THE CITY OF FIRCREST

CITY OF FIRCREST
PLANNING COMMISSION
SPECIAL MEETING AGENDA

WEDNESDAY, MAY 06, 2026 | **COUNCIL CHAMBERS**
6:00 P.M. | **FIRCREST CITY HALL, 115 RAMSDELL STREET**

Pg. #

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL**
   - **A.** Motion to Excuse Absent Planning Commissioners
4. **UNFINISHED BUSINESS**
   - **A.** **2026 Fircrest Legislative Priorities (Group 1 of 2) | HBs 1377, 1757, 1096, SBs 6015 & 5559** 2
5. **ADJOURNMENT**

MAHONEY PLANNING
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April 27, 2026

City of Fircrest Planning Commission
115 Ramsdell Street
Fircrest, WA 98466

Re: 2026 Legislative Priorities (Group 1 of 2) | HBs 1377, 1757, 1096, SBs 6015 & 5559

Dear Planning Commission,

This memorandum has been prepared to further conversation with Planning Commission on Fircrest's 2026 Legislative Priorities, Group 1 of 2. As a reminder, Group 1 of 2 includes:

- HB 1377 | Increased density bonus for affordable housing on religious organization owned property
- HB 1096 | Residential lot splitting
- HB 1757 | Existing buildings used for residential purposes
- SB 6015 | Residential parking
- SB 5559 | Unit lot subdivision

Table 1 has been prepared to summarize each of the aforementioned bills.

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Table 1
Fircrest Legislative Priorities, Group 1 of 2

HB/SB	RCW	Bill Summary
1377 Increased density bonus for affordable housing on religious organization owned property	35A.63.300 35.63.280	GMA-planning cities are required to allow an increased density bonus for any affordable housing development of single-family and multi-family residences on property owned or controlled by a religious organization, as long as: • The development is set aside for or occupied by low-income households only; • A binding obligation commits the development to being occupied for low-income households for at least 50 years, even if the religious organization no longer owns the property, and; • The development does not discriminate against protected classes. HB 1377 is included as **Exhibit A** to this memo.
1096 Residential lot splitting	36.70A.635	In general, cities must allow a "parent lot" to be divided via an administrative process creating two lots, each of which much meet minimum density and lot size zoning standards. "Unbuildable lots" due to critical areas are not eligible for lot splits. HB 1096 is included as **Exhibit B** to this memo.

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HB/SB	RCW	Bill Summary
1757 Existing buildings used for residential purposes	35A.21.440 35.21.990	Related to the conversion of existing buildings for residential use, code cities may not: • Restrict density increases of up to 50% for housing units built within existing buildings, subject to building code and fire and life safety limitations. • Require off-street parking commensurate with added dwelling units in an existing building. • Require a change of use permit or other use-based permitting requirement for an existing building's residential conversion or use, except for transitional or emergency housing. • Impose design regulations, setbacks, FAR, or lot coverage requirements for residential use of an existing building beyond what applies in the underlying zone. • Impose exterior design requirements on residential use of an existing building beyond what's necessary for health and safety of the interior use of the structure, or to preserve character-defining streetscapes. • Prohibit housing units along major pedestrian corridors, except on the ground floor. • Require unchanged portions of a building used or previously permitted for residences to comply with current energy codes. Require changed portions of the building to comply with new energy codes, except under certain instances. • Deny building permit application for the addition of housing units if nonconformities to parking, height, setbacks, etc. exist. • Require a transportation concurrency study or SEPA environmental study based on the addition of living units in an existing building. HB 1757 is included as **Exhibit C** to this memo.
6015 Residential parking	36.70A.622	Cities cannot require garages or carports for off-street parking requirements. Tandem parking stall dimensions are defined, as well as maximum area of parking stalls. Existing nonconforming gravel stalls (of to 6 stalls) cannot justify a prohibition on utilizing the existing parking space to meet local standards. Existing parking lots are not required to be retrofitted or reconfigured if it would be more costly than resurfacing to existing conditions. SB 6015 is included as **Exhibit D** to this memo.

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HB/SB	RCW	Bill Summary
5559 Unit lot subdivision	58.17.020 58.17.060	Cities are required to allow for unit lot subdivisions and unit lot short subdivisions, which are new ways to subdivide land that rely on a "parent lot" and "children lot" collectively meeting the minimum dimensional standards of a zone, rather than each individual lot needing to meet those requirements (as is typical in a traditional subdivision). SB 5559 is included as **Exhibit E** to this memo.

Progress Since March 3 Meeting

Since presenting the initial introduction of these Planning Legislative Priorities to Planning Commission at its March 3, 2026 meeting, edits have been drafted to the FMC which would implement each of the "Group 1" HBs and SBs. A redlined version of the amended draft FMC is included with this staff report as **Exhibit F**.

Focus of May 5 Meeting

At the regular Planning Commission meeting on May 5, 2026, I will present **Exhibit F** to discuss how the "Group 1" HBs and SBs have been incorporated into the FMC and to inquire about highlighted questions included in the exhibit. The draft edits included in Exhibit F intend to create statutory compliance in the FMC while introducing opportunities for germane code clean-up, all while minding occasions Fircrest can take to reinforce its hallmark sense of community and character.

I look forward to discussing this project with Planning Commission at its May 5 meeting!

Kimberly A. Gunderson
Mahoney Planning, LLC

Exhibits:

A. HB 1337
B. HB 1096
C. HB 1757
D. SB 6015
E. SB 5559
F. FMC Amendments (draft) Implementing "Group 1" Planning Legislative Priorities

Exhibit A
May 5, 2026
Fircrest Planning Commission
Legislative Priorities, Group 1 of 2

CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 1377

Chapter 218, Laws of 2019

66th Legislature
2019 Regular Session

AFFORDABLE HOUSING DEVELOPMENT ON RELIGIOUS ORGANIZATION PROPERTY

EFFECTIVE DATE: July 28, 2019

Passed by the House April 18, 2019
Yeas 85 Nays 9

FRANK CHOPP

Speaker of the House of Representatives

Passed by the Senate April 12, 2019
Yeas 42 Nays 3

CYRUS HABIB

President of the Senate

Approved April 30, 2019 2:43 PM

JAY INSLEE

Governor of the State of Washington

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 1377** as passed by the House of Representatives and the Senate on the dates hereon set forth.

BERNARD DEAN

Chief Clerk

FILED

May 1, 2019

Secretary of State
State of Washington

SUBSTITUTE HOUSE BILL 1377

AS AMENDED BY THE SENATE

Passed Legislature - 2019 Regular Session

State of Washington 66th Legislature 2019 Regular Session

By House Housing, Community Development & Veterans (originally sponsored by Representatives Walen, Barkis, Jenkin, Harris, Springer, Macri, Wylie, Ryu, Reeves, Robinson, Griffey, Appleton, Bergquist, Jinkins, Tharinger, Slatter, Kloba, Doglio, Goodman, Leavitt, Ormsby, and Santos)

READ FIRST TIME 02/08/19.

AN ACT Relating to affordable housing development on religious organization property; adding a new section to chapter 35.63 RCW; adding a new section to chapter 35A.63 RCW; adding a new section to chapter 36.70A RCW; and adding a new section to chapter 44.28 RCW.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. **Sec. 1.** A new section is added to chapter 35.63 RCW to read as follows:

(1) A city planning under this chapter must allow an increased density bonus consistent with local needs for any affordable housing development of any single-family or multifamily residence located on real property owned or controlled by a religious organization provided that:

(a) The affordable housing development is set aside for or occupied exclusively by low-income households;

(b) The affordable housing development is part of a lease or other binding obligation that requires the development to be used exclusively for affordable housing purposes for at least fifty years, even if the religious organization no longer owns the property; and

(c) The affordable housing development does not discriminate against any person who qualifies as a member of a low-income household based on race, creed, color, national origin, sex, veteran

or military status, sexual orientation, or mental or physical disability; or otherwise act in violation of the federal fair housing amendments act of 1988 (42 U.S.C. Sec. 3601 et seq.).

(2) A city may develop policies to implement this section if it receives a request from a religious organization for an increased density bonus for an affordable housing development.

(3) The religious organization developing the affordable housing development must pay all fees, mitigation costs, and other charges required through the development of the affordable housing development.

(4) If applicable, the religious organization developing the affordable housing development should work with the local transit agency to ensure appropriate transit services are provided to the affordable housing development.

(5) This section applies to any religious organization rehabilitating an existing affordable housing development.

(6) For purposes of this section:

(a) "Affordable housing development" means a proposed or existing structure in which one hundred percent of all single-family or multifamily residential dwelling units within the development are set aside for or are occupied by low-income households at a sales price or rent amount that may not exceed thirty percent of the income limit for the low-income housing unit;

(b) "Low-income household" means a single person, family, or unrelated persons living together whose adjusted income is less than eighty percent of the median family income, adjusted for household size, for the county where the affordable housing development is located; and

(c) "Religious organization" has the same meaning as in RCW 35.21.915.

NEW SECTION. **Sec. 2.** A new section is added to chapter 35A.63 RCW to read as follows:

(1) A city planning under this chapter must allow an increased density bonus consistent with local needs for any affordable housing development of any single-family or multifamily residence located on real property owned or controlled by a religious organization provided that:

(a) The affordable housing development is set aside for or occupied exclusively by low-income households;

(b) The affordable housing development is part of a lease or other binding obligation that requires the development to be used exclusively for affordable housing purposes for at least fifty years, even if the religious organization no longer owns the property; and

(c) The affordable housing development does not discriminate against any person who qualifies as a member of a low-income household based on race, creed, color, national origin, sex, veteran or military status, sexual orientation, or mental or physical disability; or otherwise act in violation of the federal fair housing amendments act of 1988 (42 U.S.C. Sec. 3601 et seq.).

(2) A city may develop policies to implement this section if it receives a request from a religious organization for an increased density bonus for an affordable housing development.

(3) The religious organization developing the affordable housing development must pay all fees, mitigation costs, and other charges required through the development of the affordable housing development.

(4) If applicable, the religious organization developing the affordable housing development should work with the local transit agency to ensure appropriate transit services are provided to the affordable housing development.

(5) This section applies to any religious organization rehabilitating an existing affordable housing development.

(6) For purposes of this section:

(a) "Affordable housing development" means a proposed or existing structure in which one hundred percent of all single-family or multifamily residential dwelling units within the development are set aside for or are occupied by low-income households at a sales price or rent amount that may not exceed thirty percent of the income limit for the low-income housing unit;

(b) "Low-income household" means a single person, family, or unrelated persons living together whose adjusted income is less than eighty percent of the median family income, adjusted for household size, for the county where the affordable housing development is located; and

(c) "Religious organization" has the same meaning as in RCW 35A.21.360.

NEW SECTION. **Sec. 3.** A new section is added to chapter 36.70A RCW to read as follows:

(1) Any city or county fully planning under this chapter must allow an increased density bonus consistent with local needs for any affordable housing development of any single-family or multifamily residence located on real property owned or controlled by a religious organization provided that:

(a) The affordable housing development is set aside for or occupied exclusively by low-income households;

(b) The affordable housing development is part of a lease or other binding obligation that requires the development to be used exclusively for affordable housing purposes for at least fifty years, even if the religious organization no longer owns the property; and

(c) The affordable housing development does not discriminate against any person who qualifies as a member of a low-income household based on race, creed, color, national origin, sex, veteran or military status, sexual orientation, or mental or physical disability; or otherwise act in violation of the federal fair housing amendments act of 1988 (42 U.S.C. Sec. 3601 et seq.).

(2) A city or county may develop policies to implement this section if it receives a request from a religious organization for an increased density bonus for an affordable housing development.

(3) An affordable housing development created by a religious institution within a city or county fully planning under RCW 36.70A.040 must be located within an urban growth area as defined in RCW 36.70A.110.

(4) The religious organization developing the affordable housing development must pay all fees, mitigation costs, and other charges required through the development of the affordable housing development.

(5) If applicable, the religious organization developing the affordable housing development should work with the local transit agency to ensure appropriate transit services are provided to the affordable housing development.

(6) This section applies to any religious organization rehabilitating an existing affordable housing development.

(7) For purposes of this section:

(a) "Affordable housing development" means a proposed or existing structure in which one hundred percent of all single-family or multifamily residential dwelling units within the development are set aside for or are occupied by low-income households at a sales price

or rent amount that may not exceed thirty percent of the income limit for the low-income housing unit;

(b) "Low-income household" means a single person, family, or unrelated persons living together whose adjusted income is less than eighty percent of the median family income, adjusted for household size, for the county where the affordable housing development is located; and

(c) "Religious organization" has the same meaning as in RCW 36.01.290.

NEW SECTION. **Sec. 4.** A new section is added to chapter 44.28 RCW to read as follows:

The joint committee must review the efficacy of the increased density bonus incentive for affordable housing development located on property owned by a religious organization pursuant to this act and report its findings to the appropriate committees of the legislature by December 1, 2030. The review must include a recommendation on whether this incentive should be continued without change or should be amended or repealed.

Passed by the House April 18, 2019.
Passed by the Senate April 12, 2019.
Approved by the Governor April 30, 2019.
Filed in Office of Secretary of State May 1, 2019.

--- END ---

Exhibit B
May 5, 2026
Fircrest Planning Commission
Legislative Priorities, Group 1 of 2

CERTIFICATION OF ENROLLMENT

ENGROSSED SECOND SUBSTITUTE HOUSE BILL 1096

Chapter 301, Laws of 2025

69th Legislature
2025 Regular Session

RESIDENTIAL LOT SPLITTING

EFFECTIVE DATE: July 27, 2025

Passed by the House April 27, 2025
Yeas 94 Nays 4

LAURIE JINKINS

Speaker of the House of Representatives

Passed by the Senate April 14, 2025
Yeas 43 Nays 4

DENNY HECK

President of the Senate

Approved May 17, 2025 11:25 AM

BOB FERGUSON

Governor of the State of Washington

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED SECOND SUBSTITUTE HOUSE BILL 1096** as passed by the House of Representatives and the Senate on the dates hereon set forth.

BERNARD DEAN

Chief Clerk

FILED

May 19, 2025

Secretary of State
State of Washington

ENGROSSED SECOND SUBSTITUTE HOUSE BILL 1096

AS AMENDED BY THE SENATE

Passed Legislature - 2025 Regular Session

State of Washington 69th Legislature 2025 Regular Session

By House Appropriations (originally sponsored by Representatives Barkis, Ryu, Connors, Leavitt, Klicker, Reed, Fitzgibbon, Richards, Couture, Macri, Callan, Doglio, Bronoske, Tharinger, Wylie, Duerr, Timmons, Ormsby, Fosse, Stonier, Bernbaum, and Hill)

READ FIRST TIME 02/21/25.

AN ACT Relating to increasing housing options through lot splitting; amending RCW 36.70A.635; adding a new section to chapter 58.17 RCW; and creating new sections.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. **Sec. 1.** The legislature finds that allowing an existing residential lot to be split to create a new residential lot through a simple, administrative process can offer many advantages to both the existing homeowner and to prospective homebuyers. The legislature further finds that administrative lot splitting can provide current owners the opportunity to maintain homeownership in changing life circumstances while facilitating development of middle housing to provide homebuyers, including first-time homebuyers, with more affordable ownership opportunities. The legislature also finds that lot splitting can be combined with the review of a residential building permit application to create a single integrated process benefiting both homeowners and cities. Therefore, it is the intent of the legislature to ease restrictions on, and expand opportunities for, lot splitting in cities.

NEW SECTION. **Sec. 2.** A new section is added to chapter 58.17 RCW to read as follows:

(1) Cities shall include in their development regulations a process through which an applicant can seek review and approval of an administrative lot split, which may be combined with concurrent review of a residential building permit to create new middle housing, as defined in RCW 36.70A.030, or single-family housing. The application process for a residential lot to be split may require only an administrative decision, through which the application is reviewed, approved, or denied by the planning director or other designee based on applicable clear and objective development standards, with neither a predecision public hearing, nor any design review other than administrative design review. A new buildable residential lot and residential building permit or permits must be administratively approved and are not subject to administrative appeal if they comply with applicable development standards and the following conditions are met:

(a) No more than one newly created lot is created through the administrative lot split;

(b) Both the parent lot and the newly created lot meet the minimum lot size allowed under applicable development regulations;

(c) The parent lot was not created through the splitting of a residential lot authorized by this section;

(d) The parent lot is located in a residential zone and not in an exclusively nonresidential zone including, but not limited to, zones that are exclusively commercial, retail, agricultural, or industrial;

(e) If the lot split would require demolition or alteration of any existing housing that would displace a renter, the applicant must recommend a displacement mitigation strategy that may include, but is not limited to, relocation assistance;

(f) The applicable sewer and water purveyors have issued certificates of availability to serve the newly created lot and dwelling units;

(g) Access and utility rights are granted or conveyed as necessary on or before recording of the lot split survey to provide access for the maximum number of dwelling units that could be developed on the newly created lot, provided such access rights may be reduced consistent with a city's adopted codes, regulations, or design standards as applicable through review of a subsequent application for a building permit, short subdivision, unit lot subdivision, subdivision application, or short subdivision if less

than the maximum number of dwelling units are built on the newly created lot;

(h) The planning director or other designee determines that the application follows all applicable development regulations; and

(i) The lot split survey has been approved by the planning director or other designee and includes a condition on the face of the survey that further lot splits of the parent lot and newly created lot are not authorized by this section.

(2) A proposed lot split may be conditioned upon dedication of right-of-way on the parent lot to the extent such dedication is required under applicable codes, regulations, and design standards for the development, short plat, or subdivision of the parent lot absent an administrative lot split.

(3) Development of dwelling units on the newly created lot may be conditioned upon construction of frontage improvements to a right-of-way adjacent to either the parent lot or the newly created lot to the extent required under applicable codes, regulations, and design standards.

(4) Any construction on the newly created lot is subject to all existing state and local laws including those specified in this section. Nothing in this section modifies the requirements for approval of residential building permits in chapter 19.27 RCW.

(5) A city subject to the requirements of this section may not impose a limit on the total number of dwelling units allowed on the parent lot or newly created lot that is less than the number of dwelling units allowed by the underlying zoning of the parent lot prior to the administrative lot split.

(6) Notwithstanding the provisions of this section, lots that are not buildable according to locally adopted development regulations including, but not limited to, critical areas, shorelines, stormwater, setbacks, impervious surface areas, and building coverage standards, are not eligible for a lot split under this section.

(7) If a lot split results in a lot of a size that would allow for further land division, the lot is not eligible for a lot split but may be divided under other applicable land subdivision processes.

(8) The newly created lot must meet any locally adopted minimum density requirements.

(9) Cities are immune from any liability, loss, or other damage suffered by another that is related to the city's approval of a lot

split under this act, including if the lot split creates a lot that is later determined to not be buildable.

(10) Parent lots and newly created lots approved under this section must have a lot split survey recorded with the county auditor with a notation that future lot splits are not allowed on the lot.

(11) An application process or a residential lot to be split under this section is subject to the maximum time period for local government actions as set forth in RCW 36.70B.080, unless extended pursuant to project-specific mutual agreement as permitted by RCW 36.70B.080.

(12) Ordinances adopted to comply with this section are not subject to administrative or judicial appeal under chapter 43.21C RCW.

(13) The department of commerce must develop guidance for cities in implementing the lot splitting requirements.

(14) A city required to comply with the requirements of this section that has its next comprehensive plan update due in 2027, pursuant to RCW 36.70A.130, must adopt or amend by ordinance, and incorporate into its development regulations, zoning regulations, and other official controls, the requirements of this section in its next comprehensive plan update. All other cities required to comply with this section must implement the requirements within two years of the effective date of this section.

(15) For the purposes of this section, the following definitions apply unless the context clearly requires otherwise:

(a) "Lot split" means the administrative process of dividing an existing lot into two lots for the purpose of sale, lease, or transfer of ownership pursuant to this section.

(b) "Lot split survey" means the final survey prepared for filing for record with the county auditor and containing all elements and requirements for a lot split under this section and any local regulations.

(c) "Newly created lot" means a lot that was created by a lot split under this section.

(d) "Parent lot" means a lot that is subjected to a lot split under this section.

(16) The provisions of this section do not apply to areas designated as sole-source aquifers by the United States environmental protection agency on islands in the Puget Sound.

Sec. 3. RCW 36.70A.635 and 2024 c 152 s 2 are each amended to read as follows:

(1) Except as provided in subsection (4) of this section, any city that is required or chooses to plan under RCW 36.70A.040 must provide by ordinance and incorporate into its development regulations, zoning regulations, and other official controls, authorization for the following:

(a) For cities with a population of at least 25,000 but less than 75,000 based on office of financial management population estimates:

(i) The development of at least two units per lot on all lots zoned predominantly for residential use, unless zoning permitting higher densities or intensities applies;

(ii) The development of at least four units per lot on all lots zoned predominantly for residential use, unless zoning permitting higher densities or intensities applies, within one-quarter mile walking distance of a major transit stop; and

(iii) The development of at least four units per lot on all lots zoned predominantly for residential use, unless zoning permitting higher densities or intensities applies, if at least one unit is affordable housing.

(b) For cities with a population of at least 75,000 based on office of financial management population estimates:

(i) The development of at least four units per lot on all lots zoned predominantly for residential use, unless zoning permitting higher densities or intensities applies;

(ii) The development of at least six units per lot on all lots zoned predominantly for residential use, unless zoning permitting higher densities or intensities applies, within one-quarter mile walking distance of a major transit stop; and

(iii) The development of at least six units per lot on all lots zoned predominantly for residential use, unless zoning permitting higher densities or intensities applies, if at least two units are affordable housing.

(c) For cities with a population of less than 25,000, that are within a contiguous urban growth area with the largest city in a county with a population of more than 275,000, based on office of financial management population estimates the development of at least two units per lot on all lots zoned predominantly for residential use, unless zoning permitting higher densities or intensities applies.

(2)(a) To qualify for the additional units allowed under subsection (1) of this section, the applicant must commit to renting or selling the required number of units as affordable housing. The units must be maintained as affordable for a term of at least 50 years, and the property must satisfy that commitment and all required affordability and income eligibility conditions adopted by the local government under this chapter. A city must require the applicant to record a covenant or deed restriction that ensures the continuing rental of units subject to these affordability requirements consistent with the conditions in chapter 84.14 RCW for a period of no less than 50 years. The covenant or deed restriction must also address criteria and policies to maintain public benefit if the property is converted to a use other than which continues to provide for permanently affordable housing.

(b) The units dedicated as affordable must be provided in a range of sizes comparable to other units in the development. To the extent practicable, the number of bedrooms in affordable units must be in the same proportion as the number of bedrooms in units within the entire development. The affordable units must generally be distributed throughout the development and have substantially the same functionality as the other units in the development.

(c) If a city has enacted a program under RCW 36.70A.540, the terms of that program govern to the extent they vary from the requirements of this subsection.

(3) If a city has enacted a program under RCW 36.70A.540, subsection (1) of this section does not preclude the city from requiring any development, including development described in subsection (1) of this section, to provide affordable housing, either on-site or through an in-lieu payment, nor limit the city's ability to expand such a program or modify its requirements.

(4)(a) As an alternative to the density requirements in subsection (1) of this section, a city may implement the density requirements in subsection (1) of this section for at least 75 percent of lots in the city that are primarily dedicated to single-family detached housing units.

(b) The 25 percent of lots for which the requirements of subsection (1) of this section are not implemented must include but are not limited to:

(i) Any areas within the city for which the department has certified an extension of the implementation timelines under RCW 36.70A.637 due to the risk of displacement;

(ii) Any areas within the city for which the department has certified an extension of the implementation timelines under RCW 36.70A.638 due to a lack of infrastructure capacity;

(iii) Any lots, parcels, and tracts designated with critical areas or their buffers that are exempt from the density requirements as provided in subsection (8) of this section;

(iv) Any portion of a city within a one-mile radius of a commercial airport with at least 9,000,000 annual enplanements that is exempt from the parking requirements under subsection (7)(b) of this section; and

(v) Any areas subject to sea level rise, increased flooding, susceptible to wildfires, or geological hazards over the next 100 years.

(c) Unless identified as at higher risk of displacement under RCW 36.70A.070(2)(g), the 25 percent of lots for which the requirements of subsection (1) of this section are not implemented may not include:

(i) Any areas for which the exclusion would further racially disparate impacts or result in zoning with a discriminatory effect;

(ii) Any areas within one-half mile walking distance of a major transit stop; or

(iii) Any areas historically covered by a covenant or deed restriction excluding racial minorities from owning property or living in the area, as known to the city at the time of each comprehensive plan update.

(5) A city subject to the requirements of subsection (1)(a) or (b) of this section must allow at least six of the nine types of middle housing to achieve the unit density required in subsection (1) of this section. A city may allow accessory dwelling units to achieve the unit density required in subsection (1) of this section. Cities are not required to allow accessory dwelling units or middle housing types beyond the density requirements in subsection (1) of this section. A city must also allow zero lot line short subdivision where the number of lots created is equal to the unit density required in subsection (1) of this section.

(6) Any city subject to the requirements of this section:

(a) If applying design review for middle housing, only administrative design review shall be required;

(b) Except as provided in (a) of this subsection, shall not require through development regulations any standards for middle housing that are more restrictive than those required for detached single-family residences, but may apply any objective development regulations that are required for detached single-family residences, including, but not limited to, set-back, lot coverage, stormwater, clearing, and tree canopy and retention requirements;

(c) Shall apply to middle housing the same development permit and environmental review processes that apply to detached single-family residences, unless otherwise required by state law including, but not limited to, shoreline regulations under chapter 90.58 RCW, building codes under chapter 19.27 RCW, energy codes under chapter 19.27A RCW, or electrical codes under chapter 19.28 RCW;

(d) Shall not require off-street parking as a condition of permitting development of middle housing within one-half mile walking distance of a major transit stop;

(e) Shall not require more than one off-street parking space per unit as a condition of permitting development of middle housing on lots no greater than 6,000 square feet before any zero lot line subdivisions or lot splits;

(f) Shall not require more than two off-street parking spaces per unit as a condition of permitting development of middle housing on lots greater than 6,000 square feet before any zero lot line subdivisions or lot splits; and

(g) Are not required to achieve the per unit density under chapter 332, Laws of 2023 on lots after subdivision below 1,000 square feet unless the city chooses to enact smaller allowable lot sizes.

(7) The provisions of subsection (6)(d) through (f) of this section do not apply:

(a) If a local government submits to the department an empirical study prepared by a credentialed transportation or land use planning expert that clearly demonstrates, and the department finds and certifies, that the application of the parking limitations of subsection (6)(d) through (f) of this section for middle housing will be significantly less safe for vehicle drivers or passengers, pedestrians, or bicyclists than if the jurisdiction's parking requirements were applied to the same location for the same number of

detached houses. The department must develop guidance to assist cities on items to include in the study; or

(b) To portions of cities within a one-mile radius of a commercial airport in Washington with at least 9,000,000 annual enplanements.

(8) The provisions of this section do not apply to:

(a) Portions of a lot, parcel, or tract designated with critical areas designated under RCW 36.70A.170 or their buffers as required by RCW 36.70A.170, except for critical aquifer recharge areas where a single-family detached house is an allowed use provided that any requirements to maintain aquifer recharge are met;

(b) Areas designated as sole-source aquifers by the United States environmental protection agency on islands in the Puget Sound;

(c) A watershed serving a reservoir for potable water if that watershed is or was listed, as of July 23, 2023, as impaired or threatened under section 303(d) of the federal clean water act (33 U.S.C. Sec. 1313(d));

(d) Lots that have been designated urban separators by countywide planning policies as of July 23, 2023; or

(e) A lot that was created through the splitting of a single residential lot pursuant to section 2 of this act.

(9) Nothing in this section prohibits a city from permitting detached single-family residences.

(10) Nothing in this section requires a city to issue a building permit if other federal, state, and local requirements for a building permit are not met.

(11) A city must comply with the requirements of this section on the latter of:

(a) Six months after its next periodic comprehensive plan update required under RCW 36.70A.130 if the city meets the population threshold based on the 2020 office of financial management population data; or

(b) 12 months after their next implementation progress report required under RCW 36.70A.130 after a determination by the office of financial management that the city has reached a population threshold established under this section.

(12) A city complying with this section and not granted a timeline extension under RCW 36.70A.638 does not have to update its capital facilities plan element required by RCW 36.70A.070(3) to accommodate the increased housing required by chapter 332, Laws of

2023 until the first periodic comprehensive plan update required for the city under RCW 36.70A.130(5) that occurs on or after June 30, 2034.

(13) Until June 30, 2026, for cities subject to a growth target adopted under RCW 36.70A.210 that limit the maximum residential capacity of the jurisdiction, any additional residential capacity required by this section for lots, parcels, and tracts with critical areas or critical area buffers outside of critical areas or their buffers may not be considered an inconsistency with the countywide planning policies, multicounty planning policies, or growth targets adopted under RCW 36.70A.210.

NEW SECTION. **Sec. 4.** If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2025, in the omnibus appropriations act, this act is null and void.

Passed by the House April 27, 2025.
Passed by the Senate April 14, 2025.
Approved by the Governor May 17, 2025.
Filed in Office of Secretary of State May 19, 2025.

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Exhibit C
May 5, 2026
Fircrest Planning Commission
Legislative Priorities, Group 1 of 2

CERTIFICATION OF ENROLLMENT

HOUSE BILL 1757

Chapter 203, Laws of 2025

69th Legislature
2025 Regular Session

EXISTING BUILDINGS USED FOR RESIDENTIAL PURPOSES—VARIOUS PROVISIONS

EFFECTIVE DATE: July 27, 2025

Passed by the House April 18, 2025
Yeas 94 Nays 1

LAURIE JINKINS

Speaker of the House of Representatives

Passed by the Senate April 2, 2025
Yeas 48 Nays 1

DENNY HECK

President of the Senate

Approved May 7, 2025 1:20 PM

BOB FERGUSON

Governor of the State of Washington

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 1757** as passed by the House of Representatives and the Senate on the dates hereon set forth.

BERNARD DEAN

Chief Clerk

FILED

May 12, 2025

Secretary of State
State of Washington

HOUSE BILL 1757

AS AMENDED BY THE SENATE

Passed Legislature - 2025 Regular Session

State of Washington 69th Legislature 2025 Regular Session

By Representatives Walen, Fitzgibbon, Parshley, Paul, Ramel, and Reed

Read first time 01/31/25. Referred to Committee on Housing.

AN ACT Relating to modifying regulations for existing buildings used for residential purposes; and amending RCW 35A.21.440 and 35.21.990.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

Sec. 1. RCW 35A.21.440 and 2023 c 285 s 1 are each amended to read as follows:

(1)(a) Code cities must adopt or amend by ordinance, and incorporate into their development regulations, zoning regulations, and other official controls the requirements of subsection (2) of this section for buildings ((~~that are zoned for commercial or mixed use no later than six months after its next periodic comprehensive plan update required under RCW 36.70A.130~~)) in commercial, mixed-use, or residential zones no later than June 30, 2026.

(b) The requirements of subsection (2) of this section apply and take effect in any code city that has not adopted or amended ordinances, regulations, or other official controls as required under this section by the timeline in (a) of this subsection and supersede, preempt, and invalidate any conflicting local development regulations.

(2) Through ordinances, development regulations, zoning regulations, or other official controls as required under subsection (1) of this section, code cities may not:

(a) Impose a restriction on housing unit density that prevents the addition of housing units at a density up to 50 percent more than what is allowed in the underlying zone if constructed entirely within an existing building envelope in a building located within a zone that permits multifamily housing, provided that generally applicable health and safety standards, including but not limited to building code standards and fire and life safety standards, can be met within the building;

(b) Impose parking requirements on the addition of dwelling units or living units added within an existing building, however, cities may require the retention of existing parking that is required to satisfy existing residential parking requirements under local laws and for nonresidential uses that remain after the new units are added;

(c) With the exception of emergency housing and transitional housing uses, impose permitting requirements on the use of an existing building for residential purposes beyond those requirements generally applicable to all residential development within the building's zone, including requiring a change of use permit;

(d) Impose design standard requirements, including setbacks, lot coverage, and floor area ratio requirements, on the use of an existing building for residential purposes beyond those requirements generally applicable to all residential development within the building's zone;

(e) Impose exterior design or architectural requirements on the residential use of an existing building beyond those necessary for health and safety of the use of the interior of the building or to preserve character-defining streetscapes, unless the building is a designated landmark or is within a historic district established through a local preservation ordinance;

(f) Prohibit the addition of housing units in any specific part of a building except ground floor commercial or retail that is along a major pedestrian corridor as defined by the code city, unless the addition of the units would violate applicable building codes or health and safety standards;

(g) Require unchanged portions of an existing building that have been used for residential or previously permit-approved conditioned

space purposes to meet the current energy code solely because of the addition of new dwelling units within the building((~~, however, if any portion of an~~)). When any other existing building is converted to new dwelling units, changed portions of each of those new units must meet the requirements of the current energy code((~~;~~)), except if:

(i) The square footage of new dwelling units does not exceed 2,500 square feet or 50 percent of the total building square footage, whichever is greater;

(ii) The building owner submits documentation, in a form acceptable to the code city, showing the building's residential units' projected energy use intensity is less than or equal to the energy use intensity target in accordance with the clean buildings performance standard in RCW 19.27A.210; or

(iii) In all areas zoned for residential housing, an additional housing unit is created within an existing home;

(h) Deny a building permit application for the addition of housing units within an existing building due to nonconformity regarding parking, height, setbacks, elevator size for gurney transport, or modulation, unless the code city official with decision-making authority makes written findings that the nonconformity is causing a significant detriment to the surrounding area; or

(i) Require a transportation concurrency study under RCW 36.70A.070 or an environmental study under chapter 43.21C RCW based on the addition of residential units within an existing building.

(3) Nothing in this section requires a code city to approve a building permit application for the addition of housing units constructed entirely within an existing building envelope in a building located within a zone that permits multifamily housing in cases in which the building cannot satisfy life safety standards.

(4) For the purpose of this section, "existing building" means a building that received a certificate of occupancy at least three years prior to the permit application to add housing units.

Sec. 2. RCW 35.21.990 and 2023 c 285 s 2 are each amended to read as follows:

(1)(a) Cities must adopt or amend by ordinance, and incorporate into their development regulations, zoning regulations, and other official controls the requirements of subsection (2) of this section for buildings ((~~that are zoned for commercial or mixed use no later~~

~~than six months after its next periodic comprehensive plan update required under RCW 36.70A.130~~)) in commercial, mixed-use, or residential zones no later than June 30, 2026.

(b) The requirements of subsection (2) of this section apply and take effect in any city that has not adopted or amended ordinances, regulations, or other official controls as required under this section by the timeline in (a) of this subsection and supersede, preempt, and invalidate any conflicting local development regulations.

