



**CITY OF FIRCREST  
PLANNING COMMISSION  
A G E N D A**

July 6, 2021  
6:00 p.m.

City Hall  
115 Ramsdell Street

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**1) Roll Call**

**2) Approval of the May 4, 2021 Minutes**

**3) Citizen Comments (For Items Not on the Agenda)**

**4) Public Hearing**

- a) FMC 22.58.003 Accessory Building Setbacks for Through-Lots
- Staff Report
  - Public Comments
  - Close Public Hearing
  - Commission Discussion
  - Action

**5) Unfinished Business**

- a) None

**6) New Business**

- a) None

**7) Adjournment**

To comply with the Governor's orders, our Planning Commission meetings will be physically closed to the public. Below is the call-in information for the public to listen via Zoom. If you would like to make a public comment, you may speak at the appropriate time or e-mail the Planning Administrator your comment before 5 pm and it will be read into the record.

**Zoom Meeting Details:**

*Dial-in Information: +1 253 215 8782 ; Webinar ID: 878 1820 0280 Passcode: 760317*

<https://us02web.zoom.us/j/87818200280?pwd=dHNGWG4ydVRyOEILNmRzTHh6cVA0dz09>

**CITY OF FIRCREST PLANNING COMMISSION  
REGULAR MEETING MINUTES**

May 4, 2021  
6:00 PM

Fircrest City Hall  
115 Ramsdell Street

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**CALL TO ORDER**

Planning and Building Administrator Angelie Stahlnecker called the regular meeting of the Fircrest Planning Commission to order at 6:00 p.m. (meeting was held by remote attendance)

**ROLL CALL**

Commissioners Kathy McVay, Sarah Hamel, Ben Ferguson, and Andrew Imholt were present. Excused: Shirley Schultz. Staff present: Planning and Building Administrator Angelie Stahlnecker and Administrative Assistant Suzie Cappiello.

**APPROVAL OF MINUTES**

The minutes for the meeting of April 6, 2021 were presented for approval.

**Moved by Ferguson and seconded by Imholt to approve the minutes. Upon vote, motion carried unanimously.**

**CITIZENS COMMENTS**

None.

**PUBLIC HEARINGS**

Case No. LU21-04 – FMC 22.26.025 Amendments to Sign Code Exemptions

Hamel opened the public hearing at 6:03PM

Planning and Building administrator Angelie Stahlnecker presented the staff report. The City Council directed staff to amend the sign code to exempt entrance signs, readerboard signs, or other community-oriented signs installed and maintained by the city for the requirements of the sign code. The code does not currently address such signs.

Hamel invited public comments. No comments were received.

Hamel closed the public hearing at 6:09PM.

No discussion.

Moved by Ferguson and seconded by Imholt to adopt Resolution No. 21-02, a resolution of the Planning

Commission of the City of Fircrest, Washington, recommending adoption of amendments to the Fircrest Municipal Code 22.26.025. Motion passed 4-0.

Case No. LU21-05 – FMC 22.58.003, Amendments to Accessory Building Exceptions

Hamel opened the public hearing at 6:10PM

Planning and Building administrator Stahlnecker presented the staff report. The proposal would add the option to request a reduction to the rear setback for through-lots by apply for an administrative use permit. Reviewing this code was request from residents. The amendment would apply to 142 lots of which about six properties are adjacent to front yards. By adding it to the exceptions section versus eliminating the larger setback, it would provide outreach to the adjacent neighbors so any potential impacts can be addressed prior to approval.

Hamel invited public comments. No comments were received.

Hamel closed the public hearing at 6:22PM.

Discussion included:

- The AUP process would require notification of neighbors and would provide for mitigation measures for potential impacts.
- The exception process would require higher standards of construction which would beneficial for buildings that may be visible along the street.

Moved by Imholt and seconded by Ferguson to adopt Resolution No. 21-03, a resolution of the Planning Commission of the City of Fircrest, Washington, recommending adoption of amendments to the Fircrest Municipal Code 22.58.003. Motion passed 4-0.

