

SUPPLEMENT DIRECTIONS
FEDERAL WAY REVISED CODE

Volume II

Supplement No. 25 – August 2017

Updated by: _____

Dated: _____

New, reprinted pages included with this supplement are listed by title and page number in the right-hand column below. The left-hand column lists obsolete material that should be removed from the code. Follow the instruction columns in sequence: remove and replace pages as necessary.

When completed, insert these directions in a convenient place near the front of the code book. For future reference, the person making these changes may also date and initial this page.

The code now includes ordinances through Ordinance 17-837, passed July 5, 2017.

The online version of the code is updated more frequently than the print version. Reference the disclaimer on the following webpage to determine whether the online code is more current than the print version: <http://www.codepublishing.com/WA/federalway/>

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Through usage and supplementation, pages in looseleaf publications can be inserted and removed in error when pages are replaced on a page-for-page substitution basis.

The “Page” column lists all page numbers in sequence. The “Revised Date” column reflects the latest revision date (e.g., “(Revised 10/09)”) and printing of pages in the up-to-date volume. A “—” indicates that the page has not been revised since the 2009 recodification. This table reflects all changes to the code through Ordinance 17-837, passed July 5, 2017.

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Title 19

ZONING AND DEVELOPMENT CODE*

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***Cross references:** Ordinances rezoning property or specifically regulating the land use on a particular piece of property and all amendments on the zoning map are not codified in this Code but are on file in the city clerk’s office, FWRC 1.05.090(9); annexation, Chapter 1.35 FWRC.

State law references: Planning and development, RCW 35A.63.010 et seq.; hearing examiner system, RCW 35A.63.170; environmental policy act, RCW 43.21.010 et seq.

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community colleges that grant associate or bachelor degrees or certificates of completion in business or technical fields.

“*Collocation*” means the placement and arrangement of multiple providers’ antennas and equipment on a single support structure or equipment pad area.

“*Commercial recreation facility*” means an indoor facility and use operated for profit, with private facilities, equipment or services for recreational purposes including swimming pools, tennis courts, playgrounds and other similar uses. The use of such an area may be limited to private membership or may be open to the public upon the payment of a fee.

“*Commercial use*” means the uses allowed in the commercial zones and the nonindustrial uses permitted in the commercial enterprise zone and not permitted in any other zones of the city.

“*Commercial vehicle*” means any truck over 10,000 pounds gross vehicle weight rating (GVWR), as defined in RCW 46.25.010, which is typically used principally for the transportation of commodities, vehicles, merchandise, produce, freight, or animals; as well as any bulldozers, backhoes, cranes, or similar construction equipment.

“*Commercial zones*” means the BN, BC, CC-C and CC-F zoning districts.

“*Common recreational open space usable for many activities*” means any area available to all of the residents of the subject property that is appropriate for a variety of active and passive recreational activities (including activities suitable for all age groups) and is not:

- (1) Covered by buildings or parking or driving areas.
- (2) Covered by any vegetation that impedes access.
- (3) On a slope that is too steep for recreational activities.

“*Common space*” means an area within a development, which is used primarily by the occupants of that development, such as an entryway, lobby, courtyard, outside dining area, etc.

“*Community gardens*” means privately or publicly owned land used for the cultivation of fruits, vegetables, plants, flowers, or herbs by multiple users. Community gardens may be divided into separate plots for cultivation by one or more individuals, or may be farmed collectively by members of a group and may include common areas main-

tained or used by group members. Food grown is typically for community garden members or as a donation. See also the definitions for “agricultural use,” “urban agriculture,” and “farm stand.”

“*Community recreation area or clubhouse*” means an area devoted to facilities and equipment for recreational purposes, such as swimming pools, tennis courts, playgrounds, community clubhouses and other similar uses, which area is maintained and operated by a nonprofit club or organization whose membership is limited to the residents within a specified development or geographic area.

“*Community service event*” or “*civic event*” means an event or gathering (such as a food fest, concert, fun run, cultural exhibition, or charitable fund-raising event) sponsored by a private or public nonprofit organization. Sponsoring organizations can include, but are not limited to, schools, churches, and/or civic fraternal organizations, theater and arts groups, and charitable organizations. The event may not be primarily for the purpose of selling or promoting merchandise or services.

“*Comprehensive plan*” means the ordinances of the city, as adopted and amended from time to time, under RCW 35A.63.060 through 35A.65.080 and the shoreline master program.

“*Contour line*” means the interconnection of points having the same height above sea level.

“*Convalescent center*” means an inpatient facility, excluding facilities defined as hospitals, for patients who are recovering from an illness or who are receiving care for chronic conditions; mental, physical, emotional or developmental disabilities; terminal illness; or alcohol or drug treatment and may include assisted living facilities.

“*Copy*” for signs means the graphic content of a sign surface in either permanent or removable letter, pictographic, symbolic, or alphabetic form.

“*Cottage food operation*” means a business licensed by the state of Washington to make low-risk food products in a home kitchen and sell directly to consumers.

“*Cottage housing development (CHD)*” means residential development consisting of clusters of between four and 16 detached dwelling units, that includes cottages and may include compact single-family units and meets the following criteria:

- (1) Dwelling units are limited to a maximum square footage; and
- (2) Dwelling units are grouped around a common open space; and

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(3) Developments meet a set of design criteria not applicable to typical single-family developments as stipulated in Chapter 19.250 FWRC.

“*Critical aquifer recharge areas*” means areas in which water reaches the zone of saturation by surface infiltration and includes areas hydrogeologically susceptible to contamination and contamination loading potential including, but not limited to, sole water source aquifer recharge areas, special protection groundwater management areas, well-head protection areas, and other areas with a critical recharging effect on aquifers used for potable water.

“*Critical root zone*” means an area equal to 12 inches radius for every one inch of tree diameter measured at four and one-half feet above ground.

“*Cross-section (drawing)*” means a visual representation of a vertical cut through a structure or any other three-dimensional form.

“*Curb cut*” means the connection of a driveway with a street, which may entail a structural alteration to the curb by lowering the height of part of the curb.

“*Cut*” means a portion of land surface or area from which earth has been removed or will be removed by excavation. Also known as excavation.

