floor to ceiling height for ground floor commercial space</del>   | <del>See FMC 22.64.016(c).</del>   |
| <del>Large retail establishment requirements</del>   | <del>See FMC 22.64.042.</del>  |
| <i>Calculations resulting in a fraction shall be rounded to the nearest whole number with 0.50 being rounded up.</i> |  |

Chapter 22.57

FORM-BASED STANDARDS

Sections:

- 22.57.001 Purpose.
- 22.57.002 Authority.
- 22.57.003 Applicability.
- 22.57.004 Review process.
- 22.57.005 Form-based code adopted.
- 22.57.006 Amendment of form-based code.
- 22.57.007 Minor departure from form-based code regulating plan.

**22.57.001 Purpose.**

The purpose of this chapter is to establish form-based standards that will implement goals, policies, and objectives set forth in the Fircrest Comprehensive Plan relating to preservation of community character and community vitality, appropriate urban form, and design principles emphasizing pedestrian orientation, integration of land uses, treatment of streetscapes as community living space, and environmentally sensitive building design and operation.

**22.57.002 Authority.**

The provisions of this chapter shall augment and/or supersede existing regulations in this title. When provisions included in these form-based standards conflict with other requirements of this title, these standards shall apply unless otherwise provided.

**22.57.003 Applicability.**

(a) The form-based standards adopted pursuant to this chapter shall apply to development proposed to be constructed or carried out in any areas subject to the provisions of this chapter. These include the neighborhoods, corridors, or districts identified in the comprehensive plan and reiterated below:

- (1) Mixed-Use Urban (MUU) District
- (2) Mixed-Use Neighborhood (MUN) District

(b) The form-based standards shall utilize regulating plans and other mechanisms prescribing appropriate land uses, and project and site design principles relating to appropriate building types, housing mix, integration of land uses, and appropriate form for the pedestrian orientation, streetscape, and public realm in the subject area.

**22.57.004 Review process.**

Administrative design review is required for development subject to compliance with the form-based standards adopted pursuant to this chapter. The city shall review applications in accordance with Chapter 22.66 FMC. In addition, for certain uses specified in a zoning district, administrative use permit approval may be required in accordance with Chapter 22.68 FMC, conditional use permit approval may be required in accordance with Chapter 22.68 FMC, or site plan approval may be required in accordance with Chapter 22.72 FMC.

**22.57.005 Form-based code adopted.**

The “Fircrest Form-Based Code” is adopted by reference and contained in a separate manual.

**22.57.006 Amendment of form-based code.**

(a) An amendment to the “Fircrest Form-Based Code” shall be processed in accordance with the procedures set forth in Chapter 22.78 FMC.

(b) An amendment to the text, tables, or graphics contained within the “Fircrest Form-Based Code” shall be processed as a development regulation amendment.

(c) An amendment to a regulating plan contained within the “Fircrest Form-Based Code” that requires a change to the boundaries of an underlying zoning district shall be processed as a zoning map amendment.

**22.57.007 Minor departure from form-based code regulating plan.**

(a) Minor departure from the streets and open space areas configurations shown on the regulating plan established in Figure x.x.x of the “Fircrest Form-Based Code” may be approved by the review authority in accordance with FMC 22.66.006(b) and (c), and as follows.

(1) Where a planned street is shown on the regulating plan, the center line may be moved up to 50 feet in either direction if:

(A) The street will be entirely contained within one development project.

(B) The change will not result in less connectivity of the network of blocks and streets, and no new dead-end streets or off-set connections will be created.

(C) No street intersection will occur within 100 feet of another street intersection or planned street intersection.

(D) The block configurations will meet the standards defined in Section x.x.x of the form-based code.

(E) The new alignment will not shift a zoning district boundary in accordance with FMC 20.30.004(a)(1).

(2) An alley may be reoriented to run north-south instead of east west, or vice versa.

(3) Additional streets may be added to the regulating plan during review process to create a smaller block pattern; however, no streets may be deleted without being replaced.

(4) The boundaries of open space areas shown on the regulating plan may be reconfigured to reflect new or modified street rights-of-way and block configurations, if the size, location and configuration of the open space will serve the same purpose and function as originally intended by the regulating plan.

(b) Any amendment or change to the regulating plan, beyond those specified above, shall be processed in accordance with the procedures set forth in Chapter 22.78 FMC.

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## Chapter 22.58

### SPECIFIC USE AND STRUCTURE REGULATIONS

#### 22.58.008 Performance standards.

In addition to the specific requirements within the applicable zoning district chapter, the following performance standards shall apply:

(a) Objectionable Elements. No land or building shall be used or occupied in any manner ~~so as~~ to create any dangerous, injurious, noxious, or otherwise objectionable element. An objectionable element may include, but is not limited to: excessive noise, vibration, glare, smoke, dust, or odor.

(b) Enclosure of Activities. Unless authorized by the applicable zoning district, all home occupation, commercial and industrial activities shall be conducted within an enclosed structure, except for customary accessory appurtenances, such as refuse collection containers screened from public view, parking and loading areas.

(c) Outside Storage. Unless authorized by the applicable zoning district, outside storage of material for commercial and industrial uses is prohibited. An outside storage area shall not exceed 20 percent of lot area and shall be screened from view from any property line. Outside storage shall be restricted to the area at the rear of a principal building. The outside storage area shall be enclosed by a fence greater than or equal to eight feet in height. Outside storage exceeding a height of eight feet shall be set back from the property line a distance of at least twice the height of material being stored. The height of outside storage shall not exceed twice the height of the fence in this subsection. Outside storage of junk or wrecked vehicles is prohibited. Outside storage of inoperable vehicles may be permitted in residential districts subject to compliance with FMC 22.58.024.

(d) Refuse Collection Containers. For multifamily, mixed-use, or nonresidential structures and uses, all outdoor refuse collection containers (including recycling containers) shall be completely screened from public or private streets and from adjacent property by an opaque screen. Masonry block wall, decorative metal, or other high-quality durable materials shall be used for the screen. Chain link with slats shall not be used. Where space allows, evergreen shrubs and other landscaping shall be installed to soften the visual impact of the screening enclosure. Refuse storage areas that are visible from the upper stories of adjacent structures shall have an opaque or semi-opaque horizontal cover or screen to mitigate unsightly views. The covering structure shall be compatible with the site's architecture. If required by the sanitary sewer service provider, the trash enclosure floor shall be designed to slope to an interior trapped area floor drain and connected to a grease interceptor before plumbing to the sanitary sewer system. The floor shall be designed to contain all interior run off and not allow outside storm rain or run off from entering the trash enclosure. The storage of animal or vegetable waste that may attract insects or rodents or otherwise create a potential health hazard is prohibited. Properties undergoing substantial improvement as defined in FMC 22.98.697, a change in building code classification, or a change in use shall install new screening or upgrade any existing collection container facilities that do not meet the standards of this section to ensure code consistency upon completion of the redevelopment. A change from one tenant to another that neither triggers a change in building code classification nor represents a change in use will not require new screening or an upgrade to an existing enclosure. For multi-tenant structures, the city's determination as to whether improvement to an individual tenant space is considered to be a substantial improvement will be based on the value of the improvements relative to the assessed valuation of the tenant space, or a comparable judgment if an individual tenant space assessment is unavailable.

(e) Maintenance of Yards and Open Space. All required structures, yards, parking areas and other open areas on site shall be maintained in a neat and orderly manner at all times appropriate for the zoning district. Yards and open areas shall be maintained, as the responsibility of the property owner, free of any hazards to health or safety. Except for permitted earth-disturbing activity, all ground areas shall be maintained in a manner ensuring that the natural or landscaped vegetation or permitted impervious surfaces provide a durable and dust-free covering at all times. Dumping or storage of junk or debris, including junk vehicles or wrecked vehicles, is prohibited.

(f) Utilities. For new development, or existing development which is being expanded by greater than or equal to 50 percent of its existing gross floor area, all utilities shall be located underground; provided, that electrical lines of



50,000 volts or greater may be placed aboveground. The construction of a new single-family residence on an infill lot located within a subdivision where electric service is typically provided from an overhead location may be exempted from this requirement by the public works director if he/she determines that the undergrounding of electric facilities for this lot would be impractical.

(g) Screening of Mechanical Equipment. All roof-mounted air conditioning or heating equipment, vents or ducts shall not be visible from the ground level of any abutting parcel or any public rights-of-way. This shall be accomplished through the extension of the main structure or roof or screening in a manner that is architecturally integrated with the main structure. The screening may require acoustical treatment to mitigate noise generation.

(h) Barbed or Razor Wire. Barbed, razor or similar security wire may be authorized by the city for municipal facilities, if the fence on which the wire is placed will be effectively screened by landscaping. Barbed or razor wire is prohibited in all other locations and zoning districts.

(i) Erosion and Sedimentation. A temporary erosion and sedimentation control plan detailing measures for controlling erosion and sediment-laden runoff shall be submitted for approval by the director prior to issuance of a clearing and grading permit or other construction permit for a project. Measures shall include provisions to remove depositions of soil and material from streets and to prevent discharge of soil and materials onto adjoining properties or environmentally sensitive areas. The plan shall be implemented by the applicant before and during construction, and the applicant's performance shall be monitored by the city. The plan shall be upgraded as deemed necessary by the director to ensure effective control during construction.

(j) Particulates. During site development activities, construction dust and other particulates shall be controlled through frequent watering and/or other dust control measures approved by the director. Reclaimed water shall be used whenever practicable. Soil that is transported in trucks to and from the construction site shall be covered to the extent practicable to prevent particulates from being released.

(k) Stormwater Management. Stormwater facilities shall be designed in accordance with the standards set forth in Chapter 20.24 FMC. Stormwater site plans demonstrating compliance with stormwater management standards shall be submitted for approval by the director and city engineer prior to issuance of site development permits.

(l) Contaminants. During site development activities, all releases of oils, hydraulic fluids, fuels, other petroleum products, paints, solvents, and other deleterious materials shall be contained and removed in a manner that will prevent their discharge to waters and soils of the state. The cleanup of spills shall take precedence over other work on the site.

#### **22.58.014 Adult entertainment establishments.**

(a) Purpose. The purpose of this section is to regulate adult entertainment establishments and to provide certain limitation to the siting of these uses. Development standards are used to reduce conflicts between these uses and other uses that may not be compatible.

(b) Uses Permitted. Adult entertainment establishments may be permitted by conditional use permit in the ~~MUU commercial mixed use~~ zone.

(c) Locational Requirements.

(1) Adult entertainment establishments shall not be located on lots adjacent to (directly touching or across a street from) any residential zone (R-4, R-4-C, R-6, R-8, R-10-TCD, R-20 and R-30) and additional zones (NC, NO, ~~and GC and MUN~~) that allow residential uses (except for dwelling units provided for site security or maintenance personnel).

(2) Adult entertainment establishments shall not be allowed within 500 feet of any other adult entertainment establishment, as measured from property lines.

(3) Adult entertainment establishments shall not be allowed within 100 feet of any "sensitive receptor." Distances provided in this section shall be measured by following a straight line, without regard to intervening buildings, from the nearest point of the property parcel upon which the proposed use is to be located, to the

nearest point of the parcel of property or the zone district boundary line from which the proposed land use is to be separated.

(d) Variance to Locational Requirements. A variance to the dispersal provisions may be granted by the hearing examiner/planning commission if all of the following criteria can be met:

- (1) That free speech rights which are entitled to protection by the First Amendment to the United States Constitution of an applicant for an adult entertainment establishment cannot be adequately protected on parcels allowed for siting because other adult entertainment establishments are in place, or sensitive receptors limit additional uses in the MUUCMU zone.
- (2) That the natural or built environment in the immediate vicinity would result in an effective separation between the proposed adult entertainment establishment and any sensitive zones or uses in terms of visibility and access.
- (3) The proposed use complies with the goals and policies of the comprehensive plan.
- (4) The proposed use is otherwise compatible with adjacent and surrounding land uses.
- (5) The applicant has proposed conditions that would minimize the secondary adverse effects of the proposed use.

(e) Development Standards. The development standards in this section shall apply to all buildings, uses, and property used for adult entertainment purposes. The development standards for adult entertainment establishment uses are the same as the applicable zoning regulations for the zoning districts in which they are located, except as follows:

(1) Visual Impacts.

(A) No owner or operator of an adult entertainment establishment shall allow any merchandise or activity of the establishment to be visible from any point outside the establishment.

(B) No owner or operator of an adult entertainment establishment shall allow the exterior to have flashing lights or any lettering, photographs, silhouettes, drawings, or pictorial representations of any kind other than to the extent permitted by this section or Chapter 22.26 FMC.

(C) The exterior of an adult entertainment establishment, if painted, must be painted (stained or otherwise covered) in a single achromatic color, except if:

(i) The adult entertainment establishment is part of a commercial multi-unit center; and

(ii) The exteriors of each individual unit in the commercial multi-unit center, including the adult entertainment establishment, are painted the same color as one another or are painted in such a way as to be a component of the overall architectural style or pattern of the commercial center.

(2) Signage. In addition to the restrictions imposed by Chapter 22.26 FMC, the following restrictions apply to any adult entertainment establishment:

(A) Each display surface of a sign must:

(i) Be a flat plane, rectangular in shape;

(ii) Not be flashing or pulsating;

(iii) Have characters of a solid color;

(iv) Have all characters of the same print type, size, and color;

(v) Have the background in one solid color.

(B) Readerboard signs are not allowed.

(f) Nonconforming Adult Entertainment Establishments. An adult entertainment establishment shall be deemed a legal nonconforming use and shall be subject to the requirements of FMC 22.58.023 (Nonconforming lots, uses and structures) if a zone that allows residential uses is located adjacent to the adult entertainment establishment or if a sensitive receptor identified in subsection (c)(3) of this section locates within 50 feet of the adult entertainment establishment facility after the date the adult entertainment establishment facility has located within the city in accordance with requirements of this section.

**Repeal Section 22.58.016 below, which roughly duplicates FMC 22.64.031 Outdoor Activity Spaces**

**22.58.016 — Pedestrian plazas.**

~~Pedestrian plazas are required as a component of the master plans required for designated “special planning areas” on the Comprehensive Plan’s land use designation map. Pedestrian plazas may also be required in conjunction with new commercial development or redevelopment through the conditional use or site plan review processes. The following standards shall apply to the design of pedestrian plazas:~~

~~(a) The plaza shall be adjacent to and open to a public street and sidewalk on at least one side.~~

~~(b) The plaza design shall allow people walking or driving by to see into the plaza from a height of two and one-half feet to eight feet above finished grade. Lighting shall be included to enable people walking or driving by to see into the plaza at night.~~

~~(c) The plaza shall be open to the public during daylight hours.~~

~~(d) The portions of the plaza not landscaped shall be surfaced in textured concrete, bricks, interlocking pavers, or similar or better enhanced paving materials.~~

~~(e) Up to 25 percent of the plaza may be landscaped with lawn or groundcovers. All landscaped areas that do not include lawns shall include trees. Tree wells do not count toward the 25 percent limit on landscaping coverage.~~

~~(f) The plaza shall be located and designed so that wind within the plaza does not interfere with its use for sitting and similar activities.~~

~~(g) Eighty percent of the plaza, outside of any covered area, should not be shaded during the hours of 10:00 a.m. to 2:00 p.m. in the winter, except by the trees within the plaza. If possible, the plaza shall have a southern exposure.~~

~~(h) The plaza shall not be used by motor vehicles for any purpose other than maintenance.~~

~~(i) The plaza shall not be bordered by a drive-through lane on any side.~~

~~(j) The plaza shall meet at least one of the following requirements:~~

~~(1) The seating area of a restaurant shall overlook the plaza on at least one side. At least 25 percent of the restaurant wall abutting the plaza shall consist of clear windows.~~

~~(2) A food, refreshment, coffee or espresso cart shall be located in the plaza during at least one-half of each working day.~~

~~(3) The plaza shall include a fountain of at least 100 square feet and children’s play equipment.~~

~~(4) The plaza shall include any other feature that will provide equivalent or better surveillance of the plaza. (Ord. 1246 § 15, 2000).~~

**22.58.018 Outdoor lighting.**

(a) Approval Required. The installation or replacement of outdoor lighting fixtures shall require approval of the ~~hearing examiner~~~~planning commission~~ or director, as appropriate. Approval shall not be granted unless the proposed installation is found by the ~~hearing examiner~~~~planning commission~~ or director to conform to all applicable provisions of this section. Properties developed with single-family or duplex dwellings are exempt from this section, provided they are not located within a planned development approved subsequent to the effective date of the ordinance codified in this section.

(b) General Requirements.

(1) When the outdoor lighting installation or replacement is part of a development proposal for which ~~hearing examiner~~~~planning commission~~ review is required, the ~~hearing examiner~~~~planning commission~~ shall evaluate the proposed lighting installation as part of its discretionary review. The ~~hearing examiner~~~~planning commission~~ may grant approval of the installation, or it may approve the installation on a conceptual level and delegate to the director the responsibility to ensure that the final lighting installation design complies with this section.

(2) When the outdoor lighting installation is not part of a development proposal for which ~~hearing examiner~~~~planning commission~~ review is required, the director shall evaluate and approve the proposed lighting installation design if it complies with this section.

(3) The applicant shall submit to the department sufficient information, in the form of an overall exterior lighting plan, to enable the ~~hearing examiner~~~~planning commission~~ or director to determine that the applicable provisions will be satisfied. The lighting plan shall include at least the following:

(A) A site plan, drawn to a scale of one inch equaling no more than 20 feet, showing buildings, landscaping, parking areas, and all proposed exterior lighting fixtures.

(B) Specifications for all proposed lighting fixtures including photometric data, designation as IESNA "cut-off" fixtures, Color Rendering Index (CRI) of all lamps (bulbs), and other descriptive information on the fixtures.

(C) Proposed mounting height of all exterior lighting fixtures.

(D) Analyses and illuminance level diagrams showing that the proposed installation conforms to the lighting level standards in this section.

(E) Drawings of all relevant building elevations showing the fixtures, the portions of the walls to be illuminated, the illuminance levels of the walls, and the aiming points for any remote light fixtures.

(4) Wherever practicable, lighting installations shall include timers, dimmers, and/or sensors to reduce overall energy consumption and eliminate unneeded lighting.

(5) When an outdoor lighting installation is being modified, extended, expanded, or added to, the entire outdoor lighting installation shall be subject to the requirements of this section.

(6) Expansions, additions, or replacements to outdoor lighting installations shall be designed to avoid harsh contrasts in color and/or lighting levels.

(7) Electrical service to outdoor lighting fixtures shall be underground unless the fixtures are mounted directly on utility poles.

