

**CITY OF FIRCREST
ORDINANCE NO. 1667**

AN ORDINANCE OF THE CITY OF FIRCREST, WASHINGTON, AMENDING ORDINANCE 1638, SECTION 18 AND FMC 22.24.011, AMENDING ORDINANCE 1153, SECTION 2 AND FMC 22.24.012, AMENDING ORDINANCE 1598, SECTION 50 AND FMC 22.26.010, AMENDING ORDINANCE 1598, SECTION 18 AND FMC 22.26.018, AMENDING ORDINANCE 1598, SECTION 24 AND FMC 22.26.024, AMENDING ORDINANCE 1562, SECTION 3 AND FMC 22.30.001, AMENDING ORDINANCE 1562, SECTION 4 AND FMC 22.30.002, ADDING NEW CHAPTER FMC 22.48, AMENDING ORDINANCE 1562, SECTION 26 AND FMC 22.50, AMENDING ORDINANCE 1562, SECTION 27 AND FMC 22.50.001, AMENDING ORDINANCE 1611, SECTION 12 AND FMC 22.50.002, AMENDING ORDINANCE 1562, SECTION 29 AND FMC 22.50.003, AMENDING ORDINANCE 1611, SECTION 13 AND FMC 22.50.004, AMENDING ORDINANCE 1611, SECTION 14 AND FMC 22.50.006, AMENDING ORDINANCE 1611, SECTION 15 AND FMC 22.50.007, AMENDING ORDINANCE 1611, SECTION 16 AND FMC 22.50.008, ADDING NEW CHAPTER FMC 22.57, AMENDING ORDINANCE 1640, SECTION 5 AND FMC 22.58.008, AMENDING ORDINANCE 1562, SECTION 40 AND FMC 22.58.014, REPEALING ORDINANCE 1246, SECTION 15 (PART) AND FMC 22.58.016, AMENDING ORDINANCE 1562, SECTION 41 AND FMC 22.58.018, AMENDING ORDINANCE 1562, SECTION 42 AND FMC 22.58.025, AMENDING ORDINANCE 1562, SECTION 44 AND FMC 22.58.027, AMENDING ORDINANCE 1611, SECTION 18 AND FMC 22.58.029, AMENDING ORDINANCE 1246, SECTION 16 (PART) AND FMC 22.60.001, AMENDING ORDINANCE 1638, SECTION 27 AND FMC 22.60.003, AMENDING ORDINANCE 1638, SECTION 28 AND FMC 22.60.004, AMENDING ORDINANCE 1638, SECTION 30 AND FMC 22.60.006, AMENDING ORDINANCE 1638, SECTION 31 AND FMC 22.60.008, AMENDING ORDINANCE 1246, SECTION 16 (PART) AND FMC 22.60.009, AMENDING ORDINANCE 1638, SECTION 35 AND FMC 22.60.015, ADDING NEW SECTION FMC 22.60.016, AMENDING ORDINANCE 1562, SECTION 51 AND FMC 22.63.002, REPEALING ORDINANCE 1638, SECTION 36 AND FMC 22.64.005, REPEALING ORDINANCE 1272, SECTION 8 (PART) AND FMC 22.64.008, AMENDING ORDINANCE 1536, SECTION 2 AND FMC 22.64.009, AMENDING ORDINANCE 1562, SECTION 53 AND FMC 22.64.020, REPEALING ORDINANCE 1272, SECTION 8 (PART) AND FMC 22.64.021, AMENDING ORDINANCE 1272, SECTION 8 (PART) AND FMC 22.64.022, AMENDING ORDINANCE 1575, SECTION 19 AND FMC 22.65.002, AMENDING ORDINANCE 1246, SECTION 19 (PART) AND FMC 22.66.006,

1 **AMENDING ORDINANCE 1246, SECTION 19 (PART) AND FMC**
2 **22.66.009, AMENDING ORDINANCE 1246, SECTION 22 (PART)**
3 **AND FMC 22.72.003, AMENDING ORDINANCE 1638, SECTION 45**
4 **AND FMC 22.72.004, AMENDING ORDINANCE 1246, SECTION 22**
5 **(PART) AND FMC 22.72.009, ADDING NEW SECTION FMC**
6 **22.98.229.1, ADDING NEW SECTION FMC 22.98.266, AMENDING**
7 **ORDINANCE 1598, SECTION 86 AND FMC 22.98.652, ADDING**
8 **NEW SECTION FMC 22.98.697.1**

9 **WHEREAS**, Land Use Goal 12 of the Fircrest Comprehensive Plan and its related
10 policies state the City should continue to refine its permit process and periodically
11 review and revise its development regulations; and

12 **WHEREAS**, the City has identified amendments that will improve code administration
13 and ensure greater consistency with the Comprehensive Plan, the Growth Management
14 Act, Puget Sound Regional Council VISION 2040 Growth Strategy, and the Pierce
15 County Countywide Planning Policies; and

16 **WHEREAS**, the City also desires to adopt a form-based code for the City's
17 commercial mixed-use areas in order to provide a broad mix of commercial, cultural,
18 and residential opportunities in the commercial mixed-use area along 19th and
19 Mildred which is designated a Countywide Center and to address future population
20 and employment needs of the City, County, and Region; and

21 **WHEREAS**, the City held public outreach workshops related to increased
22 development intensity and adoption of a form-based code for the Commercial Mixed-
23 Use designation on January 21, 22, and 23, 2020; and

24 **WHEREAS**, the City Council and Planning Commission held a joint public meeting
25 to consider a virtual presentation and public input related to increased development
26 intensity and adoption of a form-based code for the Commercial Mixed-Use
27 designation on September 1, 2020; and

28 **WHEREAS**, the City submitted a *Notice of Intent to Adopt* to the Washington State
29 Department of Commerce July 16, 2020, which was issued to state agencies for a 60-
30 day comment period as required pursuant to RCW 36A.70 RCW, and no comments
31 were received; and

WHEREAS, the City issued a *Determination of Nonsignificance/Incorporation by*
 Reference of Environmental Documents, Adoption of Existing Environmental
 Documents for the 2020 Amendments on September 11, 2020 with a 14-day
 comment period ending September 28, 2020, and no comments were received; and

WHEREAS, the Planning Commission conducted a public hearing on October 6,
 2020 to accept public testimony and recommended approval of the amendments after
 considering the criteria listed in FMC Section 22.78.004 and finding the following:

- 1 a. The proposed amendments are consistent with the goals, objectives and policies
2 of the comprehensive plan, including the following goals and policies:
- 3 • Goal LU4 Ensure that decisions on land use designations and zoning are
4 consistent with the City’s vision, goals, objectives and policies as articulated
5 in the Comprehensive Plan and take into account GMA goals regarding
6 urban growth, sprawl, property rights, permits, economic development, and
7 open space and recreation.
 - 8 • Goal LU9 Ensure that the 19th and Mildred Countywide Center be Fircrest’s
9 priority for accommodating growth as laid out under VISION 2040 and the
10 Pierce County Countywide Planning Policies. The Countywide Center shall
11 include a high-density mix of business, residential, cultural, and recreational
12 uses during day and night that provide a sense of place and community.
 - 13 • Policy LU12.1 Development regulations shall be periodically reviewed and
14 revised to ensure that they are consistent with and relate directly to
15 implementation of the Comprehensive Plan and other state and federal
16 mandates. Duplicate and unnecessary regulations should be eliminated.
- 17 b. The proposed amendments will promote, rather than detract from, the public
18 health, safety, morals and general welfare.
- 19 c. The proposed zoning is compatible with the uses and zoning of surrounding
20 property.
- 21 • The Mixed-Use Urban (MUU) zoning classification will complement
22 development regulations by the adjoining cities of University Place and
23 Tacoma and the goals and objectives of the joint Countywide Center.
 - 24 • The Mixed-Use Neighborhood (MUN) zoning classification will serve as a
25 transition between the more intense MUU zone and the less intense
26 Residential-30 and Residential-8 zones.
- 27 d. No significant changes are being proposed to the uses allowed in the properties
28 proposed to be rezoned from CMU to either MUU or MUN.
- 29 e. A change of conditions has occurred within the community since adoption of
30 the comprehensive plan, this title, and amendments thereto, to warrant a
31 determination that the proposed amendment is in the public interest, including:
- Continued population growth in the County and Region;
 - Designation of the City of Fircrest as a high capacity transit community by
the Pierce County Regional Council; and
 - Designation of the 19th and Mildred area as a Countywide Center.

WHEREAS, the City Council held a public hearing on November 24, 2020 to accept
public testimony; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FIRCREST:

Section 1. The City Council of the City of Fircrest hereby adopts all of the “whereas”
section of this ordinance as findings.

1 **Section 2.** Ordinance 1638, §18, and FMC 22.24.011 are hereby amended to read as
2 follows:

3 **22.24.011 Design criteria.**

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

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

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

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

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

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

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

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

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

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

31 (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:

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

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

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

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

16 (E) Equipment buildings, antennas, and related equipment shall occupy no more than
17 25 percent of the total roof area of the building the facility is mounted on, which may
18 vary in the city's sole discretion if co-location and an adequate screening structure are
19 used.

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

31 (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

1 density residential, medium density residential, high density residential and
2 neighborhood commercial land use designation areas or 110 feet in the mixed-use land
3 use designation area. Towers or mounts shall not exceed 60 feet in areas designated
4 parks, recreation, and open space, and public and quasi-public facilities, if located
5 within 250 feet of a land use designation area with a 60-foot height limit. Otherwise,
6 towers or mounts located in these two land use designation areas shall not exceed 110
7 feet.

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

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

21 (14) Required Parking. If the cell site is fully automated, adequate parking shall be
22 required for maintenance workers. If the site is not automated, arrangements for
23 adequate off-street parking shall be made and documentation thereof provided to the
24 city, unless it can be demonstrated that the use of on-street parking spaces will create
25 less impact on the immediate neighborhood. Security fencing should be colored or of a
26 design which blends into the character of the existing environment consistent with the
27 provisions listed in subsection (b)(10) of this section.

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

30 (A) The antenna shall be architecturally compatible with the building and wall on
31 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.

1 (D) The antenna may be attached to an existing conforming mechanical equipment
2 enclosure which projects above the roof of the building but may not project more than
3 16 feet above the roofline of the building including parapets but excluding the
4 enclosure.

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

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

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

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

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

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

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

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

29 (v) No portion of the antenna exceeds 16 feet above the roofline of the existing
30 building including parapets but excluding mechanical equipment enclosures and other
31 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.

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

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

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

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

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

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

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

28 (Q) All personal wireless service providers or lessees shall assure that their antenna
29 complies at all times with the current applicable FCC standards. After installation, but
30 prior to putting the antenna in service, each provider shall submit a certification by an
31 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.

Section 3. Ordinance 1153, §2, and FMC 22.24.012 are hereby amended to read as follows:

22.24.012 Permits required.

(a) 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	Building Permit
Towers ≤ 110 feet and structure-mounted or building-mounted wireless facilities in: mixed-use; parks, recreation and open space; and public and quasi-public facilities land use designation areas	X (only if variance required)	X (if no variance is required)	
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		
Antenna mounted on building			X
Modification of existing facilities to accommodate co-location. including “eligible facilities request” pursuant to federal law			X
All other towers and structure-mounted or building-mounted wireless facilities which require a variance	X		

Section 4. Ordinance 1598, §10, and FMC 22.26.010 are hereby amended to read as follows:

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, MUN, MUU, 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 (Nonresidential and noncommercial)	Group 2 (Residential)	Group 3 (Commercial and mixed-use)
Accessory	X ¹		X
Awning, canopy, and marquee	X		X
Changeable copy	X		X

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

¹ Excluding large accessory signs

² Temporary only

Section 5. Ordinance 1598, §18, and FMC 22.26.018 are hereby amended to read as follows:

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.