(Ord. No. 13-754, § 4, 12-3-13; Ord. No. 12-724, § 3, 6-5-12; Ord. No. 09-610, § 3(Exh. A), 4-7-09; Ord. No. 09-605, § 3(Exh. A), 3-3-09; Ord. No. 09-593, § 24, 1-6-09; Ord. No. 08-585, § 3(Exh. A), 11-4-08. Code 2001 § 22-1.3.)

19.05.040 D definitions.

“*Day care facility, commercial*” means the temporary, nonresidential care of persons on a recurring basis. See FWRC Title 19, Division VI, Zoning Regulations.

“*Dedication*” means the deliberate appropriation of land by its owner for public use or purpose, reserving no other rights than those that are compatible with the full exercise and enjoyment of the public uses or purposes to which the property has been devoted.

“*Deleterious substance*” includes, but is not limited to, chemical and microbial substances that are classified as hazardous materials under this section, “hazardous materials,” whether the substances are in usable or waste condition, that have the potential to pose a significant groundwater haz-

ard, or for which monitoring requirements of treatment-based standards are enforced under Chapter 246-290 WAC.

“*Development*” means any human activity consisting of any construction, expansion, reduction, demolition, or exterior alteration of a building or structure; any use, or change in use, of a building or structure; any human-caused change to land whether at, above, or below ground or water level; and any use, or change in use, of land whether at, above, or below ground or water level. Development includes, but is not limited to, any activity that requires a permit or approval under zoning ordinances, subdivision ordinances, building code ordinances, critical areas ordinances, all portions of a shoreline master program, surface water ordinances, planned unit development ordinances, binding site plan ordinances, and development agreements; including but not limited to any activity that requires a building permit, grading permit, shoreline substantial development permit, conditional use permit, special use permit, zoning variance or reclassification, subdivision, short subdivision, urban planned development, binding site plan, site development, or right-of-way use permit. Development also includes, but is not limited to, filling, grading, paving, dredging, excavation, mining, drilling, bulkheading; driving of piling; placing of obstructions to any right of public use; and the storage of equipment or materials.

“*Development regulation*” means controls placed on development or land use, but does not include decisions to approve a project permit application even though they may be expressed in a resolution or ordinance.

“*Diameter at breast height (dbh)*” means the diameter of a tree trunk as measured at four and one-half feet above the ground surface.

“*Director*” means the director of the department of community development, also known as the department of community development services, unless the context indicates otherwise.

“*Domestic animal*” means an animal which can be and is customarily kept or raised in a home or on a farm.

“*Dredging*” means removal of earth and other materials from a body of water, a watercourse, or a wetland.

“*Dredging spoils*” means the earth and other materials removed from a body of water, a watercourse, or a wetland by dredging.

“*Driveway*” means an area of the subject property designed to provide vehicular access to a parking area or structure located on the subject property.

“*Dry land*” means the area of the subject property landward of the high water line.

“*Dwelling unit*” means one or more rooms in a structure or structures, excluding mobile homes and outdoor storage containers and similar structures used or designed to be used as living facilities, providing complete, independent living facilities exclusively for one family, including permanent provisions for living, sleeping, cooking and sanitation. A factory-built home or manufactured home is considered a dwelling unit under this title only if it meets the standards and criteria of a designated manufactured home established in RCW 35A.63.145. There are the following 10 types of dwelling units:

(1) “Dwelling unit, attached” means a dwelling unit that has one or more vertical walls in common with or attached to one or more other dwelling units or other uses and does not have other dwelling units or other uses above or below it.

(2) “Dwelling unit, detached” means a dwelling unit that is not attached or physically connected to any other dwelling unit or other use.

(3) “Dwelling unit, efficiency” means a small one-room unit, which includes all living and cooking areas with a separate bathroom.

(4) “Dwelling unit, stacked” means a dwelling unit that has one or more horizontal walls in common with or attached to one or more other dwelling units or other uses and may have one or more vertical walls in common with or adjacent to one or more other dwelling units or other uses.

(5) “Dwelling unit, multifamily” means a building containing two or more dwelling units, which are either attached or stacked. See definition of “dwelling unit, townhouse.”

(6) “Dwelling unit, senior citizen housing” means housing available for the exclusive occupancy of persons over 55 years of age.

(7) “Dwelling unit, small lot detached” means detached residential dwelling units developed on multifamily-zoned property. Each unit is located on its own fee-simple lot. One of the dwelling unit’s sides may rest on a lot line (zero lot line) when certain site development conditions are met.

(8) “Dwelling unit, studio” means a one-room unit, which includes all living and cooking areas with a separate bathroom. Studios may have a wide open living space, and are typically larger than an “efficiency apartment.” Studio apartments can contain a loft.

(9) “Dwelling unit, townhouse” means a type of attached multifamily dwelling in a row of at least two such units in which each unit has its own front and rear access to the outside, no unit is located over another unit, and each unit is separated from any other unit by one or more vertical common fire-resistant walls.

(10) “Dwelling unit, zero lot line townhouse” means attached residential dwelling units with common (or “party”) walls. Each unit is located on a lot in such a manner that one or more of the dwelling’s sides rest on a lot line. Each unit has its own entrance opening to the outdoors (to the street, alley, or private tract) and, typically, each house is a complete entity with its own utility connections. Although most townhouses have no side yards, they have front and rear yards. The land on which the townhouse is built, and any yard, is owned in fee simple.

(Ord. No. 17-834, § 3, 5-16-17; Ord. No. 09-610, § 3(Exh. A), 4-7-09; Ord. No. 09-605, § 3(Exh. A), 3-3-09; Ord. No. 09-593, § 24, 1-6-09. Code 2001 § 22-1.4.)

19.05.050 E definitions.

“*Easement*” means the right to use the real property of another for a specific purpose.

“*EMF*” means electromagnetic field, which is the field produced by the operation of equipment used in transmitting and receiving radio frequency signals.

“*Equipment shelter*” means the structure associated with a PWSF that is used to house electronic switching equipment, cooling system and back-up power systems.

“*Erosion*” means the removal and transport of soils or rock fragments by water, wind, ice, or similar natural forces.

“*Essential public facility*” is any facility or conveyance that:

(1) Is typically difficult to site due to unusual site requirements and/or significant public opposition;

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(2) Is a necessary component of a system, network or program which provides a public service or good;

(3) Is owned or operated by a unit of local or state government, a private or nonprofit organization under contract with a unit of government or receiving government funding, or private firms subject to a public service obligation; and

(4) Meets the following definitions of either a Class I or a Class II essential public facility:

(a) Class I facilities are those facilities of a county, regional or state-wide nature intended to serve a population base that extends significantly beyond the boundaries of the city. Class I facilities may include several local jurisdictions or a significant share of the Puget Sound regional population and may include, but are not limited to, the following:

(i) State or regional education facilities (except minor branch facilities), including: research facilities, university branch campuses, and community colleges;

(ii) State or regional transportation facilities, including: light and/or standard rail lines, commuter terminals, transit centers, and park-and-ride lots in residential zones;

(iii) State or regional correctional facilities;

(iv) Solid waste handling facilities (large scale), including: transfer stations and recycling centers;

(v) Sewage treatment plants;

(vi) Power plants;

(b) Class II facilities are those facilities of a local nature intended to meet the service needs of the local community. Class II facilities are typically characterized by providing some type of in-patient care, assistance, or monitoring and may include, but are not limited to, the following:

(i) Substance abuse facilities;

(ii) Mental health facilities;

(iii) Group homes/special needs housing;

(iv) Local schools, including: elementary schools, middle schools, and high schools;

(v) Social service transitional housing, including: domestic violence shelters, homeless shelters, and work-release.

“*Excavate*” or “*excavation*” means the mechanical removal of soils or underlying strata.

“*Exposed building face*” for sign regulations means the building exterior wall of a single-occupant building or the building exterior wall of an individual tenant’s leased space in a multi-tenant complex, including the vertical distance between eaves and ridge of a pitched roof above it, used for sign area calculation for building-mounted signs.

(Ord. No. 09-610, § 3(Exh. A), 4-7-09; Ord. No. 09-605, § 3(Exh. A), 3-3-09; Ord. No. 09-593, § 24, 1-6-09. Code 2001 § 22-1.5.)

19.05.060 F definitions.

“*Facade*” means the entire building front including the parapet.

“*Family*” means an individual; a group of not more than five individuals; or two or more individuals related by not more than four degrees of affinity or consanguinity, including persons under legal guardianship. Any limitation on the number of residents resulting from this definition shall not be applied to the extent it would prevent the city from making reasonable accommodations to disabled persons in order to afford such persons equal opportunity to use and enjoy a dwelling as required by the Fair Housing Amendments Act of 1988, 42 USC 3604(f)(3)(b). This definition shall not be applied to the extent that it would cause a residential structure occupied by persons with handicaps, as defined in the Federal Fair Housing Amendments Act of 1988, to be treated differently than a similar residential structure occupied by other related or unrelated individuals.

“*Family day care*” means a business regularly providing care during part of the 24-hour day to 12 or fewer persons, including children and/or adults, and the children, if applicable, of the day care provider, in the family abode of the person or persons under whose direct care those receiving care are placed. Family day care includes family day care homes for children as defined by RCW 35.63.170 and in-home day care for adults. See FWRC 19.105.070.

“*Farmers market*” means a temporary (typically outdoor) or permanent (indoor or outdoor) market where farmers, producers, and other vendors sell whole produce; value-added agricultural products such as jams, jellies, and pickles; prepared food; plants; flowers; meats; dairy products; shellfish and finfish; and other food-related products. Additionally, some vendors may sell non-food-related products and services. The majority of

products for sale throughout the course of the calendar year shall be food-related products, plants, flowers, and hand crafted arts and crafts products as determined by the number of vendors selling said products. Entertainment and other community activities may also be provided and are typically not considered to be market vendors; however, these other activities shall be ancillary in nature and support the primary purpose of providing a venue for farmers to sell fresh produce and other agricultural products.

“Farm stand” means a structure accessory to a community garden, urban farm, or cottage food operation for the display and sale of vegetables or produce, flowers, orchard products, animal products, locally produced packaged food products, and similar products grown or produced on the general property on which the stand is located. See the definitions for “community gardens,” “cottage food operation,” and “urban farm.”

“Fast food restaurant” means an establishment which offers quick food service which is accomplished through one or more of the following mechanisms:

- (1) Limited menu of easily produced items.
- (2) Orders are not taken at the customer’s table.

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“*Invasive species*” include nonnative species of plants or animals that out-compete native species in a specific habitat and that cause or are likely to cause economic or environmental harm or harm to human, animal or plant health. Invasive species include species on the noxious weed list maintained by the King County noxious weed control board. See also “native vegetation” and “nuisance vegetation.”

“*Irrevocable license*” means a written irrevocable permission given by a property owner to the city for specified purposes.

(Ord. No. 15-804, § 4, 11-3-15; Ord. No. 09-610, § 3(Exh. A), 4-7-09; Ord. No. 09-593, § 24, 1-6-09. Code 2001 § 22-1.9.)

19.05.100 J definitions.

“*Junk*” means old, used, or scrap metal, rope, rags, batteries, paper, rubber, tires, machinery or appliances or parts of such machinery or appliances, wood, debris, trash, waste, household goods or hardware, medications, medical supplies, or medical devices, or junked, dismantled, wrecked or inoperable motor vehicles or vehicular component parts.

“*Junk or junked vehicle*” means any vehicle substantially meeting at least three of the following conditions:

- (1) Is three years old or older;
- (2) Is extensively damaged, such damage including but not limited to any of the following: a broken window or windshield or missing wheels, tires, motor, or transmission;
- (3) Is apparently inoperable;
- (4) Has an approximate fair market value equal only to the approximate value of the scrap in it.

“*Junkyard*” means a property or place of business which is maintained, operated or used for storing, keeping, buying, selling or salvaging junk.

(Ord. No. 09-610, § 3(Exh. A), 4-7-09; Ord. No. 09-593, § 24, 1-6-09. Code 2001 § 22-1.10.)

19.05.110 K definitions.

Reserved.