(2) Through ordinances, development regulations, zoning regulations, or other official controls as required under subsection (1) of this section, cities may not:

(a) Impose a restriction on housing unit density that prevents the addition of housing units at a density up to 50 percent more than what is allowed in the underlying zone if constructed entirely within an existing building envelope in a building located within a zone that permits multifamily housing, provided that generally applicable health and safety standards, including but not limited to building code standards and fire and life safety standards, can be met within the building;

(b) Impose parking requirements on the addition of dwelling units or living units added within an existing building, however, cities may require the retention of existing parking that is required to satisfy existing residential parking requirements under local laws and for nonresidential uses that remain after the new units are added;

(c) With the exception of emergency housing and transitional housing uses, impose permitting requirements on the use of an existing building for residential purposes beyond those requirements generally applicable to all residential development within the building's zone, including requiring a change of use permit;

(d) Impose design standard requirements, including setbacks, lot coverage, and floor area ratio requirements, on the use of an existing building for residential purposes beyond those requirements generally applicable to all residential development within the building's zone;

(e) Impose exterior design or architectural requirements on the residential use of an existing building beyond those necessary for health and safety of the use of the interior of the building or to preserve character-defining streetscapes, unless the building is a

designated landmark or is within a historic district established through a local preservation ordinance;

(f) Prohibit the addition of housing units in any specific part of a building except ground floor commercial or retail that is along a major pedestrian corridor as defined by each city, unless the addition of the units would violate applicable building codes or health and safety standards;

(g) Require unchanged portions of an existing building that have been used for residential or previously permit-approved conditioned space purposes to meet the current energy code solely because of the addition of new dwelling units within the building((~~, however, if any portion of an~~)). When any other existing building is converted to new dwelling units, changed portions of each of those new units must meet the requirements of the current energy code((~~;~~)), except if:

(i) The square footage of new dwelling units does not exceed 2,500 square feet or 50 percent of the total building square footage, whichever is greater;

(ii) The building owner submits documentation, in a form acceptable to the city, showing the building's residential units' projected energy use intensity is less than or equal to the energy use intensity target in accordance with the clean buildings performance standard in RCW 19.27A.210; or

(iii) In all areas zoned for residential housing, an additional housing unit is created within an existing home;

(h) Deny a building permit application for the addition of housing units within an existing building due to nonconformity regarding parking, height, setbacks, elevator size for gurney transport, or modulation, unless the city official with decision-making authority makes written findings that the nonconformity is causing a significant detriment to the surrounding area; or

(i) Require a transportation concurrency study under RCW 36.70A.070 or an environmental study under chapter 43.21C RCW based on the addition of residential units within an existing building.

(3) Nothing in this section requires a city to approve a building permit application for the addition of housing units constructed entirely within an existing building envelope in a building located within a zone that permits multifamily housing in cases in which the building cannot satisfy life safety standards.

(4) For the purpose of this section, "existing building" means a building that received a certificate of occupancy at least three years prior to the permit application to add housing units.

Passed by the House April 18, 2025.
Passed by the Senate April 2, 2025.
Approved by the Governor May 7, 2025.
Filed in Office of Secretary of State May 12, 2025.

--- END ---

Exhibit D
May 5, 2026
Fircrest Planning Commission
Legislative Priorities, Group 1 of 2

CERTIFICATION OF ENROLLMENT

SUBSTITUTE SENATE BILL 6015

Chapter 274, Laws of 2024

68th Legislature
2024 Regular Session

MINIMUM PARKING REQUIREMENTS—RESIDENTIAL DEVELOPMENT

EFFECTIVE DATE: June 6, 2024

Passed by the Senate March 4, 2024
Yeas 28 Nays 21

DENNY HECK

President of the Senate

Passed by the House February 29, 2024
Yeas 95 Nays 1

LAURIE JINKINS

Speaker of the House of Representatives

Approved March 26, 2024 9:43 AM

JAY INSLEE

Governor of the State of Washington

CERTIFICATE

I, Sarah Bannister, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 6015** as passed by the Senate and the House of Representatives on the dates hereon set forth.

SARAH BANNISTER

Secretary

FILED

March 27, 2024

Secretary of State
State of Washington

SUBSTITUTE SENATE BILL 6015

AS AMENDED BY THE HOUSE

Passed Legislature - 2024 Regular Session

State of Washington 68th Legislature 2024 Regular Session

By Senate Local Government, Land Use & Tribal Affairs (originally sponsored by Senators Shewmake, Kuderer, and Liias)

READ FIRST TIME 01/31/24.

AN ACT Relating to parking configurations for residential uses; and adding a new section to chapter 36.70A RCW.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. **Sec. 1.** A new section is added to chapter 36.70A RCW to read as follows:

(1) Cities and counties planning under this chapter shall enforce land use regulations for residential development as provided in this section:

(a) Garages and carports may not be required as a way to meet minimum parking requirements for residential development;

(b) Parking spaces that count towards minimum parking requirements may be enclosed or unenclosed;

(c) Parking spaces in tandem must count towards meeting minimum parking requirements at a rate of one space for every 20 linear feet with any necessary provisions for turning radius. For purposes of this subsection, "tandem" is defined as having two or more vehicles, one in front of or behind the others with a single means of ingress and egress;

(d) Existence of legally nonconforming gravel surfacing in existing designated parking areas may not be a reason for prohibiting

utilization of existing space in the parking area to meet local parking standards, up to a maximum of six parking spaces;

(e) Parking spaces may not be required to exceed eight feet by 20 feet, except for required parking for people with disabilities;

(f) Any county planning under this chapter, and any cities within those counties with a population greater than 6,000, may not require off-street parking as a condition of permitting a residential project if compliance with tree retention would otherwise make a proposed residential development or redevelopment infeasible; and

(g) Parking spaces that consist of grass block pavers may count toward minimum parking requirements.

(2) Existing parking spaces that do not conform to the requirements of this section by the effective date of this act are not required to be modified or resized, except for compliance with the Americans with disabilities act. Existing paved parking lots are not required to change the size of existing parking spaces during resurfacing if doing so will be more costly or require significant reconfiguration of the parking space locations.

(3) The provisions in subsection (1) of this section do not apply to portions of cities within a one-mile radius of a commercial airport in Washington with at least 9,000,000 annual enplanements.

Passed by the Senate March 4, 2024.
Passed by the House February 29, 2024.
Approved by the Governor March 26, 2024.
Filed in Office of Secretary of State March 27, 2024.

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Exhibit E
May 5, 2026
Fircrest Planning Commission
Legislative Priorities, Group 1 of 2

CERTIFICATION OF ENROLLMENT

ENGROSSED SENATE BILL 5559

Chapter 271, Laws of 2025

69th Legislature
2025 Regular Session

UNIT LOT SUBDIVISIONS—LOCAL GOVERNMENT PROCEDURES

EFFECTIVE DATE: July 27, 2025

Passed by the Senate April 21, 2025
Yeas 48 Nays 0

JOHN LOVICK
President of the Senate

Passed by the House April 10, 2025
Yeas 95 Nays 0

LAURIE JINKINS
Speaker of the House of Representatives

Approved May 13, 2025 10:37 AM

BOB FERGUSON
Governor of the State of Washington

CERTIFICATE

I, Sarah Bannister, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **ENGROSSED SENATE BILL 5559** as passed by the Senate and the House of Representatives on the dates hereon set forth.

SARAH BANNISTER
Secretary

FILED

May 14, 2025

Secretary of State
State of Washington

ENGROSSED SENATE BILL 5559

AS AMENDED BY THE HOUSE

Passed Legislature - 2025 Regular Session

State of Washington 69th Legislature 2025 Regular Session

By Senators Lovelett, Nobles, and Trudeau

Read first time 01/28/25. Referred to Committee on Local Government.

AN ACT Relating to streamlining the subdivision process inside urban growth areas; and amending RCW 58.17.020 and 58.17.060.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

Sec. 1. RCW 58.17.020 and 2002 c 262 s 1 are each amended to read as follows:

As used in this chapter, unless the context or subject matter clearly requires otherwise, the words or phrases defined in this section shall have the indicated meanings.

(1) "Subdivision" is the division or redivision of land into five or more lots, tracts, parcels, sites, or divisions for the purpose of sale, lease, or transfer of ownership, except as provided in subsection (6) of this section.

(2) "Plat" is a map or representation of a subdivision, showing thereon the division of a tract or parcel of land into lots, blocks, streets and alleys, or other divisions and dedications.

(3) "Dedication" is the deliberate appropriation of land by an owner for any general and public uses, reserving to himself or herself no other rights than such as are compatible with the full exercise and enjoyment of the public uses to which the property has been devoted. The intention to dedicate shall be evidenced by the owner by the presentment for filing of a final plat or short plat

showing the dedication thereon; and, the acceptance by the public shall be evidenced by the approval of such plat for filing by the appropriate governmental unit.

A dedication of an area of less than two acres for use as a public park may include a designation of a name for the park, in honor of a deceased individual of good character.

(4) "Preliminary plat" is a neat and approximate drawing of a proposed subdivision showing the general layout of streets and alleys, lots, blocks, and other elements of a subdivision consistent with the requirements of this chapter. The preliminary plat shall be the basis for the approval or disapproval of the general layout of a subdivision.

(5) "Final plat" is the final drawing of the subdivision and dedication prepared for filing for record with the county auditor and containing all elements and requirements set forth in this chapter and in local regulations adopted under this chapter.

(6) "Short subdivision" is the division or redivision of land into four or fewer lots, tracts, parcels, sites, or divisions for the purpose of sale, lease, or transfer of ownership. However, the legislative authority of any city or town may by local ordinance increase the number of lots, tracts, or parcels to be regulated as short subdivisions to a maximum of nine. The legislative authority of any county planning under RCW 36.70A.040 that has adopted a comprehensive plan and development regulations in compliance with chapter 36.70A RCW may by ordinance increase the number of lots, tracts, or parcels to be regulated as short subdivisions to a maximum of nine in any urban growth area.

(7) "Binding site plan" means a drawing to a scale specified by local ordinance which: (a) Identifies and shows the areas and locations of all streets, roads, improvements, utilities, open spaces, and any other matters specified by local regulations; (b) contains inscriptions or attachments setting forth such appropriate limitations and conditions for the use of the land as are established by the local government body having authority to approve the site plan; and (c) contains provisions making any development be in conformity with the site plan.

(8) "Short plat" is the map or representation of a short subdivision.

(9) "Lot" is a fractional part of divided lands having fixed boundaries, being of sufficient area and dimension to meet minimum

zoning requirements for width and area. The term shall include tracts or parcels.

(10) "Block" is a group of lots, tracts, or parcels within well defined and fixed boundaries.

(11) "County treasurer" shall be as defined in chapter 36.29 RCW or the office or person assigned such duties under a county charter.

(12) "County auditor" shall be as defined in chapter 36.22 RCW or the office or person assigned such duties under a county charter.

(13) "County road engineer" shall be as defined in chapter 36.40 RCW or the office or person assigned such duties under a county charter.

(14) "Planning commission" means that body as defined in chapter 36.70, 35.63, or 35A.63 RCW as designated by the legislative body to perform a planning function or that body assigned such duties and responsibilities under a city or county charter.

(15) "County commissioner" shall be as defined in chapter 36.32 RCW or the body assigned such duties under a county charter.

(16) "Parent lot" means a residential lot that is subdivided into unit lots through the unit lot subdivision process.

(17) "Unit lot" means a subdivided lot within a residential development as created from a parent lot and approved through the unit lot subdivision process.

(18) "Unit lot subdivision" means a subdivision or short subdivision proposed as part of a residential development project that meets the development standards applicable to the parent lot at the time the application is vested, but which may result in development on one or more individual unit lots becoming nonconforming as to specified land use and development standards based on the analysis of the individual unit lot. By June 30, 2026, all unit lot subdivisions shall require notification to purchasers of their legal status as further described in RCW 58.17.060.

(19) "Clear and objective design and development standards" means locally adopted development regulations that involve no personal or subjective judgment by a public official, and are ascertainable by reference to measurable written or graphic criteria available and knowable to the permit applicant, the public, and public officials prior to submittal.

Sec. 2. RCW 58.17.060 and 2023 c 337 s 11 are each amended to read as follows:

(1) The legislative body of a city, town, or county shall adopt regulations and procedures, and appoint administrative personnel for the summary approval of short plats and short subdivisions or alteration or vacation thereof. When an alteration or vacation involves a public dedication, the alteration or vacation shall be processed as provided in RCW 58.17.212 or 58.17.215. Such regulations shall be adopted by ordinance and shall provide that a short plat and short subdivision may be approved only if written findings that are appropriate, as provided in RCW 58.17.110, are made by the administrative personnel, and may contain wholly different requirements than those governing the approval of preliminary and final plats of subdivisions and may require surveys and monumentations and shall require filing of a short plat, or alteration or vacation thereof, for record in the office of the county auditor: PROVIDED, That such regulations must contain a requirement that land in short subdivisions may not be further divided in any manner within a period of five years without the filing of a final plat, except that when the short plat contains fewer than four parcels, nothing in this section shall prevent the owner who filed the short plat from filing an alteration within the five-year period to create up to a total of four lots within the original short plat boundaries: PROVIDED FURTHER, That such regulations are not required to contain a penalty clause as provided in RCW 36.32.120 and may provide for wholly injunctive relief.

An ordinance requiring a survey shall require that the survey be completed and filed with the application for approval of the short subdivision.

(2) Cities, towns, and counties shall include in their short plat regulations and procedures pursuant to subsection (1) of this section provisions for considering sidewalks and other planning features that assure safe walking conditions for students who walk to and from school.

(3) All cities((~~,~~)) and towns((~~, and counties shall include in their short plat regulations~~)) located in a county planning under RCW 36.70A.040 shall adopt or enact procedures for unit lot subdivisions ((~~allowing division of a parent lot into separately owned unit lots~~)). Portions of the parent lot not subdivided for individual unit lots shall be owned in common by the owners of the individual unit lots, or by a homeowners' association comprised of the owners of the individual unit lots.

(a) These procedures shall include, at a minimum, the requirement that prominent informational notes be placed on the unit lot subdivision's plat, and recorded in the county or counties in which such land is located, to acknowledge each of the following:

(i) Approval of the design and layout of the unit lot's housing development project was granted based on detailed review of that specified project, as a whole, on the parent lot, including specific reference to the applicable permit or file number for that specified project;

(ii) Subsequent subdivision actions, additions, or modifications to the unit lot housing development project's structures may not create or increase any nonconformity of the parent lot as a whole, and shall conform to the approved unit lot housing development project or to the land use and development standards in effect at the time of the proposed actions, additions, or modifications;

(iii) If a structure or portion of a structure within the unit lot housing development project has been damaged or destroyed, any repair, reconstruction, or replacement of any structure shall conform to the approved unit lot housing development project or to the land use and development standards in effect at the time the proposed repair, reconstruction, or replacement project's permit application becomes vested; and

(iv) Additional development or redevelopment of the individual unit lots may be limited as a result of the application of development standards to the parent lot.

(b) These procedures shall also:

(i) Not require any public predecision meeting or hearing, nor any design review other than administrative design review, except for those required to comply with state law, including chapter 90.58 RCW. A city must ensure that the community and property owners within 250 feet of the unit lot to be subdivided are provided notice consistent with RCW 36.70B.110 of how to provide written comments to the administrative decision maker, including through notice posted on the closest public sidewalk or roadway;

(ii) Apply only clear and objective design and development standards;

(iii) Be logically integrated with the application, review, and approval procedures that apply to the underlying unit lot housing development project to the greatest extent feasible; and

(iv) Be specifically subject to the maximum time period for local government actions as set forth in RCW 36.70B.080, unless extended pursuant to project-specific mutual agreement as permitted by RCW 36.70B.080.

(c) After the deadlines in (e) of this subsection, no city or town subject to this section may decline to accept, process, or approve an application for a unit lot subdivision, consistent with the procedural requirements of (a) and (b) of this subsection, solely because that city or town has not completed adoption or enactment of the procedures required under this section.

(d) Nothing in this section:

(i) Prohibits a city or county from applying public health, safety, building code, and environmental permitting requirements to a development project that is subject to or integrated with a unit lot subdivision process;

(ii) Requires a city or county to authorize a development project or a unit lot subdivision in a location where development is restricted under other laws, rules, or ordinances, such as in locations where development is limited as a result of physical proximity to on-site sewage system infrastructure, critical areas, or other unsuitable physical characteristics of a property.

(e) Cities and towns that are required to submit their next comprehensive plan update in 2027 pursuant to RCW 36.70A.130 must adopt or amend by ordinance, and incorporate into their development regulations, zoning regulations, and other official controls, the requirements of this section in their next comprehensive plan update. All other cities and towns must implement the requirements of this section within two years of the effective date of this section.

(f) Nothing in this subsection alters the vesting requirements set forth in RCW 58.17.033.

Passed by the Senate April 21, 2025.
Passed by the House April 10, 2025.
Approved by the Governor May 13, 2025.
Filed in Office of Secretary of State May 14, 2025.

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Exhibit F
May 5, 2026
Fircrest Planning Commission
Legislative Priorities, Group 1 of 2

Chapter 22.05

TYPES OF PROJECT PERMIT APPLICATIONS

Sections:
22.05.001 Classification of project permits.
22.05.002 Determination of classification.
22.05.003 Project permit application framework.
22.05.004 Joint public hearings.
22.05.005 Legislative decisions.
22.05.006 Legislative enactments not restricted.
22.05.007 Exemptions from project permit application processing.