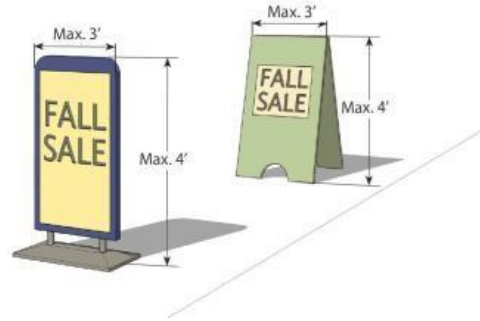


Figure 18

(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 MUU 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, 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.

Section 6. Ordinance 1598, §24, and FMC 22.26.024 are hereby amended to read as follows:

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 MUU 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 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).

Section 7. Ordinance 1562, §3, and FMC 22.30.001 are hereby amended to read as follows:

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
Mixed-Use Neighborhood	MUN
Mixed-Use Urban	MUU
Park, Recreation and Open Space	PROS
Golf Course	GC

Section 8. Ordinance 1562, §4, and FMC 22.30.002 are hereby amended to read as follows:

22.30.002 Official zoning map

The boundaries of the zoning districts are established and delineated on the official zoning map entitled “City of Fircrest Zoning Map,” effective date December 8, 2020. The map is incorporated as a part of this title. The official zoning map may consist of more than one map sheet for ease of use.

Section 9. A new chapter is hereby adopted to read as follows:

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.

Residential density	Determined through project compliance with development standards.
Building placement	See form-based building standards in Chapter 22.57 FMC.
Minimum height/number of stories	25 feet/2 stories above grade.
Maximum height/number of stories	50 feet/4 stories above grade.
Form-based standards	See Chapter 22.57 FMC.
Additional specific use and structure regulations	See Chapter 22.58 FMC.
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.
<i>Calculations resulting in a fraction shall be rounded to the nearest whole number with 0.50 being rounded up.</i>	

Section 10. Ordinance 1562, §26, and FMC 22.50 are hereby amended to read as follows:

Chapter 22.50

MIXED-USE URBAN DISTRICT (MUU)

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.

Section 11. Ordinance 1562, §27, and FMC 22.50.001 are hereby amended to read as follows:

22.50.001 Purpose.

The MUU 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 higher density residential development and more intense commercial development compared to the MUN zoning district. In addition, the MUU 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.

Section 12. Ordinance 1611, §12, and FMC 22.50.002 are hereby amended to read as follows:

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) 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) 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.

Section 13. Ordinance 1562, §29, and FMC 22.50.003 are hereby amended to read as follows:

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) 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.

Section 14. Ordinance 1611, §13, and FMC 22.50.004 are hereby amended to read as follows:

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:

- 1 (a) Service station established prior to effective date of the ordinance codified in this
2 section.
- 3 (b) Adult entertainment establishment (subject to compliance with FMC 22.58.014).(c)
4 Essential public facility, as determined by FMC 22.58.022. Excludes family and
5 general group homes and includes correctional group homes.
- 6 (d) Necessary public or quasi-public structure or equipment greater than 500 square
7 feet in gross floor area (subject to compliance with landscape standards in Chapter
8 22.62 FMC). Excludes substation.
- 9 (e) Personal wireless service facility for which a variance is required (subject to
10 compliance with Chapter 22.24 FMC).
- 11 (f) A use not listed above which: is not listed in another zoning district as a permitted
12 or conditional use; is similar in nature to the above list of permitted and conditional
13 uses; is consistent with the purpose and intent of this zoning district; and is compatible
14 with the uses on adjoining properties.

15 **Section 15.** Ordinance 1611, §14, and FMC 22.50.006 are hereby amended to read
16 as follows:

17 **22.50.006 Administrative uses.**

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

- 20 (a) Outdoor sidewalk cafe or other food- or beverage-serving facility or establishment,
21 when located on a public sidewalk or other public right-of-way area (subject to
22 compliance with FMC 22.58.017).
- 23 (b) Establishment licensed by the Washington State Liquor and Cannabis Board to
24 serve liquor for on-premises consumption in an outdoor customer seating area (subject
25 to compliance with FMC 22.58.029).
- 26 (c) Drive-up or drive-through facility established prior to effective date of the
27 ordinance codified in this section (modifications subject to compliance with FMC
28 22.60.012 and FMC 22.64.043).
- 29 (d) Light industrial uses including: engineering-oriented pursuits such as electronics,
30 robotics, 3-D printing, and the use of computer numerical control (CNC) tools;
31 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).

Section 16. Ordinance 1611, §15, and FMC 22.50.007 are hereby amended to read as follows:

22.50.007 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) New service station or vehicle repair.
- (f) New drive-up or drive-through facility.

Section 17. Ordinance 1611, §16, and FMC 22.50.008 are hereby amended to read as follows:

22.50.008 Development standards.

Residential density	Determined through project compliance with development standards.
Building placement	See form-based building standards in Chapter 22.57 FMC.
Minimum height/number of stories	35 feet/3 stories above grade.
Maximum height/number of stories	80 feet/7 stories above grade.
Form-based standards	See Chapter 22.57 FMC.
Additional specific use and structure regulations	See Chapter 22.58 FMC.
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.
<i>Calculations resulting in a fraction shall be rounded to the nearest whole number with 0.50 being rounded up.</i>	

Section 18. A new chapter is hereby adopted to read as follows:

1 **Chapter 22.57**

2 **FORM-BASED CODE**

3
4 Sections:

5 22.57.001 Purpose.

6 22.57.002 Authority.

7 22.57.003 Applicability.

8 22.57.004 Review process.

9 22.57.005 Form-based code adopted.

10 22.57.006 Amendment of form-based code.

11 22.57.007 Minor departure from form-based code regulating plan.

12 **22.57.001 Purpose.**

13 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.

14 **22.57.002 Authority.**

15 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.

16 **22.57.003 Applicability.**

17 (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:

18 (1) Mixed-Use Urban (MUU) District

19 (2) Mixed-Use Neighborhood (MUN) District

20 (b) The form-based standards are designed to prescribe 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.