(Ord. No. 09-610, § 3(Exh. A), 4-7-09; Ord. No. 09-593, § 24, 1-6-09. Code 2001 § 22-1.11.)

19.05.120 L definitions.

“*Land division*” means any process by which individual lots, parcels, or tracts are created for the purpose of sale, lease, or transfer. Land divisions

include, but are not limited to, conventional subdivisions (both short and long plats), binding site plans, cluster subdivisions, cottage housing, zero lot line townhouse development, and small lot detached development.

“*Landscaping*” means the planting, removal and maintenance of vegetation along with the movement and displacement of earth, topsoil, rock, bark and similar substances done in conjunction with the planting, removal and maintenance of vegetation.

“*Landward*” means toward dry land.

“*Legal nonconformance*” means those uses, developments, or lots that complied with the zoning regulations at the time the use, development, or lot was created or established, but do not conform with current zoning regulations. This definition shall be applied to legal nonconforming lots, uses, and developments as defined in this chapter.

“*Linear frontage of subject property*” means the frontage of the subject property adjacent to all open, improved rights-of-way other than Interstate 5. If the subject property is not adjacent to an open, improved right-of-way, “linear frontage” means the frontage of the subject property on any public access easements or tracts which serve the subject property and adjacent unopened and/or unimproved rights-of-way.

“*Lobby*” means a central hall, foyer, or waiting room at the entrance to a building.

“*Lot*” means a parcel of land, of sufficient area to meet minimum zoning requirements, having fixed boundaries described by reference to a recorded plat, to a recorded binding site plan, to metes and bounds, or to section, township and range.

“*Lot area*” means the minimum lot area per dwelling unit based on the underlying zone. For single-family lots, the area of a vehicular access easement, private tract, flagpole, or access panhandle shall not be credited in calculation of minimum lot area.

“*Low density use*” means a detached dwelling unit on a subject property that contains at least five acres.

“*Low density zone*” means the following zones: SE and comparable zones in other jurisdictions.

“*Low impact development (LID)*” means a stormwater management strategy that emphasizes conservation and use of existing features integrated

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with distributed, small-scale stormwater controls to more closely mimic natural hydrologic patterns in residential, commercial, and industrial settings. (Ord. No. 17-834, § 4, 5-16-17; Ord. No. 15-804, § 5, 11-3-15; Ord. No. 09-630, § 33, 10-20-09; Ord. No. 09-610, § 3(Exh. A), 4-7-09; Ord. No. 09-593, § 24, 1-6-09. Code 2001 § 22-1.12.)

19.05.130 M definitions.

“*Maintenance*,” for signs, means the cleaning, painting, and minor repair of a sign in a manner that does not alter the basic design, size, height, or structure of the sign.

“*Manufactured home*” means a factory-built structure transportable in one or more sections which is built on a permanent chassis and designed to be a dwelling with or without a permanent foundation when connected to required utilities. A manufactured home shall be built to comply with the National Manufactured Home Construction and Safety Standards Act of 1974 (regulations effective June 15, 1976).

“*Manufacturing and production*” means the mechanical or chemical transformation of materials or substances into new products, including the assembling of component parts, the creation of products, and the blending of materials, such as oils, plastics, resins, or liquors. Manufacturing and production is divided into the following categories:

(1) “*Manufacturing and production, general*,” means establishments typically manufacturing and producing for the wholesale market.

(2) “*Manufacturing and production, limited*,” means retail establishments engaged in the small-scale manufacture, production, and on-site sales of custom goods and products. These uses are distinguished from “*manufacturing and production, general*,” by a predominant use of hand tools or domestic mechanical equipment, limited number of employees, limited sales volume, limited truck deliveries, little or no outdoor storage, typical retail hours of operation, and an obvious retail storefront with a public entrance that is in scale with the overall building and oriented to the right-of-way. This category includes uses such as ceramic studios; candle-making shops; custom jewelry manufacturing; woodworking and cabinet making; manufacturing of specialized orthopedic appliances such as artificial limbs or braces; manufacturing of dental appliances such as bridges, dentures, and crowns; production of goods from finished materials such

as wood, metal, paper, glass, leather, and textiles; and production of specialized food products such as caterers, bakeries, candy stores, microbreweries, and beverage bottlers.

“*Maximum lot coverage*” means the maximum percentage of the surface of the subject property that may be covered with materials which will not allow for the percolation of water into the underlying soils. See FWRC 19.110.020 et seq. for further details.

“*Mean sea level*” means the level of Puget Sound at zero tide as established by the U.S. Army Corps of Engineers.

“*Medium density zones*” mean the following zones: RS 15.0, RS 35.0 and comparable zones in other jurisdictions.

“*Microcell*” means a wireless communication facility consisting of an antenna that is either:

(1) Four feet in height and with an area of not more than 580 square inches; or

(2) If a tubular antenna, no more than four inches in diameter and no more than six feet high.

“*Minor facility*” means a wireless communication facility consisting of up to three antennas, each of which is either:

(1) Four feet in height and with an area of not more than 580 inches; or

(2) If a tubular antenna, no more than four inches in diameter and no more than six feet in length.

A minor facility includes any associated equipment cabinet that is six feet or less in height and no more than 48 square feet in floor area.

“*Mixed-use building*” means a building containing two or more different principal permitted uses, as determined by the director, and which occupy separate tenant spaces.

“*Moorage facility*” means a pier, dock, buoy or other structure providing docking or moorage space for waterborne pleasure craft.

“*Multiple-story building*” means a building containing two or more floors of active permitted use(s), and each upper floor area, excluding any storage, mechanical, and other similar accessory, nonactive areas, contains at least 33 percent of the ground floor area.

“*Multi-tenant complex*” means a complex containing two or more uses or businesses.

“*Multi-use complex*” means all of the following: a group of separate buildings operating under a common name or management; or a single build-

“*Office zones*” mean the PO, OP and CP-1 zoning districts.

“*Official notification boards of the city*” means the bulletin boards in the public areas of City Hall and other public locations as designated by city council.