## **UNFINISHED BUSINESS**

### Whittier Update

Stahlnecker stated that she and the City Manager had met with Jim Dugan, representing Tacoma Public Schools on the Whittier Elementary School replacement project. The current schedule estimates September 2027. Design would begin around 2024. Early design thoughts would be to construct the building to the east and use the hillside for the gym. The main building would only be 2-story. Staff will continue to stay in contact.

Discussion included:

- Concerns over stormwater and high water table in ground

## **NEW BUSINESS**

None.

## **ADJOURNMENT**

**Moved by McVay and seconded by Ferguson to adjourn the meeting at 6:34 PM. Upon vote, motion carried unanimously.**

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Sarah Hamel  
Chair, Fircrest Planning Commission

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Angelie Stahlnecker  
Planning/Building Administrator

DRAFT



**FIRCREST PLANNING/BUILDING DEPARTMENT  
STAFF REPORT**

*CASE NUMBER LU21-05*

*Accessory Building Setbacks for Through-lots Amendments*

**July 6, 2021 Planning Commission Meeting**

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**PROPOSAL:**

The City of Fircrest proposes to amend FMC 22.58.003, Accessory Buildings.

The proposal would add a reduction to the rear setback for through-lots to the exceptions allowed with an administrative use permit.

The amendment would allow greater use of the rear yard by property owners. The current code for accessory buildings states the rear yard setback for through-lots is to be the same as the front yard setback for structures that require a building permit. This mandates a 20 or 25-foot rear setback versus the standard 5-foot rear setback for buildings over 200 square feet. For many properties this means they are not allowed to fully use their rear yards as other properties in Fircrest. As this restriction is due to a code standard and not a uniqueness to the property, they would not qualify for a variance.

The amendment would apply to approximately 142 lots (see Exhibit 3, Through-Lot Analysis. Of that, five are “double lots” (and will like by subdivided prior to development) and 35 are in planned neighborhoods such as The Commons or Fircrest Greens, which have additional covenant requirements. Of the 102 left, only six properties have a rear yard adjacent to a front yard. The remainder primarily function as rear yards for the entire block and often have 6-foot fences along the rear property line. The majority of rear yards are along Alameda Avenue, Claremont Street and 67<sup>th</sup> Avenue.

By adding it to the exceptions section versus eliminating the larger setback, it would provide outreach to the adjacent neighbors so any potential impacts can be addressed prior to approval.

**BACKGROUND:**

At the March 2, 2021 Planning Commission meeting, staff presented a request from the property owners at 1046 Buena Vista for the City to consider amending the setback restrictions for accessory buildings in the rear yard of through-lots. Staff identified three possible options the Planning Commission could consider: treating through-lot setback like rear setbacks, reducing the setback, or adding a reduction to the setback to the exceptions that can be granted under an administrative use permit.

At the April 6, 2021 meeting, the Planning Commission added amending the code to their work plan and directed staff to move forward with drafting a proposed amendment to include it as an exception option.

At the May 4, 2021 meeting, the Planning Commission recommended adoption of the amendment. At the May 17, 2021 City Council Study Session, the City Council directed staff to schedule a second public hearing with the Planning Commission after sending information to properties potentially affected by the change.

**AMENDMENT PROCESS:**

The Planning Commission’s action on a development code amendment takes the form of a recommendation to the City Council, which makes the final decision. Upon completion of a public hearing on this matter, the Commission should forward its recommendations to Council, which will conduct its own public hearing before making a final decision.

**ENVIRONMENTAL DETERMINATION:**

The City prepared an Environmental Checklist and issued a Determination of Nonsignificance/Adoption of Existing Environmental Documents on April 15, 2021. The environmental determination was issued with a 14-day comment/appeal period ending on April 29, 2021. No comments were received.

**DEPARTMENT OF COMMERCE NOTIFICATION:**

The City submitted a 60-day Notice of Intent to Adopt to the Washington State Department of Commerce on April 15, 2021. The state agency comment period will end June 14, 2021. No comments received.

**ANALYSIS:**

FMC 22.78.004 Criteria for amendment approval.

Before the City Council may approve the amendment, each review authority shall adopt written findings showing that the following criteria are met by the proposal:

The proposed amendment is consistent with the goals, objectives and policies of the comprehensive plan.