21 **22.57.004 Review process.**

22 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

1 accordance with Chapter 22.68 FMC, conditional use permit approval may be required
2 in accordance with Chapter 22.68 FMC, or site plan approval may be required in
3 accordance with Chapter 22.72 FMC.

4 **22.57.005 Form-based code adopted.**

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

7 **22.57.006 Amendment of form-based code.**

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

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

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

15 **22.57.007 Minor departure from form-based code regulating plan.**

16 (a) Minor departure from the streets and open space areas configurations shown on
17 the regulating plan established in Figure RP.1 of the “Fircrest Form-Based Code”
18 may be approved by the review authority in accordance with FMC 22.66.006(b) and
19 (c), and as follows.

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

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

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

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

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

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

30 (3) Additional streets may be added to the regulating plan during review process to
31 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,

1 if the size, location and configuration of the open space will serve the same purpose
2 and function as originally intended by the regulating plan.

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

5 **Section 19.** Ordinance 1640, §5, and FMC 22.58.008 are hereby amended to read as
6 follows:

7 **22.58.008 Performance standards.**

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

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

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

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

29 (d) Refuse Collection Containers. For multifamily, mixed-use, or nonresidential
30 structures and uses, all outdoor refuse collection containers (including recycling
31 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

1 and not allow outside storm rain or run off from entering the trash enclosure. The
2 storage of animal or vegetable waste that may attract insects or rodents or otherwise
3 create a potential health hazard is prohibited. Properties undergoing substantial
4 improvement as defined in FMC 22.98.697, a change in building code classification,
5 or a change in use shall install new screening or upgrade any existing collection
6 container facilities that do not meet the standards of this section to ensure code
7 consistency upon completion of the redevelopment. A change from one tenant to
8 another that neither triggers a change in building code classification nor represents a
9 change in use will not require new screening or an upgrade to an existing enclosure.
10 For multi-tenant structures, the city's determination as to whether improvement to an
11 individual tenant space is considered to be a substantial improvement will be based on
12 the value of the improvements relative to the assessed valuation of the tenant space, or
13 a comparable judgment if an individual tenant space assessment is unavailable.

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

14 (f) Utilities. For new development, or existing development which is being expanded
15 by greater than or equal to 50 percent of its existing gross floor area, all utilities shall
16 be located underground; provided, that electrical lines of 50,000 volts or greater may
17 be placed aboveground. The construction of a new single-family residence on an infill
18 lot located within a subdivision where electric service is typically provided from an
19 overhead location may be exempted from this requirement by the public works
20 director if he/she determines that the undergrounding of electric facilities for this lot
21 would be impractical.

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

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

26 (i) Erosion and Sedimentation. A temporary erosion and sedimentation control plan
27 detailing measures for controlling erosion and sediment-laden runoff shall be
28 submitted for approval by the director prior to issuance of a clearing and grading
29 permit or other construction permit for a project. Measures shall include provisions to
30

1 remove depositions of soil and material from streets and to prevent discharge of soil
2 and materials onto adjoining properties or environmentally sensitive areas. The plan
3 shall be implemented by the applicant before and during construction, and the
4 applicant's performance shall be monitored by the city. The plan shall be upgraded as
5 deemed necessary by the director to ensure effective control during construction.

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

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

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

21 **Section 20.** Ordinance 1562, §40, and FMC 22.58.014 are hereby amended to read
22 as follows:

23 **22.58.014 Adult entertainment establishments.**

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

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

30 (c) Locational Requirements.

31 (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, 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

1 a straight line, without regard to intervening buildings, from the nearest point of the
2 property parcel upon which the proposed use is to be located, to the nearest point of
3 the parcel of property or the zone district boundary line from which the proposed land
use is to be separated.

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

6 (1) That free speech rights which are entitled to protection by the First Amendment to
7 the United States Constitution of an applicant for an adult entertainment establishment
8 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 MUU zone.

9 (2) That the natural or built environment in the immediate vicinity would result in an
10 effective separation between the proposed adult entertainment establishment and any
sensitive zones or uses in terms of visibility and access.

11 (3) The proposed use complies with the goals and policies of the comprehensive plan.

12 (4) The proposed use is otherwise compatible with adjacent and surrounding land uses.

13 (5) The applicant has proposed conditions that would minimize the secondary adverse
14 effects of the proposed use.

15 (e) Development Standards. The development standards in this section shall apply to
16 all buildings, uses, and property used for adult entertainment purposes. The
17 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:

18 (1) Visual Impacts.

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

21 (B) No owner or operator of an adult entertainment establishment shall allow the
22 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
23 or Chapter 22.26 FMC.

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

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

27 (ii) The exteriors of each individual unit in the commercial multi-unit center, including
28 the adult entertainment establishment, are painted the same color as one another or are

1 painted in such a way as to be a component of the overall architectural style or pattern
2 of the commercial center.

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

5 (A) Each display surface of a sign must:

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

7 (ii) Not be flashing or pulsating;

8 (iii) Have characters of a solid color;

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

10 (v) Have the background in one solid color.

11 (B) Readerboard signs are not allowed.

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

20 **Section 21.** Ordinance 1246, §15 (part), and FMC 22.58.016 are hereby repealed.

21 **Section 22.** Ordinance 1562, §41, and FMC 22.58.018 are hereby amended to read
22 as follows:

23 **22.58.018 Outdoor lighting.**

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

31 (b) General Requirements.

(1) When the outdoor lighting installation or replacement is part of a development
proposal for which hearing examiner review is required, the hearing examiner shall
evaluate the proposed lighting installation as part of its discretionary review. The
hearing examiner may grant approval of the installation, or it may approve the

1 installation on a conceptual level and delegate to the director the responsibility to
2 ensure that the final lighting installation design complies with this section.

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

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

8 (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.

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

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

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

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

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

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

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

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

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

26 (9) For the purposes of these regulations, the mounting height of a lighting fixture
27 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 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
	MUN & MUU Districts	NO & NC Districts	R-20, R-30, PROS & GC Districts	R-4, R-4-C, R-6, R-8, and R-10-TCDDistricts
Mounting Height (Maximum)*	25 ft.	20 ft.	20 ft.	Lighting Discouraged
Minimum Illumination Level (at darkest spot	No less than 0.3 fc No more than 0.5 fc	No less than 0.2 fc No more than 0.3 fc	No less than 0.2 fc No more than 0.3 fc	Lighting Discouraged

	District 1	District 2	District 3	District 4
on the parking area)				
Uniformity Ratio **	4:1	4:1	4:1	Lighting Discouraged
Minimum CRI***	20	65	70	Lighting 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.

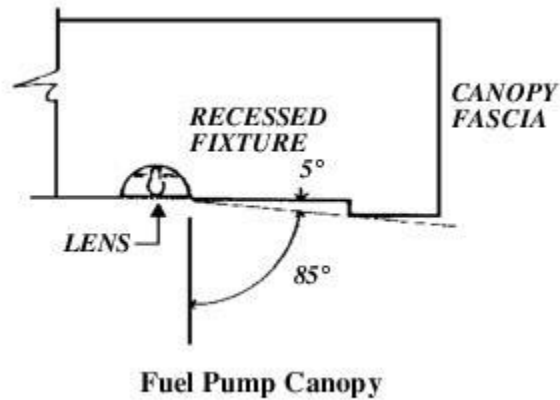
*** CRI is the Color Rendering Index.

(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 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,

1 depending on the nature of the event. The regulations in this section are intended to
2 allow adequate lighting for such events while minimizing sky glow, reducing glare and
3 unwanted illumination of surrounding streets and properties, and reducing energy
consumption.

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

6 (2) Dual System. The main lighting of the event (spotlighting or floodlighting, etc.)
7 shall be turned off no more than 45 minutes after the end of the event. A low-level
8 lighting system shall be installed to facilitate patrons leaving the facility, cleanup,
9 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.

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

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

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

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

19 (g) Security Lighting. The purpose of and need for security lighting (i.e., lighting for
20 safety of persons and property) must be demonstrated as part of an overall security
21 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.

22 (1) In addition to the application materials required in subsection (b) of this section,
23 applications for security lighting installations shall include a written description of the
24 need for and purposes of the security lighting, a site plan showing the area to be
25 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.

26 (2) All security lighting fixtures shall be shielded and aimed so that illumination is
27 directed only to the designated area and not cast on other areas. In no case shall
28 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

	District 1	District 2	District 3	District 4
	MUN & MUU 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.

1 When buildings having symbolic or historic significance are to be illuminated, a
2 design for the illumination shall be approved by the hearing examiner or director and
the following provisions shall be met:

3 (1) The maximum illumination on any vertical surface or angular roof surface shall not
4 exceed five foot-candles.

5 (2) Lighting fixtures shall be carefully located, aimed, and shielded so that light is
6 directed only onto the building facade. Lighting fixtures shall not be directed toward
adjacent streets or roads.

7 (3) Lighting fixtures mounted on the building and designed to “wash” the facade with
8 light are preferred.

9 (4) To the extent practicable, lighting fixtures shall be directed downward (i.e., below
the horizontal) rather than upward.

10 (5) When landscaping is to be illuminated, the hearing examiner or director shall first
11 approve a landscape lighting plan that presents the purpose and objective of the
12 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
13 levels, cause glare, or direct light beyond the landscaping into the night sky.

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

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

16 (1) The walkway, pathway, or ground area shall be illuminated to a level of at least 0.3
17 foot-candles and no more than 0.5 foot-candles.

18 (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.

19 (3) Lighting fixtures shall be designed to direct light downward, and light sources shall
20 have an initial output of no more than 1,000 lumens.

21 (4) In general, lighting shall be consistent with the guidelines presented in the IESNA
Lighting Handbook, 8th Edition.

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

23 (l) Technological Change. The technology used in outdoor lighting applications is ever
24 evolving in terms of efficiency, effectiveness, and other performance aspects. While
25 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
26 director, as appropriate, may exercise discretion in making determinations that will
achieve equivalent lighting performance through the application of updated technology
27 when codified standards become outdated.

Section 23. Ordinance 1562, §42, and FMC 22.58.025 are hereby amended to read as follows:

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:

	Residential (R-4, R-4-C, R-6, R-8, R- 10-TCD, R- 20, and R-30)	Recreation (PROS and GC)	Commercial and Mixed- Use (NC, MUN and MUU)	Commercial (NO)
EV Charging Station ¹	P	P	P	P
Rapid Charging Station ²	—	—	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:

Number of EV Charging Stations	Minimum Accessible EV Charging Stations
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

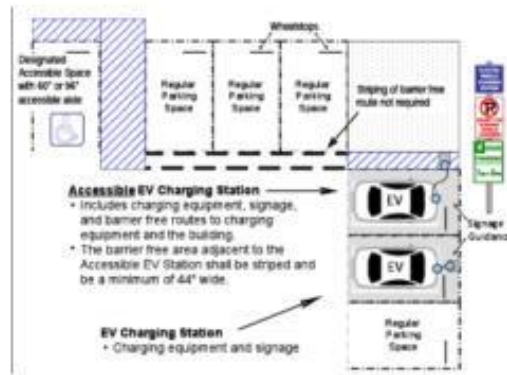
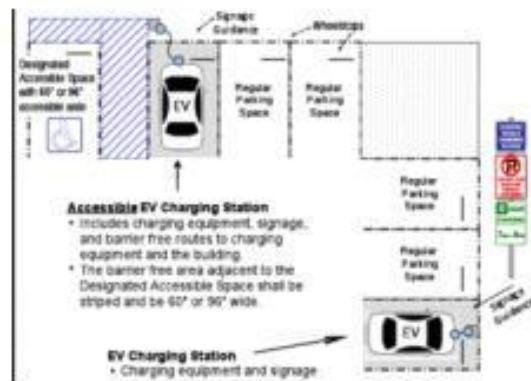


Figure: Off-Street Accessible Electric Vehicle Charging Station – Option 2



(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"

Section 24. Ordinance 1562, §44, and FMC 22.58.027 are hereby amended to read as follows:

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, 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 ¹	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 \leq 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 \geq 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.