“*On-site hazardous waste treatment and storage facilities*” means facilities which treat and store hazardous wastes generated on the same property or geographically contiguous properties, which may be divided by public or private right-of-way if the entrance and exit between the properties is at a crossroads intersection and access is by crossing as opposed to going along the right-of-way.

“*Open house*” means an event held at a specific location, that is open to the public, and where the event holder remains in attendance during the event.

“*Open record hearing*” means a hearing that creates the city’s record of decision for an application or appeal through testimony and submission of evidence and information, under procedures prescribed by the city’s hearing examiner or the city council. An open record hearing may be held prior to the city’s decision on an application, or as part of an appeal.

“*Open space*” means an area of land that is valued for natural processes and wildlife, for agricultural production, for active and passive recreation, and/or for providing other public benefits. In certain cases, open space may refer to both outdoor and indoor spaces that provide active or passive recreational amenities for a development’s occupants or users.

“*Open space, common,*” means open space which is normally utilized by the occupants of a building or property.

“*Open space, private,*” means open space, the use of which is normally limited to the occupants of a single dwelling.

“*Open space, public,*” means open space owned by a public agency and maintained by it for the use and enjoyment of the general public.

“*Ordinary high water mark*” means, on lakes, streams and tidal waters, that mark found by examining the bed, banks, or shore and ascertaining where the presence and action of waters are so common and usual, and so long continued in ordinary years, as to mark upon the soil or land a character distinct from that of the abutting uplands with

respect to vegetation. Where the ordinary high water mark cannot be found by mark, the ordinary high water mark shall be the line of mean high tide for salt water and the line of mean high water for fresh water. In any stream where neither mark nor mean high water can be found, the channel bank shall be substituted. In braided channels and alluvial fans, the ordinary high water mark or substitute shall be located so as to include the entire stream feature.

“*Outdoor*” means not contained within a building.

“*Outdoor storage*” means any material or item (including vehicles) being stored for or awaiting sale, lease, processing or repair and not enclosed within a building.

“*Outdoor storage containers*” means new or used prefabricated metal or steel enclosures used for the accessory storage of supplies, equipment, inventory, goods, commodities, or construction-related materials; or temporary offices for active construction sites; designed without an axle or wheels; and capable of being mounted on a chassis or bogie for movement by truck, trailer, railcar, or ship. This definition includes, but is not limited to, cargo, shipping, and freight containers; and excludes typical residential accessory buildings or structures such as garages and storage sheds; garbage and recycling containers; containers mounted on a truck or in some stage of transport; structures used or designed to be used as living facilities; and portable moving containers as defined in this chapter. See FWRC 19.125.180 and 19.125.190.

“*Owner*” means, in reference to real property, the person or persons holding fee title to the property as well as the purchaser or purchasers under any real estate contract involving the real property. (Ord. No. 12-727, § 7, 9-18-12; Ord. No. 09-610, § 3(Exh. A), 4-7-09; Ord. No. 09-593, § 24, 1-6-09; Ord. No. 08-585, § 3(Exh. A), 11-4-08; Ord. No. 08-583 § 3(Exh. A), 10-21-08. Code 2001 § 22-1.15.)

19.05.160 P definitions.

“*Panhandle lot*” means flag lot.

“*Parking area*” means any area designed or used for parking vehicles.

“*Parking space*” means an area which is improved, maintained and used for the sole purpose of temporarily accommodating a motor vehicle that is not in use.

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“*Parking structure*” means a building or structure consisting of more than one level, above and/or below ground, and used for temporary storage of motor vehicles.

Pea Patch Garden. See the definition for “community gardens.”

“*Pedestrian oriented*” means a street that is designed to encourage pedestrian movement and pedestrian orientation in relationship to buildings.

“*Personal wireless service facility (PWSF)*” means a wireless communication facility, including a microcell, that is a facility for the transmission and/or reception of radio frequency signals, and which may include antennas, equipment shelter or cabinet, transmission cables, a support structure to achieve the necessary elevation, and reception and transmission devices and antennas.

“*Personal wireless services*” means commercial mobile services, unlicensed wireless services, and common carrier wireless exchange access services, as defined by federal laws and regulations.

“*Plaza*” means a pedestrian space that is available for public use and is situated near a main entrance to a building or is clearly visible and accessible from the adjacent right-of-way. Typical features and furnishings include special paving, landscaping, pedestrian-scale lighting, seating areas, weather protection, water features, art, trash receptacles, and bicycle racks.

“*Portable moving containers*” means new or used prefabricated units that can be rented by residential or business customers for temporary accessory moving and storage activities, including, but not limited to, such products trademarked as “PODS” (Personal on Demand Storage), “SAM” (Store and Move), and “Door to Door.” Such containers are typically delivered to a site by truck, left on site for a temporary loading period, then retrieved by truck and delivered to another location, which may include a storage facility. See FWRC 19.275.020.

“*Preapplication conference*” means a meeting, between an applicant and members of the development review committee, which is held prior to formal application, during which the project is discussed relative to pertinent codes and regulations.

“*Primary vehicular access*” means the street, vehicular access easement, or private tract from which the majority of vehicles enter the subject property.