(8) Proposed lighting installations that are not covered by the special provisions in this section may be approved only if the ~~hearing examiner~~~~planning commission~~ or director finds that they are designed to minimize glare, do not direct light beyond the boundaries of the area being illuminated or onto adjacent properties or streets, and do not result in excessive lighting levels.

(9) For the purposes of these regulations, the mounting height of a lighting fixture shall be defined as the vertical distance from the grade elevation of the surface being illuminated to the bottom of the lighting fixture (i.e., luminaire).

(10) Holiday lighting during the months of November, December and January shall be exempt from the provisions of this section; provided, that such lighting does not create dangerous glare on adjacent streets or properties.

(11) The ~~hearing examiner~~~~planning commission~~ or director may modify the requirements of this section if it determines that in so doing it will not jeopardize achievement of the intent of these regulations.

(c) **Parking Lot Lighting.** Parking lot lighting shall be designed to provide the minimum lighting necessary to ensure adequate vision and comfort in parking areas, and to not cause glare or direct illumination onto adjacent properties or streets.

(1) All lighting fixtures serving parking lots shall be cut-off fixtures as defined by the Illuminating Engineer Society of North America (IESNA).

(2) Alternatives. The design for an area may suggest the use of parking lot lighting fixtures of a particular “period” or architectural style, as either alternatives or supplements to the lighting described above.

(A) If such fixtures are not “cut-off” fixtures as defined by IESNA, the maximum initial lumens generated by each fixture shall not exceed 2,000 (equivalent to a 150-watt incandescent bulb).

(B) Mounting heights of such alternative fixtures shall not exceed 15 feet.

(3) Parking area lighting standards in the various lighting districts are shown in Table 1.

(4) Parking areas in District 4 shall not be illuminated unless there exist specific hazardous conditions that make illumination necessary. In such cases, the lighting shall meet the standards for District 3.

**Table 1: Parking Lot Lighting Standards**

|  | District 1                                       | District 2                                 | District 3                                 | District 4  |
|--|--|--|--|---|
|  | <del>CMU</del> <u>MUN &amp; MUU</u><br>Districts | NO & NC Districts                          | R-20, R-30, PROS &<br>GC Districts         | R-4, R-4-C, R-6,<br>R-8, and R-10-<br>TCD Districts |
| Mounting Height<br>(Maximum)*  | 25 ft.   | 20 ft.                                     | 20 ft.                                     | Lighting<br>Discouraged                             |
| Minimum<br>Illumination<br>Level (at darkest<br>spot on the<br>parking area) | No less than 0.3 fc<br>No more than 0.5 fc       | No less than 0.2 fc<br>No more than 0.3 fc | No less than 0.2 fc<br>No more than 0.3 fc | Lighting<br>Discouraged                             |
| Uniformity<br>Ratio **   | 4:1  | 4:1  | 4:1  | Lighting<br>Discouraged                             |
| Minimum<br>CRI***  | 20   | 65   | 70   | Lighting<br>Discouraged                             |

\* Mounting height is the vertical distance between the surface being illuminated and the bottom of the lighting fixture.

\*\* Uniformity ratio is the ratio of average illumination to minimum illumination.

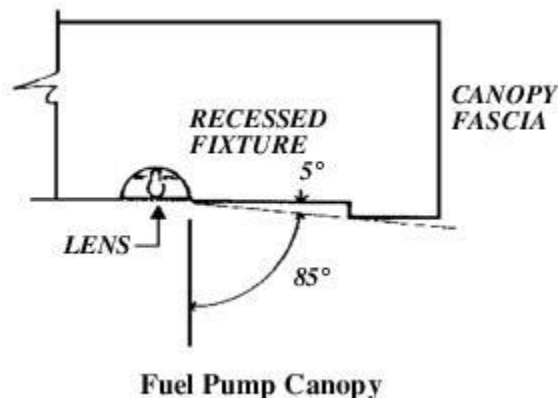
\*\*\* CRI is the Color Rendering Index.

(d) Lighting of Service Station/Convenience Store Aprons and Canopies. Lighting levels on service station/convenience store aprons and under canopies shall be adequate to facilitate the activities taking place in such locations. Lighting of such areas shall not be used to attract attention to the businesses. Signs allowed under Chapter 22.26 FMC shall be used for that purpose.

(1) Areas on the apron away from the fuel pump islands used for parking or vehicle storage shall be illuminated in accordance with the requirements for parking areas in subsection (c) of this section. If no fuel pumps are provided, the entire apron shall be treated as a parking area.

(2) Areas around the pump islands and under canopies shall be illuminated so that the minimum horizontal illuminance at grade level is at least one foot-candle and no more than five and one-half foot-candles. The uniformity ratio (ratio of average to minimum illuminance) shall be no greater than four to one, which yields an average illumination level of no more than 22 foot-candles.

(3) Light fixtures mounted on canopies shall be recessed so that the lens cover is recessed or flush with the bottom surface (ceiling) of the canopy and/or shielded by the fixture or the edge of the canopy so that light is restrained to no more than 85 degrees from vertical, as shown in the figure below.



(4) As an alternative (or supplement) to recessed ceiling lights, indirect lighting may be used where light is beamed upward and then reflected down from the underside of the canopy. In this case light fixtures must be shielded so that direct illumination is focused exclusively on the underside of the canopy.

(5) Lights shall not be mounted on the top or sides (fascias) of the canopy, and the sides (fascias) of the canopy shall not be illuminated.

(e) Lighting of Exterior Display/Sales Areas. Lighting levels on exterior display/sales areas shall be adequate to facilitate the activities taking place in such locations. Lighting of such areas shall not be used to attract attention to the businesses. Signs allowed under Chapter 22.26 FMC shall be used for that purpose. The applicant shall designate areas to be considered display/sales areas and areas to be used as parking or passive vehicle storage areas. This designation must be approved by the ~~hearing examiner~~planning commission or director.

(1) Areas designated as parking or passive vehicle storage areas shall be illuminated in accordance with the requirements for parking areas in subsection (c) of this section.

(2) Areas designated as exterior display/sales areas shall be illuminated so that the average horizontal illuminance at grade level is no more than five foot-candles. The uniformity ratio (ratio of average to minimum illuminance) shall be no greater than four to one. The average and minimum shall be computed for only that area designated as exterior display/sales area.

(3) Light fixtures shall meet the IESNA definition of cut-off fixtures, and shall be located, mounted, aimed, and shielded so that direct light is not cast onto adjacent streets or properties.

(4) Fixtures shall be mounted no more than 25 feet above grade, and mounting poles shall be located either inside the illuminated area or no more than 10 feet away from the outside edge of the illuminated area.

(f) Lighting of Outdoor Performance or Sports. Outdoor nighttime performance events (concerts, athletic contests, etc.) have unique lighting needs. Illumination levels vary, depending on the nature of the event. The regulations in this section are intended to allow adequate lighting for such events while minimizing sky glow, reducing glare and unwanted illumination of surrounding streets and properties, and reducing energy consumption.

(1) Design Plan. A lighting design plan shall be submitted that shows in detail the proposed lighting installation. The design plan shall include a discussion of the lighting requirements of various areas and how those requirements will be met.

(2) Dual System. The main lighting of the event (spotlighting or floodlighting, etc.) shall be turned off no more than 45 minutes after the end of the event. A low-level lighting system shall be installed to facilitate patrons leaving the facility, cleanup, nighttime maintenance, etc. The low-level lighting system shall provide an average horizontal illumination level, at grade level, of no more than three foot-candles with a uniformity ratio (average to minimum) not exceeding four to one.

(3) Primary Playing Areas. Where playing fields or other special activity areas are to be illuminated, lighting fixtures shall be specified, mounted, and aimed so that their beams fall within the primary playing area and immediate surroundings, and so that no direct illumination is directed off the site.

(4) Parking Areas. Lighting for parking areas shall meet the requirements in subsection (c) of this section.

(5) Pedestrian Areas. Areas intended solely for pedestrian circulation shall be provided with a minimum level of illumination of no less than 0.1 foot-candles and no more than 0.2 foot-candles. A uniformity ratio of average illumination to minimum illumination shall not exceed four to one.

(6) Security Lighting. Security lighting shall meet the requirements in subsection (g) of this section.

(g) Security Lighting. The purpose of and need for security lighting (i.e., lighting for safety of persons and property) must be demonstrated as part of an overall security plan that includes at least illumination, surveillance, and response, and that delineates the area to be illuminated for security purposes. To the extent that the designated area is illuminated for other purposes, independent security lighting installations will be discouraged.

(1) In addition to the application materials required in subsection (b) of this section, applications for security lighting installations shall include a written description of the need for and purposes of the security lighting, a site plan showing the area to be secured and the location of all security lighting fixtures, specifications of all fixtures, the horizontal and vertical angles in which light will be directed, and adequate cross-sections showing how light will be directed only onto the area to be secured.

(2) All security lighting fixtures shall be shielded and aimed so that illumination is directed only to the designated area and not cast on other areas. In no case shall lighting be directed above a horizontal plane through the top of the lighting fixture, and the fixture shall include shields that prevent the light source or lens from being visible from adjacent properties and roadways. The use of general floodlighting fixtures shall be discouraged.

(3) Security lighting may illuminate vertical surfaces (e.g., building facade and walls) up to a level eight feet above grade or eight feet above the bottoms of doorways or entries, whichever is greater.

(4) Security lighting fixtures may be mounted on poles located no more than 10 feet from the perimeter of the designated secure area.

(5) Security lights intended to illuminate a perimeter (such as a fence line) shall include motion sensors and be designed to be off unless triggered by an intruder located within five feet of the perimeter.

(6) Security lighting standards in the various lighting districts are as shown in Table 2.

(7) Security lighting shall be allowed in District 4 areas only if unusual hazardous conditions make it necessary. In such cases, indirect and reflected lighting techniques shall be used to provide soft lighting under canopies, entry porches, or soffits. Lighting levels shall not exceed the standards established for District 3.

**Table 2: Security Lighting Standards**

|   | <b>District 1</b>                                   | <b>District 2</b>            | <b>District 3</b>               | <b>District 4</b>                            |
|---|---|------------------------------|---------------------------------|--|
|   | <del>CMU</del><br><u>MUN &amp; MUU</u><br>Districts | NO & NC Districts            | R-20, R-30, PROS & GC Districts | R-4, R-4-C, R-6, R-8, and R-10-TCD Districts |
| Mounting Height (Maximum)*                      | 25 ft.  | 20 ft.                       | 20 ft.                          | Discouraged                                  |
| Average Horizontal Illumination Level on Ground | No more than 1.5 foot-candles                       | No more than 1.0 foot-candle | No more than 0.5 foot-candle    | Discouraged                                  |
| Average Illumination Level on Vertical Surface  | No more than 1.5 foot-candles                       | No more than 1.0 foot-candle | No more than 0.5 foot-candle    | Discouraged                                  |
| Minimum CRI**                                   | 20  | 65                           | 70                              | Discouraged                                  |

\* Mounting height is the vertical distance between the surface being illuminated and the bottom of the lighting fixture.

\*\* CRI is the Color Rendering Index.

(h) Lighting of Building Facades and Landscaping. With the exception of structures having exceptional symbolic (i.e., churches and/or public buildings) or historic significance in the community, exterior building facades shall not be illuminated. When buildings having symbolic or historic significance are to be illuminated, a design for the illumination shall be approved by the ~~hearing examiner~~planning commission or director and the following provisions shall be met:

- (1) The maximum illumination on any vertical surface or angular roof surface shall not exceed five foot-candles.
- (2) Lighting fixtures shall be carefully located, aimed, and shielded so that light is directed only onto the building facade. Lighting fixtures shall not be directed toward adjacent streets or roads.
- (3) Lighting fixtures mounted on the building and designed to “wash” the facade with light are preferred.
- (4) To the extent practicable, lighting fixtures shall be directed downward (i.e., below the horizontal) rather than upward.
- (5) When landscaping is to be illuminated, the ~~hearing examiner~~planning commission or director shall first approve a landscape lighting plan that presents the purpose and objective of the lighting, shows the location of all lighting fixtures and what landscaping each is to illuminate, and demonstrates that the installation will not generate excessive light levels, cause glare, or direct light beyond the landscaping into the night sky.

(i) Illuminated Signs. See lighting standards in FMC 22.26.012.

(j) Lighting of Walkways/Bikeways and Parks. Where special lighting is to be provided for walkways, bikeways, or parks, the following requirements shall apply:



- (1) The walkway, pathway, or ground area shall be illuminated to a level of at least 0.3 foot-candles and no more than 0.5 foot-candles.
- (2) The vertical illumination levels at a height of five feet above grade shall be at least 0.3 and no more than 0.5 foot-candles.
- (3) Lighting fixtures shall be designed to direct light downward, and light sources shall have an initial output of no more than 1,000 lumens.
- (4) In general, lighting shall be consistent with the guidelines presented in the IESNA Lighting Handbook, 8th Edition.

(k) General Street Lighting Standards. (Reserved).

(l) Technological Change. The technology used in outdoor lighting applications is ever evolving in terms of efficiency, effectiveness, and other performance aspects. While the intent, goals, and objectives of this section remain constant, standards may become dated over time as lighting technology advances. Therefore, the hearing examiner or director, as appropriate, may exercise discretion in making determinations that will achieve equivalent lighting performance through the application of updated technology when codified standards become outdated.

**22.58.025 Electric vehicle charging stations.**

To ensure an effective installation of electric vehicle charging stations, the regulations in this section provide a framework when a private property owner chooses to provide electric vehicle charging stations.

(a) Allowed Uses per Zoning District. The following table establishes the permitted uses:

|                                     | <b>Residential (R-4, R-4-C, R-6, R-8, R-10-TCD, R-20, and R-30)</b> | <b>Recreation (PROS and GC)</b> | <b>Commercial and Mixed-Use (NC, <del>MUN and MU-</del> and CMU)</b> | <b>Commercial (NO)</b> |
|-------------------------------------|---|---------------------------------|--|------------------------|
| EV Charging Station <sup>1</sup>    | P   | P                               | P  | P                      |
| Rapid Charging Station <sup>2</sup> | –   | –                               | P  | P                      |
| Battery Exchange Station            | –   | –                               | P  | –                      |

P: Allowed only as an accessory to an outright permitted or conditional use.

Absence of P: Use is not permitted in that district.

1: Level 1 and Level 2 charging only.

2: Level 3 and fast charging are used interchangeably.

(b) For all parking lots or garages located in nonresidential districts:

- (1) Number. No minimum number of charging station spaces is required.
- (2) Minimum Parking Requirements. An electric vehicle charging station space may be included in the calculation for minimum required parking spaces that are required pursuant to other provisions of code.
- (3) Location and Design Criteria. The provision of electric vehicle parking will vary based on the design and use of the primary parking lot. The following required and additional locational and design criteria are provided in recognition of the various parking lot layout options.

(A) Where provided, parking for electric vehicle charging purposes is required to include the following:

(i) Signage. Each charging station space shall be posted with signage indicating the space is only for electric vehicle charging purposes. Days and hours of operations shall be included if time limits or tow-away provisions are to be enforced.

(ii) Maintenance. Charging station equipment shall be maintained in all respects, including the functioning of the charging equipment. A phone number or other contact information shall be provided on the charging station equipment for reporting when the equipment is not functioning or other problems are encountered.

(iii) Accessibility. Where charging station equipment is provided within an adjacent pedestrian circulation area, such as a sidewalk or accessible route to the building entrance, the charging equipment shall be located so as not to interfere with accessibility requirements of WAC 51-50-005.

(iv) Lighting. Where charging station equipment is installed, adequate site lighting shall exist, unless charging is for daytime purposes only.

(B) Parking for electric vehicles should also consider the following:

(i) Notification. Information on the charging station, identifying voltage and amperage levels and any time of use, fees, or safety information.

(ii) Signage. Installation of directional signs at the parking lot entrance and at appropriate decision points to effectively guide motorists to the charging station space(s).

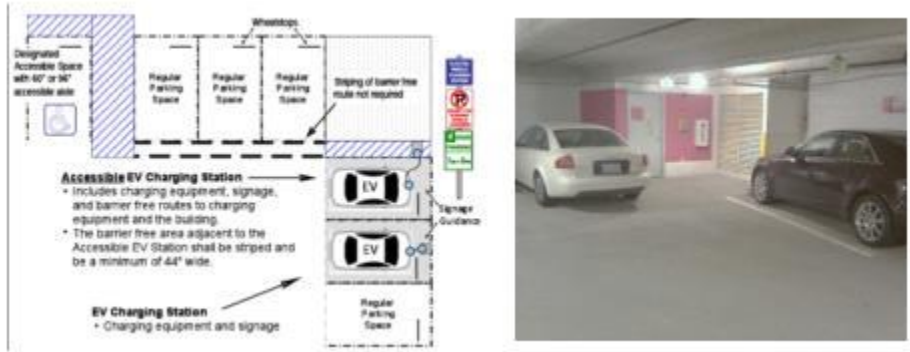
(c) Where electric vehicle charging stations are provided in parking lots or parking garages, accessible electric vehicle charging stations shall be provided as follows:

(1) Accessible electric vehicle charging stations shall be provided in the ratios shown on the following table:

| <b>Number of EV Charging Stations</b> | <b>Minimum Accessible EV Charging Stations</b> |
|---------------------------------------|--|
| 1 – 50                                | 1  |
| 51 – 100                              | 2  |
| 101 – 150                             | 3  |

(2) Accessible electric vehicle charging stations should be located in close proximity to the building or facility entrance and shall be connected to a barrier-free accessible route of travel. It is not necessary to designate the accessible electric vehicle charging station exclusively for the use of disabled persons. Below are two options for providing for accessible electric vehicle charging stations:

**Figure: Off-Street Accessible Electric Vehicle Charging Station – Option 1**



**Figure: Off-Street Accessible Electric Vehicle Charging Station – Option 2**



(d) Signage, Directional. Off-street parking lot or parking garage:



12" x 12"



12" x 6"

(e) Off-Street EV Parking – Parking Space with Charging Station Equipment.



12" x 18"



12" x 18"

**22.58.027 Cottage housing.**

(a) Purpose and Intent. The provisions of this section are available as alternatives to the development of typical detached single-family homes. In the event of a conflict between the standards in this section and other standards in this title, the standards in this section shall control. These standards are intended to address the changing composition of households and the need for smaller, more diverse, and often, more affordable housing choices. Providing for a variety of housing types also encourages innovation and diversity in housing design and site development, while ensuring compatibility with surrounding single-family residential development. These provisions support the growth management goal of more efficient use of urban residential land.