- Land Use Goal 12 of the Fircrest Comprehensive Plan and its related policies state the City should continue to refine its permit process and periodically review and revise its development regulations.

The proposed amendment will promote, rather than detract from, the public health, safety, morals and general welfare.

- The proposal increases the usability of the rear yards of through-lots and does not detract from the public health, safety, morals, and general welfare.
- The use of the administrative use permit process includes outreach to the adjacent neighbors so any potential impacts can be addressed prior to approval.

Staff believes each criterion will be met by the proposal. Findings and conclusion in support of

these criteria are provided in the preliminary resolution (Exhibit 1).

**RECOMMENDATION:**

Staff recommends the Planning Commission consider public comment at the May 4, 2021 public hearing, consider the findings and conclusions provided, and adopt the following motion recommending approval of the proposed amendments.

*I move to adopt Resolution No. 21-04, a resolution of the Planning Commission of the City of Fircrest, Washington, recommending adoption of amendments to the Fircrest Municipal Code 22.58.003.*

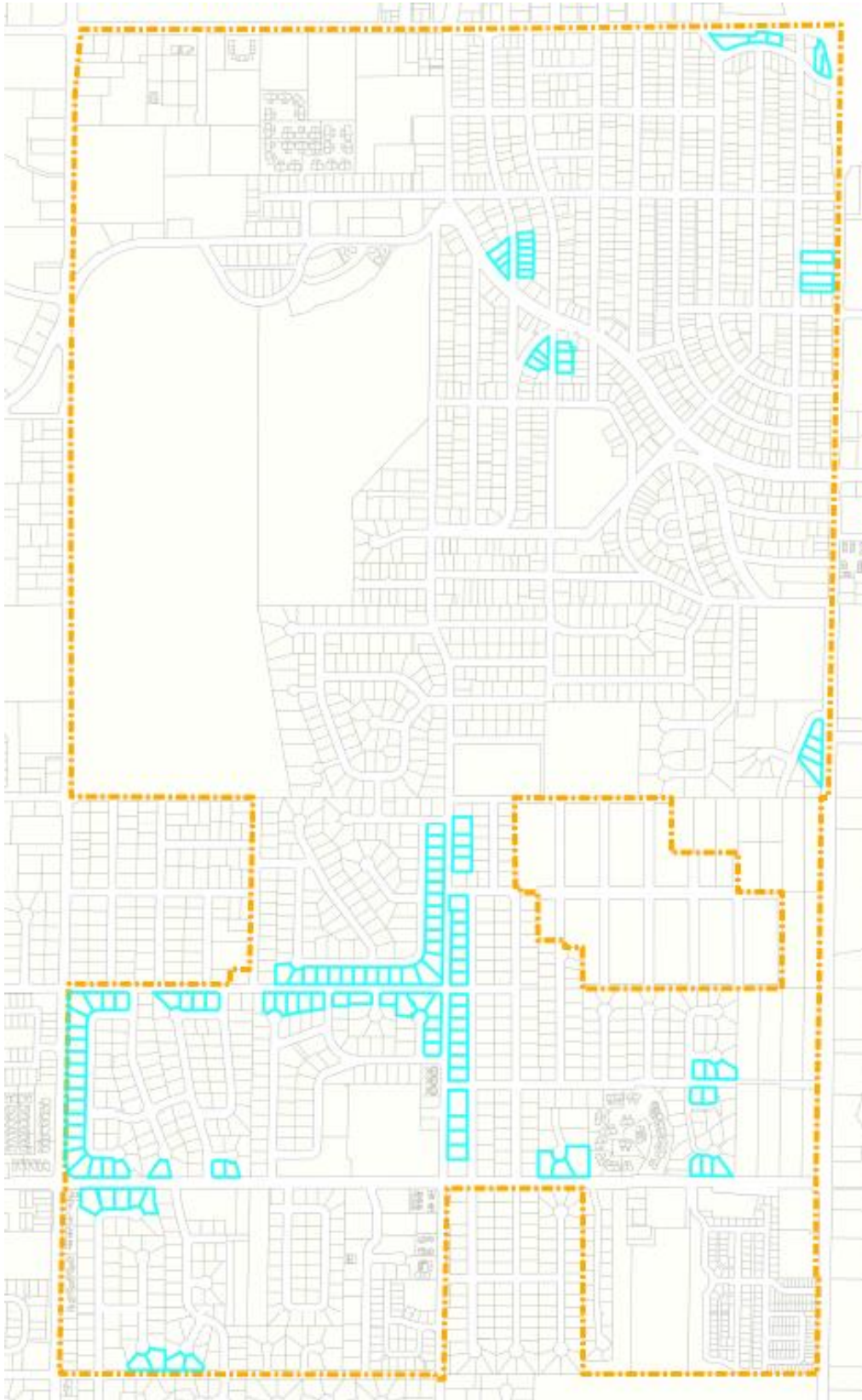
Angelie Stahlnecker  
Planning and Building Administrator