22.05.001 Classification of project permits.
For the purpose of project permit processing, all project permit applications shall be classified as shown in Table A, FMC 22.05.003, as one of the following: Type I, Type II-A, Type II-B, Type III-A, Type III-B, or Type IV. Legislative decisions are Type V actions, and are addressed in FMC 22.05.005. Exclusions from the requirements of project permit application processing are contained in FMC 22.05.007 (RCW 36.70B.120). (Ord. 1512 § 1, 2011; Ord. 1120 § 1, 1996).

22.05.002 Determination of classification.
(a) Determination by Director. The director of the planning/building department or his designee (hereinafter the "director") shall determine the proper classification for each project permit application. If there is a question as to the appropriate classification, the director shall resolve the question in favor of the higher classification type.

(b) Optional Consolidated Permit Processing. An application that involves two or more classification types may be processed collectively under the highest numbered type required for any part of the application or processed individually under each of the procedures identified by the code. The applicant may determine whether the application shall be processed collectively or individually. If the application is processed individually, the highest numbered type shall be processed prior to the subsequent lower numbered type (RCW 36.70B.060(3), RCW 36.70B.120).

(c) Hearing Bodies. Applications processed in accordance with subsection (b) of this section which involve different hearing bodies shall be heard collectively by the highest-ranking hearing body. The city council is the highest rank, followed by the planning commission and hearing examiner, and then the director. Joint public hearings with other agencies shall be processed according to FMC 22.05.004 (RCW 36.70B.060(3), RCW 36.70B.120). (Ord. 1638 § 1, 2019; Ord. 1120 § 1, 1996).

22.05.003 Project permit application framework.

Table A – Classifications

Type I	Type II-A	Type II-B	Type III-A	Type III-B	Type IV	Type V
Permitted use not requiring site plan or design review	Minor variance	Short plat, unit lot short subdivision, short plat vacation or alteration	Major variance	Zoning map amendment	Final plat	Comprehensive plan amendment
Boundary line adjustment	Minor site plan	Final site plan	Conditional use permit			Development regulation amendment
Minor amendment to Type III-A project permit	Administrative use permit	Final development plan	Preliminary plat, unit lot preliminary subdivision, plat			Area-wide rezone

Commented [KM1]: As a matter of general code cleanup and permitting best practice, staff wish to discuss decision making authority for subdivisions with PC and Council.

Type I	Type II-A	Type II-B	Type III-A	Type III-B	Type IV	Type V
			vacation or alteration			
Temporary accessory structure and use		Design review	Preliminary site plan (major)			Annexation
Home occupation permit, not requiring CUP		Land clearing/grading permit	Preliminary development plan			
Short-term rental permit, not requiring CUP		Administrative interpretation	Major amendment to Type III-A project permit			
De minimis variance		Critical areas determination	Critical areas reasonable use exception and public agency and utility exception			
Residential Lot Split		Binding site plan	Development agreement associated with project permit			

Commented [KG2]: HB 1096
Residential lot splits have to be decided on administratively and cannot be subject to administrative appeal. I recommend a Type 1 process for these applications.

Table B – Procedures

Action	Type I	Type II-A	Type II-B	Type III-A	Type III-B	Type IV	Type V
Recommendation made by:	N/A	N/A	N/A	N/A	Hearing examiner	Hearing examiner	Planning commission
Final decision made by:	Director	Director	Director	Hearing examiner	City council	City council	City council
Notice of complete application/Notice of Application/comment period:	Not required	~~Not required; see FMC 22.07.004~~Required	R~~Not r~~equired	Required	Required	Required	Not required
Open record public hearing/public review:	Not required	Not required; see FMC 22.07.005	Hearing required only if director decision appealed, then hearing before hearing examiner	Hearing required before hearing examiner	Hearing required before hearing examiner, who will forward recommendation to city council	Public review required before hearing examiner, who will forward recommendation to city council	Hearing required before planning commission and city council
Closed record review/appeal hearing/decision:	Not required	Not required	Not required	Not required	Closed record review required before city council, which will render final decision	Closed record review required before city council, which will render final decision	N/A
Judicial appeal:	Yes	Yes	Yes	Yes	Yes	No	Yes

Commented [KM3]: SB 5559
Comment periods are required for Unit Lot Subdivisions. Also, in coordination with the City Manager, it is recommended that the City require a Completeness Determination and NOA for all Type II applications and above.

(Ord. 1638 § 2, 2019; Ord. 1611 § 1, 2018; Ord. 1575 § 1, 2016; Ord. 1562 § 1, 2015; Ord. 1527 § 1, 2012; Ord. 1468 § 1, 2009; Ord. 1375 § 8, 2005; Ord. 1245 § 1, 2000).

22.05.004 Joint public hearings.

(a) Director's Decision to Hold Joint Hearing. The director may combine any public hearing on a project permit application with any hearing that may be held by another local, state, regional, federal, or other agency, on the

Chapter 22.14

RESIDENTIAL LOT SPLIT

Sections:

22.14.001 Requirements for a complete application.
22.14.002 Type of application.
22.14.003 Criteria for approval.
22.14.004 Findings and conclusions.
22.14.005 Dedications.
22.14.006 Construction of improvements.
22.14.007 Prohibition on further division.
22.14.008 Submittal of copies of recorded residential lot split.

22.14.001 Requirements for a complete application.

In addition to the requirements for a completed application as set forth in FMC 22.06.002, an applicant for a residential lot split shall submit the following:

(a) A map or sketch prepared by a Professional Land Surveyor licensed in the state of Washington using a scale of 100 feet to one inch or larger of the entire contiguous tract owned by the applicant which shall show:

(1) The owners of adjacent land and the names of any adjacent subdivisions;

(2) Lines marking the boundaries of the proposed lots;

(3) Approximate locations of existing streets and ways or easements for such streets and ways within and adjacent to the tract;

(4) Legal description of the original lot and legal descriptions for the created lots;

(5) Name and address of the owner(s) of the tract;

(6) All covenants, easements, encumbrances, restrictions, or other title notes applicable to the lot split.

(b) A certificate giving full and complete description of the lands divided as they appear on the lot split, including a statement that the lot split has been made with free consent and in accordance with the desires of the owner(s). If the lot split includes a dedication, the certificate shall also contain the dedication of all streets and other areas to the public, and individual(s), religious society or societies or to any corporation, public or private, as shown on the lot split, and a waiver of all claims for damages against any governmental authority which may be occasioned to the adjacent land by the established construction, drainage, and maintenance of the road. The certificate shall be signed and acknowledged before a notary public by all parties having any interest in the lands subdivided;

(c) For all lot splits containing a dedication, a title report confirming that the title of the lands as described and shown on the lot split is in the name of the owner signing the certificate. Roads not dedicated to the public must be clearly marked on the face of the lot split. Any dedication, donation, or grant as shown on the face of the lot split shall be considered for all intents and purposes as a quit claim deed to the donee or donees, grantee or grantees, for his, her or their use for the purpose intended by the donors or grantors as aforesaid;

(d) Pertinent survey data compiled as a result of a survey made by or under the supervision of a land surveyor registered in the state and engaged in land surveying, and;

(e) Demonstration by the applicant that the parent lot or created lot comply with germane development regulations, including but not limited to critical area regulations, stormwater provisions, setbacks, impervious surface coverages,

and structural coverage standards. Lots are ineligible for lot split under this chapter if they cannot be developed consistent with germane development regulations.

22.14.002 Type of application.
A residential lot split is a Type 1 application and the director shall make the final decision. The application shall not be subject to administrative appeal. The application shall be processed as set forth in Chapter 22.06 FMC.

22.14.003 Criteria for approval.
The director shall approve a residential lot split if it has been determined that:

(a) The application complies with Chapter 22.21 FMC, General Requirements for Subdivision Approval;

(b) Appropriate provisions are made for, but not limited to, the public health, safety and general welfare, for open spaces, drainage ways, streets or roads, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, power, parks and recreation, playgrounds, schools and school grounds, and for sidewalks and other planning features that assure safe walking conditions for students who walk to and from school;

(c) The public interest will be served by the lot split and any dedication;

(d) No more than one newly created lot is created through the residential lot split;

(e) Both the parent lot and the newly created lot meet the minimum lot size allowed under the applicable development regulations;

(f) The parent lot was not created through the lot splitting of a residential lot authorized by this chapter;

(g) The parent lot is located in a residential zone and not in an exclusively nonresidential zone;

(h) If the lot split would require demolition or alteration of any existing housing that would displace a renter, the applicant must recommend a displacement mitigation strategy that may include, but is not limited to, relocation assistance;

(i) The City's Public Works Department has issued certificates of availability for water and sewer service for the newly created lot;

(j) Access and utility rights are granted or conveyed as necessary on or before recording of the lot split survey to provide access for the maximum number of dwelling units that could be developed on the newly created lot, provided such access rights may be reduced consistent with a city's adopted codes, regulations, or design standards as applicable through review of a subsequent application for a building permit, short subdivision, unit lot subdivision, subdivision application, or short subdivision if less than the maximum number of dwelling units are built on the newly created lot;

(k) The lot split does not result in a lot of a size that would allow for further land division;

(l) The planning director or other designee determines that the application follow all applicable development regulations, and;

(m) The lot split survey has been approved by the planning director or other designee and includes a condition on the face of the survey that further lot splits of the parent lot and newly created lot are not authorized by this chapter.

22.14.004 Findings and conclusions.

The director shall not approve a residential lot split unless written findings are made that each criteria listed in FMC 22.14.003 has been satisfied and the city engineer has certified in writing that the short plat, legal descriptions and related documentation comply with the general requirements for subdivision approval set forth in Chapter 22.21 FMC.

22.14.005 Dedications.

If public dedications are required for a lot split, the director's approval of the lot split shall be conditioned on city council acceptance of the required dedications. The short plat and offer of dedication, along with any certificate and related documentation required by the city engineer, shall be forwarded to the city council for acceptance at a public meeting. An approved short plat shall not be filed for record until the applicant has obtained city council acceptance of all public dedications required for approval.

22.14.006 Construction of improvements.

An approved lot split shall not be filed for record until the applicant has constructed or bonded for all improvements required by the director in the final decision on the lot split pursuant to FMC 22.14.003, if required. A certificate of completion of one of the following alternatives shall be accepted by the director prior to recording of the lot split:

(a) All improvements have been installed in accord with the requirements of these regulations and accepted by the city upon the recommendation of the city engineer as certified by the city clerk, or;

(b) Approved plans are on file with the city engineer for all required utilities and street improvements and a cash or surety bond as provided in Chapter 22.21 FMC has been posted with the city clerk and deposited with the city finance director.

22.14.007 Prohibition on further division.

Property divided via a residential lot split may not undergo any future application for additional lot split. Any future division of property divided via residential lot split shall undergo a short plat, subdivision, or other land division set forth in chapter 58.17 RCW

22.14.008 Submittal of copies of recorded residential lot split.

Within 15 days of recording the lot split with the Pierce County auditor, the applicant shall provide an electronic file of the recorded lot split in WA state-plane coordinate system to the planning/building department.

Chapter 22.17

SHORT PLATS

Sections:

22.17.001 Requirements for a complete application.
22.17.002 Type of application.
22.17.003 Optional pre-application conference.
22.17.004 Criteria for approval.
22.17.005 Findings and conclusions.
22.17.006 Dedications.
22.17.007 Construction of improvements.
22.17.008 Prohibition on further division.
22.17.009 Time frame for approval.
22.17.010 Submittal of copies of recorded short plat.

22.17.001 Requirements for a complete application.

(a) Number of copies: five. The number of copies required may be modified by the director.

(b) Application Contents. In addition to the requirements for a completed application as set forth in FMC 22.06.002, an applicant for a short plat or unit lot short plat shall submit the following:

(1) A map or sketch using a scale of 100 feet to one inch or larger of the entire contiguous tract owned by the applicant which shall show:

(A) The owners of adjacent land and the names of any adjacent subdivisions;

(B) Lines marking the boundaries of the proposed lots;

(C) Approximate locations of existing streets and ways or easements for such streets and ways within and adjacent to the tract;

(D) Legal description of the parent tract with alpha or numerical designations for all proposed lots or remainders;

(E) Name and address of the owner(s) of the tract;

(2) A certificate giving full and complete description of the lands divided as they appear on the short plat or unit lot short plat, including a statement that the short subdivision has been made with free consent and in accordance with the desires of the owner(s). If the short plat or unit lot short plat includes a dedication, the certificate shall also contain the dedication of all streets and other areas to the public, and individual(s), religious society or societies or to any corporation, public or private, as shown on the short plat or unit lot short plat, and a waiver of all claims for damages against any governmental authority which may be occasioned to the adjacent land by the established construction, drainage, and maintenance of the road. The certificate shall be signed and acknowledged before a notary public by all parties having any interest in the lands subdivided;

(3) For all short plats or unit lot short plats containing a dedication, a title report confirming that the title of the lands as described and shown on the plat is in the name of the owner signing the certificate. Roads not dedicated to the public must be clearly marked on the face of the plat. Any dedication, donation, or grant as shown on the face of the plat shall be considered for all intents and purposes as a quit claim deed to the donee or donees, grantee or grantees, for his, her or their use for the purpose intended by the donors or grantors as aforesaid; and

(4) Pertinent survey data compiled as a result of a survey made by or under the supervision of a land surveyor registered in the state and engaged in land surveying.

(5) For all unit lot short subdivisions or unit lot short plats, notes are required on the plat to be recorded, acknowledging each of the following:

(A) Approval of the design and layout of the unit lot's housing development project was granted based on detailed review of that specified project, as a whole, on the parent lot, including specific reference to the applicable permit or file number for that specified project;

(B) Subsequent subdivision actions, additions, or modifications to the unit lot housing development project's structures may not create or increase any nonconformity of the parent lot as a whole, and shall conform to the approved unit lot housing development project or to the land use and development standards in effect at the time of the proposed actions, additions, or modifications;

(C) If a structure or portion of a structure within the unit lot housing development project has been damaged or destroyed, any repair, reconstruction, or replacement of any structure shall conform to the approved unit lot housing development project or to the land use and development standards in effect at the time the proposed repair, reconstruction, or replacement project's permit application becomes vested; and

(D) Additional development or redevelopment of the individual unit lots may be limited as a result of the application of development standards to the parent lot.

(Ord. 1122 § 2, 1996).

22.17.002 Type of application.
A short plat or unit lot short plat is a Type II-B application and the director shall make the final decision. The application shall be processed as set forth in Chapter 22.06 FMC. (Ord. 1122 § 2, 1996).

22.17.003 Optional pre-application conference.
Prior to submittal of an application for a short plat or unit lot short plat, an applicant may request a pre-application conference in accordance with FMC 22.06.001. The pre-application conference is intended to enable the applicant and city staff to review a conceptual plan prior to a formal survey being conducted and documentation being submitted for the short plat or unit lot short plat. (Ord. 1122 § 2, 1996).

22.17.004 Criteria for approval.
The director shall approve the short subdivision and short plat or unit lot short plat if it has been determined that:

(a) The application complies with Chapter 22.21 FMC, General Requirements for Subdivision Approval;

(b) Appropriate provisions are made for, but not limited to, the public health, safety and general welfare, for open spaces, drainage ways, streets or roads, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, power, parks and recreation, playgrounds, schools and school grounds, and for sidewalks and other planning features that assure safe walking conditions for students who walk to and from school, based only on clear and objective design and development standards; and

Commented [KM4]: This is required per **SB 5559** (unit lot subdivision)

(c) The public interest will be served by the subdivision and dedication. (Ord. 1122 § 2, 1996).

22.17.005 Findings and conclusions.
The director shall not approve a short plat and short subdivision or unit lot short plat unless written findings are made that each of the criteria listed in FMC 22.17.004 has been satisfied and the city engineer (or designee) has certified in writing that the short plat or unit lot short plat, legal descriptions and related documentation comply with the general requirements for subdivision approval set forth in Chapter 22.21 FMC. (Ord. 1244 § 5, 2000; Ord. 1122 § 2, 1996).

22.17.006 Dedications.
If public dedications are required for a short plat or unit lot short plat, the director's approval of the short plat shall be conditioned on city council acceptance of the required dedications. The short plat or unit lot short plat and offer of dedication, along with any certificate and related documentation required by the city engineer, shall be forwarded to the city council for acceptance at a public meeting. An approved short plat or unit lot short plat shall not be filed

for record until the applicant has obtained city council acceptance of all public dedications required for approval. (Ord. 1122 § 2, 1996).

22.17.007 Construction of improvements.
An approved short plat or unit lot short plat shall not be filed for record until the applicant has constructed or bonded for all improvements required by the director in the final decision on the short plat or unit lot short plat pursuant to FMC 22.17.004. A certificate of completion of one of the following alternatives shall be accepted by the director prior to recording of the short plat or unit lot short plat:

(a) All improvements have been installed in accord with the requirements of these regulations and accepted by the city upon the recommendation of the city engineer (or designee) as certified by the city clerk;

(b) Approved plans are on file with the city engineer (or designee) for all required utilities and street improvements and a cash or surety bond as provided in Chapter 22.21 FMC has been posted with the city clerk and deposited with the city finance director. (Ord. 1244 § 6, 2000; Ord. 1122 § 2, 1996).

22.17.008 Prohibition on further division.
Property in short subdivisions or unit lot short plats may not be further divided in any manner within a period of five years without the filing of a final plat, except that when the short plat or unit lot short plat contains less than four parcels, nothing in this section shall prevent the owner who filed the short plat or unit lot short plat from filing an alteration within the five-year period to create up to a total of four lots within the original short plat or unit lot short plat boundaries. (Ord. 1122 § 2, 1996).

22.17.009 Time frame for approval.
Short plats and unit lot short plats shall be approved, disapproved or returned to the applicant within ~~30~~ 65 days after the date of filing of a complete application unless the applicant agrees to an extension of time or approval of a higher numbered type of application is required for short plat approval and the optional consolidated permit process is used pursuant to FMC 22.05.002. (Ord. 1122 § 2, 1996).

22.17.010 Submittal of copies of recorded short plat.
Within 15 days of recording the short plat or unit lot short plat with the Pierce County auditor, the applicant shall provide two paper copies of the recorded short plat or unit lot short plat and an electronic file in WA state-plane HARN Nad 83 South Fips 4602 US Feet coordinate system to the planning/building department. (Ord. 1575 § 4, 2016; Ord. 1244 § 7, 2000; Ord. 1122 § 2, 1996).

Commented [KM5]: This section indicates that recording of a short plat may occur with the Director's approval of the short plat and construction or bonding of improvements. We should make clear in our code what the intended subdivision process is and who the intended decision making authority is. It seems that the code in its entirety reads to mean that short plats **with dedications** are to be decided by Council, and without dedications are decided on by the Director and can be thereafter recorded once improvements are constructed or bonded.

Commented [KM6]: This statement reinforces Fircrest's intention that a Completeness Determination should be made for Type II-B applications. FMC 22.05 has been amended to reflect this.

Chapter 22.18

PRELIMINARY PLATS

Sections:
22.18.001 Requirements for a complete application.
22.18.002 Type of application.
22.18.003 Criteria for approval.
22.18.004 Findings and conclusions.
22.18.005 Time frame for approval.

22.18.001 Requirements for a complete application.
(a) Number of copies: 20. The number of copies required may be modified by the director.

(b) Application Contents. In addition to the requirements for a completed application as set forth in FMC 22.06.002, an applicant for a preliminary plat or unit lot preliminary subdivision shall submit the following:

(1) A map or sketch using a scale of 100 feet to one inch or larger, showing:

(A) Topographical and other data depicting:

(i) Boundary lines of the parent tract and proposed blocks and lots, including bearing and distance;

(ii) Easements, including location, width and purpose;

(iii) Existing and proposed streets and pedestrian ways on and adjacent to the tract, including name and right-of-way width and location; type, width and elevation of surfacing, walks, curbs, gutters, culverts, etc.;

(iv) Ground elevations on the tract, based on NGVD29; for land that slopes less than approximately two percent, show spot elevations at all breaks in grade, along all drainage channels or swales, and all selected points not more than 100 feet apart in all directions; for land that slopes more than approximately two percent, either show contours with an interval of not more than five feet if ground slope is regular and such information is sufficient for planning purposes, or show contours with an interval of not more than two feet if necessary because of irregular land or need for more detailed data for preparing plans and construction drawings;

(v) Other conditions on adjacent land, including approximate direction and gradient of ground slope, including any embankments or retaining walls; character and location of buildings, railroads, power lines, towers, and other nonresidential land uses or platted land within 300 feet of the subject property. Refer to subdivision plat by name, recording date, volume and page number, and show lot size and dwelling units;

(B) Utilities on and adjacent to the tract, including location, size and invert elevation of sanitary, storm and combined sewers; location and size of water mains; location of gas lines, fire hydrants, electric and telephone poles, and street lights. If water mains and sewers are not on or adjacent to the tract, indicate the direction and distance to, and size of nearest ones, showing invert elevation of sewers;

(C) Other conditions on the tract including watercourses, marshes, rock outcrop;

(D) Zoning district designations, on and adjacent to the tract;

(E) Proposed public improvements, including highways or other major improvements planned for the development including preliminary plan and profile designs by a civil engineer. The relationship to, and integration with, other planned or existing public improvements shall be established and shown;

(F) Vicinity showing location of the tract;

(G) Sites, if any, to be reserved or dedicated for parks, playgrounds, or other public uses;

(H) Sites, if any, for multifamily dwellings, shopping centers, churches, industry or other nonpublic uses exclusive of single-family dwellings;

(I) Minimum building setback lines;

(J) Site data, including number of residential lots, typical lot size, and acres in parks, etc.;

(K) Plat name, scale, north arrow and date;

(L) Typical cross-sections of the proposed grading, roadway and sidewalk;

(M) Proposed sanitary, stormwater, electrical, and water systems preliminary plan with points of connection, grades and sizes indicated, prepared by a properly registered engineer.

(N) For all unit lot subdivisions or unit lot plats, notes are required on the plat to be recorded, acknowledging each of the following:

(1) Approval of the design and layout of the unit lot's housing development project was granted based on detailed review of that specified project, as a whole, on the parent lot, including specific reference to the applicable permit or file number for that specified project;

(2) Subsequent subdivision actions, additions, or modifications to the unit lot housing development project's structures may not create or increase any nonconformity of the parent lot as a whole, and shall conform to the approved unit lot housing development project or to the land use and development standards in effect at the time of the proposed actions, additions, or modifications;

(3) If a structure or portion of a structure within the unit lot housing development project has been damaged or destroyed, any repair, reconstruction, or replacement of any structure shall conform to the approved unit lot housing development project or to the land use and development standards in effect at the time the proposed repair, reconstruction, or replacement project's permit application becomes vested; and

(4) Additional development or redevelopment of the individual unit lots may be limited as a result of the application of development standards to the parent lot.

(2) Title and certificates, including a legal description according to official records in the office of the county auditor; pertinent survey data compiled as a result of a survey made by or under the supervision of a land surveyor registered in the state and engaged in land surveying which contains notation stating acreage, scale, north arrow, datum, and bench marks, provided in an electronic file in state plane coordinates if available; certification of registered civil engineer and land surveyor; date of survey.

(3) Draft of proposed covenants, if any. (Ord. 1122 § 2, 1996).

22.18.002 Type of application.
A preliminary plat or unit lot preliminary subdivision is a Type III-A application. The hearing examiner shall make the final decision on all preliminary plats. (Ord. 1638 § 10, 2019; Ord. 1122 § 2, 1996).

22.18.003 Criteria for approval.
The hearing examiner shall make inquiries into the public use and interest proposed to be served by the establishment of the subdivision and/or dedication, and shall consider:

(a) Whether the preliminary plat or unit lot preliminary subdivision conforms to Chapter 22.21 FMC, General Requirements for Subdivision Approval;

(b) If appropriate provisions are made for, but not limited to, the public health, safety and general welfare, for open spaces, drainage ways, streets or roads, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, power, parks and recreation, playgrounds, schools and school grounds, and for sidewalks and other planning features that assure safe walking conditions for students who walk to and from school, based only on clear and objective design and development standards; and

(c) Whether the public interest will be served by the subdivision and dedication. (Ord. 1638 § 11, 2019; Ord. 1122 § 2, 1996).

22.18.004 Findings and conclusions.
The hearing examiner shall not approve the preliminary plat or unit lot preliminary subdivision unless written findings are made that each of the criteria listed in FMC 22.18.003 has been satisfied. (Ord. 1638 § 12, 2019; Ord. 1244 § 8, 2000; Ord. 1122 § 2, 1996).

22.18.005 Time frame for approval.
Preliminary plats of any proposed subdivision or unit lot preliminary subdivision and dedication shall be approved, disapproved, or returned to the applicant for modification or correction within ~~90~~ 170 days from the date of filing of a complete application, unless the applicant agrees to an extension of such time period~~; provided, that if an environmental impact statement is required as provided in RCW 43.21C.030, the 90-day period shall not include the time spent preparing and circulating the environmental impact statement by the city~~. (Ord. 1122 § 2, 1996).

Commented [KM7]: I recommend this language be deleted. There are many instances allowed by SB 5290 (Planning Legislative Priorities 2 of 2) when the "shot clock" stops beyond just a SEPA EIS. We should allow administrative edits that will be made to implement 5290 speak to review times.

Chapter 22.32

RESIDENTIAL-4 DISTRICT (R-4)

Sections:
22.32.001 Purpose.
22.32.002 Permitted uses.
22.32.003 Accessory uses.
22.32.004 Conditional uses.
22.32.005 Development standards.

22.32.001 Purpose.
The R-4 zoning district is intended to implement the comprehensive plan's low density residential land use designation. The district standards aim to preserve and enhance the character of neighborhoods that have a well-established suburban development pattern. The predominant land uses in these neighborhoods are detached single-family dwellings located on 8,000- to 12,000-square-foot lots. New construction must fit within this context. (Ord. 1246 § 2, 2000).

22.32.002 Permitted uses.
Uses permitted subject to administrative design review approval, when applicable, in accordance with Chapter 22.66 FMC:

(a) Single-family dwelling.

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

(c) Nonmotorized recreational trail or passive recreational park with no permanent on-site staff.

(d) 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. (Ord. 1562 § 5, 2015; Ord. 1246 § 2, 2000).

22.32.003 Accessory uses.
Uses permitted in conjunction with, or accessory to, a principal use permitted in FMC 22.32.002:

(a) Accessory dwelling unit (subject to compliance with FMC 22.58.012).

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

(c) Home occupation – Type I (subject to compliance with FMC 22.58.013).

(d) Amateur and citizen band transmitter, support structure and antenna array (subject to compliance with FMC 22.58.002(h)).

(e) Residential accessory use or structure which is subordinate and incidental to a permitted residential dwelling unit (subject to compliance with Chapter 22.58 FMC). Residential accessory uses and structures may include, but are not limited to: garage, carport, storage shed, noncommercial greenhouse, patio, swimming pool, sport court, gazebo, pergola, trellis, fence, and similar uses or structures.

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

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

(h) Electric vehicle charging station (subject to compliance with FMC 22.58.025). (Ord. 1509 § 1, 2011; Ord. 1246 § 2, 2000).

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

(a) Child day-care center.

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

(c) School, accredited K-12, public or private.

(d) Preschool, accredited, public or private.

(e) Religious institution.

(f) Bed and breakfast establishment (subject to compliance with FMC 22.58.011).

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

(h) 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.

(i) Personal wireless telecommunications facility (subject to compliance with Chapter 22.24 FMC).

(j) 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. (Ord. 1246 § 2, 2000).

22.32.005 Development standards.

Maximum density	4 dwelling units per gross acre[1].
Minimum lot area	8,000 square feet.
Maximum height	30 feet. See FMC 22.58.007 for exceptions.
Maximum floor area ratio	0.35. See FMC 22.58.026 for FAR standards.
Minimum front yard setback	25 feet. See FMC 22.58.002 for setback reduction and allowable encroachments.
Minimum interior side yard setback	8 feet. See FMC 22.58.002 for allowable encroachments.
Minimum side street side yard setback	15 feet. See FMC 22.58.002 for allowable encroachments.
Minimum rear yard setback	20 feet. See FMC 22.58.002 for allowable encroachments.
Exterior wall modulation	Building elevations greater than 40 feet in length, measured horizontally, shall incorporate wall plane projections or recesses having a depth of at least 4 feet for front and side street side yard elevations of single-family dwellings, and 6 feet for all elevations of all other buildings. The projections or recesses shall extend at least 20% of the length of the facade. No uninterrupted length of any elevation shall exceed 40 horizontal feet. See FMC 22.64.009 for an

	illustration of this requirement.
Articulation	Building elevations exceeding 20 feet in length, measured horizontally, shall incorporate a minimum of 2 articulation components, such as a stoop, porch, chimney or other substantial projections, windows, multiple contrasting siding materials, or substantial trim including a belt course, to visually and/or functionally break up flat, blank or undifferentiated elevations. Building elevations greater than 30 feet in length, measured horizontally, and exceeding 12 feet in height, measured from finished grade to top of wall where it connects to roof structure, shall incorporate a minimum of 3 articulation components.
Accessory building standards	See FMC 22.58.003.
Maximum lot coverage for structures	40% for all structures combined.
Maximum impervious surface coverage	50% for structures and other impervious surfaces combined.
Minimum lot width	60 feet.
Minimum frontage on a public street	60 feet. 45 feet if located on a cul-de-sac or facing the inside curve of a street.
Additional specific use and structure regulations	See Chapter 22.58 FMC.
Parking and circulation	See Chapter 22.60 FMC.
Landscape regulations	See Chapter 22.62 FMC.
Design standards	See Chapter 22.64 FMC.
Calculations resulting in a fraction shall be rounded to the nearest whole number with .50 being rounded up. [1]A 25% density bonus may be applied to affordable housing development of any single-family residence located on real property owned or controlled by a religious organization, provided that such development complies with RCW 35.63.280 or as amended.	

(Ord. 1611 § 5, 2018; Ord. 1562 § 6, 2015; Ord. 1311 § 2, 2002; Ord. 1272 § 1, 2001; Ord. 1246 § 2, 2000).

Commented [KG8]: HB 1337
The RCW does not stipulate what density bonus we allow. The City has discretion in determining what density bonus is right here, as long as it is "consistent with local needs" for affordable housing. Because our amended LCA and Comp Plan will demonstrate affordable housing sufficiency without this amendment, we can keep the allowed density bonus small, even smaller than 25% if that's what is right for Fircrest.

What seems right to Planning Commission for allowed bonus densities in Fircrest's residential areas?

Chapter 22.34

RESIDENTIAL-4-CONSERVATION DISTRICT (R-4-C)

Sections:

22.34.001 Purpose.
22.34.002 Permitted uses.
22.34.003 Accessory uses.
22.34.004 Conditional uses.
22.34.005 Development standards.

22.34.001 Purpose.

The R-4-C zoning district is intended to implement the comprehensive plan's low density residential – conservation overlay land use designation. The district standards permit limited residential development within areas that contain significant environmental constraints such as wetlands, frequently flooded areas and steep slopes. These constraints place practical limits on building intensity and provide for the clustering of new development to further protect critical areas and to retain additional open space. (Ord. 1461 § 1, 2008; Ord. 1246 § 3, 2000).

22.34.002 Permitted uses.

Uses permitted subject to administrative design review approval in accordance with Chapter 22.66 FMC:

(a) Small lot development (subject to compliance with small lot design standards and guidelines adopted by reference in Chapter 22.63 FMC).

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

(c) Cottage housing (subject to compliance with cottage housing standards in FMC 22.58.027).

(d) Nonmotorized recreational trail or passive recreational park with no permanent on-site staff.

(e) 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. (Ord. 1562 § 7, 2015; Ord. 1461 § 2, 2008; Ord. 1246 § 3, 2000).

22.34.003 Accessory uses.

Uses permitted in conjunction with, or accessory to, a principal use permitted in FMC 22.34.002:

(a) Accessory dwelling unit (subject to compliance with FMC 22.58.012).

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

(c) Home occupation – Type I (subject to compliance with FMC 22.58.013).

(d) Amateur and citizen band transmitter, support structure and antenna array (subject to compliance with FMC 22.58.002(h)).

(e) Residential accessory use or structure which is subordinate and incidental to a permitted residential dwelling unit (subject to compliance with Chapter 22.58 FMC). Residential accessory uses and structures may include, but are not limited to: garage, carport, storage shed, noncommercial greenhouse, patio, gazebo, pergola, trellis, fence, and similar uses or structures. Excludes swimming pools, sport courts and other facilities identified through the planned development permit review process that may add significantly to impervious surface coverage.

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

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

(h) Electric vehicle charging station (subject to compliance with FMC 22.58.025). (Ord. 1509 § 2, 2011; Ord. 1246 § 3, 2000).

22.34.004 Conditional uses.

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

(a) Child day-care center.

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

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

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

(e) Personal wireless telecommunications facility (subject to compliance with Chapter 22.24 FMC).

(f) A use not listed above which is not listed in another zoning district as a permitted or conditional use; is similar in nature to the above list of permitted and conditional uses; is consistent with the purpose and intent of this zoning district; and is compatible with the uses on adjoining properties. (Ord. 1246 § 3, 2000).

22.34.005 Development standards.

Maximum density	4 dwelling units per gross acre for small lot development[1]. 8 dwelling units per gross acre for cottage housing[1].
Density bonus	The following density bonuses, not to exceed 30% combined, may be permitted for small lot development: a. A 5% increase in density if ≥30% of the development site is retained as common open space, and which must be contiguous or larger than 1 acre in area. b. A 10% increase in density if a pedestrian trail system is provided within the common open space area, consistent with a trails plan. c. A 10% percent increase in density if a minimum 35% of the required common open space is improved as an active recreational area. Active recreational areas include, but are not limited to: i. Clearly defined athletic fields and/or activity courts. ii. Recreation centers or community facilities. d. A 1% increase in density for each 5% additional increase in common open space provided beyond the minimum percentage required.
Minimum and maximum lot area	Small lot development: See Chapter 22.63 FMC. Cottage housing: See FMC 22.58.027.
Maximum height	Other uses: 35 feet. Small lot development: See Chapter 22.63 FMC. Cottage housing: See FMC 22.58.027. Exceptions may be authorized per FMC 22.58.007.