¹ 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 \leq 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 \geq 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.

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

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

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

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

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

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

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

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

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

31 (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

1 minimized, both within and outside the development. These areas should also maintain
2 the single-family character along public streets.

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

5 (B) For shared detached garages, the design of the structure must be similar to and
6 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
7 minimize their visual impact.

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

9 (D) Shared detached garage structures shall be reserved through a covenant for the
10 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.

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

13 (F) Carports are not permitted.

14 (6) Low Impact Development. The proposed site design shall incorporate the use of
15 low impact development (LID) strategies to meet stormwater management standards.
16 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
17 ground closer to its source. The design should seek to meet the following objectives:

18 (A) Preservation of natural hydrology.

19 (B) Reduced impervious surfaces.

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

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

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

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

25 (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.
26 Design of these units should be compatible with that of the cottages included in the
project.

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

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

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

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

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

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

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

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

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

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

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

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

25 (f) Review Process.

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

30 (2) Requests for Modifications to Standards. Applicants may request minor
31 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.

Section 25. Ordinance 1611, §18, and FMC 22.58.029 are hereby amended to read as follows:

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 MUU 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.

Section 26. Ordinance 1246, §16 (part), and FMC 22.60.001 are hereby amended to read as follows:

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.

Section 27. Ordinance 1638, §27, and FMC 22.60.003 are hereby amended to read as follows:

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 (detached)	2 per du.
Duplex	1.5 per du.
Cottage housing	1 per du ≤ 800 sf; 1.5 per du > 800 sf. Shared guest parking not to exceed .5 per du.
Single-family (detached) in Small Lot Development	2 per du + 1 guest stall
Single-family (attached) in Small Lot Development	1.5 per du + 1 guest stall
Multifamily	1.00 per du.

Use	Required Spaces
Multifamily – Efficiency units (250-450 sf in size), student housing, and affordable senior housing*	.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.
Short-term rentals	See FMC 22.58.011.
Hotel/motel	1 per guest room.

* “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
Commercial use, including retail, service, office, and financial institution.	1 per 400 sf.
Mixed-use, 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 500 sf.
Food-serving establishment	1 per 200 sf.
Uncovered commercial area, including vehicle lots and plant nursery	1 per 5,000 sf of retail sales + any parking requirements for buildings.
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.

Use	Required Spaces
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.

Use	Required Spaces
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) 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.

1 (i) Joint Use. In the case of two or more uses in the same building or on the same lot,
2 for example within a mixed-use development that includes retail, residential and other
3 uses, the total requirements for off-street parking facilities shall be the sum of the
4 requirements for the various uses computed separately. Off-street parking facilities for
5 one use shall not be considered as providing required parking facilities for any other
6 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.

7 **Section 28.** Ordinance 1638, §28, and FMC 22.60.004 are hereby amended to read
8 as follows:

9 **22.60.004 Parking demand reduction credit.**

10 A property owner may request a reduction from the minimum required off-street
11 parking by substantiating that parking demand will be reduced for the life of the
12 project. This request shall be reviewed in conjunction with a site plan, conditional use
13 permit, or preliminary development plan application. In such cases, the hearing
14 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:

15 (a) Because of the unique nature of the use, the characteristics of the site and
16 surrounding neighborhood, the availability of alternative means of transportation,
17 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

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

20 (c) A combined parking facility for two or more complementary uses which have
21 similar hours of operation will reduce parking demand to a level below the minimum
22 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

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

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

26 **Section 29.** Ordinance 1638, §30, and FMC 22.60.006 are hereby amended to read
27 as follows:

1 **22.60.006 Maximum parking space provisions.**

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

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

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

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

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

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

25 (1) The excess parking spaces shall be located within an enclosed parking structure or
26 constructed of enhanced paving materials such as permeable interlocking pavers,
27 pervious concrete, or porous asphalt that support stormwater infiltration and/or achieve
28 a superior appearance.

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

31 (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.

Section 30. Ordinance 1638, §31, and FMC 22.60.008 are hereby amended to read as follows:

22.60.008 Parking and driveway design standards.

(a) Parking Space and Driveway/Aisle Dimensions. The 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 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.

Space and Driveway/Aisle Dimensions

	<i>Space Angle (degrees)</i>				
	0° (parallel)	30°	45°	60°	90°
<i>Space Width (ft)</i>					
Regular space	8.5 - 9	8.5 - 9	8.5 - 9	8.5 - 9	8.5 - 9
Compact space	8 - 8.5	8 - 8.5	8 - 8.5	8 - 8.5	8 - 8.5
<i>Space Depth (ft)</i>					
Regular space	22	18	18	18	18
Compact space	19	16	16	16	16
<i>Driveway/ Aisle (ft)</i>					
One-way	12	13	13	17	24
Two-way	19	20	20	20	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. 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 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 encouraged for spaces which are used infrequently. Any surface used for vehicle parking or storage must have direct and unobstructed driveway access.

Section 31. Ordinance 1246, §16 (part), and FMC 22.60.009 are hereby amended to read as follows:

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
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.

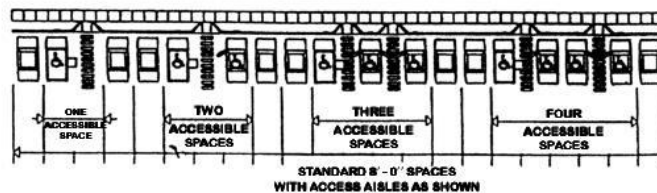
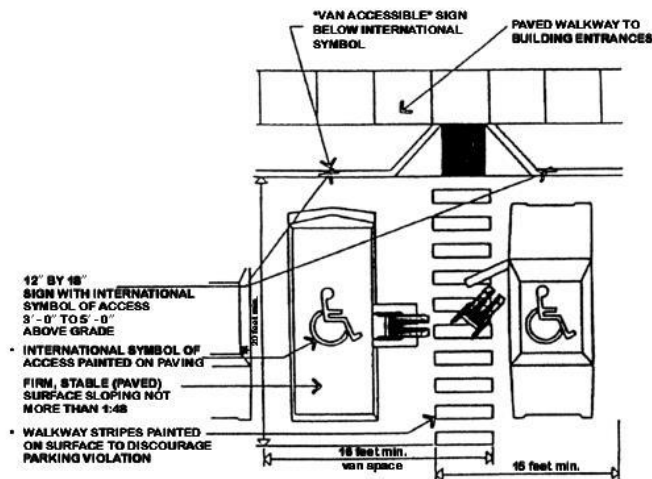
(2) Size. Accessible parking spaces shall be no less than eight feet wide and shall have an adjacent access aisle no less than five feet wide. Where two adjacent accessible spaces are provided, the access aisle may be shared between the two spaces. Access aisles shall be marked so that the aisles will 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.