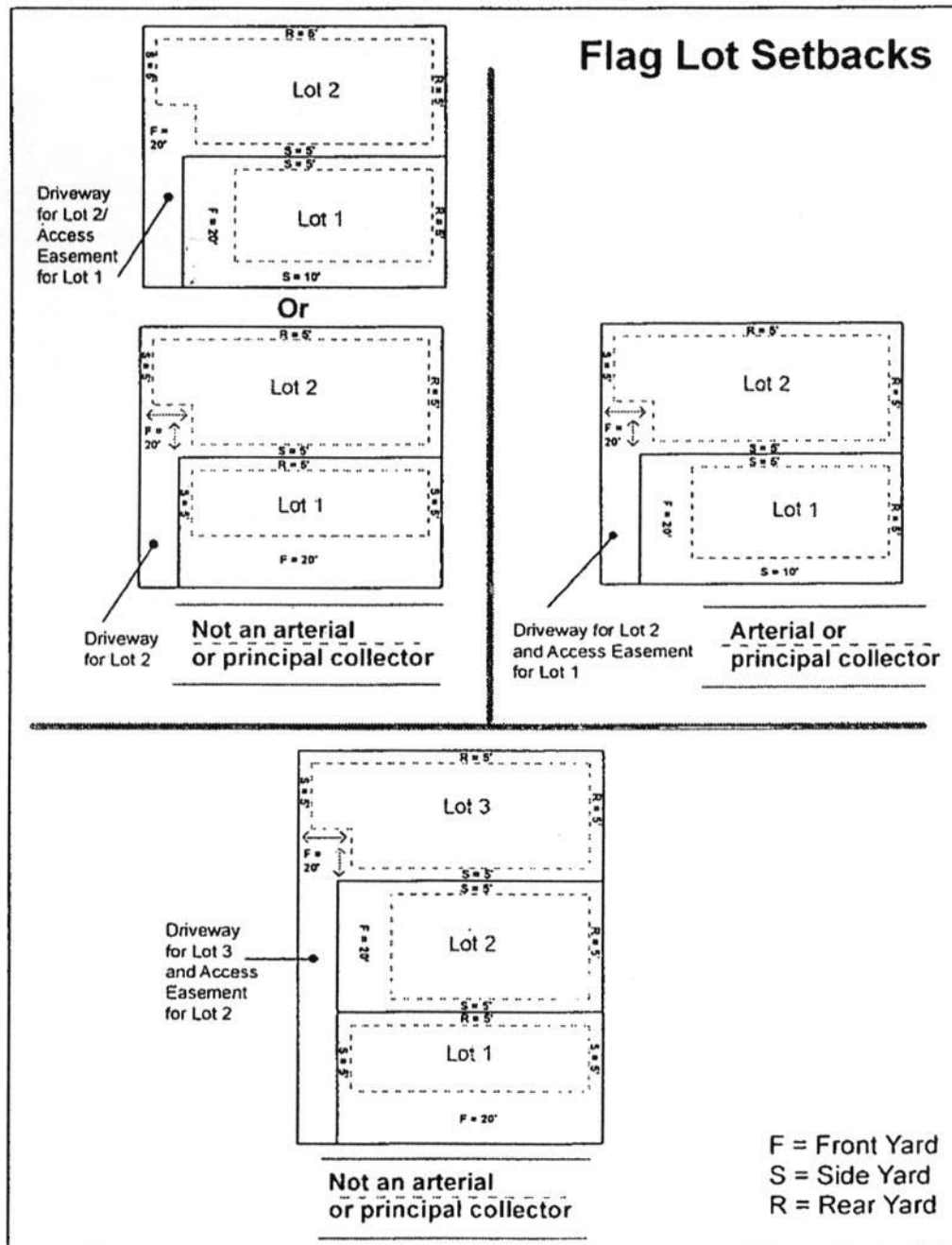
“*Principal use*” means the primary or predominant use of any lot or parcel.

“*Private club*” means an association of persons organized for some common purpose, but not including groups organized primarily to sell merchandise or render a service which is customarily carried on as a business.

“*Property line*” means those lines enclosing the subject property and those lines defining a recorded vehicular access easement or tract. The following are categories of property lines:

(1) The front property line is any property line that is adjacent to a primary vehicular access. If the subject property is adjacent to more than one primary vehicular access, the applicant shall designate which of the adjacent property lines is the front property line and the remainder of such adjacent property lines will be considered as either a rear property line or side property line, based on the definition in this section, except the property line adjacent to an arterial or primary collector shall not be designated as a primary vehicular access.

(2) For flag lots, the yard setbacks shall be applied per the following graphic:



(3) The rear property line is any property line that is farthest from, and essentially parallel to, the front property line.

(4) The side property line is any property line other than a front property line or a rear property line.

“Public park” means a natural or landscaped area, provided by a unit of government, to meet the active or passive recreational needs of people.

“Public space” means a passive or active recreational area designed specifically for use by the general public as opposed to serving merely as a setting for the building. Such areas may include parks, gardens, plazas, entrance lobbies, arboretums, solariums, and bandstands, or an approved combination thereof, and may contain exterior or interior spaces. Such areas shall be easily accessible from adjacent public areas and available to the public at least 12 hours each weekday. Public on-

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site open space may be privately owned, but must be permanently set aside and maintained for the use and benefit of the public.

“*Public utility*” means the facilities of a private business organization such as a public service corporation, or a governmental agency performing some public service and subject to special governmental regulations, the services which are paid for directly by the recipients thereof. Such services shall include but are not limited to: water supply, electric power, telephone, cablevision, natural gas and transportation for persons and freight. The term also includes broadcast towers, antennas and related facilities operated on a commercial basis.

“*Public works director*” means the director of the department of public works of the city. (Ord. No. 17-834, § 5, 5-16-17; Ord. No. 13-754, § 6, 12-3-13; Ord. No. 09-610, § 3(Exh. A), 4-7-09; Ord. No. 09-593, § 24, 1-6-09; Ord. No. 08-585, § 3(Exh. A), 11-4-08. Code 2001 § 22-1.16.)

19.05.170 Q definitions.

“*Qualified professional*” means a person with experience and training in the pertinent scientific discipline, and who is a qualified scientific expert with expertise appropriate for the relevant critical area subject in accordance with WAC 365-195-905(4). A qualified professional must have obtained a B.S. or B.A. or equivalent degree in biology, engineering, environmental studies, fisheries, geomorphology, or related field, and two years of related work experience.

(1) A qualified professional for habitats or wetlands must have a degree in biology and professional experience related to the subject species.

(2) A qualified professional for a geological hazard must be a professional engineer or engineering geologist, licensed in the state of Washington.

(3) A qualified professional for critical aquifer recharge areas means a hydrogeologist, geologist, geotechnical engineer, or other scientist with experience in hydrogeologic assessments.

“*Quasi-public use*” means a use owned or operated by a private nonprofit or philanthropic institution that provides cultural, recreational, or similar types of programs and services.

(Ord. No. 15-797, § 8, 6-16-15; Ord. No. 09-610, § 3(Exh. A), 4-7-09; Ord. No. 09-593, § 24, 1-6-09; Ord. No. 08-585, § 3(Exh. A), 11-4-08. Code 2001 § 22-1.17.)