(b) Housing Types Defined. The following definitions apply to the housing types allowed through the provisions in this section:

- (1) "Cottage" means a detached, single-family dwelling unit containing 1,500 square feet or less of gross floor area.
- (2) "Carriage unit" means a single-family dwelling unit, not to exceed 800 square feet in gross floor area, located above a garage structure in a cottage housing development.
- (3) "Two-/three-unit home" means a structure containing two dwelling units or three dwelling units, not exceeding 1,000 square feet per unit on average, designed to look like a detached single-family home.

(c) Applicable Use Zones. Cottages, carriage units and two-/three-unit homes as described in this section may be located in the R-4-C, ~~and~~ GC and MUN zones.

(d) Parameters for Cottages, Carriage Units and Two-/Three-Unit Homes.

- (1) Cottage.

|   |  |
|---|--|
| Unit Size   | Maximum: 1,500 square feet, excluding garage. Cottages may not exceed 1,000 square feet on the main floor. Any additions or increases in unit sizes after initial construction shall be subject to compliance with all cottage housing development standards.                                |
| Maximum Density   | 8 units per acre.  |
| Minimum Lot Size  | None. Lot sizes shall be determined through administrative design review process.  |
| Maximum Floor Area Ratio (FAR)  | .35. FAR is calculated using a site's buildable area, including private street area and excluding critical areas and their required associated buffers. FAR for individual lots may vary. See FMC 22.58.026 for FAR standards.   |
| Development Size <sup>1</sup>   | Minimum: 6 units. Maximum: 24 units. Minimum cluster size: 6 units. Maximum cluster size: 12 units. Cottage clusters may be integrated into small lot developments where the combined number of cottage and small lot units may exceed 24.   |
| Minimum Setback for Yards Abutting the Exterior Boundary of the Development | See underlying zoning district. Required setbacks for yards not abutting an exterior boundary shall be determined through the administrative design review process.  |
| Maximum Impervious Surface Coverage   | 50%. Coverage is calculated using a cottage housing site's entire buildable area, including private street area and excluding critical areas and their required associated buffers.  |
| Maximum Height for Dwellings  | 27 feet (where minimum roof slope of 6:12 for all parts of the roof above 18 feet is provided). Otherwise, 18 feet.  |
| Maximum Height for Accessory Structures                                     | One story, not to exceed 18 feet.  |
| Maximum Developable Slope   | 15%  |
| Open Space  | 400 square feet common open space required per unit. 300 square feet private open space required per unit. See subsections (e)(2) and (3) of this section.   |
| Community Buildings   | At least one community building shall be provided. See subsection (e)(4) of this section.  |
| Attached Covered Porches  | Each unit must have a covered porch with a minimum area of 64 square feet and a minimum dimension of 8 feet.   |
| Parking Requirements  | Units ≤ 800 square feet: 1 space per unit minimum. Units > 800 square feet: 1.5 spaces per unit minimum. Must be provided on the subject property. Additional shared guest parking may not exceed 0.5 spaces per unit.   |
| Garage Requirements   | Private garages: 250-square-foot maximum floor area. Shared garages: 1,200-square-foot maximum floor area. Front loaded garages shall be recessed ≥10 feet from the front facade of the cottage and their visual impact shall be minimized through the use of architectural design elements. |
| Driveway Requirements   | Driveways providing access to front loaded garages shall consist of paved runner strips or pervious surfacing approved by the city.  |
| Accessory Dwelling Units (ADUs)   | Not permitted as part of a cottage housing development.  |

|                     |  |
|---------------------|--|
| Development Options | Subdivision, condominium, rental or ownership.       |
| Review Process      | Administrative design review. See Chapter 22.66 FMC. |

<sup>1</sup> Cluster size is intended to encourage a sense of community among residents. Homes within a cluster generally orient toward each other, community open space, or pathways and are not separated by roads or critical areas. A development site may contain more than one cluster provided there is a clear separation between clusters. Clusters shall be connected via pedestrian pathway(s).

(2) Carriage Unit.

|   |  |
|---|--|
| Unit Size   | Maximum 800 square feet.   |
| Maximum Density   | 8 units per acre for all cottages, carriage units, and two-/three-unit homes located within a cottage housing development. The number of carriage units and two-/three-unit homes combined shall not exceed 20% of the total number of units in a cottage housing project. Carriage units are allowed only when included in a cottage housing project. |
| Minimum Lot Size  | None. Determined through administrative design review process.   |
| Maximum Floor Area Ratio (FAR)  | .35. FAR is calculated using a cottage housing site's buildable area, including private street area and excluding critical areas and their required associated buffers. See FMC 22.58.026 for FAR standards.   |
| Minimum Setback for Yards Abutting the Exterior Boundary of the Development | See underlying zoning district. Required setbacks for yards not abutting an exterior boundary shall be determined through the administrative design review process.  |
| Maximum Height  | 18 feet.   |
| Maximum Developable Slope   | 15%  |
| Parking Requirements  | 1 space per unit minimum. Must be provided on the subject property. Additional shared guest parking may not exceed 0.5 spaces per carriage unit.   |
| Garage Requirements   | Carriage units allowed only above detached shared garages, which shall not exceed a 1,200-square-foot maximum footprint area.  |
| Review Process  | Administrative design review. See Chapter 22.66 FMC.   |

(3) Two-/Three-Unit Home.

|                  |  |
|------------------|--|
| Unit Size        | Average unit size: 1,000 square feet, excluding garage. Maximum structure total floor area: two-unit: 2,000 square feet, excluding garages. Three-unit: 3,000 square feet, excluding garages.  |
| Maximum Density  | 8 units per acre for all cottages, carriage units, and two-/three-unit homes located within a cottage housing development. The number of carriage units and two-/three-unit homes combined shall not exceed 20% of the total number of units in a cottage housing project. Carriage units are allowed only when included in a cottage housing project. |
| Minimum Lot Size | None. Determined through administrative design review process.   |

|   |   |
|---|---|
| Maximum Floor Area Ratio (FAR)  | .35. FAR is calculated using a cottage housing site's buildable area, including private street area and excluding critical areas and their required associated buffers. See FMC 22.58.026 for FAR standards.  |
| Minimum Setback for Yards Abutting the Exterior Boundary of the Development | See underlying zoning district. Required setbacks for yards not abutting an exterior boundary shall be determined through the administrative design review process.   |
| Maximum Height  | 27 feet (where minimum roof slope of 6:12 for all parts of the roof above 18 feet is provided). Otherwise, 18 feet.   |
| Parking Requirements  | Units ≤ 800 square feet: 1 space per unit minimum. Units > 800 square feet: 1.5 spaces per unit minimum. Must be provided on the subject property. Additional shared guest parking may not exceed 0.5 spaces per unit.  |
| Garage Requirements   | A two-unit home may include attached or detached garages, not to exceed an additional 500 square feet combined. A three-unit home may include attached or detached garages, not to exceed an additional 750 square feet combined. Front loaded attached garages shall be recessed ≥10 feet from the front facade of the principal structure and their visual impact shall be minimized through the use of architectural design elements. No more than three single garage doors may be visible on any facade. |
| Driveway Requirements   | Driveways providing access to front loaded garages shall consist of paved runner strips or pervious surfacing approved by the city.   |
| Development Options   | Subdivision, condominium, rental or ownership.  |
| Review Process  | Administrative design review. See Chapter 22.66 FMC.  |

(e) Design Standards and Guidelines.

(1) Orientation of Dwelling Units. Dwellings within a cottage housing development should be oriented to promote a sense of community, both within the development and, with respect to the larger community, outside of the cottage project. A cottage housing development should not be designed to “turn its back” on the surrounding neighborhood.

(A) Each dwelling unit shall have a primary entry and/or covered porch oriented to the common open space or pathway connecting to the common open space.

(B) Each dwelling unit abutting a public right-of-way (not including alleys) shall have an inviting facade, such as a primary or secondary entrance or porch, oriented to the public right-of-way. If a dwelling unit abuts more than one public right-of-way, the city shall determine to which right-of-way the inviting facade shall be oriented.

(C) Each dwelling unit abutting a public right-of-way (not including alleys) shall incorporate facade modulation, windows, and roofline variations to avoid blank walls that orient to the public right-of-way.

(2) Required Common Open Space. Common open space shall provide a sense of openness, visual relief, and community for cottage developments. The space must be located outside of critical areas and their buffers and developed and maintained to provide for passive and/or active recreational activities for the residents of the development.

(A) Each area of common open space shall be in one contiguous and usable piece with a minimum dimension of 20 feet on all sides.

(B) Land located between dwelling units and an abutting right-of-way or access easement may not serve as required common open space, unless the area is reserved as a separate tract, and does not contain pathways leading to individual units or other elements that detract from its appearance and function as a shared space for all residents.

(C) Required common open space may be divided into no more than two separate areas per cottage cluster.

(D) Common open space shall be located in a centrally located area and be easily accessible, physically and visually, to all dwellings within the cottage cluster.

(E) Sight-obscuring privacy fences that discourage interaction between neighbors may not be located within required open space areas. If fences are used to enclose common open space, they shall have at least 50 percent visually permeable elements, such as pickets, cedar split rails, iron work, or trellis treatment, and shall not exceed two feet in height.

(F) Landscaping located in common open space areas shall be designed to allow for easy access and use of the space by all residents, and to facilitate maintenance needs. Existing mature trees should be retained in accordance with FMC 22.62.009.

(G) Unless the shape or topography of the site precludes the ability to locate units adjacent to the common open space, the following standards must be met:

(i) The open space shall be located so that it will be surrounded by cottages or common buildings on at least three sides when located in a bungalow court configuration, or two sides when located in a rosewalk configuration, per form-based standards adopted pursuant to Chapter 22.57 FMC;

(ii) At least 50 percent of the units in the development shall abut a common open space. A cottage is considered to “abut” an area of open space if there is no structure, road or critical area between the unit and the open space.

(H) Surface water management facilities shall be limited within common open space areas. Low impact development (LID) features are permitted, provided they do not adversely impact access to or use of the common open space for a variety of activities. Conventional stormwater collection and conveyance tools, such as flow control and/or water quality vaults, are permitted if located underground.

(3) Private Open Space.

(A) Each cottage unit shall have a covered porch with a minimum area of 64 square feet per unit and a minimum dimension of eight feet on all sides. Porches shall be associated with primary point of entry.

(B) Each carriage unit shall have a deck or balcony, oriented toward the common open space.

(C) In addition to porches, at least 300 square feet of private, contiguous, usable open space adjacent to each individual dwelling unit shall be provided to contribute positively to the visual appearance of the development, promote diversity in planting materials, and utilize generally accepted good landscape design. The private open space shall be oriented toward the common open space to the extent possible and have no dimension less than 10 feet. The private open space shall define private residences from common areas, trails, and parking areas. If fences are used to enclose private open space, they shall have at least 50 percent visually permeable elements through the use of pickets, cedar split rails, iron work, or trellis treatment, and shall not exceed two feet in height.

(4) Community Buildings. At least one community building is required for each cottage development.

(A) Community buildings shall be at least 500 square feet on the main floor and shall have an architectural character similar to that of the dwelling units.

(B) Building height for community buildings shall not exceed the height standard for cottages.



(C) Outdoor patio space is encouraged to be provided in conjunction with community buildings.

(D) Community buildings must be located on the same site as the cottage housing development and be commonly owned by the residents.

(5) Shared Detached Garages and Surface Parking Design. Parking areas should be located so their visual presence is minimized, and associated noise or other impacts are minimized, both within and outside the development. These areas should also maintain the single-family character along public streets.

(A) Shared detached garage structures may not exceed four single garage doors per building, and a total of 1,200 square feet. Carriage units are preferred above these garage structures.

(B) For shared detached garages, the design of the structure must be similar to and compatible with that of the dwelling units within the development. Garage doors shall be painted to match, or minimize contrast with, the building's body color in order to minimize their visual impact.

(C) Shared detached garage structures and surface parking areas must be screened from streets and adjacent residential uses by landscaping or architectural screening.

(D) Shared detached garage structures shall be reserved through a covenant for the parking of vehicles owned by the residents of the development. Storage of items which preclude the use of the parking spaces for vehicles is prohibited.

(E) Surface parking areas may not be located in clusters of more than four spaces. Clusters must be separated by a distance of at least 20 feet.

(F) Carports are not permitted.

(6) Low Impact Development. The proposed site design shall incorporate the use of low impact development (LID) strategies to meet stormwater management standards. LID is a set of techniques that mimic natural watershed hydrology by slowing, evaporating/transpiring, and filtering water, which allows water to soak into the ground closer to its source. The design should seek to meet the following objectives:

(A) Preservation of natural hydrology.

(B) Reduced impervious surfaces.

(C) Treatment of stormwater in numerous small, decentralized structures.

(D) Use of natural topography for drainageways and storage areas.

(E) Preservation of portions of the site in undisturbed, natural conditions.

(F) Reduction of the use of piped systems. Whenever possible, site design should use multifunctional open drainage systems such as vegetated swales or filter strips which also help to fulfill landscaping and open space requirements.

(7) Two-/Three-Unit Homes and Carriage Units within Cottage Projects. Two-/three-unit homes and carriage units may be included within a cottage housing development. Design of these units should be compatible with that of the cottages included in the project.

(8) Variation in Unit Sizes, Building and Site Design. Cottage projects shall establish building and site design that promote variety and visual interest.

(A) Projects shall include a variety of unit sizes within a single development.

(B) Proposals shall provide a variety of building styles, features, colors, and site design elements within a cottage housing development.

(C) Dwellings with a similar combination of features and treatments may be clustered around a shared common open space. Developments containing two or more clusters of cottages shall use distinctively unique exterior finish materials and architectural design elements for each cottage cluster to avoid repetition.

(9) Pedestrian Flow through Development. Pedestrian connections should link all buildings to the public right-of-way, common open space, parking areas and other cottage clusters in the development.

(10) Storage Space. Storage space may be provided as follows:

(A) Detached sheds designed to be similar in character to the cottage units, using similar building materials and design elements.

(B) Storage space within detached parking structures that does not conflict with parking of vehicles in the garages.

(C) Storage space within a dwelling unit, accessible only through an external door.

(D) Designated storage space attached to a community building that is not counted toward the 500-square-foot minimum area for such buildings.

(E) Other storage space options approved through the administrative site plan review process.

(11) Landscaping. Cottage housing developments shall incorporate a landscape master plan, designed and stamped by a professional landscape architect. The design shall comply with applicable landscape standards and guidelines that address landscape components included in a cottage housing development.

(f) Review Process.

(1) Approval Process. Developments shall be processed under Chapter 22.66 FMC, Administrative Design Review. Public notice for developments proposed through this section shall comply with the provisions of Chapter 22.06 FMC applicable to Type II project permit applications.

(2) Requests for Modifications to Standards. Applicants may request minor modifications to the general parameters and design standards set forth in this section. The director may modify the requirements if all of the following criteria are met:

(A) The site is constrained due to unusual shape, topography, easements, or sensitive areas.

(B) The modification is consistent with the objectives of this section.

(C) The modification will not result in a development that is less compatible with neighboring land uses.

(3) Review Criteria. In addition to the criteria established for review of development proposals in FMC 22.66.006, the applicant must demonstrate that:

(A) The proposal is compatible with and is not larger in scale than surrounding development with respect to size of units, building heights, roof forms, setbacks between adjacent buildings and between buildings and perimeter property lines, number of parking spaces, parking location and screening, access and lot coverage.

(B) Any proposed modifications to provisions of this section are important to the success of the proposal as an alternative housing project and are necessary to meet the intent of these regulations.

(g) Additional Standards. The city's approval of a cottage housing or two-/three-unit home development does not constitute approval of a subdivision, a short plat, or a binding site plan. A lot that has cottage, carriage or two-/three-unit homes may not be subdivided unless all of the requirements of the Fircrest Municipal Code are met. A lot

containing a two-/three-unit home may not be subdivided in a manner that results in the dwelling units being located on separate lots.

**22.58.029 Establishments serving liquor for on-premises consumption.**

(a) Establishments licensed by the State of Washington Liquor and Cannabis Board to serve beer, beer and wine, or spirits, beer and wine for on-premises consumption are permitted in specified zoning districts. Such establishments providing outdoor customer seating are subject to administrative use permit approval in accordance with Chapter 22.70 FMC.

(b) At a minimum, the following performance standards shall apply to establishments serving beer, beer and wine, or spirits, beer and wine for on-premises consumption within the NC district. Additional requirements may be imposed in accordance with Chapter 22.70 FMC for those establishments providing outdoor customer seating in the NC district. Establishments operating out of compliance with the following provisions are subject to enforcement action under Chapter 22.95 FMC:

(1) Hours of Operation. The sale, service, and consumption of alcohol are prohibited after 10:00 p.m.

(2) Outdoor Customer Seating. Outdoor seating may be provided for customer use no later than 8:00 p.m. on Sundays through Thursdays, and no later than 9:00 p.m. on Fridays and Saturdays. Outdoor seating areas shall be closed to customers during other times. A 30-minute grace period is allowed for staff to clean the outdoor premises after customer seating hours have ended. The city may limit the amount of outdoor customer seating to minimize potential impacts on residentially zoned properties.

(3) Speakers. Music or other programming emanating from any outdoor speakers on the premises shall only be allowed during approved outdoor customer seating hours. Sounds coming from speakers on the premises, whether located inside or outside the building, shall not be audible from residentially zoned properties.

(4) Bottle Handling. Bottles and other trash and recyclable materials shall not be deposited in any exterior refuse or recycling totes, dumpsters, or other receptacles during the hours of 9:00 p.m. to 7:00 a.m.

(5) Exterior Appearance. The business establishment shall maintain the exterior of its premises in a neat and clean condition at all times. All refuse collection containers, including recycling containers, shall be screened in accordance with FMC 22.58.008(d). This provision shall apply to new establishments as well as establishments existing on the effective date of the ordinance codified in this section that expand business operations to include the sale of liquor by the drink for on-premises consumption.

(6) Exterior Lighting. Exterior lighting shall comply with the outdoor lighting regulations in FMC 22.58.018 to ensure that it does not impact nearby properties.

(7) Sidewalk Cafes. A business establishment intending to establish outdoor business seating on a public sidewalk or other public right-of-way area shall comply with the sidewalk cafe regulations in FMC 22.58.017.

(c) The performance standards listed in subsection (b) of this section shall apply to establishments in the MUN and MUUCMU districts serving beer, beer and wine, or spirits, beer and wine for on-premises consumption, except that for subsections (b)(1), (2), and (4) of this section, alternative hours of operation, outdoor customer seating hours, and bottle handling hours may be authorized through the administrative use permit approval process in accordance with Chapter 22.70 FMC. Additional requirements may be imposed in accordance with Chapter 22.70 FMC for those establishments providing outdoor customer seating.