Minimum and maximum front yard, interior side yard, side street side yard, and rear yard setback	Small lot development: See Chapter 22.63 FMC. Cottage housing: See FMC 22.58.027. Other uses: To be determined through the administrative design review process. If not specified, FMC 22.58.002 encroachment standards will apply.
Exterior wall modulation	Small lot development: See Chapter 22.63 FMC. Cottage housing: See FMC 22.58.027. For other uses, elevations greater than 40 feet in length, measured horizontally, shall incorporate wall plane projections or recesses having a depth of at least 6 feet. The projections or recesses shall extend at least 20% of the length of the facade. No uninterrupted length of any elevation shall exceed 40 horizontal feet. See FMC 22.64.009 for an illustration of this requirement.
Articulation	Small lot development: See Chapter 22.63 FMC. Cottage housing: See FMC 22.58.027. For other uses, building elevations exceeding 20 feet in length, measured horizontally, shall incorporate a minimum of 2 articulation components, such as a stoop, porch, chimney or other substantial projections, windows, multiple contrasting siding materials, or substantial trim including a belt course, to visually and/or functionally break up flat, blank or undifferentiated elevations. Building elevations greater than 30 feet in length, measured horizontally, and exceeding 12 feet in height, measured from finished grade to top of wall where it connects to roof structure, shall incorporate a minimum of 3 articulation components.
Accessory building standards	Small lot development: See Chapter 22.63 FMC. Cottage housing: See FMC 22.58.027. If not specified, FMC 22.58.003 standards will apply.
Maximum impervious surface coverage	Small lot development: See Chapter 22.63 FMC. Cottage housing: See FMC 22.58.027. For other uses, 50% for all structures and other impervious surfaces combined.
Maximum developable slope	Subject to the requirements of Chapter 22.100 FMC.
Additional specific use and structure regulations	See Chapter 22.58 FMC.
Parking and circulation	Small lot development: See Chapter 22.63 FMC. Cottage housing: See FMC 22.58.027. For other uses, see Chapter 22.60 FMC.
Landscape regulations	Small lot development: See Chapter 22.63 FMC. Cottage housing: See FMC 22.58.027. For other uses: See Chapter 22.62 FMC.

Design standards	Small lot development: See Chapter 22.63 FMC. Cottage housing: See FMC 22.58.027. For other uses: See Chapter 22.64 FMC.
Critical areas	See Chapter 22.92 FMC.
Calculations resulting in a fraction shall be rounded to the nearest whole number, with .50 being rounded up. [1]A 25% density bonus may be applied to affordable housing development of any single-family residence located on real property owned or controlled by a religious organization, provided that such development complies with RCW 35.63.280 or as amended.	

(Ord. 1611 § 6, 2018; Ord. 1562 § 8, 2015; Ord. 1481 § 1, 2009; Ord. 1461 § 3, 2008; Ord. 1311 § 3, 2002; Ord. 1272 § 2, 2001; Ord. 1246 § 3, 2000).

Chapter 22.36

RESIDENTIAL-6 DISTRICT (R-6)

Sections:
22.36.001 Purpose.
22.36.002 Permitted uses.
22.36.003 Accessory uses.
22.36.004 Conditional uses.
22.36.005 Development standards.

22.36.001 Purpose.
The R-6 zoning district is intended to implement the comprehensive plan's low density residential land use designation. The district standards aim to preserve the historic development pattern established in the city's original residential neighborhoods (the circa 1907 Regents Park I and II plats). These neighborhoods include an eclectic mix of architecture within a pedestrian-oriented urban grid development pattern. The predominant land uses are detached modestly-scaled single-family dwellings located on 5,000- to 8,000-square-foot lots. New construction must fit within this context. (Ord. 1246 § 4, 2000).

22.36.002 Permitted uses.
Uses permitted subject to administrative design review approval, when applicable, in accordance with Chapter 22.66 FMC:

(a) Single-family dwelling.

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

(c) Nonmotorized recreational trail or passive recreational park with no permanent on-site staff.

(d) 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. (Ord. 1562 § 9, 2015; Ord. 1246 § 4, 2000).

22.36.003 Accessory uses.
Uses permitted in conjunction with, or accessory to, a principal use permitted in FMC 22.36.002:

(a) Accessory dwelling unit (subject to compliance with FMC 22.58.012).

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

(c) Home occupation – Type I (subject to compliance with FMC 22.58.013).

(d) Amateur and citizen band transmitter, support structure and antenna array (subject to compliance with FMC 22.58.002(h)).

(e) Residential accessory use or structure which is subordinate and incidental to a permitted residential dwelling unit (subject to compliance with Chapter 22.58 FMC). Residential accessory uses and structures may include, but are not limited to: garage, carport, storage shed, noncommercial greenhouse, patio, swimming pool, sport court, gazebo, pergola, trellis, fence, and similar uses or structures.

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

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

(h) Electric vehicle charging station (subject to compliance with FMC 22.58.025). (Ord. 1509 § 3, 2011; Ord. 1246 § 4, 2000).

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

(a) Child day-care center.

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

(c) School, accredited K-12, public or private.

(d) Preschool, accredited, public or private.

(e) Religious institution.

(f) Bed and breakfast establishment (subject to compliance with FMC 22.58.011).

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

(h) 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.

(i) Personal wireless telecommunications facility (subject to compliance with Chapter 22.24 FMC).

(j) 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. (Ord. 1246 § 4, 2000).

22.36.005 Development standards.

Maximum density	6 dwelling units per gross acre[1].
Minimum lot area	5,000 square feet.
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. See FMC 22.58.007 for exceptions.
Maximum floor area ratio	0.35. See FMC 22.58.026 for FAR standards.
Minimum front yard setback	20 feet. See FMC 22.58.002 for setback reduction and allowable encroachments.
Minimum interior yard setback	5 feet for first story. 8 feet for side second story. See FMC 22.58.002 for allowable encroachments.
Minimum side street side yard setback	15 feet. See FMC 22.58.002 for allowable encroachments.
Exterior wall modulation	Building elevations greater than 40 feet in length, measured horizontally, shall incorporate wall plane projections or recesses having a depth of at least 4 feet for front and side street side yard elevations of single-family dwellings, and 6 feet for all elevations of all other buildings. The projections or recesses shall extend at least 20% of the length of the elevation. No uninterrupted length of any elevation shall

	exceed 40 horizontal feet. See FMC 22.64.009 for an illustration of this requirement.
Articulation	Building elevations exceeding 20 feet in length, measured horizontally, shall incorporate a minimum of 2 articulation components, such as a stoop, porch, chimney or other substantial projections, windows, multiple contrasting siding materials, or substantial trim including a belt course, to visually and/or functionally break up flat, blank or undifferentiated elevations. Building elevations greater than 30 feet in length, measured horizontally, and exceeding 12 feet in height, measured from finished grade to top of wall where it connects to roof structure, shall incorporate a minimum of 3 articulation components.
Minimum rear yard setback	20 feet. See FMC 22.58.002 for allowable encroachments.
Accessory building standards	See FMC 22.58.003.
Maximum lot coverage for structures	40% for all structures combined, except that up to 200 square feet of a covered, unenclosed front porch having a 6-foot minimum depth may be excluded from total.
Maximum impervious surface coverage	50% for all structures and other impervious surfaces combined, except that porches excluded above, and driveway strips less than or equal to 2 feet wide leading to a detached garage in rear 50% of a lot, may be excluded from total.
Minimum lot width	50 feet.
Minimum frontage on a public street	50 feet. 35 feet if located on a cul-de-sac or facing the inside curve of a street.
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	See Chapter 22.64 FMC.
Calculations resulting in a fraction shall be rounded to the nearest whole number with .50 being rounded up. [1]A 25% density bonus may be applied to affordable housing development of any single-family residence located on real property owned or controlled by a religious organization, provided that such development complies with RCW 35.63.280 or as amended.	

(Ord. 1611 § 7, 2018; Ord. 1562 § 10, 2015; Ord. 1311 § 4, 2002; Ord. 1272 § 3, 2001; Ord. 1246 § 4, 2000).

Chapter 22.38

RESIDENTIAL-8 DISTRICT (R-8)

Sections:
22.38.001 Purpose.
22.38.002 Permitted uses.
22.38.003 Accessory uses.
22.38.004 Conditional uses.
22.38.005 Development standards.

22.38.001 Purpose.
The R-8 zoning district is intended to implement the comprehensive plan's medium density residential land use designation. The district provides for a mix of residential dwelling units, including duplex and multifamily structures with three or four dwelling units. (Ord. 1246 § 5, 2000).

22.38.002 Permitted uses.
Uses permitted subject to planned development approval in accordance with Chapter 22.76 FMC and administrative design review approval in accordance with Chapter 22.66 FMC:

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

(b) Duplex dwelling.

(c) Multifamily dwelling within a structure containing no more than four dwelling units, when clustered to avoid critical areas or to retain significant open space.

(d) Manager's office, recreation facilities, laundry facilities, and other structures and facilities intended for use by residents of a residential complex.

(e) Nonmotorized recreational trail or passive recreational park with no permanent on-site staff.

(f) 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. (Ord. 1562 § 11, 2015; Ord. 1246 § 5, 2000).

22.38.003 Accessory uses.
Uses permitted in conjunction with, or accessory to, a principal use permitted in FMC 22.38.002:

(a) Accessory dwelling unit (subject to compliance with FMC 22.58.012).

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

(c) Home occupation – Type I (subject to compliance with FMC 22.58.013).

(d) Amateur and citizen band transmitter, support structure and antenna array (subject to compliance with FMC 22.58.002(h)).

(e) Residential accessory use or structure which is subordinate and incidental to a permitted residential dwelling unit (subject to compliance with Chapter 22.58 FMC). Residential accessory uses and structures may include, but are not limited to: garage, carport, storage shed, noncommercial greenhouse, patio, swimming pool, sport court, gazebo, pergola, trellis, fence, and similar uses or structures.

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

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

(h) Electric vehicle charging station (subject to compliance with FMC 22.58.025). (Ord. 1509 § 4, 2011; Ord. 1246 § 5, 2000).

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

(a) Child day-care center.

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

(c) School, accredited K-12, public or private.

(d) Preschool, accredited, public or private.

(e) Religious institution.

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

(g) 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.

(h) Personal wireless telecommunications facility (subject to compliance with Chapter 22.24 FMC).

(i) 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. (Ord. 1246 § 5, 2000).

22.38.005 Development standards.

Maximum density	8 dwelling units per gross acre[1].
Minimum lot area	To be determined through the PD review process – see Chapter 22.76 FMC.
Maximum height	35 feet. Exceptions may be authorized per FMC 22.58.007 and through the PD review process – see Chapter 22.76 FMC.
Minimum and maximum front yard, interior side yard, side street side yard, and rear yard setback	Setbacks and allowable encroachments to be determined through the PD review process – see Chapter 22.76 FMC. If not specified, FMC 22.58.002 encroachment standards will apply.
Exterior wall modulation	Building elevations greater than 40 feet in length, measured horizontally, shall incorporate wall plane projections or recesses having a depth of at least 4 feet for front and side street side yard elevations of single-family dwellings, and 6 feet for all elevations of all other buildings. The projections or recesses shall extend at least 20% of the length of the elevation. No uninterrupted length of any elevation shall exceed 40 horizontal feet. See FMC 22.64.009 for an illustration of this requirement.

Articulation	Building elevations exceeding 20 feet in length, measured horizontally, shall incorporate a minimum of 2 articulation components, such as a stoop, porch, chimney or other substantial projections, windows, multiple contrasting siding materials, or substantial trim including a belt course, to visually and/or functionally break up flat, blank or undifferentiated elevations. Building elevations greater than 30 feet in length, measured horizontally, and exceeding 12 feet in height, measured from finished grade to top of wall where it connects to roof structure, shall incorporate a minimum of 3 articulation components.
Accessory building standards	To be determined through the PD process – see Chapter 22.76 FMC. If not specified, FMC 22.58.003 standards will apply.
Maximum lot coverage for structures	To be determined through the PD review process – see Chapter 22.76 FMC.
Maximum impervious surface coverage	65% of the developable site area for all structures and other impervious surfaces combined.
Development not subject to planned development approval	For development that is not subject to planned development approval, or for modifications to existing development constructed prior to adoption of planned development requirements, lot size, setbacks, lot coverage and impervious surface area coverage shall comply with the development standards in FMC 22.36.005 (R-6 zone).
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	See Chapter 22.64 FMC. Site-specific design guidelines may be required as part of planned development approval. See also multifamily design standards and guidelines adopted by reference in Chapter 22.63 FMC.
Critical areas	See Chapter 22.92 FMC.
Calculations resulting in a fraction shall be rounded to the nearest whole number with .50 being rounded up. [1]A 25% density bonus may be applied to affordable housing development of any single-family or multifamily residence located on real property owned or controlled by a religious organization, provided that such development complies with RCW 35.63.280 or as amended.	

(Ord. 1611 § 8, 2018; Ord. 1562 § 12, 2015; Ord. 1311 § 5, 2002; Ord. 1272 § 4, 2001; Ord. 1246 § 5, 2000).

Chapter 22.40

RESIDENTIAL-10-TRADITIONAL COMMUNITY DESIGN DISTRICT (R-10-TCD)

Sections:

22.40.001 Purpose.
22.40.002 Permitted uses.
22.40.003 Accessory uses.
22.40.004 Conditional uses.
22.40.005 Development standards.

22.40.001 Purpose.

The R-10-TCD zoning district is intended to implement the comprehensive plan's medium density residential – traditional community design overlay land use designation. The district standards encourage a broad range of housing types, including single-family, duplex, and multifamily structures containing up to eight units per building when this facilitates the protection of critical areas or the retention of significant open space. Development plans must use neo-traditional designs that achieve pedestrian-friendly, human-scale neighborhoods. These neighborhoods will have interconnected street patterns, buildings that face streets, sidewalks or other public space, small setbacks, parking placed to the rear of buildings with access from alleys where feasible, and a variety of architectural building styles, design features and amenities which provide visual interest and reinforce the human-scale character of the neighborhood. (Ord. 1246 § 6, 2000).

22.40.002 Permitted uses.

Uses permitted subject to planned development approval in accordance with Chapter 22.76 FMC and administrative design review approval in accordance with Chapter 22.66 FMC:

(a) Single-family dwelling.

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

(c) Duplex dwelling.

(d) Multifamily dwelling within a structure containing no more than eight dwelling units, when clustered to avoid critical areas or to retain significant open space.

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

(f) Manager's office, recreation facilities, laundry facilities, and other structures and facilities intended for use by residents of a residential complex.

(g) Nonmotorized recreational trail or passive recreational park with no permanent on-site staff.

(h) 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. (Ord. 1562 § 13, 2015; Ord. 1246 § 6, 2000).

22.40.003 Accessory uses.

Uses permitted in conjunction with, or accessory to, a principal use permitted in FMC 22.40.002:

(a) Accessory dwelling unit (subject to compliance with FMC 22.58.012).

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

(c) Home occupation – Type I (subject to compliance with FMC 22.58.013).

(d) Amateur and citizen band transmitter, support structure and antenna array (subject to compliance with FMC 22.58.002(h)).

(e) Residential accessory use or structure which is subordinate and incidental to a permitted residential dwelling unit (subject to compliance with Chapter 22.58 FMC). Residential accessory uses and structures may include, but are not limited to: garage, carport, storage shed, noncommercial greenhouse, patio, gazebo, pergola, trellis, fence, and similar uses or structures.

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

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

(h) Electric vehicle charging station (subject to compliance with FMC 22.58.025). (Ord. 1509 § 5, 2011; Ord. 1246 § 6, 2000).

22.40.004 Conditional uses.

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

(a) Child day-care center.

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

(c) 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.

(d) Personal wireless telecommunications facility (subject to compliance with Chapter 22.24 FMC).

(e) 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. (Ord. 1246 § 6, 2000).

22.40.005 Development standards.

Maximum density	10 dwelling units per gross acre[1].
Minimum and maximum lot area	To be determined through the PD review process – see Chapter 22.76 FMC.
Maximum height	35 feet. Exceptions may be authorized per FMC 22.58.007 and through the PD review process – see Chapter 22.76 FMC.
Minimum and maximum front yard, interior side yard, side street side yard, and rear yard setback	Setbacks and allowable encroachments to be determined through the PD review process – see Chapter 22.76 FMC. If not specified, FMC 22.58.002 encroachment standards will apply.
Accessory structure standards	To be determined through the PD review process – see Chapter 22.76 FMC. If not specified, FMC 22.58.003 standards will apply.
Maximum lot coverage for structures	To be determined through the PD review process – see Chapter 22.76 FMC.
Maximum impervious surface coverage	65% of the developable site area for all structures and other

	impervious surfaces combined.
Exterior wall modulation	Facades greater than 40 feet in length, measured horizontally, shall incorporate wall plane projections or recesses having a depth of at least 4 feet for front and side street side yard elevations of single-family dwellings and duplexes, and 6 feet for all elevations of all other buildings. The projections or recesses shall extend at least 20% of the length of the facade. No uninterrupted length of any facade shall exceed 40 horizontal feet. See FMC 22.64.009 for an illustration of this requirement.
Articulation	Building elevations exceeding 20 feet in length, measured horizontally, shall incorporate a minimum of 2 articulation components, such as a stoop, porch, chimney or other substantial projections, windows, multiple contrasting siding materials, or substantial trim including a belt course, to visually and/or functionally break up flat, blank or undifferentiated elevations. Building elevations greater than 30 feet in length, measured horizontally, and exceeding 12 feet in height, measured from finished grade to top of wall where it connects to roof structure, shall incorporate a minimum of 3 articulation components.
Maximum % of multifamily dwelling units allowed	50% of the total number of units within a development.
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	See Chapter 22.64 FMC. See also multifamily design standards and guidelines adopted by reference in Chapter 22.63 FMC.
Critical areas	See Chapter 22.92 FMC.
Calculations resulting in a fraction shall be rounded to the nearest whole number with .50 being rounded up. [1]A 25% density bonus may be applied to affordable housing development of any single-family or multifamily residence located on real property owned or controlled by a religious organization, provided that such development complies with RCW 35.63.280 or as amended.	