July 6, 2021  
Date

Exhibits:

1. Through-Lot Analysis
2. Preliminary Resolution No. 21-04

# Exhibit 1 – Through -Lots





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**CITY OF FIRCREST PLANNING COMMISSION  
RESOLUTION NO. 21-04  
CASE NO. LU21-05**

**A RESOLUTION OF THE PLANNING COMMISSION OF  
THE CITY OF FIRCREST, WASHINGTON,  
RECOMMENDING ADOPTION OF AMENDMENTS TO  
THE FIRCREST MUNICIPAL CODE, 22.58.003,  
ACCESSORY BUILDINGS**

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

**WHEREAS**, the City reviewed the code section at the request of residents; and

**WHEREAS**, the majority of rear yards of through-lots are not adjacent to front yards; and

**WHEREAS**, the amendment would provide a process for a property owner to request an exception to allow greater use of their rear yard while at the same time considering potential impacts on adjacent properties; and

**WHEREAS**, the Planning Commission conducted a public hearing on May 4, 2021 to accept public testimony and comment; and

**WHEREAS**, the Planning Commission has considered the criteria listed in Section 22.78.004 FMC:

- a. The proposed amendments are consistent with the goals, objectives and policies of the comprehensive plan.
- b. The proposed amendments will promote, rather than detract from, the public health, safety, morals and general welfare.

**THEREFORE, BE IT RESOLVED** that the Planning Commission of the City of Fircrest hereby adopts all of the “whereas” section of this resolution as findings and recommends to the City Council the following:

**Section 1.** Amend FMC 22.58.003 to read as follows:

**22.58.003 Accessory buildings.**

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

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

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

- (1) The building and its use will not significantly impact adjoining properties;
- (2) The architecture will incorporate exterior finish materials and design elements consistent with, or superior to, that of the principal residential structure on the property;

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- (3) The building will fit the character of the neighborhood;
- (4) The architecture complies with the city’s design guidelines;
- (5) The building footprint will not exceed 800 square feet, and the building height will not exceed 21 feet at the top of ridge or 12 feet at the top of wall; and
- (6) The combined building footprints of existing and proposed accessory buildings on the same lot will not exceed 1,000 square feet.

(7) The building will maintain a minimum setback of 5 feet and not encroach into a clear vision triangle. If the building is in a rear yard of a through lot that is adjacent to a front yard, it shall maintain a minimum of a 15-foot setback.

(c) Determination of Attached Versus Detached Status for Garages. A garage that is connected to a principal residential structure by an architecturally integrated, covered breezeway is classified as an attached garage if the separation between the parallel walls of the garage and principal structure does not exceed eight feet. For purposes of determining allowable setbacks, height and lot coverage, an attached garage is treated as if it were part of the principal structure. If the separation between the parallel walls of a garage and principal structure exceeds eight feet, the garage is classified as a detached building subject to the accessory building standards listed in this section.

**MOVED AND ADOPTED** by the Planning Commission of the City of Fircrest on the 6<sup>th</sup> day of July 2021 by the following vote:

YES: ()

No: ()

APPROVED:

\_\_\_\_\_  
Sarah Hamel  
Chair, Fircrest Planning Commission

ATTEST:

\_\_\_\_\_  
Angelie Stahlnecker  
Planning/Building Administrator

\_\_\_\_\_  
Date