**Chapter 22.60**

**PARKING AND CIRCULATION**

Sections:

22.60.001 Purpose and Intent.

22.60.002 Chapter application.

- 22.60.003 Parking space requirements per activity.
- 22.60.004 Parking demand reduction credit.
- 22.60.005 Shared parking facilities.
- 22.60.006 Maximum parking space provisions.
- 22.60.007 Location of off-street spaces.
- 22.60.008 Parking and driveway design standards.
- 22.60.009 Barrier-free parking requirements.
- 22.60.010 Bicycle parking facilities.
- 22.60.011 Loading space requirements.
- 22.60.012 Stacking spaces for drive-through facilities.
- 22.60.013 Pedestrian circulation and access.
- 22.60.014 Transit facilities.
- 22.60.015 Parking reductions for temporary outdoor sales events.

**22.60.001 Purpose and Intent.**

(a) Purpose. The purpose of this chapter is to provide for adequate, convenient and safe off-street parking, loading and circulation areas for the permitted land uses described in this title; to protect neighborhoods from the effects of vehicular noise, traffic, and light and glare associated with parking and loading facilities; to reduce the amount of impervious surfaces associated with parking facilities; to reduce demand for parking by encouraging alternative means of transportation including public transit, rideshare and bicycles; and to increase pedestrian mobility within the community.

(b) Intent. The demand for parking responds to changing market forces, technology, and societal preferences. Minimum parking standards have resulted in development patterns dominated by expanses of parking perceived as visual blight, damaging to the environment, and low value in terms of tax base. The amount of parking provided on a site frequently exceeds parking demand – at considerable cost to property and business owners – and the community. In response, municipalities have adopted parking standards that restrict the amount of off-street parking provided for certain uses or locations. These constraints, however, may limit the viability of retail and other uses in some markets. Other municipalities have eliminated minimum parking space requirements and relied on the market to provide an appropriate number.

This chapter supports a transition toward relying on the market to determine parking supply but also reflects community concern that neighborhoods may be impacted by individual market-based decisions that collectively result in an undersupply of off-street parking. The intent of this chapter, therefore, is to balance market considerations with minimum and maximum numerical standards to ensure a sufficient, but not excessive, supply of parking – and authorize the city to approve an increase, or decrease, in the amount of parking being provided relative to a specified standard when a proposal can meet criteria.

**22.60.003 Parking space requirements per activity.**

The following tables identify the minimum number of parking spaces required to be provided for each activity unless a reduction is authorized in accordance with this chapter. The director or hearing examiner, as specified in this chapter, shall determine the actual required spaces for a proposed activity based on the tables below, the requirements of this chapter and on actual field experience.

If the formula for determining the number of off-street parking spaces results in a fraction, the number of spaces shall be rounded to the nearest whole number with fractions greater than or equal to one-half rounding up and fractions less than one-half rounding down. In the following tables, “sf” means square feet of gross floor area, and “du” means dwelling unit, unless otherwise noted.

**(a) Residential and Lodging Activities.**

| Use                             | Required Spaces |
|---------------------------------|-----------------|
| Single-family <u>(detached)</u> | 2 per du.       |
| Duplex <u>and townhouse</u>     | 1.5 per du.     |

| Use  | Required Spaces  |
|--|--|
| Cottage housing  | 1 per du ≤ 800 sf; 1.5 per du > 800 sf.<br>Shared guest parking not to exceed .5 per du.   |
| <u>Single-family (detached) in Small Lot Development</u>   | <u>2 per du + 1 guest stall</u>  |
| <u>Single-family (attached) in Small Lot Development</u>   | <u>1.5 per du + 1 guest stall</u>  |
| Multifamily  | <u>1.001-25</u> per du.  |
| Multifamily – <u>Efficiency units (250-450 sf in size), student housing, and Affordable senior housing*</u>    | .6 per du.   |
| Congregate care facility   | .5 per du.   |
| Group residences, including hospice care center, residential care facility, and residential treatment facility | .5 per bedroom.  |
| Accessory dwelling unit (ADU)  | None, <del>unless additional spaces are determined to be necessary.</del>  |
| <del>Home occupation – Type II</del>   | <del>To be determined during processing of CUP application.</del>  |
| <del>Bed and breakfast establishment/Short-term rentals</del>  | <del>≤ 1 per guest room, + 1 per facility, unless a lower number is determined to be adequate during processing of CUP application. See FMC 22.58.011.</del> |
| Hotel/motel  | 1 per guest room + <del>2 per 3 employees.</del>   |

\* —“Affordable” means dwelling units priced, rented, or leased only to those households earning 80 percent or less of the median household income for Pierce County, Washington. “Senior” means dwelling units specifically designed for and occupied by elderly persons under a federal, state or local government program or occupied solely by persons who are 62 or older or houses at least one person who is 55 or older in at least 80 percent of the occupied units, and adheres to a policy that demonstrates intent to house persons who are 55 or older.

(b) Commercial Activities.

| Use   | Required Spaces  |
|---|--|
| <u>Commercial use, including retail, service, office, and financial institution.</u>  | 1 per 400 sf.  |
| <del>Financial institution, including bank, savings and loan, and credit union</del>  | <del>1 per 400 sf.</del>   |
| <del>Administrative or professional office</del>  | <del>1 per 400 sf.</del>   |
| <del>Medical or dental office</del>   | <del>1 per 350 sf.</del>   |
| <del>Commercial mixed-use</del> <u>Mixed-use</u> , including a combination of retail, office, service, recreational and/or residential uses | See subsection (j) of this section, Joint Use.                           |
| Laboratory, including medical, dental, and optical  | 1 per <del>500</del> 400 sf.   |
| Food-serving establishment  | 1 per <del>200 sf</del> 150 sf of dining/lounge area.                    |
| <del>High-intensity retail or service shop. See subsection (h) of this section for examples.</del>  | <del>Minimum 1 per 400 sf.<br/>Maximum 1 per 300 sf.</del>               |
| <del>Low-intensity retail or service shop. See subsection (h) of this section for examples.</del>   | <del>Minimum 1 per 600 sf.<br/>Maximum 1 per 400 sf.</del>               |
| <del>Shopping center which includes a mix of high and low-intensity retail or service shops</del>   | <del>Minimum 1 per 500 sf.<br/>Maximum 1 per 350 sf.</del>               |
| <del>Bulk retail sales/wholesale sales</del>  | <del>1 per 350 sf.</del>   |
| Uncovered commercial area, including vehicle lots and plant nursery   | 1 per 5,000 sf of retail sales + any parking requirements for buildings. |

| Use                               | Required Spaces  |
|-----------------------------------|--|
| Motor vehicle repair and services | 1 per 400 sf (indoor maintenance bays shall not be considered parking spaces). |
| Child day-care                    | 2 per facility + 1 per 20 children.  |
| Veterinary clinic                 | 1 per 400 sf.  |
| Mortuary or funeral home          | 1 per 100 sf of floor area used for services.                                  |

(c) Educational Activities.

| Use   | Required Spaces                      |
|---|--------------------------------------|
| Elementary, intermediate, middle, or junior high school | 1 per classroom + 1 per 50 students. |
| High school   | 1 per classroom + 1 per 10 students. |
| Vocational school                                       | 1 per classroom + 1 per 5 students.  |
| Preschool   | 1 per 6 children.                    |

(d) Industrial Activities.

| Use   | Required Spaces  |
|---|--|
| Manufacturing   | 1 per 1,000 sf (less office and display space) + 1 per 400 sf of office space + 1 per 500 sf of display space.                       |
| Technological or biotechnological laboratory or testing facility  | 1 per 1,000 sf (less office space) + 1 per 400 sf of office space.   |
| Speculative light industrial building with multiple use or tenant potential   | 1 per 1,500 sf for initial 100,000 sf + 1 per 2,000 sf for remainder of building (less office space). 1 per 400 sf of office space.  |
| NOTE: For each new use or tenant the property owner shall submit a scaled parking plan indicating the assigned parking for the applicable building. | NOTE: This is a minimum requirement valid for construction purposes only. Parking requirements shall be based upon actual occupancy. |
| Outdoor storage area  | 1 per 5,000 sf of storage area.  |

(e) Recreational, Amusement and Assembly Activities.

| Use   | Required Spaces   |
|---|---|
| Auditorium, theater, place of public assembly, stadium, or outdoor sports arena | 1 per 4 fixed seats or 1 per 175 sf of main auditorium or of principal place of assembly not containing fixed seats + 1 per 300 sf of office. |
| Bowling alley   | 3 per lane.   |
| Skating rink  | 1 per 200 sf.   |
| Golf course   | 4 per hole, plus as required for associated uses including clubhouse, pro shop, and maintenance facility.                                     |
| Golf driving range  | 1 per driving station.  |
| Miniature golf course   | 1 per hole.   |
| Health club, dance studio   | 1 per 300 sf.   |

(f) Public, Institutional, Medical and Religious Activities.

| Use  | Required Spaces  |
|--|--|
| Government facility                            | 1 per 300 sf of office space; 1 per 1,000 sf of indoor storage or repair area associated with public agency yard. Other use areas shall be calculated based on the above requirements and, if applicable, the shared parking facilities provisions in FMC 22.60.005. |
| Library, museum, or gallery                    | 1 per 500 sf.  |
| Civic, labor, social or fraternal organization | 1 per 300 sf.  |
| Convalescent, nursing, or rest home            | 1 per 3 beds + .5 per employee.  |
| Religious institution                          | 1 per 8 seats in the main sanctuary including balconies and choir lofts. Other use areas shall be calculated based on the above requirements and, if applicable, the shared parking facilities provisions in FMC 22.60.005.  |

(g) Other Uses. For uses not specifically identified in this chapter, the amount of parking required shall be based on the requirements for similar uses as determined by the director or hearing examiner, as appropriate.

~~(h) Retail Sales and Service Uses. For the purpose of determining the parking requirements for retail sales and service uses, the following distinctions are made:~~

~~(1) High intensity retail sales and service uses include, but are not limited to: barber/beauty shop, laundromat, mini mart, drugstore, service (fuel) station with retail sales, and supermarket.~~

~~(2) Low intensity retail sales and service uses include, but are not limited to: antique store, appliance sales, auto sales (building only), equipment repair shop, furniture store, hardware store, photography sales and shoe repair.~~

~~(h)~~ (h) Speculative Use. When the city has received an application for a site plan approval or other permits for a building shell without tenant uses being specified, off-street parking requirements shall be based on the possible tenant improvements or uses authorized by the zone designation and compatible with the limitations of the site plan or other permit. When the range of possible uses results in different parking requirements, the director or hearing examiner, as appropriate, will establish the amount of parking based on a likely range of uses.

~~(i)~~ (i) Joint Use. In the case of two or more uses in the same building or on the same lot, for example within a ~~commercial~~-mixed-use development that includes retail, residential and other uses, the total requirements for off-street parking facilities shall be the sum of the requirements for the various uses computed separately. Off-street parking facilities for one use shall not be considered as providing required parking facilities for any other use. However, an applicant may request a parking demand reduction credit per FMC 22.60.004 and/or a shared parking facilities credit per FMC 22.60.005 to reduce the overall parking requirement. The director or hearing examiner, as appropriate, shall be responsible for determining the various uses within a building or on a lot and the resulting parking requirements for each use.

**22.60.004 Parking demand reduction credit.**

A property owner may request a reduction from the minimum required off-street parking by substantiating that parking demand will be reduced for the life of the project. This request shall be reviewed in conjunction with a site plan, conditional use permit, or preliminary development plan application. In such cases, the hearing examiner may approve a reduction of up to 50 percent of the minimum required number of spaces if a parking demand study prepared by a professional traffic engineer ([see Urban Land Institute - Shared Parking: Second Edition for a recommended parking demand analysis methodology](#)) substantiates that:

(a) Because of the unique nature of the use, the characteristics of the site and surrounding neighborhood, the availability of alternative means of transportation, [proximity to regional transit facilities, the provision of car share, rideshare or micromobility facilities](#), or other relevant local factors, parking demand can be met with a reduced number of spaces; or

(b) A shared parking facility designed in accordance with FMC 22.60.005 will effectively reduce parking demand to a level below the minimum required parking; or



(c) A combined parking facility for two or more complementary uses which have similar hours of operation will reduce parking demand to a level below the minimum required parking. The hearing examiner may authorize a five percent reduction for two complementary uses, a 10 percent reduction for three uses, and a 15 percent reduction for four or more uses; or

(d) An employee-sponsored commute trip reduction program designed in accordance with state law will effectively reduce parking demand below the minimum required parking; or

(e) Additional public on-street parking will be provided as part of the project.

**22.60.006 Maximum parking space provisions.**

For multifamily residential, commercial, and industrial uses, the number of off-street parking spaces provided shall not exceed 120 percent of the minimum required number of spaces specified in FMC 22.60.003. A property owner may submit a request as part of a site plan, conditional use permit, or preliminary development plan application to provide parking spaces in excess of the maximum allowable number. The hearing examiner may approve an increase of up to 50 percent of the minimum required number of spaces if:

(a) A parking demand study prepared by a professional traffic engineer (see Urban Land Institute - Shared Parking: Second Edition for a recommended parking demand analysis methodology) supports the need for increased parking and demonstrates that:

(1) Shared and combined parking opportunities in FMC 22.60.005 have been fully explored and will be utilized to the extent practicable;

(2) On-site park and ride facilities have been fully explored and will be provided to the extent practicable;

(3) Commute trip reduction measures will be implemented, if required by state law, to the extent practicable.

(b) The project has been designed to include the following design elements, facilities, and programs to the satisfaction of the hearing examiner. In those instances where site constraints impede compliance with the design requirements, written findings of fact shall be made identifying site and project constraints and included in the final notice of decision. In its findings, the hearing examiner shall determine if a good faith effort has been made in building and site design ~~in order~~ to accommodate the following design elements, facilities, and programs:

(1) The excess parking spaces shall be located within an enclosed parking structure or constructed of enhanced paving materials such as permeable interlocking pavers, pervious concrete, or porous asphalt ~~a permeable surface such as interlocking paving blocks (cement or plastic) or other porous that support stormwater infiltration and/or achieve a superior appearance. pavement which minimizes impervious surface and achieves a superior appearance when compared with a large expanse of asphalt or concrete paving.~~

(2) Alternative parking lot designs shall be utilized ~~in order~~ to reduce impervious surface, e.g., one-way instead of two-way access aisles.

(3) The amount of required landscaping within the area of additional parking shall be doubled. This additional landscape area may be dispersed throughout the parking lot.

(4) A minimum of 75 percent of the parking spaces shall be located behind the building, and the remainder shall not be located within the minimum and maximum yard setback areas adjoining a street. Parking lots located along flanking streets shall have added landscape and a superior design to strengthen pedestrian qualities, e.g., low walls, street furniture, seating areas, public art, etc.

(5) Preferential parking shall be located near primary building entrances for employees who rideshare and for high occupancy vehicles, if applicable.

(6) The developer shall create a transit/rideshare information center and place it in a conspicuous location on the premises.



(7) For sites located adjacent to or within 600 feet of a Pierce Transit bus or van route, the developer shall fund the purchase and installation of a transit shelter package, including seating, trash receptacle and related facilities for each side of the street which has a transit route, consistent with Pierce Transit operational needs in accordance with FMC 22.60.014.

**22.60.008 Parking and driveway design standards.**

(a) Parking Space and Driveway/Aisle Dimensions. The ~~minimum~~ parking space and aisle dimensions for the most common parking angles are shown in the accompanying table. For parking angles other than those shown on the table, the ~~minimum~~ parking space and aisle dimensions shall be determined by the director or hearing examiner, as appropriate. Regardless of the parking angle, one-way aisles shall be at least 12 feet wide, and two-way aisles shall be at least 19 feet wide.

**Minimum Space and Driveway/Aisle Dimensions**

|   | Space Angle (degrees) |                  |                  |                  |                  |
|---|-----------------------|------------------|------------------|------------------|------------------|
|   | 0° (parallel)         | 30°              | 45°              | 60°              | 90°              |
| <i>Space Width (ft)</i>   |                       |                  |                  |                  |                  |
| Regular space   | 8.5                   | 8.5              | 8.5              | 8.5              | 8.5              |
| Compact space   | 8                     | 8                | 8                | 8                | 8                |
| <i>Space Depth (ft)</i>   |                       |                  |                  |                  |                  |
| Regular space   | 22                    | 18               | 18               | 18               | 18               |
| Compact space   | 19                    | <del>15</del> 16 | <del>15</del> 16 | <del>15</del> 16 | <del>15</del> 16 |
| <i>Driveway/ Aisle (ft)</i>   |                       |                  |                  |                  |                  |
| One-way   | 12                    | 13               | 13               | 17               | <del>22</del> 24 |
| Two-way   | 19                    | 20               | 20               | 20               | <del>22</del> 24 |
| * See FMC 22.60.009 for information on the accessible parking space dimensions. |                       |                  |                  |                  |                  |

(b) Compact Car Space Requirements. The installation of compact spaces is required so that impervious surface coverage associated with parking facilities is minimized and the appearance of sites is enhanced by increasing the proportion of landscaping relative to pavement. No less than 40 percent and no more than 50 percent of the total number of spaces provided for a multifamily residential, mixed-use, or nonresidential development shall be sized to accommodate compact cars. Each space shall be clearly identified as a compact car space by painting the word “COMPACT” in capital letters, a minimum of eight inches high, on the pavement at the base of the parking space and centered between the striping. Aisle widths shall conform to the standards set for standard size cars.

(c) Extra Width Adjoining Landscaped Areas. Parking spaces abutting a landscaped area or raised walkway on the drive or passenger side of the vehicle shall provide an additional 18 inches above the minimum space width requirement. This additional space will provide a place to step other than in the landscaped area or allow for easier ingress and egress next to a vehicle. The additional width shall be separated from the adjacent landscaped area by a parking space division stripe.

(d) Parking Space Depth Reduction.

(1) Where parking spaces abut a walkway, parking space depth may be reduced by up to 18 inches and a portion of the walkway utilized for vehicle overhang; provided, that wheelstops or curbs are installed and the remaining walkway provides a minimum of five feet of unimpeded passageway for pedestrians.

(2) To minimize impervious surface and enhance landscaping, parking space pavement depth may be reduced by up to 18 inches when the pavement at the front end of a space is replaced by a landscaped area containing groundcovers which do not exceed a maximum height of six inches above parking space grade. Wheel stops or curbs shall be installed to protect this area from vehicular damage.