(Ord. 1611 § 9, 2018; Ord. 1311 § 6, 2002; Ord. 1246 § 6, 2000).

Chapter 22.42

RESIDENTIAL-20 DISTRICT (R-20)

Sections:
22.42.001 Purpose.
22.42.002 Permitted uses.
22.42.003 Accessory uses.
22.42.004 Conditional uses.
22.42.005 Development standards.

22.42.001 Purpose.
The R-20 zoning district is intended to implement the comprehensive plan's high density residential land use designation. The district provides for predominantly multifamily housing with the inclusion of duplexes, where appropriate. Development standards encourage neighborhood designs that have a density and configuration that support mass transit service along collector and arterial streets. Generally, developments within this district provide relatively affordable housing near shopping and employment centers. (Ord. 1246 § 7, 2000).

22.42.002 Permitted uses.
Uses permitted subject to site plan approval in accordance with Chapter 22.72 FMC and administrative design review approval in accordance with Chapter 22.66 FMC:

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

(b) Duplex dwelling.

(c) Multifamily dwelling.

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

(e) Manager's office, recreation facilities, laundry facilities, and other structures and facilities intended for use by residents of a residential complex.

(f) Nonmotorized recreational trail or passive recreational park with no permanent on-site staff.

(g) 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. (Ord. 1562 § 14, 2015; Ord. 1246 § 7, 2000).

22.42.003 Accessory uses.
Uses permitted in conjunction with, or accessory to, a principal use permitted in FMC 22.42.002:

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

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

(c) Amateur and citizen band transmitter, support structure and antenna array (subject to compliance with FMC 22.58.002(h)).

(d) Residential accessory use or structure which is subordinate and incidental to a permitted residential dwelling unit (subject to compliance with Chapter 22.58 FMC). Residential accessory uses and structures may include, but are not limited to: garage, carport, storage shed, noncommercial greenhouse, patio, swimming pool, sport court, gazebo, pergola, trellis, fence, and similar uses or structures.

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

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

(g) Electric vehicle charging station (subject to compliance with FMC 22.58.025). (Ord. 1562 § 15, 2015; Ord. 1509 § 6, 2011; Ord. 1246 § 7, 2000).

22.42.004 Conditional uses.

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

(a) Child day-care center.

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

(c) Preschool, accredited, public or private.

(d) Religious institution.

(e) 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.

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

(g) 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. (Ord. 1246 § 7, 2000).

22.42.005 Development standards.

Maximum density	20 dwelling units per gross acre[1].
Minimum or maximum lot area	To be determined through the conditional use permit or site plan review process – see Chapter 22.68 or 22.72 FMC.
Maximum height	35 feet. A maximum 45-foot height may be authorized if 1 or more levels of structured parking are provided at or below grade level within the building footprint. For other exceptions, see FMC 22.58.007.
Minimum front yard setback	25 feet for first 35 feet of building height. Portions of a building above 35 feet shall be stepped back an additional 10 feet from the underlying story wall plane.
Minimum interior side yard setback	8 feet for first 35 feet of building height. Portions of a building above 35 feet shall be stepped back an additional 10 feet from the underlying story wall plane.
Minimum side street side yard setback	15 feet for first 35 feet of building height. Portions of a building above 35 feet shall be stepped back an additional 10 feet from the underlying story wall plane.
Minimum rear yard setback	20 feet for first 35 feet of building height. Portions of a building above 35 feet shall be stepped back an additional 10 feet from the underlying story wall plane.

Minimum dwelling structure separation	10 feet for first 35 feet of building height. Portions of a building above 35 feet shall be stepped back an additional 10 feet from the underlying story wall plane.
Exterior wall modulation	Building elevations greater than 40 feet in length, measured horizontally, shall incorporate wall plane projections or recesses having a depth of at least 4 feet for front and side street side yard elevations of duplexes, and 6 feet for all elevations of all other buildings. The projections or recesses shall extend at least 20% of the length of the elevation. No uninterrupted length of any elevation shall exceed 40 horizontal feet. See FMC 22.64.009 for an illustration of this requirement.
Articulation	Building elevations exceeding 20 feet in length, measured horizontally, shall incorporate a minimum of 2 articulation components, such as a stoop, porch, chimney or other substantial projections, windows, multiple contrasting siding materials, or substantial trim including a belt course, to visually and/or functionally break up flat, blank or undifferentiated elevations. Building elevations greater than 30 feet in length, measured horizontally, and exceeding 12 feet in height, measured from finished grade to top of wall where it connects to roof structure, shall incorporate a minimum of 3 articulation components.
Maximum lot coverage for structures	55% for all structures combined. 65% for all structures combined if at least 50% of required parking is provided at or below grade level within the building footprint.
Maximum impervious surface coverage	75% for all structures and other impervious surfaces combined.
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	See Chapter 22.64 FMC. See also multifamily design standards and guidelines adopted by reference in Chapter 22.63 FMC.
Calculations resulting in a fraction shall be rounded to the nearest whole number with .50 being rounded up. [1]A 25% density bonus may be applied to affordable housing development of any single-family or multifamily residence located on real property owned or controlled by a religious organization, provided that such development complies with RCW 35.63.280 or	

as amended.

(Ord. 1611 § 10, 2018; Ord. 1562 § 16, 2015; Ord. 1311 § 7, 2002; Ord. 1272 § 5, 2001; Ord. 1246 § 7, 2000).

Chapter 22.43

RESIDENTIAL-30 DISTRICT (R-30)

Sections:
22.43.001 Purpose.
22.43.002 Permitted uses.
22.43.003 Accessory uses.
22.43.004 Conditional uses.
22.43.005 Development standards.

22.43.001 Purpose.
The R-30 zoning district is intended to implement the comprehensive plan's high density residential land use designation. The district provides for predominantly multifamily housing and supportive uses. Development standards encourage neighborhood designs that have a density and configuration that support mass transit service along collector and arterial streets. Potential impacts associated with higher density housing are ameliorated through high quality design that is consistent with the city's multifamily design standards and guidelines. Generally, developments within this district provide relatively affordable housing near community-serving mixed use office, retail and service uses. (Ord. 1562 § 17, 2015).

22.43.002 Permitted uses.
Uses permitted subject to site plan approval in accordance with Chapter 22.72 FMC and administrative design review approval in accordance with Chapter 22.66 FMC:

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

(b) Multifamily dwelling.

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

(d) Manager's office, recreation facilities, laundry facilities, and other structures and facilities intended for use by residents of a residential complex.

(e) Nonmotorized recreational trail or passive recreational park with no permanent on-site staff.

(f) 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. (Ord. 1562 § 17, 2015).

22.43.003 Accessory uses.
Uses permitted in conjunction with, or accessory to, a principal use permitted in FMC 22.43.002:

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

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

(c) Amateur and citizen band transmitter, support structure and antenna array (subject to compliance with FMC 22.58.002(h)).

(d) Residential accessory use or structure which is subordinate and incidental to a permitted residential dwelling unit (subject to compliance with Chapter 22.58 FMC). Residential accessory uses and structures may include, but are not limited to: garage, carport, storage shed, noncommercial greenhouse, patio, swimming pool, sport court, gazebo, pergola, trellis, fence, and similar uses or structures.

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

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

(g) Electric vehicle charging station (subject to compliance with FMC 22.58.025). (Ord. 1562 § 17, 2015).

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

(a) Child day-care center.

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

(c) Preschool, accredited, public or private.

(d) Religious institution.

(e) 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.

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

(g) 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. (Ord. 1562 § 17, 2015).

22.43.005 Development standards.

Maximum density	30 dwelling units per gross acre[1].
Minimum or maximum lot area	To be determined through the conditional use permit or site plan review process – see Chapter 22.68 or 22.72 FMC.
Maximum height	40 feet. A maximum 50-foot height may be authorized if 1 or more levels of structured parking are provided at or below grade level within the building footprint. For other exceptions, see FMC 22.58.007.
Minimum front yard setback	25 feet for first 40 feet of building height. Portions of a building above 40 feet shall be stepped back an additional 10 feet from the underlying story wall plane.
Minimum interior side yard setback	8 feet for first 40 feet of building height. Portions of a building above 40 feet shall be stepped back an additional 10 feet from the underlying story wall plane.
Minimum side street side yard setback	15 feet for first 40 feet of building height. Portions of a building above 40 feet shall be stepped back an additional 10 feet from the underlying story wall plane.
Minimum setback abutting an R-6 or R-8 district	30 feet for first 40 feet of building height. Portions of a building above 40 feet shall be

	stepped back an additional 10 feet from the underlying story wall plane.
Additional setbacks	Per International Building Code.
Minimum dwelling structure separation	10 feet for first 40 feet of building height. Portions of a building above 40 feet shall be stepped back an additional 10 feet from the underlying story wall plane.
Exterior wall modulation	Building elevations greater than 40 feet in length, measured horizontally, shall incorporate wall plane projections or recesses having a depth of at least 6 feet for all building elevations. The projections or recesses shall extend at least 20% of the length of the elevation. No uninterrupted length of any elevation shall exceed 40 horizontal feet. See FMC 22.64.009 for an illustration of this requirement.
Articulation	Building elevations exceeding 20 feet in length, measured horizontally, shall incorporate a minimum of 2 articulation components, such as a stoop, porch, chimney or other substantial projections, windows, multiple contrasting siding materials, or substantial trim including a belt course, to visually and/or functionally break up flat, blank or undifferentiated elevations. Building elevations greater than 30 feet in length, measured horizontally, and exceeding 12 feet in height, measured from finished grade to top of wall where it connects to roof structure, shall incorporate a minimum of 3 articulation components.
Maximum lot coverage for structures	65% for all structures combined. 75% for all structures combined if at least 50% of required parking is provided at or below grade level within the building footprint.
Maximum impervious surface coverage	85% for all structures and other impervious surfaces combined.
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.
Calculations resulting in a fraction shall be rounded to the nearest whole number with .50 being rounded up. [1]A 25% density bonus may be applied to affordable housing development of any single-family or multifamily residence located on real property owned or controlled by a religious organization, provided that such development complies with RCW 35.63.280 or as amended.	

(Ord. 1611 § 11, 2018; Ord. 1562 § 17, 2015).

Chapter 22.58

SPECIFIC USE AND STRUCTURE REGULATIONS

Sections:

22.58.001 Purpose.
22.58.002 Setback and yard determination.
22.58.003 Accessory buildings.
22.58.004 Fences, walls and hedges.
22.58.005 Clear vision triangle.
22.58.006 Garage placement and width.
22.58.007 Height exceptions.
22.58.008 Performance standards.
22.58.009 Manufactured homes.
22.58.010 Family day-care facilities.
22.58.011 Short-term rental establishments.
22.58.012 Accessory dwelling units (ADUs).
22.58.013 Home occupations.
22.58.014 Adult entertainment establishments.
22.58.015 Temporary accessory structures and uses.
22.58.016 *Repealed*.
22.58.017 Sidewalk cafes.
22.58.018 Outdoor lighting.
22.58.019 Social card games.
22.58.020 Development agreement.
22.58.021 Voluntary agreement.
22.58.022 Siting of essential public facilities.
22.58.023 Nonconforming lots, uses and structures.
22.58.024 Outdoor storage of vehicles.
22.58.025 Electric vehicle charging stations.
22.58.026 Floor area ratio (FAR) standards.
22.58.027 Cottage housing.
22.58.028 Lot development standards.
22.58.029 Establishments serving liquor for on-premises consumption.
22.58.031 Conversion of existing buildings to residential development.

22.58.031 Conversion of existing buildings to residential development.

When reviewing applications that propose to convert all or part of an existing building to be used for residential development, the City shall not:

(a) Impose a restriction on housing unit density that prevents the addition of housing units at a density up to 50 percent more than what is allowed in the underlying zone if constructed entirely within an existing building envelope in a building located within a zone that permits multifamily housing, provided that generally applicable health and safety standards, including but not limited to building code standards and fire and life safety standards, can be met within the building;

(b) Impose parking requirements on the addition of dwelling units or living units added within an existing building, however, the City may require the retention of existing parking that is required to satisfy existing residential parking requirements under local laws and for nonresidential uses that remain after the new units are added;

(c) With the exception of emergency housing and transitional housing uses that may be allowed under this title, impose permitting requirements on the use of an existing building for residential purposes beyond those requirements generally applicable to all residential development within the building's zone, including requiring a change of use permit;

Commented [KG9]: HB 1757

(d) Impose design standard requirements, including setbacks, lot coverage, and floor area ratio requirements, on the use of an existing building for residential purposes beyond those requirements generally applicable to all residential development within the building's zone, except as provided in RCW 36.70A.810 and 36.70A.812;

(e) Impose exterior design or architectural requirements on the residential use of an existing building beyond those necessary for health and safety of the use of the interior of the building or to preserve character-defining streetscapes, unless the building is a designated landmark or is within a historic district established through a local preservation ordinance;

(f) Prohibit the addition of housing units in any specific part of a building except ground floor commercial or retail that is along a major pedestrian corridor as defined by the code city, unless the addition of the units would violate applicable building codes or health and safety standards;

Commented [KG10]: HB 1757
The City should define "major pedestrian corridor" in areas where it wishes to ensure the ground floor of the structure is limited to commercial development.

For the Planning Commission's discussion in May: should this be all areas of the MUU and MUN?

(g) Require unchanged portions of an existing building that have been used for residential or previously permit-approved conditioned space purposes to meet the current energy code solely because of the addition of new dwelling units within the building. When any other existing building is converted to new dwelling units, changed portions of each of those new units must meet the requirements of the current energy code, except if:

(1) The square footage of new dwelling units does not exceed 2,500 square feet or 50 percent of the total building square footage, whichever is greater;

(2) The building owner submits documentation, in a form acceptable to the code city, showing the building's residential units' projected energy use intensity is less than or equal to the energy use intensity target in accordance with the clean buildings performance standard in RCW 19.27A.210; or

(3) In all areas zoned for residential housing, an additional housing unit is created within an existing home.

(h) Deny a building permit application for the addition of housing units within an existing building due to nonconformity regarding parking, height, setbacks, elevator size for gurney transport, or modulation, unless the code city official with decision-making authority makes written findings that the nonconformity is causing a significant detriment to the surrounding area; or

(i) Require a transportation concurrency study under RCW 36.70A.070 or an environmental study under chapter 43.21C RCW based on the addition of residential units within an existing building.

Nothing in this chapter requires the City to approve a building permit application for the addition of housing units constructed entirely within an existing building envelope in a building located within a zone that permits multifamily housing in cases in which the building cannot satisfy life safety standards.

Chapter 22.60

PARKING AND CIRCULATION

Sections:

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

22.60.002 Chapter application.

Commented [KG11]: SB 6015

New development, alteration to or an expansion of an existing development, and a change in use of a structure or lot, shall comply with the applicable requirements of this chapter.

(a) New Construction. Parking, loading and circulation shall be provided in accordance with this chapter for all new construction and lot development, except in instances of residential development where compliance with tree retention standards set forth in FMC Chapter 22.62 would make the proposed development or redevelopment infeasible.

(b) Existing Development or Use. Except as provided for in subsection (1) to this section, p~~P~~arking, loading and circulation area requirements for alteration or expansion of existing developments or for a change or increase in intensity of use, are not required to be modified or resized, except for compliance with the Americans with Disabilities Act. Existing paved parking lots are not required to change the size of existing parking spaces if doing so will be more costly or require significant reconfiguration of the parking space location. Existing legally nonconforming gravel surfacing in designated parking areas may not be a reason for prohibiting utilization of existing space in the parking area to meet local parking standards, up to a maximum of 6 parking spaces. ~~, shall be in accordance with the following:~~

(1) If the alteration, expansion or increase in intensity would require the addition of ~~20 percent or five or more additional~~ off-street parking spaces, then only the additional area devoted to parking, loading and circulation must conform with this chapter~~the entire parking, loading and circulation area must be brought into conformance with this chapter~~.

~~(2) If the alteration, expansion or increase in intensity would require the addition of less than 20 percent or five parking spaces, then only the additional area devoted to parking, loading and circulation must conform with this chapter.~~ (Ord. 1246 § 16, 2000).

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, but shall be no larger than 8-feet by 20-feet unless required otherwise by the Americans with Disabilities Act. 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

	Space Angle (degrees)				
	0° (parallel)	30°	45°	60°	90°
Space Width (ft)					
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
Space Depth (ft)					
Regular space	~~22~~20	18	18	18	18
Compact space	19	16	16	16	16
Driveway/ Aisle (ft)					
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, grass block 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. (Ord. 1667 § 30, 2020; Ord. 1638 § 31, 2019; Ord. 1246 § 16, 2000).