Section 32. Ordinance 1638, §35, and FMC 22.60.015 are hereby amended to read as follows:

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 administrative use permit procedures in Chapter 22.70 FMC. The director 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 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) 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.

Section 33. A new section FMC 22.60.016 is hereby amended to read as follows:

22.60.016 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.

Section 34. Ordinance 1562, §51, and FMC 22.63.002 are hereby amended to read as follows:

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.

Section 35. Ordinance 1638, §36, and FMC 22.64.005 are hereby repealed.

Section 36. Ordinance 1272, §8 (part), and FMC 22.64.008 are hereby repealed.

Section 37. Ordinance 1536, §2, and FMC 22.64.009 are hereby amended to read as follows:

22.64.009 Modulation and articulation – Walls and roofs.

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

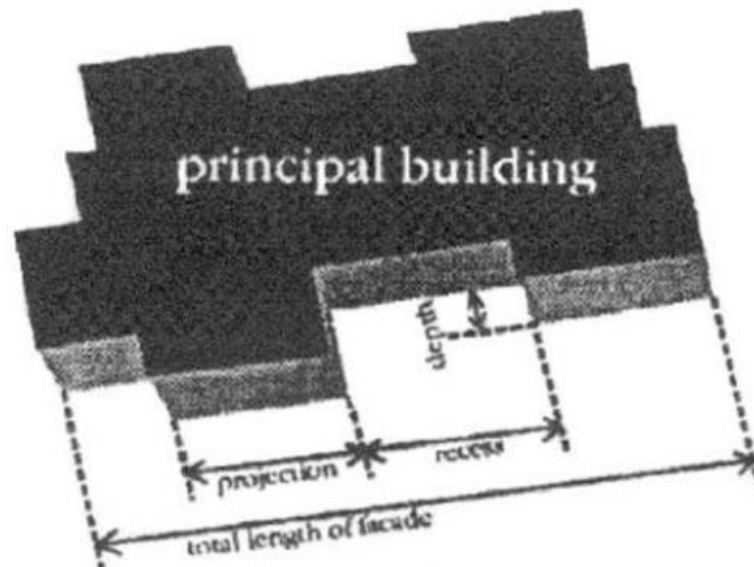
(a) Building elevations shall be vertically and horizontally modulated to create architectural relief and interest where required by code. For single-family and duplex residential buildings, modulation is encouraged, but not required, for interior side and rear elevations. Specific requirements are listed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

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

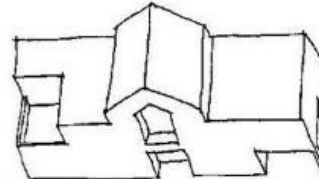


Modulation

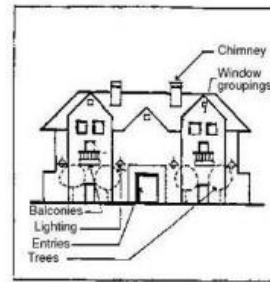


Developable building envelope

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.

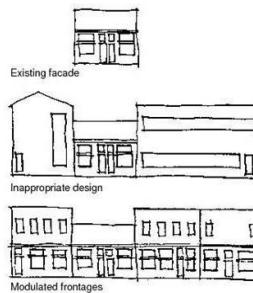


Modulated scale

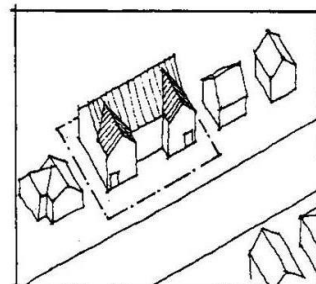


Building details which can reinforce the articulation interval.

Articulation



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.

Section 38. Ordinance 1562, §53, and FMC 22.64.020 are hereby amended to read as follows:

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.