(e) Driveway Widths and Locations. Driveways for single-family detached dwellings shall not exceed 20 feet in width unless the director approves an alternative design that uses enhanced paving materials such as permeable interlocking pavers, pervious concrete, or porous asphalt that support stormwater infiltration and/or achieve a superior appearance, which uses a permeable surface such as interlocking paving blocks or other porous pavement which minimizes impervious surface. In no case shall the driveway exceed 20 feet within the public right-of-way or exceed the minimum width necessary to provide reasonable access to the dwelling. No more than one driveway is permitted to provide access to a single-family detached dwelling. Driveways for all other developments may cross required setbacks or landscaped areas ~~in order~~ to provide access between the off-street parking areas and the street; provided, that driveway width does not exceed the minimum necessary to provide safe vehicular and pedestrian circulation. Driveways oriented parallel to a street shall not be located within the minimum and maximum yard setback areas adjoining the street, unless there is no other practicable alternative to provide access to the interior of a site.

(f) Lighting. Lighting shall be provided in accordance with FMC 22.58.018.

(g) Tandem Parking. Tandem or end-to-end parking is allowed in single-family detached residential developments. Duplex and multifamily developments may have tandem parking areas for each dwelling unit but shall not combine parking for separate dwelling units in tandem parking areas.

(h) Parking Surface. All required vehicle parking and storage must be in a garage, carport or on an approved, dust-free, all-weather surface. Use of enhanced paving materials such as permeable interlocking pavers, pervious concrete, or porous asphalt that support stormwater infiltration and/or achieve a superior appearance are a permeable surface such as interlocking paving blocks or other porous pavement that minimizes impervious surface is encouraged for spaces which are used infrequently. Any surface used for vehicle parking or storage must have direct and unobstructed driveway access.

**22.60.009 Barrier-free parking requirements.**

Off-street parking for physically handicapped persons shall be provided in accordance with Section 7503 of the regulations adopted pursuant to Chapter 19.27 RCW, State Building Code, and Chapter 70.92 RCW, Public Buildings – Provisions for Aged and Handicapped. Any change in the state’s handicapped parking requirements shall preempt the affected requirements of this section.

(a) Accessible Parking Required. Accessible parking spaces shall be provided per the following table:

**Number of Accessible Parking Spaces**

| Total Parking Spaces in Lot or Garage | Minimum Required Number of Accessible Spaces |
|---------------------------------------|--|
| 1-25                                  | 1  |
| 26-50                                 | 2  |
| 51-75                                 | 3  |
| 76-100                                | 4  |
| 101-150                               | 5  |
| 151-200                               | 6  |
| 201-300                               | 7  |

**Number of Accessible Parking Spaces**

| Total Parking Spaces in Lot or Garage | Minimum Required Number of Accessible Spaces                             |
|---------------------------------------|--|
| 301-400                               | 8  |
| 401-500                               | 9  |
| 501-1,000                             | 2% of total spaces   |
| Over 1,000                            | 20 spaces plus 1 space every 100 spaces, or fraction thereof, over 1,000 |

One of every eight accessible spaces or fraction thereof shall be designed to be accessible to wheelchair side loading vans.

Exceptions:

- (1) Inpatient Medical Facilities. Twenty percent of parking spaces provided shall be accessible.
- (2) Outpatient Medical Care Facilities. Ten percent of parking spaces provided shall be accessible.
- (3) Multifamily Buildings. One accessible parking space for each fully accessible unit shall be provided. When total parking provided on-site exceeds one parking space per unit, two percent of the additional parking shall be accessible.

(b) Design and Construction.

(1) Location. Accessible parking spaces shall be located on the shortest possible accessible route of travel to an accessible building entry. In facilities with multiple accessible building entries with adjacent parking, accessible parking spaces shall be dispersed and located near the accessible entrances. Wherever practical, the accessible route of travel shall not cross lanes of vehicular traffic. Where crossing traffic lanes is necessary, the route of travel shall be designated and marked as a crosswalk.

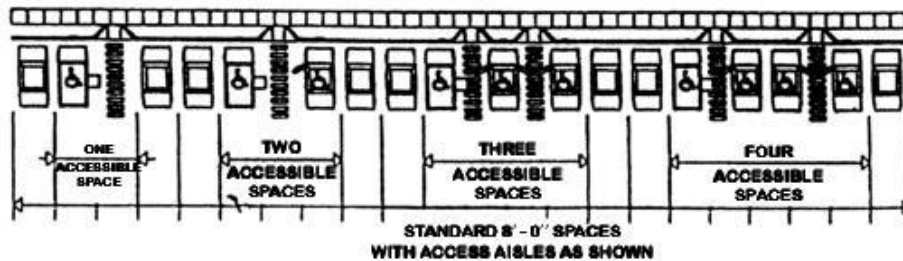
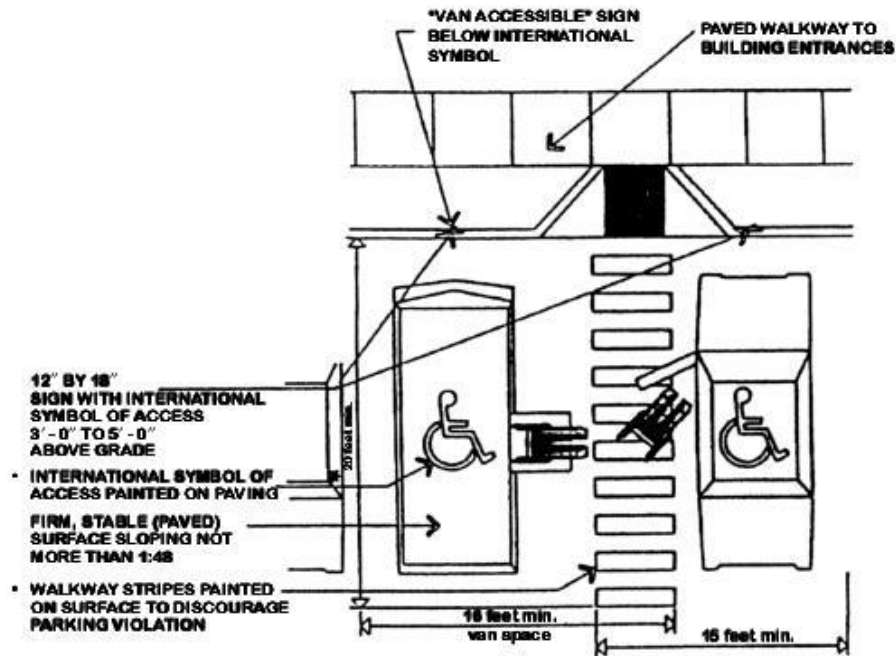
(2) Size. Accessible parking spaces shall be no less than eight feet wide and shall have an adjacent access aisle no less than five feet wide. Where two adjacent accessible spaces are provided, the access aisle may be shared between the two spaces. Access aisles shall be marked so that the aisles will not be used as parking space. Van accessible spaces shall have an adjacent access aisle no less than eight feet wide or a total width of 16 feet including the parking space. See Figure 1.

(3) Vertical Clearance. Where accessible parking spaces are required for vans, the vertical clearance shall be no less than nine and one-half feet.

(4) Slope. Accessible parking spaces and access aisles shall be located on a surface with a slope not to exceed one vertical in 48 horizontal.

(5) Surface. Parking spaces and access aisles shall be firm, stable, smooth and slip resistant.

(6) Signs. Accessible spaces must be identified by signs with the International Symbol of Accessibility (ISA). Signs identifying van spaces must include the term "van accessible." Signs must be at least 60" high measured to the bottom edge so that they are visible while vehicles are parked in a space. Every parking space required by this section shall be identified by a sign, centered between three and five feet above the parking surface, at the head of the parking space. The sign shall include the International Symbol of Access and the phrase "State-Disabled Parking Permit Required."



**22.60.015 Parking reductions for temporary outdoor sales events.**

(a) A property owner or business owner may submit a request for a temporary reduction in the number of off-street parking spaces provided on a commercial site when a proposed outdoor sales event will be located within the off-street parking facility associated with the business and the number of parking spaces will be reduced below the minimum required in FMC 22.60.003.

(b) The request shall be processed in accordance with the ~~conditional-administrative~~ use permit procedures in Chapter 22.7068 FMC, or the major site plan review procedures in Chapter 22.72 FMC, consistent with the applicable processing requirements for the principal use on the site. The ~~director/hearing examiner~~ shall consider the potential impacts of the sales event on adjoining uses and may limit the number of sales events or their duration, or impose other restrictions, in order to mitigate these impacts.

(c) The ~~director/hearing examiner~~ may authorize a parking reduction for one or more temporary sales events if the following standards are met:

- (1) At least 50 percent of the off-street parking spaces required in FMC 22.60.003 for the commercial use is maintained during the sales event.

(2) If less than 50 percent of the off-street parking spaces required in FMC 22.60.003 for the commercial use will remain available for customer or employee use during the sales event, the number of spaces needed to meet the 50 percent threshold will be provided at a nearby off-site parking facility. In such case, the applicant shall provide a written statement from the owner/operator of the off-site parking facility agreeing to make available the necessary number of spaces to the operator of the sales event for the duration of the event.

(3) If off-site parking is required in subsection (c)(2) of this section, directional signs will be installed by the applicant, to the satisfaction of the city, to inform the public of the availability of the off-site parking facility.

~~(d) If a property owner or business owner intends to conduct a series of outdoor sales events, the hearing examiner may authorize the director to approve individual sales events once the initial proposal has been approved by the hearing examiner.~~

~~(de) Temporary outdoor sales events authorized prior to the effective date of this section shall comply with the 50 percent parking threshold and directional signage requirement to the extent possible.~~

### **22.16.016 Micromobility Vehicles and Facilities.**

~~(a) Micromobility refers to small, manually or electrically powered, vehicles used to travel short distances. Also known as little vehicles, micromobility examples include electric pedal assisted (pedelec) bicycles, scooters, velomobiles, motorized skateboards, and other small, human- or battery-powered low-speed alternatives to the automobile.~~

~~(b) Battery-powered electric motors make micromobility a viable mode of transportation for more people, whether this is for fun or utility. These vehicles may be used for the “first mile” and “last mile” of longer trips that include transit, for example, the connection between a person’s home or place of employment and a transit facility.~~

~~(c) The provision of micromobility facilities can support increased usage of smaller vehicles that require less space for parking and storage compared to larger motor vehicles. The provision of little vehicle parking and storage corrals and dedicated travel lanes within new development can be used to reduce automobile parking demand, if residents, employees, or visitors to an area are successfully encouraged to rely less on private auto ownership and use.~~

~~(d) New development within higher density and intensity neighborhoods, especially within the city’s mixed-use districts, is encouraged to provide facilities that support micromobility. Their provision may justify a reduction in the amount of off-street parking provided for autos and other motor vehicles.~~

## **Chapter 22.63**

### **DESIGN STANDARDS AND GUIDELINES FOR SMALL LOT AND MULTIFAMILY DEVELOPMENT**

Sections:

[22.63.001 Purpose.](#)

[22.63.002 Authority.](#)

[22.63.003 Applicability.](#)

[22.63.004 Review process.](#)

[22.63.005 Design standards and guidelines adopted.](#)

#### **22.63.002 Authority.**

The provisions of this chapter shall augment and/or supersede existing regulations in this title. When provisions included in these design standards and guidelines conflict with other requirements of this title, these standards and guidelines shall apply unless otherwise provided. When a conflict exists between these design standards and guidelines and the form-based standards adopted pursuant to Chapter 22.57 FMC, the form-based standards shall apply.

**Chapter 22.64  
DESIGN GUIDELINES**

Sections:

- 22.64.001 Purpose.
- 22.64.002 Natural features.
- 22.64.003 Grading and storm drainage.
- 22.64.004 Landforms and viewscapes.
- ~~22.64.005 Street layouts.~~
- 22.64.006 Parking lots and areas.
- 22.64.007 Parkways, gateways, bikeways, and trails.
- 22.64.008 Building heights.
- 22.64.009 Modulation and articulation – Walls and roofs. (see proposed amendments)
- 22.64.010 Building scale.
- 22.64.011 Building entries.
- 22.64.012 Building materials.
- 22.64.013 Accessory buildings.
- 22.64.014 Service equipment and activities.
- 22.64.015 Solar orientations.
- 22.64.016 Ground floor activities.
- 22.64.017 Building frontages.
- 22.64.018 Upper floor balconies, alcoves, and decks.
- 22.64.019 Awnings and canopies.
- 22.64.020 Display windows.
- ~~22.64.021 Site planning.~~
- 22.64.022 Infill development patterns for traditional shopfront areas. (see proposed amendments)
- 22.64.023 Garage entries and driveways.
- 22.64.024 Garage doors.
- 22.64.025 Street access.
- 22.64.026 Blank building and retaining walls.
- 22.64.027 Usable open spaces.
- 22.64.028 Private spaces.
- 22.64.029 Commercial walkways.
- 22.64.030 Commercial walkway corridors.
- 22.64.031 Outdoor activity spaces.
- 22.64.032 Streetscape furnishings.
- 22.64.033 Public artworks.
- 22.64.034 Lighting.
- 22.64.035 Roadway corridors and street frontages.
- 22.64.036 Urban buffers.
- 22.64.037 Sidewalks and walkways.
- 22.64.038 Buildings and yards.
- 22.64.039 Screening.
- 22.64.040 Landscape materials.
- 22.64.041 *Repealed.*
- 22.64.042 Large retail establishments.
- 22.64.043 Drive-through facilities.

**REPEAL SECTION as it conflicts with proposed form-based code standards and the City's design standards and guidelines for streetscape elements, adopted per FMC 22.65**

~~**22.64.005 Street layouts.**~~

~~**Intent** Create an efficient, expandable, safe, and predictable system of minor and major streets.~~

~~(a) The street within and adjacent to a site plan or subdivision shall be designed to comply with the street and sidewalk standards in Chapter 22.22 FMC according to the roadway system functional classification in the~~

~~comprehensive plan. Major streets shall refer to designated arterial and collector streets and minor streets shall refer to local streets and cul-de-sacs.~~

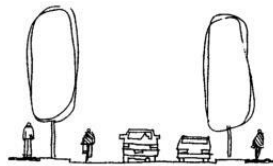
~~(b) Proposed streets and sidewalks should extend to the boundary lines of the proposed site plan or subdivision in order to provide for the future development of adjacent tracts unless prevented by natural or manmade conditions or unless such extension is determined to be unnecessary or undesirable by the hearing examiner.~~

~~(c) The street pattern for commercial and industrial site plans and subdivisions should be designed to expedite traffic movement, reduce conflicts between various types of land uses and pedestrians, and coordinate the location of proposed buildings with vehicular loading and parking facilities. Commercial and industrial site plans shall provide integral access through or between the property and adjacent properties and surrounding residential neighborhoods.~~

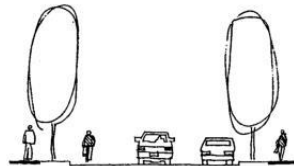
~~(d) Generally, street patterns should be based on a grid or interconnected network of streets rather than long irregular loops with dead ends and cul-de-sacs. Grid street networks should provide regular and frequent intersections—typically at 400-foot intervals. Grid layouts may be distorted to account for existing topography, natural features, landscape, and building improvements—and for visual interest.~~

~~(e) Within residential neighborhoods, street improvements should be designed to minimize the amount of land and paving necessary while maintaining safe and efficient vehicular and pedestrian circulation. Roadway improvements should provide bicycle routes, landscaped edges, and walkways appropriate to the amount of traffic and parking to be provided within each residential neighborhood.~~

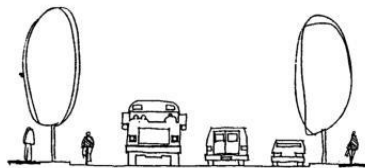
### Street layouts



Access street – 44-foot-row



Sub-collector street – 50-foot row



Collector street – 60-foot row  
Typical dimensions – vary

Within residential neighborhoods, street improvements should be designed to minimize the amount of land and paving necessary while maintaining safe and efficient vehicular and pedestrian circulation. Roadway improvements should provide bicycle routes, landscaped edges, and walkways appropriate to the amount of traffic and parking to be provided within each residential neighborhood.



**Note: Staff recommends the following guideline be deleted as it contradicts some proposed form-based code standards. An upper floor set back or step back from the ground floor frontage may not be warranted or desirable in locations where the city is encouraging redevelopment that is somewhat more intensive and urban in design.**

~~**22.64.008 — Building heights.**~~

~~Intent — Create building heights that reflect pedestrian scale and provide visual interest.~~

~~(a) Building facades should not exceed more than two stories from the grade of a commercial street or public pedestrian walkway or trail corridor in order to maintain an appropriate building and pedestrian street scale in neighborhood commercial districts. Where building heights or topography create heights greater than two stories, the upper floors should be set back from the ground floor frontage to retain a building mass appropriate to a pedestrian scale.~~

~~(b) Due to a site's change in grade, buildings may achieve three stories or more in the middle sections of a property or structure. However, the building's bulk should transition over the property or structure so that the fronting elevation is no more than two story at the building facing onto commercial streets and the public walkway or trail in order to maintain a compatible/transitional scale. Where building heights or topography create heights greater than two stories, the upper floors should be set back from the ground floor frontage to retain a building mass appropriate to a pedestrian scale. (Ord. 1272 § 8, 2001).~~

**22.64.009 Modulation and articulation – Walls and roofs.**

Intent – Reduce building mass to human scale and increase visual detail and interest.

(a) Building elevations shall be vertically and horizontally modulated to create architectural relief and interest where required by code. For single-family and duplex residential buildings, modulation is encouraged, but not required, for interior side and rear elevations. Specific requirements are listed in the development standards tables for certain zoning districts summarized below.

| Zoning District  | Maximum Length of Facade Without Modulation | Minimum Depth of Projection or Recess  |
|--|---|--|
| R-4  | 40  | 4 feet for SFD (front and side street side yards only)<br>6 feet for other buildings   |
| R-4-C  | 40  | 4 feet for SFD and duplex (front and side street side yards only)<br>6 feet for other buildings  |
| R-6  | 40  | 4 feet for SFD (front and side street side yards only)<br>6 feet for other buildings   |
| R-8  | 40  | 4 feet for duplex (front and side street side yards only)<br>6 feet for other buildings  |
| R-10-TCD   | 40  | 4 feet for SFD and duplex (front and side street side yards only)<br>6 feet other buildings  |
| R-20   | 40  | 4 feet for duplex (front and side street side yards only)<br>6 feet for other buildings  |
| NO   | 60  | 6 feet   |
| NC   | 60  | 6 feet   |
| CO   | 60  | 4% of facade length but no less than 6 feet  |
| CC   | 80  | 4% of facade length but no less than 6 feet, with substitution by landscaping emphasis and/or building exterior texture variation allowed. |
| Projections/recesses shall comprise at least 20% of facade length. |   |  |

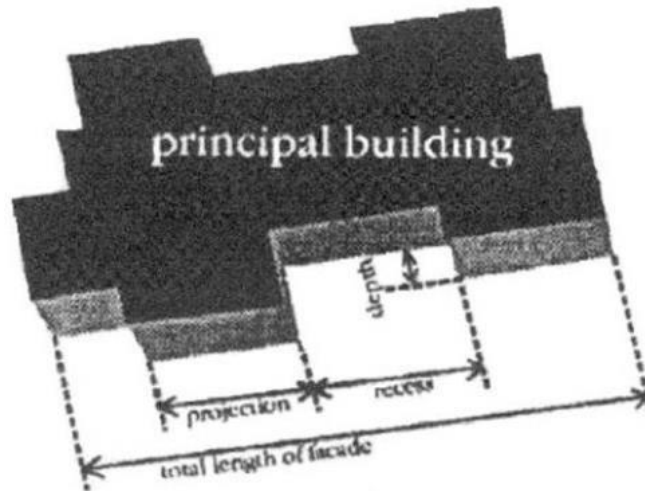


(b) Vestibules, entries, and other architectural adaptations should articulate further visual definition and reduce the mass of larger buildings, especially commercial and ~~mixed-use industrial~~ structures.