19.05.180 R definitions.

“*Recreational vehicle*” means a travel trailer, motor home, truck camper, or camping trailer that is primarily designed and used as temporary living quarters, is either self-propelled or mounted on or drawn by another vehicle, is transient, is not occupied as a primary residence, and is not immobilized or permanently affixed to a mobile home lot.

“*Redevelop or redevelopment project*” for the purpose of nonconforming water quality (improvements) means a project that proposes to add, replace, or modify impervious surface (for purposes other than a residential subdivision or maintenance) on a site that is already substantially developed in a manner consistent with its current zoning, or with a legal nonconforming use, or has an existing impervious surface coverage of 35 percent or more. Water quality for the entire subject property must be brought into compliance with the Federal Way Revised Code.

“*Registration sticker*” for the purpose of sign regulations means the sticker that is assigned to a sign that has been inventoried and has been determined to comply with this title and other sections of this Code.

“*Regulated lakes*” means lakes that are less than 20 acres in size that are not regulated as shorelines of the state. Vegetated areas that are located in and around the margins of regulated lakes shall comply with wetland regulations.

“*Relative*” means persons connected through blood, marriage or other legal relationships by not more than four degrees or affinity or consanguinity and including persons under legal guardianship.

“*Required yard*” means the area adjacent to and interior from a property line or the ordinary high water mark (OHWM) of a lot, as prescribed by regulations, and is the minimum required distance between a structure and a specific line, such as a property line, edge of private tract, or vehicular access easement that is required to remain free of structures. If two or more required yards are coincidental, the area will be considered the required yard with the greater dimension. Yards are also known as setbacks. Except for flag lots, required setbacks are categorized as follows:

(1) *Front*. That portion of a lot adjacent to and parallel with the front property lines and at a distance therefrom equal to the required front yard depth.

Chapter 19.115

COMMUNITY DESIGN GUIDELINES

Sections:

- 19.115.010 Purpose.
- 19.115.020 Administration.
- 19.115.030 Applicability.
- 19.115.040 Security program.
- 19.115.050 Site design – All zoning districts.
- 19.115.060 Building design – All zoning districts.
- 19.115.070 Building and pedestrian orientation – All zoning districts.
- 19.115.080 Mixed-use residential buildings in commercial zoning districts.
- 19.115.090 District guidelines.
- 19.115.100 Institutional uses.
- 19.115.110 Design criteria for public space.
- 19.115.115 Design criteria for residential usable open space and fee-in-lieu option.
- 19.115.120 Design for cluster residential subdivision lots.

19.115.010 Purpose.

The purpose of this chapter is to:

(1) Implement community design guidelines by:

(a) Adopting design guidelines in accordance with land use and development policies established in the Federal Way comprehensive plan and in accordance with crime prevention through environmental design (CPTED) guidelines.

(b) Requiring minimum standards for design review to maintain and protect property values and enhance the general appearance of the city.

(c) Increasing flexibility and encouraging creativity in building and site design, while assuring quality development pursuant to the comprehensive plan and the purpose of this chapter.

(d) Achieving predictability in design review, balanced with administrative flexibility to consider the individual merits of proposals.

(e) Improving and expanding pedestrian circulation, public space, and pedestrian amenities in the city.

(2) Implement crime prevention through environmental design (CPTED) principles by:

(a) Requiring minimum standards for design review to reduce the rate of crime associated with persons and property, thus providing for the highest standards of public safety.

(b) CPTED principles are functionally grouped into the following three categories:

(i) *Natural surveillance*. This focuses on strategies to design the built environment in a manner that promotes visibility of public spaces and areas.

(ii) *Access control*. This category focuses on the techniques that prevent and/or deter unauthorized and/or inappropriate access.

(iii) *Ownership*. This category focuses on strategies to reduce the perception of areas as “ownerless” and, therefore, available for undesirable uses.

(c) CPTED principles, design guidelines, and performance standards will be used during project development review to identify and incorporate design features that reduce opportunities for criminal activity to occur. The effectiveness of CPTED is based on the fact that criminals make rational choices about their targets. In general:

(i) The greater the risk of being seen, challenged, or caught, the less likely they are to commit a crime.

(ii) The greater the effort required, the less likely they are to commit a crime.

(iii) The lesser the actual or perceived rewards, the less likely they are to commit a crime.

(d) Through the use of CPTED principles, the built environment can be designed and managed to ensure:

(i) There is more chance of being seen, challenged, or caught;

(ii) Greater effort is required;

(iii) The actual or perceived rewards are less; and

(iv) Opportunities for criminal activity are minimized.

(Ord. No. 09-604, § 3(Exh. A), 3-3-09; Ord. No. 09-593, § 34, 1-6-09; Ord. No. 07-554, § 5(Exh. A(15)), 5-15-07; Ord. No. 06-515, § 3, 2-7-06; Ord. No. 03-443, § 3, 5-20-03; Ord. No. 01-382, § 3, 1-16-01; Ord. No. 99-333, § 3, 1-19-99; Ord. No. 96-271, § 3, 7-2-96. Code 2001 § 22-1630.)

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19.115.020 Administration.

Applications subject to community design guidelines and crime prevention through environmental design (CPTED) shall be processed as a component of the governing land use process, and the director shall have the authority to approve, modify, or deny proposals under that process. Unlike development standards in the zoning code, this chapter contains guidelines that are intended to serve as performance objectives for developing the appropriate siting and design solution for each development on each unique site. Decisions under this chapter will consider proposals on the basis of individual merit and will encourage creative design alternatives in order to achieve the stated purpose and objectives of this chapter. To further such creative design alternatives, and in recognition of site-specific opportunities and constraints, decisions under this chapter may allow for departure from any specific or numeric provisions contained in these guidelines, provided the end result is consistent with the purpose statement of this chapter. Decisions under this chapter are appealable using the appeal procedures of the applicable land use process.

(Ord. No. 13-750, § 3, 11-5-13; Ord. No. 09-604, § 3(Exh. A), 3-3-09; Ord. No. 07-554, § 5(Exh. A(15)), 5-15-07; Ord. No. 06-515, § 3, 2-7-06; Ord. No. 03-443, § 3, 5-20-03; Ord. No. 01-382, § 3, 1-16-01; Ord. No. 99-333, § 3, 1-19-99; Ord. No. 97-291, § 3, 4-1-97; Ord. No. 96-271, § 3, 7-2-96. Code 2001 § 22-1631.)