Chapter 22.98

DEFINITIONS

Sections:

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

22.98.099 Block.
22.98.100 Breakaway wall.
22.98.102 Buffer.
22.98.105 Buildable area.
22.98.108 Building.
22.98.111 Building, detached.
22.98.114 Building envelope.
22.98.114.1 Building elevation.
22.98.114.2 Building facade.
22.98.114.3 Building fascia.
22.98.114.4 Building frontage.
22.98.117 Building height.
22.98.120 Building line.
22.98.123 Building, principal or main.
22.98.126 Bulk regulations.
22.98.126.1 Burn barrel.
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22.98.132 Caliper.
22.98.135 Camouflaged facility.
22.98.138 Carport.
22.98.141 Cell site.
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22.98.143 Channel migration zone (CMZ).
22.98.144 Character.
22.98.145 Charging levels.
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22.98.171 Covenant.
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22.98.179 Critical aquifer recharge area.
22.98.180 Critical area inventory maps.
22.98.183 Critical areas.
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22.98.185 Critical facility.
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22.98.188 Cumulative impacts or effects.
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22.98.196 Development permit, final.
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22.98.201 Drip line.
22.98.204 Drive-thru.
22.98.207 Dwelling.
22.98.210 Dwelling, duplex.
22.98.213 Dwelling, multifamily.
22.98.216 Dwelling, single-family.
22.98.219 Dwelling unit.
22.98.222 Early notice.
22.98.225 Ecosystem.
22.98.228 EIA.
22.98.228.1 Electric scooters and motorcycles.
22.98.228.2 Electric vehicle.
22.98.228.3 Electric vehicle charging stations.
22.98.229 Elevated building.
22.98.229.1 Eligible facilities request.
22.98.230 Emergent wetland.
22.98.231 Enhancement.
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22.98.240 Erosion hazard areas.
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22.98.246 Essential public facilities.
22.98.249 Establishment, business or commercial.
22.98.252 Excavation.
22.98.255 Existing and ongoing agricultural activities.
22.98.257 Exotic.
22.98.258 Extirpation.
22.98.261 FAA.
22.98.264 FCC.
22.98.265 Facility and service provider.
22.98.266 Facility modification.
22.98.267 Family.
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22.98.276 Fence.
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22.98.289 Flood insurance study.
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22.98.291 Flood protection elevation.
22.98.292 Flood-resistant material.
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22.98.296 Formation.

22.98.297 Formation, confining.
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22.98.309 Geologically hazardous areas.
22.98.312 Geologist.
22.98.315 Geotechnical engineer.
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22.98.768 Yard.
22.98.771 Yard, front.
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22.98.780 Yard, side.
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22.98.785 Zone of contribution.
22.98.786 Zone or zoning district.
22.98.789 Zoning map.

22.98.003 Definition of any word not listed.

The definition of any word or phrase not listed in this chapter which is in question when administering this title shall be as defined from one of the following sources which are incorporated herein by reference. These sources shall be utilized by finding the desired definition from source (a), but if it is not available there, then source (b) may be used and so on. Sources are as follows:

(a) City development regulations;

(b) Any city resolution, ordinance, code or regulation;

(c) Any statute or regulation of the state of Washington (i.e., the most applicable);

(d) Legal definitions from case law or a law dictionary;

(e) The common dictionary. (Ord. 1246 § 27, 2000).

22.98.006 Abandonment of telecommunications facility.

"Abandonment of telecommunications facility" means: (a) to cease operation for a period of 60 or more consecutive days; (b) to reduce the effective radiated power of an antenna by 75 percent for 60 or more consecutive days; (c) to relocate an antenna at a point less than 80 percent of the height of an antenna support structure; or (d) to reduce the number of transmissions from an antenna by 75 percent for 60 or more consecutive days. (Ord. 1246 § 27, 2000).

(a) Level 1 is considered slow charging.

(b) Level 2 is considered medium charging.

(c) Level 3 is considered fast or rapid charging. (Ord. 1509 § 17, 2011).

22.98.147 Child day-care center.
"Child day-care center" means a facility licensed by the state providing regularly scheduled care for a group of 13 or more children within one month of age through 12 years of age range exclusively for periods less than 24 hours. (Ord. 1246 § 27, 2000).

22.98.148 City engineer.
"City engineer" means the city engineer of the city of Fircrest or person appointed by the city manager to act in such a role. (Ord. 1575 § 21, 2016).

22.98.149 Clear and objective design and development standards.
"Clear and objective design and development standards" means locally adopted development regulations that involve no personal or subjective judgment by a public official, and are ascertainable by reference to measurable written or graphic criteria available and knowable to the permit applicant, the public, and public officials prior to submittal.

22.98.150 Clearing.
"Clearing" means the destruction, disturbance or removal of logs, scrub-shrub, stumps, trees or any vegetative material by burning, chemical, mechanical or other means. (Ord. 1246 § 27, 2000).

22.98.153 Compensation.
"Compensation" means replacement by creation, enhancement, or restoration of critical areas or buffers equivalent in size, function and value to the one being altered or lost from development. (Ord. 1246 § 27, 2000).

22.98.154 Compensation project.
"Compensation project" means actions necessary to replace project-induced critical area and buffer losses, including land acquisition, planning, construction plans, monitoring, and contingency actions. (Ord. 1375 § 9, 2005).

22.98.155 Compensatory mitigation.
"Compensatory mitigation" means replacing project-induced losses or impacts to a critical area, and includes, but is not limited to, the following:

Restoration – Actions performed to reestablish wetland functional characteristics and processes that have been lost by alterations, activities, or catastrophic events within an area that no longer meets the definition of a wetland.

Creation – Actions performed to intentionally establish a wetland at a site where it did not formerly exist.

Enhancement – Actions performed to improve the condition of existing degraded wetlands so that the functions they provide are of a higher quality.

Preservation – Actions taken to ensure the permanent protection of existing, high-quality wetlands. (Ord. 1375 § 9, 2005).

22.98.156 Club.
"Club" means an association of persons for some common purpose, including social, civic, charitable, or recreational activities, operated by a private nonprofit institution or organization, but excluding groups organized primarily to render a service which is customarily carried on by a business. (Ord. 1246 § 27, 2000).

22.98.159 Co-location.
"Co-location" means the use of a personal wireless service facility or cell site by more than one personal wireless service provider. (Ord. 1246 § 27, 2000).

22.98.405 Lot area, gross.
"Lot area, gross" means the entire horizontal land space, including land covered by water, contained within the fixed boundaries of any described lot or parcel of land. (Ord. 1246 § 27, 2000).

22.98.408 Lot area, net.
"Lot area, net" means the area of a lot, excluding future dedications, critical areas and associated buffers, and other specified land features. (Ord. 1246 § 27, 2000).

22.98.411 Lot coverage.
"Lot coverage" means the area of a lot that is covered by buildings. (Ord. 1246 § 27, 2000).

22.98.414 Lot depth.
"Lot depth" means the mean horizontal distance between the front lot line and the rear lot line of a lot measured within the lot boundaries. (Ord. 1246 § 27, 2000).

22.98.417 Lot frontage.
"Lot frontage" means the length of the front lot line measured at the street right-of-way line. (Ord. 1246 § 27, 2000).

22.98.420 Lot line.
"Lot line" means a line of record bounding a lot that divides one lot from another lot or from a public or private street or any other public space. (Ord. 1246 § 27, 2000).

22.98.423 Lot line, front.
"Lot line, front" means the boundary of a lot which abuts a public street right-of-way or private ingress and/or egress easement. (Ord. 1246 § 27, 2000).

22.98.426 Lot line, rear.
"Lot line, rear" means the lot line opposite and most distant from the front lot line. In the case of triangular or otherwise irregularly shaped lots, a line 10 feet in length entirely within the lot, parallel to and at a maximum distance from the front lot line. (Ord. 1246 § 27, 2000).

22.98.429 Lot line, side.
"Lot line, side" means any lot line other than a front or rear lot line. (Ord. 1246 § 27, 2000).

22.98.430 Lot split.
"Lot split" means the administrative process of dividing an existing lot into two lots for the purpose of sale, lease, or transfer of ownership pursuant to FMC Chapter 22.14.

22.98.431 Lot split survey.
"Lot split survey" means the final survey prepared for filing for record with the county auditor and containing all elements and requirements for a lot split under FMC Chapter 22.14.

22.98.432 Lot of record, legal.
"Lot of record, legal" means a lot that has been legally established and recorded or registered pursuant to statute with the Pierce County Auditor. (Ord. 1246 § 27, 2000).

22.98.435 Lot width.
"Lot width" means the horizontal distance between the side line of a lot measured at right angles to its depth along a straight line parallel to the front lot line at the minimum required front yard setback line. (Ord. 1246 § 27, 2000).

22.98.436 Low intensity land use.
"Low intensity land use" means land uses that are associated with low levels of human disturbance or low habitat impacts, including, but not limited to, passive recreation, open space, or forest management land uses, when used in the context of critical areas regulations. (Ord. 1375 § 9, 2005).

22.98.437 Lowest floor.
"Lowest floor" means the lowest floor of the lowest enclosed area, including the basement, when used in the context of a frequently flooded area. An unfinished or flood-resistant enclosure, usable solely for parking of vehicles,

22.98.459 Monitoring.
"Monitoring" means the process of collecting and evaluating data to assess the biological, hydrological or geological performance of newly created, restored, rehabilitated and/or affected critical ecosystem area. (Ord. 1246 § 27, 2000).

22.98.461 Motion.
"Motion" means the depiction of movement or change of position of text, images or graphics. Motion shall include, but not be limited to, visual effects such as dissolving and fading text and images, running sequential text, graphic bursts, lighting that resembles zooming, twinkling or sparkling, changes in light or color, transitory bursts of light intensity, moving patterns or bands of light, expanding or contracting shapes and similar actions. (Ord. 1598 § 42, 2017).

22.98.462 Mount.
"Mount" means the structure or surface upon which personal wireless service facilities are mounted. There are three types of mounts:

(a) Building mount, which means a personal wireless service facility mount fixed to the roof or side of a building.

(b) Ground mount, which means a personal wireless service facility mount fixed to the ground, such as a tower.

(c) Structure mount, which means a personal wireless service facility fixed to a structure other than a building, such as a light standard, utility pole, or bridge. (Ord. 1246 § 27, 2000).

22.98.463 Multiple building complex.
"Multiple building complex" means a group of commercial or industrial structures. (Ord. 1322 § 11, 2003).

22.98.464 Multiple tenant building.
"Multiple tenant building" means a single structure that houses more than one retail business, office or commercial venture, but that does not include residential apartment buildings sharing the same lot, access and/or parking facilities. (Ord. 1322 § 12, 2003).

22.98.465 Native growth protection area (NGPA).
"Native growth protection area (NGPA)" means an area where native vegetation is preserved for the purpose of preventing harm to property and the environment, including, but not limited to, controlling surface water runoff and erosion, maintaining slope stability, buffering, and protecting plants and animal habitat. (Ord. 1375 § 31, 2005; Ord. 1246 § 27, 2000).

22.98.466 Native vegetation.
"Native vegetation" means vegetation comprised of plant species that are indigenous to an area. (Ord. 1375 § 9, 2005).

22.98.466.1 Newly created lot.
"Newly created lot" means a lot that was created by a lot split under FMC Chapter 22.14.

22.98.467 Nighttime hours.
"Nighttime hours" means from one-half hour before sunset to one-half hour after sunrise. (Ord. 1598 § 43, 2017).

22.98.467.1 Nits.
"Nits" means a unit of measure of brightness or luminance. One nit is equal to one candela/square meter. (Ord. 1598 § 44, 2017).

22.98.468 Nonconforming lot, use, or structure.
"Nonconforming lot, use, or structure" means any lot, use, or structure which was legally established and in lawful compliance with the applicable zoning prior to the adoption of this title or title amendment, but because of such adoption or amendment, would not be permitted or does not fully comply with the provisions of this title. (Ord. 1246 § 27, 2000).

22.98.492 Ordinary high water mark (OHM).
"Ordinary high water mark (OHM)" means the mark that is found by examining the bed and banks and ascertaining where the presence and action of waters are so common and usual, and so long continued in all ordinary years, that the soil has a character distinct from that of the abutting upland in respect to vegetation. (Ord. 1375 § 32, 2005; Ord. 1246 § 27, 2000).

22.98.495 Outdoor storage.
"Outdoor storage" means the keeping, in an unenclosed area, of any goods, junk, material, merchandise, or vehicles in the same place, or substantially the same place, for more than 24 hours. (Ord. 1246 § 27, 2000).

22.98.496 Out-of-kind compensation.
"Out-of-kind compensation" means to replace critical areas with substitute critical areas whose characteristics do not closely approximate those destroyed or degraded. It does not refer to replacement "out-of-category." (Ord. 1375 § 9, 2005).

22.98.498 Owner-occupied.
"Owner-occupied" means when the property owner's primary and permanent legal residence is located on-site, as evidenced by voter registration, vehicle registration and/or other similar means. (Ord. 1246 § 27, 2000).

22.98.501 Panorama or peepshow.
"Panorama or peepshow" means any device which, upon insertion of a coin or by any other means of payment, including membership fee or other charge, exhibits or displays a picture or view by film, video or by any other means, including observation of live performances. (Ord. 1246 § 27, 2000).

22.98.504 Panorama premises.
"Panorama premises" means any premises or portion of a premise on which a panorama is located and which is open to the public, including through membership. (Ord. 1246 § 27, 2000).

22.98.506 Parapet.
"Parapet" means a protective wall or barrier projecting above any canopy, balcony or roof. (Ord. 1598 § 47, 2017; Ord. 1322 § 13, 2003).

22.98.507 Parcel.
"Parcel" means a description of land which is on record with the Pierce County assessor's office. A parcel of land may or may not be a legal lot of record and may be for tax or description purposes only. (Ord. 1246 § 27, 2000).

22.98.508 Parent lot.
"Parent lot," as the term is used with regard to lot splits, means a lot that was created by a lot split under FMC Chapter 22.14. "Parent lot," as the term is used with regard to unit lot subdivisions or unit lot short subdivisions, means a residential lot that is subdivided into unit lots through the unit lot subdivision process.

22.98.510 Parking area.
"Parking area" means an area of a lot accessible to vehicles, which is provided, improved, maintained and used for the primary purpose of accommodating a motor vehicle. (Ord. 1246 § 27, 2000).

22.98.513 Patio, covered.
"Patio, covered" means a raised structure which provides partial or complete shelter over a patio area. (Ord. 1246 § 27, 2000).

22.98.516 Patio, uncovered.
"Patio, uncovered" means any prepared surface outdoor living area. (Ord. 1246 § 27, 2000).

22.98.518 Perimeter.
"Perimeter" means a square or rectangle required to enclose the sign area. (Ord. 1322 § 14, 2003).

22.98.519 Permeability.
"Permeability" means the capacity of an aquifer or confining bed to transmit water. It is a property of the aquifer or confining bed and is independent of the force causing movement. (Ord. 1375 § 33, 2005; Ord. 1246 § 27, 2000).

22.98.697 Substantial improvement.
"Substantial improvement" means any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds 50 percent of the assessed value of the structure either: before the improvement or repair is started; or if the structure has been damaged and is being restored, before the damage occurred. (Ord. 1562 § 59, 2015; Ord. 1375 § 44, 2005).

22.98.697.1 Substantially change.
"Substantially change" means to increase the height of an existing wireless tower by more than 10 percent, or by a height exceeding 20 feet, whichever is greater. (Ord. 1667 § 50, 2020).

22.98.698 Tenant space.
"Tenant space" means the entire building which encompasses a building or use on a site; or in buildings designed for multi-tenant occupancy, it is the space between demising walls and which has an independent entrance to common corridors or to the outside. Portions of tenant spaces that are sublet to or otherwise allowed to be used by persons or businesses other than the principal person or business of a tenant space are not considered tenant spaces in the context of this chapter. (Ord. 1598 § 89, 2017).

22.98.699 Toe of slope.
"Toe of slope" means a distinct topographic break in slope at the lower most limit of an area where the ground surface drops 10 feet or more vertically within a horizontal distance of 25 feet. (Ord. 1246 § 27, 2000).

22.98.702 Tot lot.
"Tot lot" means an improved and equipped play area for small children usually up to elementary school age. (Ord. 1246 § 27, 2000).

22.98.705 Tower.
As used in Chapter 22.24 FMC, "tower" means any structure that is designed and constructed primarily for the purpose of supporting one or more antennas, including self-supporting lattice towers, guy towers, or monopole towers. The term encompasses personal wireless service facilities including radio and television transmission towers, microwave towers, common-carrier towers, cellular telephone towers or personal communications services towers, alternative tower structures, and the like. (Ord. 1246 § 27, 2000).

22.98.708 Tree topping.
"Tree topping" means the cutting of a branch or stem back to a stub or lateral branch not sufficiently large enough to assume the terminal role. (Ord. 1246 § 27, 2000).

22.98.711 Unavoidable.
"Unavoidable" means adverse impacts to a critical area that remain after all appropriate and practical avoidance and minimization have been achieved. (Ord. 1375 § 45, 2005; Ord. 1246 § 27, 2000).

22.98.712 Unit lot.
"Unit lot" means a subdivided lot within a residential development as created from a parent lot and approved through the unit lot subdivision process.

22.98.713 Unit lot subdivision.
"Unit lot subdivision" means a subdivision or short subdivision proposed as part of a residential development project that meets the development standards applicable to the parent lot at the time the application is vested, but which may result in development on one or more individual unit lots becoming nonconforming as to specified land use and development standards based on the analysis of the individual unit lot. By June 30, 2026, all unit lot subdivisions shall require notification to purchasers of their legal status as further described in RCW 58.17.060.

22.98.714 Unlicensed wireless services.
"Unlicensed wireless services" means commercial mobile services that operate on public frequencies and do not need an FCC license. (Ord. 1246 § 27, 2000).

22.98.715 Unshielded lighting.
"Unshielded lighting" means an external illumination source which is exposed to view. (Ord. 1598 § 90, 2017).