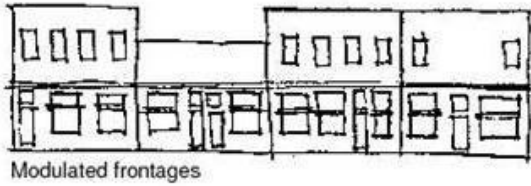
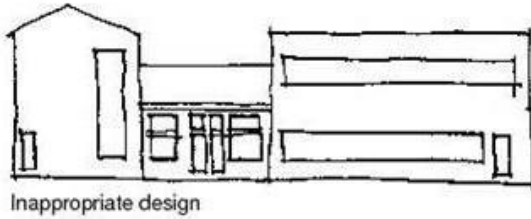
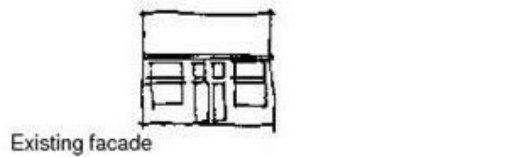
(c) Modulation and articulation should be used in a clear rhythm to reduce the perceived size of all large buildings.

(d) All buildings should be defined by roof forms or features that create a visually distinct base and top. Pitched roofs should have one or more visible ridge lines; roof areas should be broken up with dormers, opposing gables, different pitches, or other feature to avoid creating massive undifferentiated area.

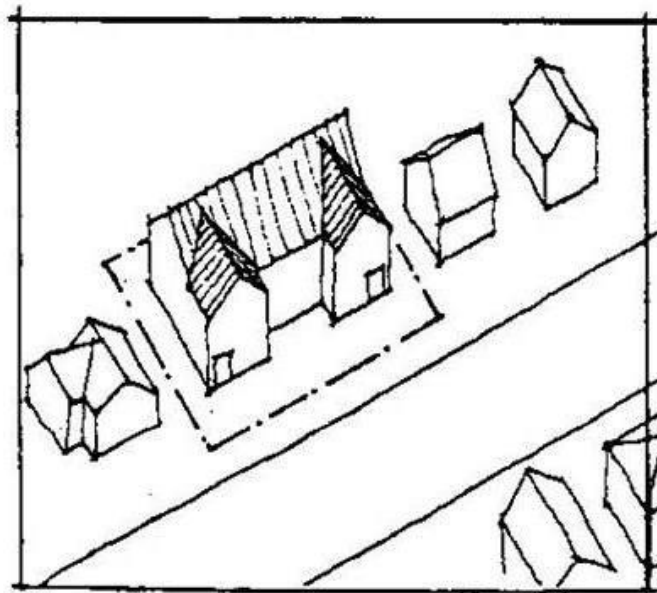
(e) Residential buildings should provide architectural details that create pedestrian scale and interest, such as porches and stoops, bay windows and dormers, recessed windows and alcoves, and window and siding trim.



Modulation

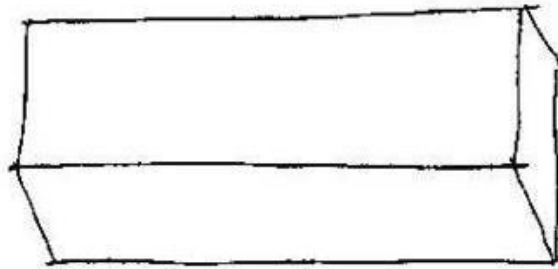


The composition of the street should be maintained. New Infill buildings in neighborhood commercial (NC) areas should be sited at the property line to maintain a pedestrian streetscape. The rhythm or modulation created by the older lots and buildings should be retained in new Infill constructions. The pattern and proportion of windows and doors (fenestration) reflect the original building's scale and character – and should be complimented by new building designs.



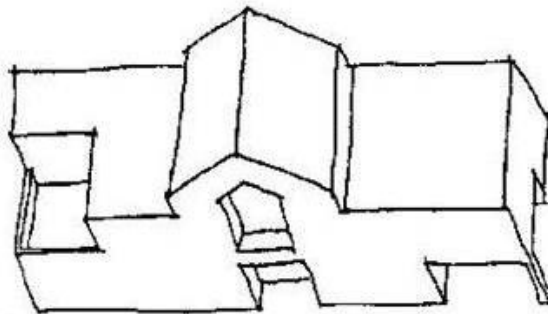
Modulation of the principal building facade adds interest to a long building.

Articulation

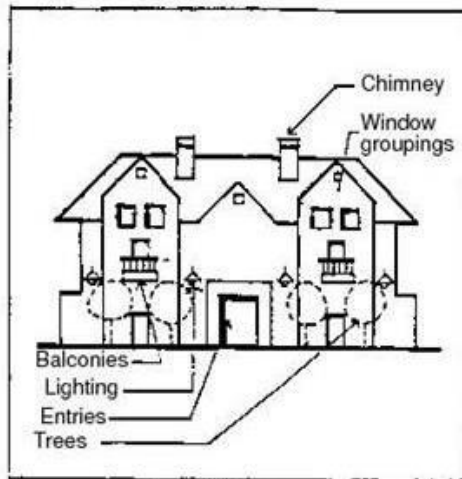


Developable building envelope

New buildings should be designed to create visual interest and scale. The building envelope should be defined by vertical and horizontal modulations that establish form and pattern. The building facade should be defined with setbacks, awnings, balconies, roof decks, eaves, and contrasting materials to reduce the massive impact of otherwise sheer flat surfaces. Effective designs incorporate a variety of forms and materials to establish a recurring pattern or design theme that defines scale and visual interest.



Modulated scale



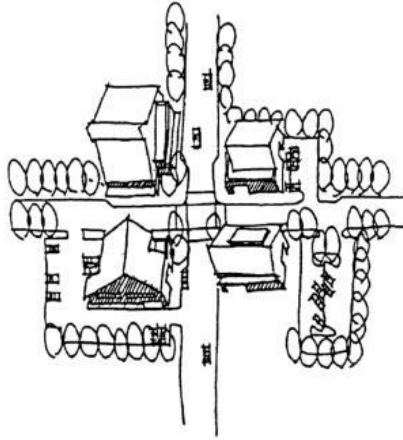
Building details which can reinforce the articulation interval.

**REPEAL SECTION; Guidelines integrated with new shopfront guidelines**

**~~22.64.020 — Display windows.~~**

~~Intent — Create window displays in ground floor retail areas that attract shoppers and provide visual interest to passersby.~~

~~Display Windows — Streetscape~~



Create window displays in ground floor retail areas that attract shoppers and provide visual interest to passersby.

The corners of buildings that are located at the intersections on commercial streets and principal public walkways or trail corridors should provide some form of visual interest such as window displays, artwork or signage.



~~(a) Ground floor retail and commercial spaces along a sidewalk, walkway or trail corridor should provide extensive amounts of display window space (at least 70 percent of the wall area up to nine feet above finished grade) to showcase commercial, retail or other public uses and wares in a storefront style typical of main street or marketplace architecture. Window glazing should be transparent to provide pedestrians views into ground floor spaces and activities. No more than 10 percent of this glass area should be covered with signage, artwork or other materials that obscure interior space. Storefront windows should be placed above a masonry, tile, wood or other durable material base that extends at least 24 inches above the adjacent sidewalk or exterior finished grade. The bottom of windows should be no more than four feet above the adjacent sidewalk or exterior finished grade.~~

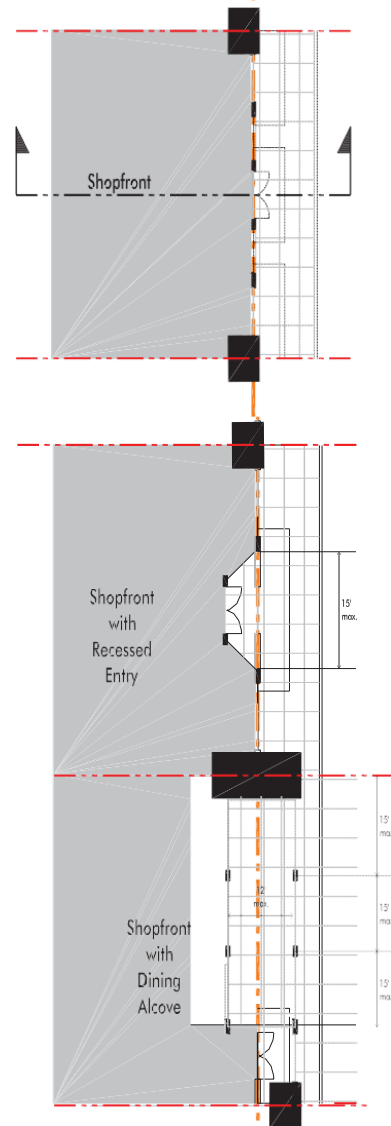
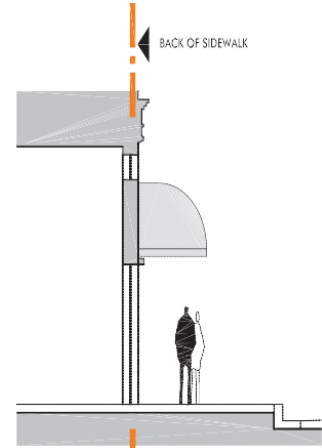
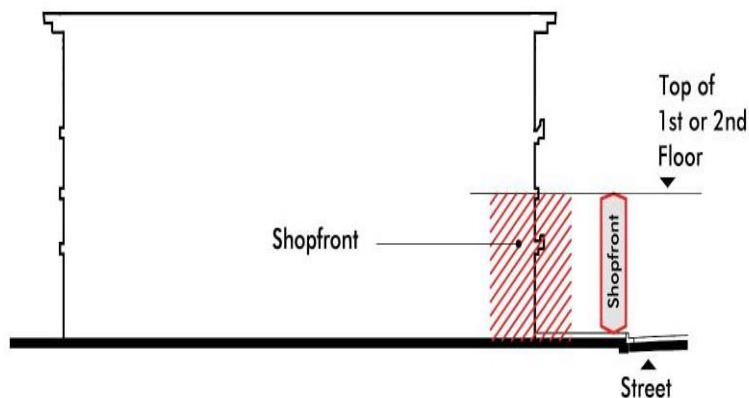
~~(b) The corners of buildings that are located at the intersections on commercial streets and principal public walkway or trail corridors should provide some form of visual interest such as window displays, artwork or signage.~~



**22.64.020 Shopfronts.**

Intent - Shopfronts are like small buildings with their own base, “roofline”, and pattern of window and door openings. Shopfronts are facades placed at or close to the right-of way line, with the entrance at sidewalk grade. They are conventional for retail frontage and are commonly equipped with cantilevered shed roof(s) or awning(s). Recessed shopfronts are also acceptable. The absence of a raised ground floor precludes residential use on the ground floor facing the street. Residential use would be appropriate above the ground floor and behind another use that fronts the street. It has substantial glazing on the sidewalk level and defines the primary treatment for ground-level commercial uses oriented to display and access directly from public sidewalks or other walkways.

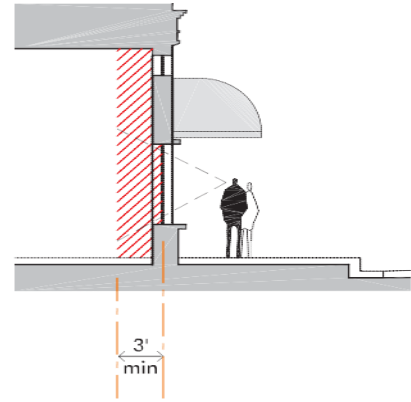
- (a) Shopfronts shall be between 10’ and 16’ tall, as measured from the adjacent walk.
- (b) Shopfront width shall be a minimum of 10’ and generally not exceed 50’. Larger retail space may be enabled by being set behind a row of smaller shopfront spaces. This technique is often referred to as “liner retail.”
- (c) Restaurant shopfronts may set back a portion of the shopfront façade to create a colonnaded outdoor dining alcove that is a maximum of 12 feet deep provided that:
  - (1) The portion of the façade that is set back and oriented towards the street shall have display windows.
  - (2) The alcove must also have columns along the sidewalk at a maximum spacing of 15 feet on center.
  - (3) The alcove may not rely on adjacent buildings for enclosure.



**Section Diagram**

(d) Each shopfront shall contain:

- (1) At least one welcoming building entrance at sidewalk grade. Recessed entrances are permitted with a maximum width of 15 feet.
- (2) Clear-glass display windows framed within storefront pilasters and a base made of masonry, tile, wood, or other durable material that extends at least 24 inches above the adjacent sidewalk. The bottom of windows should be no more than four feet above the sidewalk. Display windows and other glazing should comprise at least 75 percent of the ground floor façade.
- (3) A minimum 3-foot zone behind the window glazing that provides an unobstructed view of the establishment's goods and services.



Unobstructed View Required

e) Shopfront composition should include projecting signs, as well as window signs and awning signs. Awnings, signs, and related fixtures shall be located 8 feet minimum above the adjacent sidewalk. Awnings shall only cover storefronts and openings to avoid covering the entire façade.

(f) Shopfront and awning design should vary from shopfront to shopfront.

(g) Sideyard setbacks and space between buildings may be utilized as extensions of shopfront activities including for location of outdoor displays of goods and for outdoor dining.

**REPEAL SECTION; replaced by form-based code standards**

**~~22.64.021 — Site planning.~~**

~~Intent — Create functional, efficient, attractive higher density urban housing developments that complement surrounding lower density neighborhoods.~~

~~(a) New higher density housing developments should group attached single family buildings in courtyard and cluster developments — or neo-traditional neighborhood block patterns to maintain buffer areas and control visual impact and scale.~~

~~(b) High density housing developments should be grouped to create town, manor or coach house visual appearances that are in scale with surrounding single family housing patterns.~~

~~(c) Housing units may be located adjacent to parking courtyards to reduce overall roadway requirements and create compact development forms. (Ord. 1272 § 8, 2001).~~

**22.64.022 Infill development patterns for traditional shopfront neighborhoods.**

Intent – Develop vacant lots with buildings that match the scale, character, and architectural definition of adjacent buildings and uses.

(a) The building proportions (modulation and articulation) created by older lots and buildings should be retained by new infill constructions.

(b) New buildings should be set back from the street frontage in lines that will ~~be consistent with match or complement~~ existing structures along the street.

(c) The existing pattern and proportion of windows, doors, and other vertical elements should be ~~emulated~~ ~~complemented~~ by new infill building designs.

(d) New buildings should be defined by vertical and horizontal variations, architectural styles, and exterior finish materials that reflect the form, pattern, and visual interest of existing structures within the neighborhood and along the street.

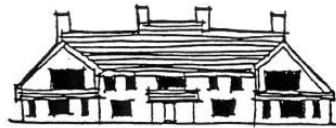
(e) New buildings should ~~match or~~ complement the prevailing heights of existing structures within the neighborhood and along the street.

(f) The size and proportion of a new building's mass and contributing elements including roofs, porches, and ~~balconies~~ ~~garages~~ should reflect those of neighboring structures.

### Residential Site Planning—Manor Houses



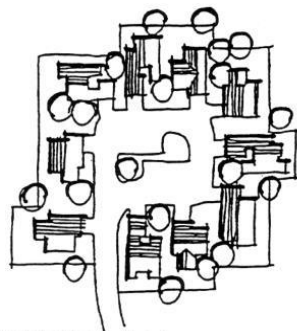
Example elevation as townhouses



Example elevation as coach houses

High density housing developments should be grouped to create town, manor or coach house visual appearances that are in scale with surrounding single-family housing patterns.

### Residential Site Planning—Courtyard Parking

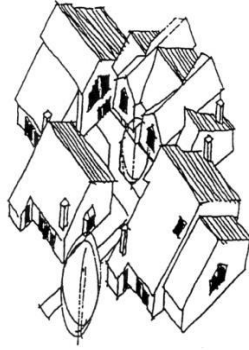


Typical parking court layout

Housing units may be located adjacent to parking courtyards to reduce overall roadway requirements and create compact development forms.

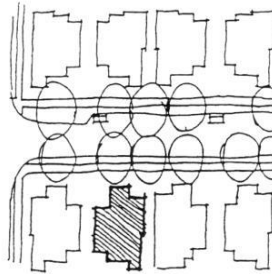
### Residential Site Planning—Clustering





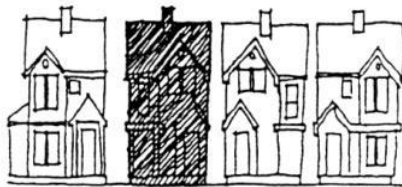
New higher density housing developments should group attached single-family buildings in courtyard and cluster developments – or neo-traditional block patterns to maintain buffer areas and control visual impact and scale.

**Infill Development Patterns—Street Frontage**



New buildings should be set back from the street frontage in lines that will match or compliment existing structures along the street.

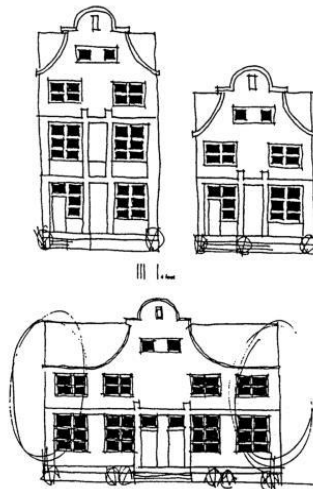
**Infill Development Patterns—Height and Mass**



New buildings should match or complement the prevailing heights of existing structures within the neighborhood and along the street.

The size and proportion of a new building's mass and contributing elements including roofs, porches, and garages should reflect those of neighboring structures.

**Infill Development Patterns—Proportions**



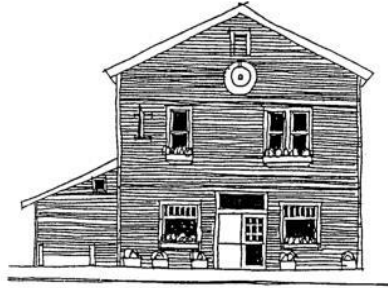
Develop vacant lots with buildings that match the scale, character, and architectural definition of adjacent buildings and uses.

The building proportions (modulation and articulation) created by older lots and buildings should be retained by new infill constructions.

The existing pattern and proportion of windows, doors, and other vertical elements should be complemented by new infill building designs.

**Infill Development Patterns—Materials**





New buildings should be defined by vertical and horizontal variations, architectural styles, and exterior finish materials that reflect the form, pattern, and visual interest of existing structures within the neighborhood and along the street.

The size and proportion of a new building's mass and contributing elements including roofs, porches, and garages should reflect those of neighboring structures.

## Chapter 22.65

### DESIGN STANDARDS AND GUIDELINES FOR STREETScape ELEMENTS

#### Sections:

- 22.65.001 Purpose.
- 22.65.002 Authority.
- 22.65.003 Design standards and guidelines adopted.
- 22.65.004 Applicability.

#### **22.65.002 Authority.**

The provisions of this chapter shall augment other requirements in this title. When provisions included in these design standards and guidelines conflict with other requirements of this title, these standards and guidelines shall apply unless otherwise provided. When a conflict exists between these design standards and guidelines and the form-based standards adopted pursuant to Chapter 22.57 FMC, the form-based standards shall apply.

#### **22.65.003 Design standards and guidelines adopted.**

The “City of Fircrest Design Standards and Guidelines for Streetscape Elements,” as shown in Exhibit “A” to Ordinance No. 1575 and incorporated in this section by reference, is hereby adopted and codified within this title.

## Chapter 22.66

### ADMINISTRATIVE DESIGN REVIEW

#### Sections:

- 22.66.001 Statement of policy.
- 22.66.002 Purpose.
- 22.66.003 Authority.
- 22.66.004 Development subject to administrative design review.
- 22.66.005 Development exempt from administrative design review.
- 22.66.006 Criteria for administrative design review approval.
- 22.66.007 Application procedures.
- 22.66.008 Administrative design review process.
- 22.66.009 Submittal requirements.
- 22.66.010 Administrative design review modification and exemption.
- 22.66.011 Duration of an administrative design review approval.
- 22.66.012 Optional administrative design review.

#### **22.66.006 Criteria for administrative design review approval.**

(a) The director shall approve an administrative design review application when all applicable criteria listed below are met by a proposal:

(1) The proposal meets or exceeds all applicable design guidelines in Chapter 22.64 FMC.

(2) The proposal meets or exceeds all applicable provisions in the “Design Standards and Guidelines for Small Lot and Multifamily Development” adopted by reference in Chapter 22.63 FMC.

(3) The proposal meets or exceeds all applicable provisions in the “City of Fircrest Design Standards and Guidelines for Streetscape Elements” adopted by reference in Chapter 22.64 FMC.

(4) The proposal meets or exceeds all applicable form-based standards adopted by reference in Chapter 22.57 FMC.

(5) The proposal meets or exceeds all applicable development regulations contained in FMC Title 22.

(b) The director may approve an administrative design review application when a proposal does not meet one or more applicable design standard or guideline when the director determines:

(1) The departure from the design standard(s) or guideline(s) is consistent with both the comprehensive plan and the intent statement(s) of the design standard(s) or guideline(s).

(2) The departure from the strict application of the design standard(s) or guideline(s) will not have a significant negative impact on the public, surrounding properties, or character of the zone or neighborhood.

(3) The proposal creates an equal or better environment, results in an equal or better use of land, and achieves an equal or better design than could be produced through the strict application of the design standard(s) or guideline(s).

(4) The departure from the design standard(s) or guideline(s) is compensated by the provision of additional design features and amenities in the development plan than would normally be required. The additional design features and amenities are of equal or greater design benefit and function.

(c) The director may approve all or part of an applicant’s request for a departure from the strict application of the design standard(s) or guideline(s), approve with additional requirements above those specified in this code, or require modification of the proposal to comply with specified requirements or local conditions.

(d) The director shall deny a request for a departure from the design standard(s) or guideline(s) if the proposal does not meet or cannot be conditioned to meet the required findings in this section.

~~Before any administrative design review approval may be granted, the director shall determine that the following criteria are met by a proposal:~~

~~(a) The general design considerations, including the character, scale, quality of design and quality of materials, are consistent with the purpose of this chapter and adopted design guidelines.~~

~~(b) The proposal complies with all applicable development standards.~~

~~(c) The proposal is consistent with the goals, policies and objectives of the comprehensive plan.~~

**22.66.009 Submittal requirements.**

Application for administrative design review shall be submitted on forms provided by the department. A minimum of two sets of the following plans and other information shall be submitted with the application in clear and intelligible form when determined by the director to be applicable and necessary to complete the design review:

(a) Elevation Plans. Elevation plans shall be provided for each building or structure elevation that is subject to design review. Additions and alterations to existing structures shall be clearly identified on the plans. Design details

such as exterior finish materials and textures, lighting and other fixtures, and design elements such as beltcourses, brackets, chimneys, cornices, roof overhangs, window trim, sills, and sashes, shall be identified.

(b) Spatial Site Plan Elements. The following shall be provided:

(1) A massing model showing proposed building in its context (a simple sketchup model may suffice).

(2) A figure-ground drawing showing: the relationship between public and private realm; how the solid components of buildings relate to the open spaces contained by the built form; and how a proposed building or space might interact with the existing fabric of the neighborhood, particularly in terms of the mass, proportions and edge conditions.

(3) Existing and proposed street sections.

(4) Descriptions, conceptual plans and/or illustrations of public and private open spaces.

(5) Drawings that establish existing context by identifying neighboring building types, frontage types, and building heights.

(bc) Exterior Mechanical Device Screening Plans. All proposed exterior mechanical devices, including roof-mounted equipment and proposed screening, shall be identified on the architectural and mechanical plans. In addition, plans of any proposed screening design shall be submitted. When mechanical plans are submitted without a corresponding building permit application, the location of all exterior and roof-mounted mechanical devices shall be shown on a building elevation plan.

(ed) Coordinated Site Design Plan. A site plan shall identify the proposed locations of parking, pedestrian and vehicular circulation areas, trash enclosure areas, mechanical and utility facility areas, building footprints, landscaping, and significant trees to remain and be removed.

To ensure effective implementation of comprehensive plan policies and objectives and development regulations relating to design, applications for administrative design review and other discretionary land use permits for the same proposal shall be submitted concurrently for review. (Ord. 1246 § 19, 2000).

## Chapter 22.72

### SITE PLAN REVIEW

#### Sections:

|           |  |
|-----------|--|
| 22.72.001 | Purpose.                                       |
| 22.72.002 | Authority.                                     |
| 22.72.003 | Development subject to minor site plan review. |
| 22.72.004 | Development subject to major site plan review. |
| 22.72.005 | Development exempt from site plan review.      |
| 22.72.006 | Criteria for site plan review approval.        |
| 22.72.007 | Application procedures.                        |
| 22.72.008 | Major and minor site plan review.              |
| 22.72.009 | Submittal requirements.                        |
| 22.72.010 | Waiver of submittal requirements.              |
| 22.72.011 | Request for additional information.            |
| 22.72.012 | Amendment of site plan.                        |
| 22.72.013 | Performance bond.                              |
| 22.72.014 | Duration of a site plan review approval.       |
| 22.72.015 | Limitation on refiling of application.         |

**22.72.003 Development subject to minor site plan review.**

The director shall review the following public and private development proposals which are subject to site plan review:

- (a) New commercial, industrial, mixed-use, residential, public, and quasi-public buildings less than or equal to 2,000 square feet of gross floor area;
- (b) Commercial, industrial, mixed-use, residential, public, and quasi-public building additions which are less than or equal to 2,000 square feet of gross floor area;
- (c) Parking lot improvements associated with development proposals listed in subsections (a) and (b) of this section or, parking lot modifications to existing development, including reconfiguration, provided no more than 5 spaces are added or reduced; and
- (d) A change of land use at an existing site or structure when the new activity requires either a change in occupancy according to the InternationalUniform Building Code or, in the opinion of the director, results in an intensification of land use and will require new conditions to comply with existing regulations of this title. (Ord. 1246 § 22, 2000).

**22.72.004 Development subject to major site plan review.**

The hearing examiner shall review the following public and private development proposals which are subject to site plan review:

- (a) New commercial, industrial, mixed-use, residential, public, and quasi-public buildings greater than 2,000 square feet of gross floor area; and
- (b) Commercial, industrial, mixed-use, residential, public, and quasi-public building additions which are greater than 2,000 square feet of gross floor area; and
- (c) Parking lot improvements associated with development proposals listed in subsections (a) and (b) of this section or, parking lot modifications to existing development, including reconfiguration, when more than 5 spaces are added or reduced. (Ord. 1638 § 45, 2019; Ord. 1246 § 22, 2000).

**22.72.007 Application procedures.**

Minor site plan review is classified as a Type II application and major site plan review is classified as a Type III-A application. The processing procedures for these applications are described in Chapters 22.05, 22.06, 22.07, 22.08, 22.09 and 22.10 FMC. (Ord. 1246 § 22, 2000).

**22.72.009 Submittal requirements.**

Application for site plan review shall be submitted on forms provided by the department. A minimum of two sets of the following plans, materials, and other applicable information shall be submitted with the application in clear and intelligible form:

- (a) A site plan drawing at a scale of not less than one inch per 50 feet which shows:
  - (1) The location of all existing and proposed structures and improvements, including, but not limited to, fences, culverts, bridges, roads, and streets on the subject property;
  - (2) The boundaries of the property proposed to be developed and, if the property is to be subdivided, the boundaries of each proposed lot within the property;
  - (3) All proposed and existing buildings and setback lines, including those located on adjoining properties;
  - (4) All areas to be preserved as buffers or to be dedicated to a public, private, or community use or for open space and information regarding the percentage of area covered and size and type of existing vegetation to be removed or to be retained;
  - (5) All existing and proposed easements;

- (6) The locations of all existing utility structures and lines;
  - (7) The stormwater drainage systems and management plan for existing and proposed structures and parking facilities;
  - (8) All means of vehicular and pedestrian ingress and egress at the site and the size and location of driveways, streets, and roads;
  - (9) The design of off-street parking areas showing the size and location of internal circulation and parking spaces (see Chapter 22.60 FMC for standards);
  - (10) The location of all loading spaces, including, but not limited to, truck loading platforms and loading docks;
  - (11) The location and design of trash enclosure areas, exterior lighting, exterior signage, mechanical and utility facility areas;
- (b) Elevation plans drawn to scale for each building or structure elevation. Additions and alterations to existing structures shall be clearly identified on the plans. Design details such as exterior finish materials and textures, lighting and other fixtures, and design elements such as beltcourses, brackets, chimneys, cornices, roof overhangs, window trim, sills and sashes, shall be identified to assist with the administrative design review process;
  - (c) Sign plan showing the location, dimensions, area, design, material, color, and methods of illumination of all exterior signs;
  - (d) Exterior mechanical device screening plans which identify the building elevation and site plans of all proposed exterior mechanical devices, including roof-mounted equipment, and proposed screening;
  - (e) Landscape plan drawn to scale showing the locations of existing trees to be removed and to be retained on the site, the location of proposed landscaping, and location and design of irrigation systems. In addition, a plant schedule indicating species, varieties, sizes, and numbers of plant to be installed, and planting specifications shall be submitted (see FMC 22.62.010 for standards);
  - (f) Topographic map which delineates contours, both existing and proposed, at intervals of two feet, and which locates existing streams, wetlands, forested areas, and other natural features;
  - (g) A grading plan showing existing and proposed grades;
  - (h) The existing zoning district of the proposed development site and any other zoning district within 300 feet of the site;
  - (i) Impervious surface calculations, including the proposed number of square feet of surfaces covered by buildings, driveways, parking lots, or any other structure covering land; the total number of square feet in the entire proposed development site; and the percentage of the site covered with impervious surface;
  - (j) The proposed number of dwelling units and number of bedrooms in the development;
  - (k) The proposed number of square feet in gross floor area for each commercial, industrial, residential, and other nonresidential use;
  - (l) A description of each proposed ~~commercial and industrial~~ use;
  - (m) For properties containing critical areas or their regulated buffers, all informational requirements specified in the critical area regulations shall be included in the site plan submittal; and
  - (n) The forms, materials and other information specified in FMC 22.06.002. (Ord. 1246 § 22, 2000).

## Chapter 22.98

### DEFINITIONS

#### Sections:

|             |   |
|-------------|---|
| 22.98.003   | Definition of any word not listed.          |
| 22.98.006   | Abandonment of telecommunications facility. |
| 22.98.009   | Accessory building or structure.            |
| 22.98.012   | Accessory dwelling unit.                    |
| 22.98.015   | Accessory use.                              |
| 22.98.016   | Adaptive management.                        |
| 22.98.017   | Adjacent.                                   |
| 22.98.018   | Adult bathhouse.                            |
| 22.98.021   | Adult bookstore.                            |
| 22.98.024   | Adult cabaret.                              |
| 22.98.027   | Adult entertainment.                        |
| 22.98.030   | Adult entertainment establishment.          |
| 22.98.033   | Adult family home.                          |
| 22.98.036   | Adult live entertainment establishment.     |
| 22.98.039   | Adult massage parlor.                       |
| 22.98.042   | Adult motion picture theater.               |
| 22.98.045   | Adult retail store.                         |
| 22.98.048   | Adult sauna parlor.                         |
| 22.98.051   | Adult video store.                          |
| 22.98.052   | Advance mitigation.                         |
| 22.98.053   | Advertising copy.                           |
| 22.98.054   | Alley.                                      |
| 22.98.057   | Alteration.                                 |
| 22.98.060   | Amendment.                                  |
| 22.98.062   | Anadromous fish.                            |
| 22.98.063   | Antenna.                                    |
| 22.98.066   | Antenna height.                             |
| 22.98.069   | Antenna support structure.                  |
| 22.98.072   | Applicant.                                  |
| 22.98.075   | Antique.                                    |
| 22.98.078   | Antique store.                              |
| 22.98.079   | Aquifer.                                    |
| 22.98.080   | Aquifer, confined.                          |
| 22.98.081   | Aquifer recharge areas.                     |
| 22.98.082   | Aquifer, sole source.                       |
| 22.98.083   | Aquifer susceptibility.                     |
| 22.98.084   | Aquifer, unconfined.                        |
| 22.98.085   | Area of shallow flooding.                   |
| 22.98.087   | Articulation.                               |
| 22.98.090   | Assisted living facility.                   |
| 22.98.091   | Available capacity.                         |
| 22.98.091.1 | Barbeque.                                   |
| 22.98.092   | Base flood.                                 |
| 22.98.093   | Basement.                                   |
| 22.98.094   | Battery charging station.                   |
| 22.98.094.1 | Battery electric vehicle (BEV).             |
| 22.98.094.2 | Battery exchange station.                   |
| 22.98.095   | Best available science.                     |
| 22.98.096   | Best management practices (BMPs).           |
| 22.98.097   | Biodiversity.                               |

22.98.099 Block.  
22.98.100 Breakaway wall.  
22.98.102 Buffer.  
22.98.105 Buildable area.  
22.98.108 Building.  
22.98.111 Building, detached.  
22.98.114 Building envelope.  
22.98.114.1 Building elevation.  
22.98.114.2 Building facade.  
22.98.114.3 Building fascia.  
22.98.114.4 Building frontage.  
22.98.117 Building height.  
22.98.120 Building line.  
22.98.123 Building, principal or main.  
22.98.126 Bulk regulations.  
22.98.126.1 Burn barrel.  
22.98.129 Business or commerce.  
22.98.132 Caliper.  
22.98.135 Camouflaged facility.  
22.98.138 Carport.  
22.98.141 Cell site.  
22.98.142 Certificate of capacity.  
22.98.143 Channel migration zone (CMZ).  
22.98.144 Character.  
22.98.145 Charging levels.  
22.98.147 Child day-care center.  
22.98.148 City engineer.  
22.98.150 Clearing.  
22.98.153 Compensation.  
22.98.154 Compensation project.  
22.98.155 Compensatory mitigation.  
22.98.156 Club.  
22.98.159 Co-location.  
22.98.160 Concurrency facilities.  
22.98.161 Concurrency test.  
22.98.162 Conditional use.  
22.98.165 Conditional use permit.  
22.98.166 Conservation easement.  
22.98.168 Correctional group home.  
22.98.171 Covenant.  
22.98.174 COW.  
22.98.177 Creation.  
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22.98.180 Critical area inventory maps.  
22.98.183 Critical areas.  
22.98.184 Critical area tract.  
22.98.185 Critical facility.  
22.98.185.1 Critical root zone.  
22.98.186 Critical species.  
22.98.188 Cumulative impacts or effects.  
22.98.189 Curb level.  
22.98.192 Dedication.  
22.98.193 Developable area.  
22.98.194 Development.  
22.98.195 Development permit.  
22.98.196 Development permit, final.

22.98.197 Development permit, preliminary.  
 22.98.197.1 Diameter at breast height.  
 22.98.198 Director.  
 22.98.201 Drip line.  
 22.98.204 Drive-thru.  
 22.98.207 Dwelling.  
 22.98.210 Dwelling, duplex.  
 22.98.213 Dwelling, multifamily.  
 22.98.216 Dwelling, single-family.  
 22.98.219 Dwelling unit.  
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 22.98.225 Ecosystem.  
 22.98.228 EIA.  
 22.98.228.1 Electric scooters and motorcycles.  
 22.98.228.2 Electric vehicle.  
 22.98.228.3 Electric vehicle charging stations.  
 22.98.229 Elevated building.  
22.98.229.1 Eligible Facilities Request  
 22.98.230 Emergent wetland.  
 22.98.231 Enhancement.  
 22.98.234 Equipment enclosure.  
 22.98.237 Erosion.  
 22.98.240 Erosion hazard areas.  
 22.98.243 Escort agency.  
 22.98.246 Essential public facilities.  
 22.98.249 Establishment, business or commercial.  
 22.98.252 Excavation.  
 22.98.255 Existing and ongoing agricultural activities.  
 22.98.257 Exotic.  
 22.98.258 Extirpation.  
 22.98.261 FAA.  
 22.98.264 FCC.  
 22.98.265 Facility and service provider.  
22.98.266 Facility modification  
 22.98.267 Family.  
 22.98.270 Family day-care facility.  
 22.98.273 Family group home.  
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 22.98.279 Fenestration.  
 22.98.282 Fill.  
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 22.98.285 Fish and wildlife habitat conservation areas.  
 22.98.286 Fish habitat.  
 22.98.286.1 Flag.  
 22.98.286.2 Flag canopy.  
 22.98.287 Flood or flooding.  
 22.98.288 Flood insurance map.  
 22.98.289 Flood insurance study.  
 22.98.290 Floodplain.  
 22.98.291 Flood protection elevation.  
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 22.98.293 Floodway.  
 22.98.294 Floor area, gross.  
 22.98.295 Forested wetland.  
 22.98.296 Formation.  
 22.98.297 Formation, confining.



