

**CITY OF FIRCREST
ORDINANCE NO. 1740**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
FIRCREST, WASHINGTON, ADOPTING AMENDMENTS TO
CHAPTERS 22.17, 22.32, 22.34, 22.36, 22.58, 22. 60, 22.63, 22.64, and 22.66
OF THE FIRCREST MUNICIPAL CODE TO ENSURE CONSISTENCY
WITH MIDDLE HOUSING REQUIREMENTS IN ENGROSSED
SECOND SUBSTITUTE HOUSE BILL 1110 (E2SHB 1110) AND
ACCESSORY DWELLING UNIT PROVISIONS IN HOUSE BILL 1337
(HB 1337); PROVIDING FOR SEVERABILITY; AND ESTABLISHING
AN EFFECTIVE DATE.**

WHEREAS, between 2021 and 2024, the Washington State Legislature enacted several laws, requiring increased potential for accessory dwelling units (ADUs), imposing parking restrictions, and directing certain jurisdictions to accommodate a broader range of “missing middle” housing types within single-family zoning districts, as set forth in House Bill 1337 (2023 c 334) and House Bill 1110 (2023 c 322), which require the City to modify its regulations or be subject to default regulations as promulgated by the Washington State Department of Commerce; and

WHEREAS, the Fircrest Planning Commission (“Commission”) is authorized under Fircrest Municipal Code (FMC) [23.08.110](#), to study, promulgate, develop, and update coordinated plans, including a Comprehensive Plan, for the physical development of the City as deemed necessary in the interest of the public health, safety, morals and the general welfare of the community; and to such end, the Commission may make recommendations to the City Council regarding the regulation of and restrictions on the use of land; the location, construction, and use of buildings; and other related matters which are or may properly be incorporated into City ordinances relating to zoning, building, plats and subdivisions, parks and annexations; and

WHEREAS, on March 26, 2024, the City Council adopted [Resolution 1887](#) authorizing the hiring of a consultant to assist with updates to the FMC to comply with state law requirements associated with E2SHB 1110 and HB 1337 in accordance with [RCW 36.70A.035](#) and [RCW 36.70A.140](#), including public notification, Commission and City Council study sessions and public hearings, and other public outreach activities (“Project”); and

WHEREAS, on June 17, 2024, the City Council held a Study Session to discuss Project requirements and provide initial direction on draft development regulation updates; and

WHEREAS, the City, along with its consultant, held two in-person community engagement events for the Project, including hosting a booth at Fircrest Fun Days on July 20, 2024, and a Project Open House on July 30, 2024, at the Fircrest Community Center, to inform the community and gather feedback; and

1 **WHEREAS**, a community survey was conducted to gather information on the
2 community's preferences relating to middle housing types, and the challenges and
opportunities of infill development; and

3 **WHEREAS**, the City submitted a *Notice of Intent to Adopt Plan Amendments* to the
4 Washington State Department of Commerce on April 3, 2025, which was issued to state
5 agencies to comply with the 60-day comment period as required by [RCW 36A.70.106](#);
and

6 **WHEREAS**, on May 2, 2025, the City issued a *Determination of Nonsignificance* for
7 the 2025 Draft Development Regulation Update for E2SHB 1110 and HB 1337, with a
8 14-day comment period ending on May 16, 2025, during which the City received two
comments; and

9 **WHEREAS**, following publication of a public hearing notice in the *Tacoma Daily*
10 *Index* on April 17, 2025, the Commission conducted a public hearing on May 6, 2025,
11 to accept public testimony and comment on the 2025 Draft Development Regulation
Update ("Proposed Code Amendments"); and

12 **WHEREAS**, on May 19, 2025, the City Council held a Study Session to discuss the
13 Proposed Code Amendments, community feedback, and Commission comments; and

14 **WHEREAS**, after consideration of public testimony from the May 6, 2025 public
15 hearing and public comments received, the Commission adopted Resolution No. 25-01
16 by a unanimous vote (5-0) at a May 20, 2025 Special Meeting of the Commission,
recommending approval to the City Council of the Proposed Code Amendments, subject
to additional discussion with the City's consultant and staff; and

17 **WHEREAS**, the City Council has reviewed and supports the findings and
18 recommendations of Commission Resolution No. 25-01, as follows:

- 19 (a) The proposed amendments will make necessary updates to FMC Title 22 to comply
20 with the requirements of Engrossed Second Substitute House Bill 1110 (E2SHB
21 1110) to allow middle housing in the R-4, R-4-C, and R-6 zones, including the
addition of middle housing use types, development standards, and definitions;
- 22 (b) The proposed amendments will make necessary updates to FMC Title 22 to comply
23 with the requirements of House Bill 1337 (HB 1337) to allow development of up
24 to two accessory dwelling units in residential zones, including required updates to
development standards to provide clarification between "accessory buildings" and
"accessory dwelling units";
- 25 (c) The proposed amendments will further a diversity of housing development types
26 within the R-4 and R-6 zones; and
- 27 (d) The proposed amendments support a continuation of existing policies and amplify
28 goals and policies relating to land use, housing choice, and housing availability;
and

1 **WHEREAS**, following publication of a public hearing notice in the *Tacoma Daily*
2 *Index* on May 29, 2025, the City Council held a public hearing on June 10, 2025, to
3 accept public testimony and comment on the Proposed Code Amendments; and

4 **WHEREAS**, the City Council considered community input and comments received
5 from the Washington State Department of Commerce in its final review of the Proposed
6 Code Amendments;

7 **NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF FIRCREST DO**
8 **ORDAIN AS FOLLOWS:**

9 **Section 1. Fircrest Municipal Code Title 22 (Land Development), Amended.** The
10 amendments to Fircrest Municipal Code Title 22 (Land Development), as set forth in
11 Exhibit "A" attached hereto and incorporated by reference, are hereby adopted pursuant
12 to the requirements of the Washington State Growth Management Act, Chapter 36.70A
13 RCW.

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

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

21 **PASSED BY THE CITY COUNCIL OF THE CITY OF FIRCREST,**
22 **WASHINGTON,** at a special meeting thereof this 16th day of June 2025.

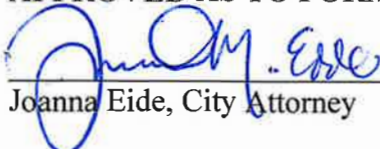
23 **APPROVED:**

24 
25 Shannon Reynolds, Mayor

26 **ATTEST:**

27 
28 Annette Burkhardt, City Clerk

29 **APPROVED AS TO FORM:**

30 
Joanna Eide, City Attorney

Publication Date:

Effective Date: