

**CITY OF FIRCREST
ORDINANCE NO. 1754**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FIRCREST, WASHINGTON, ADOPTING AMENDMENTS TO CHAPTERS 22.58, 22.64, AND 22.98 OF THE FIRCREST MUNICIPAL CODE TO IMPLEMENT AND ENSURE CONSISTENCY WITH DESIGN REGULATION STATUTORY REQUIREMENTS IN REVISED CODE OF WASHINGTON 36.70A.630 AND ACCESSORY DWELLING UNIT PROVISIONS IN ENGRAVED HOUSE BILL 1337 AND MAKE TECHNICAL CHANGES; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, in 2023, the Washington State Legislature passed Engrossed Substitute House Bill (ESHB) 1293 (Chapter 333, Laws of 2023), creating a new section in the Growth Management Hearings Act (“GMA”) in chapter 36.70A of the Revised Code of Washington (“RCW”), codified at RCW 36.70A.630, related to local design review requirements and restrictions; and

WHEREAS, in 2023, the Washington State Legislature also passed Engrossed House Bill (EHB) 1337 (Chapter 334, Laws of 2023), requiring cities and counties to adopt regulations to remove barriers to the siting of accessory dwelling units (ADUs); and

WHEREAS, the City Council passed Ordinance No. 1740 on June 16, 2025, amending Fircrest Municipal Code Title 22 to comply with the requirements of EHB 1337, allowing development of up to two ADUs in residential zones and adding required updates to development standards to provide clarification between “accessory buildings” and “accessory dwelling units”; and

WHEREAS, the City has identified sections of the FMC that require further updates to ensure consistency with the requirements established by the passage of EHB 1337; and

WHEREAS, the Fircrest Planning Commission studied and reviewed matters related to implementing RCW 36.70A.630 at meetings held on August 19, 2025, and October 10, 2025; and

WHEREAS, the City submitted a *Notice of Intent* to Adopt to the Washington State Department of Commerce (“Commerce”) on September 16, 2025, which was issued to state agencies for a 60-day comment period as required per the GMA in chapter 36A.70 RCW; and

WHEREAS, the City issued a *Determination of Nonsignificance* on October 1, 2025, with a 14-day comment period ending October 15, 2025, receiving only minor comments from Commerce within that timeframe; and

1 **WHEREAS**, after providing legally required public notice, the Planning Commission
2 held a public hearing on November 4, 2025, to accept public testimony on the proposed
3 amendments; and

4 **WHEREAS**, after the opportunity for public testimony at the November 4, 2025, public
5 hearing, the Planning Commission unanimously adopted Resolution No. 25-03 on
6 November 18, 2025, recommending that the City Council approve the proposed
7 amendments; and

8 **WHEREAS**, the City Council of the City of Fircrest has reviewed and approves of the
9 findings of the Planning Commission Resolution No. 25-03, as attached as Exhibit B
10 hereto and incorporated by this reference; and

11 **WHEREAS**, after providing legally required public notice, the City Council held a
12 public hearing on November 25, 2025, to accept public testimony and comment on the
13 proposed code amendments;

14 **NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF FIRCREST DO
15 ORDAIN AS FOLLOWS:**

16 **Section 1.** Ordinance 1246 § 27, 1272 § 8, 1311 § 35, 1667 §§ 37 and 38, 1740 § 1,
17 and FMC chapters 22.58, 22.64, and 22.98 are hereby amended to read as follows:

18 The proposed amendments to the Fircrest Municipal Code, as shown in Exhibit "A"
19 attached to this Ordinance No. 1754 and incorporated in this section by reference, with
20 additions denoted by underlined text and deletions denoted by strikethrough text, are
21 hereby adopted and codified within the chapters in Title 22 of the FMC consistent with
22 those listed in Exhibit "A" and pursuant to the requirements of RCW 36.70A.630 in the
23 Growth Management Act, to address the requirements of ESHB 1293 and EHB 1337.

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

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

31 **PASSED BY THE CITY COUNCIL OF THE CITY OF FIRCREST,
32 WASHINGTON**, at a regular meeting thereof this 9th day of December, 2025.

33 **APPROVED:**

34 
35 Shannon Reynolds, Mayor

1 **ATTEST:**

2 
3 Alette Burkhart, City Clerk

4

5 **APPROVED AS TO FORM:**

6 
7 Joanna Eide, City Attorney

8

9

10 Publication Date:

11

12 Effective Date:

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30