22.98.298 Frequently flooded areas.  
 22.98.299 Frontage.  
 22.98.300 Functions and values.  
 22.98.303 Garage, private.  
 22.98.306 Garage, side entry.  
 22.98.309 Geologically hazardous areas.  
 22.98.312 Geologist.  
 22.98.315 Geotechnical engineer.  
 22.98.318 Governing authority.  
 22.98.321 Grade, finished.  
 22.98.322 Grade, natural.  
 22.98.324 Grading.  
 22.98.325 Groundcover.  
 22.98.326 Ground water.  
 22.98.327 Ground water management area.  
 22.98.328 Ground water management program.  
 22.98.329 Ground water, perched.  
 22.98.330 Habitat.  
 22.98.331 Habitats of local importance.  
 22.98.332 Halo illuminated.  
 22.98.333 Hazardous substance.  
 22.98.336 Hazardous waste.  
 22.98.338 Hedge.  
 22.98.339 High intensity land use.  
 22.98.340 High quality wetlands.  
 22.98.341 Historic condition.  
 22.98.342 Home occupation.  
 22.98.345 Hotel.  
 22.98.346 Hydraulic project approval (HPA).  
 22.98.348 Hydric soil.  
 22.98.350 Hydrologic soil groups.  
 22.98.351 Hydrophyte.  
 22.98.352 Hyporheic zone.  
 22.98.354 Impervious surface.  
 22.98.357 Impervious surface coverage.  
 22.98.360 Impound.  
 22.98.363 Impound yard.  
 22.98.365 Infiltration.  
 22.98.366 In-kind compensation.  
 22.98.369 Inoperable vehicle.  
 22.98.369.1 Inter-rill.  
 22.98.370 Isolated wetlands.  
 22.98.371 Joint aquatic resource permits application (JARPA).  
 22.98.372 Junk or salvage yard.  
 22.98.375 Kennel.  
 22.98.378 Kitchen.  
 22.98.381 Landslide.  
 22.98.382 Landslide hazard areas.  
 22.98.384 Large retail establishment.  
 22.98.385 Level of service standard.  
 22.98.386 Logo.  
 22.98.387 Logo shield.  
 22.98.388 Lot.  
 22.98.390 Lot, corner.  
 22.98.393 Lot, flag.  
 22.98.396 Lot, interior.

22.98.399 Lot, substandard.  
 22.98.402 Lot, through.  
 22.98.405 Lot area, gross.  
 22.98.408 Lot area, net.  
 22.98.411 Lot coverage.  
 22.98.414 Lot depth.  
 22.98.417 Lot frontage.  
 22.98.420 Lot line.  
 22.98.423 Lot line, front.  
 22.98.426 Lot line, rear.  
 22.98.429 Lot line, side.  
 22.98.432 Lot of record, legal.  
 22.98.435 Lot width.  
 22.98.436 Low intensity land use.  
 22.98.437 Lowest floor.  
 22.98.437.1 Luminance.  
 22.98.437.2 Mansard.  
 22.98.438 Manufactured home.  
 22.98.441 Marquee.  
 22.98.441.1 Master sign plan.  
 22.98.444 Medical or dental clinic.  
 22.98.445 Microbeverage production facility.  
 22.98.445.1 Microbrewery.  
 22.98.445.2 Microdistillery.  
 22.98.445.3 Microwinery.  
 22.98.447 Mitigation.  
 22.98.450 Mini-storage or mini-warehouse (indoor).  
 22.98.451 Mini-storage or mini-warehouse (outdoor).  
 22.98.452 Moderate intensity land use.  
 22.98.453 Modification.  
 22.98.456 Modulation.  
 22.98.459 Monitoring.  
 22.98.461 Motion.  
 22.98.462 Mount.  
 22.98.463 Multiple building complex.  
 22.98.464 Multiple tenant building.  
 22.98.465 Native growth protection area (NGPA).  
 22.98.466 Native vegetation.  
 22.98.467 Nighttime hours.  
 22.98.467.1 Nits.  
 22.98.468 Nonconforming lot, use, or structure.  
 22.98.469 Nonresidential zone.  
 22.98.471 Noxious element.  
 22.98.474 Nude or semi-nude.  
 22.98.475 Off-site compensation.  
 22.98.476 On-site compensation.  
 22.98.476.05 Opaque.  
 22.98.476.1 Open fire.  
 22.98.477 Open space.  
 22.98.480 Open space, common.  
 22.98.483 Open space, private.  
 22.98.486 Open space, public.  
 22.98.489 Ordinance.  
 22.98.492 Ordinary high water mark (OHM).  
 22.98.495 Outdoor storage.  
 22.98.496 Out-of-kind compensation.

22.98.498 Owner-occupied.  
 22.98.501 Panorama or peepshow.  
 22.98.504 Panorama premises.  
 22.98.506 Parapet.  
 22.98.507 Parcel.  
 22.98.510 Parking area.  
 22.98.513 Patio, covered.  
 22.98.516 Patio, uncovered.  
 22.98.518 Perimeter.  
 22.98.519 Permeability.  
 22.98.520 Person.  
 22.98.522 Personal wireless service, personal wireless service facilities, and facilities.  
 22.98.525 Personal wireless service facility design.  
 22.98.528 Pet shop.  
 22.98.531 Pharmaceuticals.  
 22.98.533 Planned capacity.  
 22.98.534 Planned development.  
 22.98.537 Planning commission.  
 22.98.540 Plat.  
 22.98.543 Porch.  
 22.98.544 Porous soil types.  
 22.98.544.1 Portable fire device.  
 22.98.545 Potable water.  
 22.98.546 Practical alternative.  
 22.98.549 Preliminary plat.  
 22.98.551 Premises.  
 22.98.552 Preschool.  
 22.98.555 Preschool, accredited.  
 22.98.557 Primary association area.  
 22.98.558 Priority habitat.  
 22.98.561 Printing, large-scale.  
 22.98.564 Printing, small-scale.  
 22.98.565 Private road or driveway.  
 22.98.567 Processed materials.  
 22.98.570 Professional office.  
 22.98.571 Project area.  
 22.98.573 Provider.  
 22.98.576 Public or quasi-public utility.  
 22.98.579 Qualified professional.  
 22.98.581 Raceway.  
 22.98.582 Reasonable use alternatives.  
 22.98.583 Recharge.  
 22.98.584 Reclaimed water.  
 22.98.585 Recorded.  
 22.98.588 Recreation, active.  
 22.98.591 Recreation, passive.  
 22.98.591.1 Recreational fire.  
 22.98.594 Recreational vehicle.  
 22.98.597 Recyclable material.  
 22.98.600 Recycling collection center.  
 22.98.603 Regulated activities.  
 22.98.604 Religious institution.  
 22.98.605 Repair or maintenance.  
 22.98.606 Restoration.  
 22.98.607 Retail establishment.  
 22.98.608 Rills.

22.98.609 Riparian habitat.  
 22.98.610 Roadway.  
 22.98.611 Roofline.  
 22.98.612 Scientific process.  
 22.98.613 Screening.  
 22.98.614 Scrub-shrub wetland.  
 22.98.615 Secondary use.  
 22.98.616 Section 404 Permit.  
 22.98.618 Security barrier.  
 22.98.621 Second-hand store.  
 22.98.622 Seeps.  
 22.98.623 Seismic hazard areas.  
 22.98.624 Sense of place.  
 22.98.627 Sensitive receptor.  
 22.98.630 SEPA rules.  
 22.98.632 Serviceable.  
 22.98.633 Service station.  
 22.98.634 Setback.  
 22.98.635 Shorelines.  
 22.98.636 Shorelines of the state.  
 22.98.637 Shorelines of statewide significance.  
 22.98.638 Shorelands or shoreland areas.  
 22.98.639 Short plat.  
 22.98.642 Short subdivision.  
 22.98.644 Sidewalk.  
 22.98.645 Sidewalk cafe.  
 22.98.648 Sign.  
 22.98.648.1 Sign, abandoned.  
 22.98.648.2 Sign, accessory.  
 22.98.648.3 Sign alteration.  
 22.98.648.4 Sign area.  
 22.98.648.5 Sign, awning, canopy, or marquee.  
 22.98.648.6 Sign, changeable copy.  
 22.98.648.7 Sign, digital.  
 22.98.648.8 *Repealed.*  
 22.98.648.9 *Repealed.*  
 22.98.648.10 Sign, flashing.  
 22.98.648.11 Sign, freestanding.  
 22.98.648.12 *Repealed.*  
 22.98.648.13 Sign height.  
 22.98.648.14 *Repealed.*  
 22.98.648.15 Sign, monument.  
 22.98.648.16 Sign, neon.  
 22.98.648.17 Sign, nonconforming.  
 22.98.648.18 Sign, pan channel.  
 22.98.648.19 Sign, permanent.  
 22.98.648.20 Sign, pole-mounted.  
 22.98.648.21 Sign, portable.  
 22.98.648.22 *Repealed.*  
 22.98.648.23 Sign, projecting.  
 22.98.648.24 *Repealed.*  
 22.98.648.25 *Repealed.*  
 22.98.648.26 *Repealed.*  
 22.98.648.27 Sign, revolving.  
 22.98.648.28 Sign, roof-mounted.  
 22.98.648.29 Sign, sandwich board.

22.98.648.30 Sign, service island.  
 22.98.648.31 Sign, special event.  
 22.98.648.32 Sign, temporary.  
 22.98.648.33 Sign, under-canopy.  
 22.98.648.34 Sign, wall.  
 22.98.648.35 Sign width.  
 22.98.648.36 Sign, window.  
 22.98.650 Significant portion of its range.  
 22.98.651 Significant tree.  
 22.98.652 Site.  
 22.98.654 Slope.  
 22.98.657 Social card game.  
 22.98.658 Soil survey.  
 22.98.658.1 Spandrel.  
 22.98.659 Special flood hazard areas.  
 22.98.660 Special protection areas.  
 22.98.661 Species.  
 22.98.662 Species, endangered.  
 22.98.663 Species of local importance.  
 22.98.664 Species, priority.  
 22.98.665 Species, threatened.  
 22.98.666 Specified sexual activities.  
 22.98.667 Specified anatomical areas.  
 22.98.669 Stand.  
 22.98.672 Stock-in-trade.  
 22.98.675 Story.  
 22.98.678 Stream corridor.  
 22.98.681 Street.  
 22.98.684 Street furniture.  
 22.98.687 Street right-of-way.  
 22.98.690 Streetscape.  
 22.98.693 Subdivision.  
 22.98.694 Subdrainage basin or subbasin.  
 22.98.695 Substantial damage.  
 22.98.696 Structural alteration.  
 22.98.697 Substantial improvement.  
22.98.697.1 Substantially change.  
 22.98.698 Tenant space.  
 22.98.699 Toe of slope.  
 22.98.702 Tot lot.  
 22.98.705 Tower.  
 22.98.708 Tree topping.  
 22.98.711 Unavoidable.  
 22.98.714 Unlicensed wireless services.  
 22.98.715 Unshielded lighting.  
 22.98.717 Use.  
 22.98.720 Use, principal.  
 22.98.723 Use, accessory.  
 22.98.726 Use type.  
 22.98.729 Variance.  
 22.98.730 Variance, de minimis.  
 22.98.732 Vehicle repair, major.  
 22.98.735 Vehicle repair, minor.  
 22.98.738 Vehicle wash.  
 22.98.741 Vehicle wrecker.  
 22.98.744 Veterinary clinic.

- 22.98.745 Vulnerability.
- 22.98.746 Warehouse/warehousing.
- 22.98.747 Water dependent.
- 22.98.748 Water resource inventory area (WRIA).
- 22.98.749 Water table.
- 22.98.750 Water typing system.
- 22.98.751 Watercourse.
- 22.98.752 Well.
- 22.98.753 Wellhead protection area (WHPA).
- 22.98.754 Wetland classes, classes of wetlands, or wetland types.
- 22.98.755 Wetland edge.
- 22.98.756 Wetlands.
- 22.98.759 Wetlands mitigation bank.
- 22.98.760 Window.
- 22.98.762 Wrecked vehicle.
- 22.98.765 Yard, automobile wrecking.
- 22.98.768 Yard.
- 22.98.771 Yard, front.
- 22.98.774 Yard, rear.
- 22.98.777 Yard, required.
- 22.98.780 Yard, side.
- 22.98.783 Yard, side street side.
- 22.98.785 Zone of contribution.
- 22.98.786 Zone or zoning district.
- 22.98.789 Zoning map.

**22.98.229.1 Eligible facilities request.**

“Eligible facilities request” means any request for facility modification of an existing wireless tower or base station that involves:

(a) collocation of new transmission equipment;

(b) removal of transmission equipment; or

(c) replacement of transmission equipment.

**22.98.266 Facility Modification.**

“Facility modification” means any modification of an existing wireless tower or base station that does not substantially change the physical dimensions of such tower or base station.

**22.98.652 Site.**

“Site” means a unit of land, together with all improvements thereon, determined as follows:

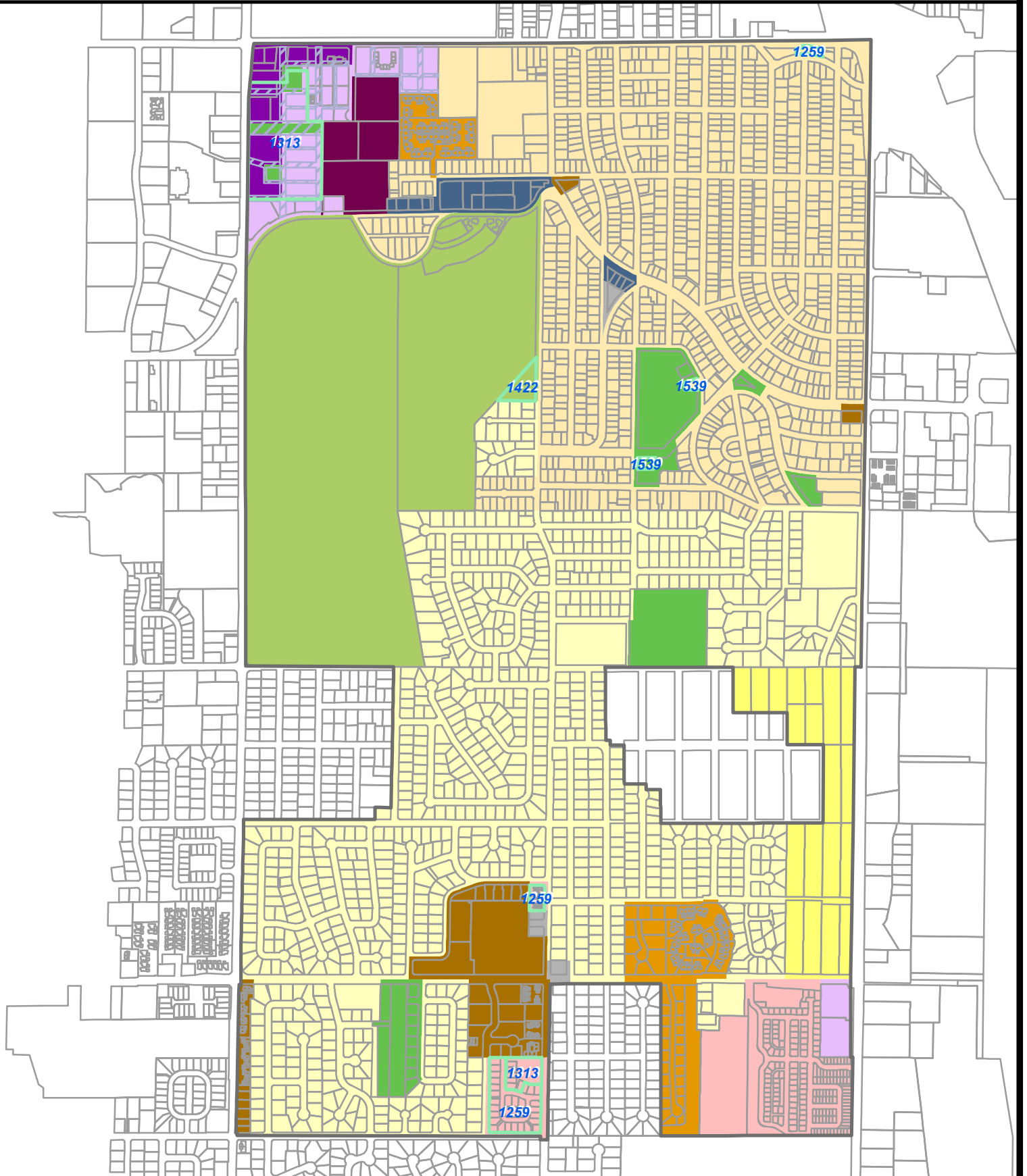
A unit of land that may be conveyed separately from ~~any and~~ all adjacent land without the requirement of approval of a boundary line adjustment, short plat, or a preliminary plat.

Two or more buildings or business activities that are or will be related to each other physically or architecturally, such as by sharing off-street parking facilities, so as to form an integrated development, such as a shopping center, ~~mixed-use center~~ industrial park, or office complex. (Ord. 1598 § 86, 2017).

**22.98.697.1 Substantially change.**

“Substantially change” means to increase the height of an existing wireless tower by more than 10 percent, or by a height exceeding 20 feet, whichever is greater.

# 2020 Zoning Map - Proposal



- |                         |                |                        |
|-------------------------|----------------|------------------------|
| 1259 - November 1, 2000 | Proposed ROW   | Residential-10         |
| 1313 - July 17, 2002    | Residential-4  | Residential-20         |
| 1422 - March 27, 2007   | Residential-4C | Residential-30         |
| 1539 - October 2, 2013  | Residential-6  | Mixed-Use Urban        |
| 1562 - October 13, 2015 | Residential-8  | Mixed-Use Neighborhood |

- |                         |
|-------------------------|
| Golf Course             |
| PROS                    |
| Neighborhood Office     |
| Neighborhood Commercial |



1:13,200

Note: This map is for reference only.