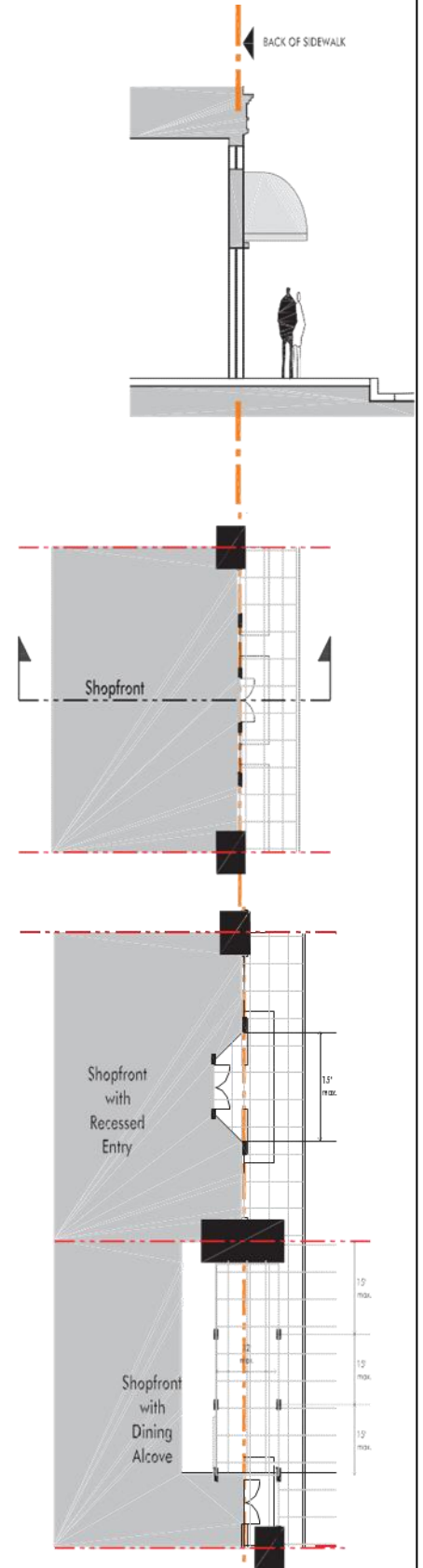
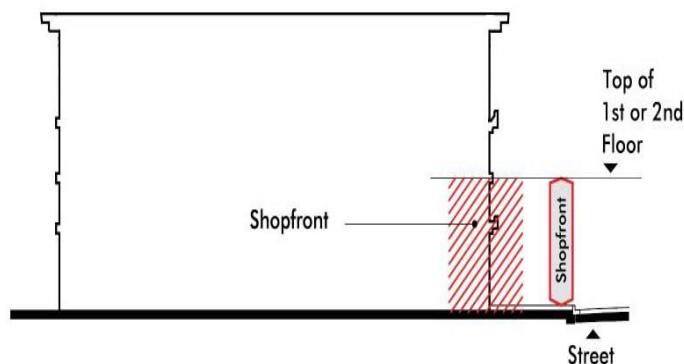
(b) Shopfront width shall be a minimum of 10’ and generally not exceed 50’. Larger retail space may be enabled by being set behind a row of smaller shopfront spaces. This technique is often referred to as “liner retail.”

(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.



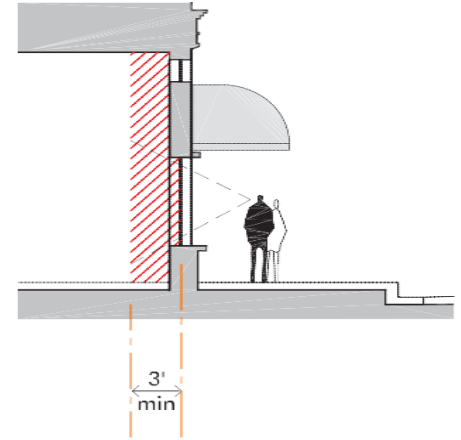
Section Diagram

(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.

Section 39. Ordinance 1272, §8 (part), and FMC 22.64.021 are hereby repealed.

Section 40. Ordinance 1272, §8 (part), and FMC 22.64.022 are hereby amended to read as follows:

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 existing structures along the street.

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

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

5 (e) New buildings should complement the prevailing heights of existing structures
6 within the neighborhood and along the street.

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

9 **Section 41.** Ordinance 1575, §19, and FMC 22.65.002 are hereby amended to read
10 as follows:

11 **22.65.002 Authority.**

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

18 **Section 42.** Ordinance 1246, §19 (part), and FMC 22.66.006 are hereby amended to
19 read as follows:

20 **22.66.006 Criteria for administrative design review approval.**

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

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

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

28 (3) The proposal meets or exceeds all applicable provisions in the "City of Firecrest
29 Design Standards and Guidelines for Streetscape Elements" adopted by reference in
30 Chapter 22.64 FMC.

31 (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.

Section 43. Ordinance 1246, §19 (part), and FMC 22.66.009 are hereby amended to read as follows:

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

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

8 (3) Existing and proposed street sections.

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

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

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

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

23 To ensure effective implementation of comprehensive plan policies and objectives and
24 development regulations relating to design, applications for administrative design
25 review and other discretionary land use permits for the same proposal shall be
26 submitted concurrently for review.

27 **Section 44.** Ordinance 1246, §22 (part), and FMC 22.72.003 are hereby amended to
28 read as follows:

29 **22.72.003 Development subject to minor site plan review.**

30 The director shall review the following public and private development proposals
31 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 International 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.

Section 45. Ordinance 1638, §45, and FMC 22.72.004 are hereby amended to read as follows:

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.

Section 46. Ordinance 1246, §22 (part), and FMC 22.72.009 are hereby amended to read as follows:

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 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.

Section 47. A new section is hereby added to read as follows:

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.

Section 48. A new section is hereby added to read as follows:

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.

Section 49. Ordinance 1598, §86, and FMC 22.98.652 are hereby amended to read as follows:

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 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

1 form an integrated development, such as a shopping center, mixed-use center, or office
2 complex. (Ord. 1598 § 86, 2017).

3 **Section 50.** A new section is hereby added to read as follows:

4 **22.98.697.1 Substantially change.**

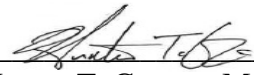
5 “Substantially change” means to increase the height of an existing wireless tower by
6 more than 10 percent, or by a height exceeding 20 feet, whichever is greater.

7 **Section 51.** Severability: If any section, sentence, clause, or phrase of this ordinance
8 should be held invalid or unconstitutional by a court of competent jurisdiction, such
9 invalidity or unconstitutionality shall not affect the validity or constitutionality of any
10 other section, sentence, clause, or phrase of this sentence.

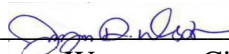
11 **Section 52.** Publication and Effective Date: A summary of this ordinance consisting
12 of its title shall be published in the official newspaper of the city. This ordinance shall
13 be effective five (5) days after such publication.

14 **PASSED BY THE CITY COUNCIL OF THE CITY OF FIRCREST,**
15 **WASHINGTON,** at a regular meeting thereof this 8th day of December 2020.

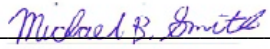
16 **APPROVED:**

17 
18 Hunter T. George, Mayor

19 **ATTEST:**

20 
21 Jayne Westman, City Clerk

22 **APPROVED AS TO FORM:**

23 
24 Michael B. Smith, City Attorney