19.115.030 Applicability.

This chapter shall apply to all development applications except single-family residential, or those uses exempted in specific sections, subject to this title, Zoning and Development Code. Project proponents shall demonstrate how each CPTED principle is met by the proposal, or why it is not relevant, by either a written explanation or by responding to a checklist prepared by the city. Subject applications for remodeling or expansion of existing developments shall meet only those provisions of this chapter that are determined by the director to be reasonably related and applicable to the area of expansion or remodeling. This chapter

in no way should be construed to supersede or modify any other city codes, ordinances, or policies that apply to the proposal.

(Ord. No. 17-834, § 6, 5-16-17; Ord. No. 09-604, § 3(Exh. A), 3-3-09; Ord. No. 07-554, § 5(Exh. A(15)), 5-15-07; Ord. No. 06-515, § 3, 2-7-06; Ord. No. 03-443, § 3, 5-20-03; Ord. No. 01-382, § 3, 1-16-01; Ord. No. 99-333, § 3, 1-19-99; Ord. No. 97-291, § 3, 4-1-97; Ord. No. 96-271, § 3, 7-2-96. Code 2001 § 22-1632.)

19.115.040 Security program.

The following is a list of general strategies that are encouraged to be addressed in a security program for new stacked multifamily dwelling units, senior housing, or special needs housing:

(1) Develop written security policies and an emergency management plan, including evacuation procedures.

(2) Provide illumination in all areas of the building, including parking facilities and entryways to buildings, according to requirements of the Illuminating Engineering Society (IES) Lighting Handbook.

(3) Ensure that the lobby and the area immediately outside its doors are free of places of concealment for persons.

(4) Install large glass panels in lobby doors.

(5) Design buildings so that the elevator area is fully visible throughout the lobby. On levels other than the lobby floor, elevators should open directly to hallways, without recesses or blind corners that restrict two-way visibility.

(6) Locate laundry rooms in a more active area of the building, adjacent to common space or the main lobby, and install large glass windows in the laundry room.

(7) Keep laundry rooms and exercise rooms secure and accessible by residents.

(8) Locate mailboxes and mail rooms adjacent to the main lobby of the building.

(9) Store keys in a secure location and control their distribution.

(10) Control access into the building by locking all exterior entrances, including accessible roof openings, doors to accessible balconies and terraces, and parking garage entrances. Provide automatic door closures, as needed.

(11) Provide deadbolt locks, peepholes, and safety chains (night latches) on resident doors.

(12) Install a functioning high quality video monitoring system with cameras located in the lobby, elevator, playground, and parking lot.

(13) Keep plants and shrubs trimmed to provide for visibility of the building and surrounding property.

(14) Trim tree branches up from the ground in order to discourage the possibility of a person hiding.

(15) Make sure fences can be seen through.

(16) Post the site and building addresses clearly.

(Ord. No. 17-834, § 7, 5-16-17.)

19.115.050 Site design – All zoning districts.

(1) General criteria.

(a) Natural amenities such as views, significant or unique trees, or groupings of trees, creeks, riparian corridors, and similar features unique to the site should be incorporated into the design.

(b) Pedestrian areas and amenities should be incorporated in the overall site design. Pedestrian areas include but are not limited to outdoor plazas, arcades, courtyards, seating areas, and amphitheaters. Pedestrian amenities include but are not limited to outdoor benches, tables and other furniture, balconies, gazebos, transparent glass at the ground floor, and landscaping.

(c) Pedestrian areas should be easily seen, accessible, and located to take advantage of surrounding features such as building entrances, open spaces, significant landscaping, unique topography or architecture, and solar exposure.

(d) Project designers shall strive for overall design continuity by using similar elements throughout the project such as architectural style and features, materials, colors, and textures.

(e) Place physical features, activities, and people in visible locations to maximize the ability to be seen, and therefore, discourage crime. For example, place cafes and food kiosks in parks to increase natural surveillance by park users, and place laundry facilities near play equipment in multiple-family residential development. Avoid barriers, such as tall or overgrown landscaping or outbuildings, where they make it difficult to observe activity.

(f) Provide access control by utilizing physical barriers such as bollards, fences, doorways, etc., or by security hardware such as locks, chains, and alarms. Where appropriate, utilize security

guards. All of these methods result in increased effort to commit a crime and, therefore, reduce the potential for it to happen.

(g) Design buildings and utilize site design that reflects ownership. For example, fences, paving, art, signs, good maintenance, and landscaping are some physical ways to express ownership. Identifying intruders is much easier in a well-defined space. An area that looks protected gives the impression that greater effort is required to commit a crime. A cared-for environment can also reduce fear of crime. Areas that are run down and the subject of graffiti and vandalism are generally more intimidating than areas that do not display such characteristics.

(2) Surface parking lots.

(a) Site and landscape design for parking lots are subject to the requirements of Chapter 19.125 FWRC.

(b) Vehicle turning movements shall be minimized. Parking aisles without loop access are discouraged. Parking and vehicle circulation areas shall be clearly delineated using directional signage.

(c) Driveways shall be located to be visible from the right-of-way but not impede pedestrian circulation on-site or to adjoining properties. Driveways should be shared with adjacent proper-

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(7) *Miscellaneous site elements.*

(a) Lighting shall comply with the following:

(i) Lighting levels shall not spill onto adjacent properties pursuant to FWRC 19.105.030(3).

(ii) Lighting shall be provided in all loading, storage, and circulation areas, but shall incorporate cut-off shields to prevent off-site glare.

(iii) Lighting standards shall not reduce the amount of landscaping required for the project by Chapter 19.125 FWRC, Outdoors, Yards, and Landscaping.

(b) Drive-through facilities, such as banks, cleaners, fast food, drug stores and service stations, etc., shall comply with the following:

(i) Drive-through windows and stacking lanes are not encouraged along facades of buildings that face a right-of-way. If they are permitted in such a location, then they shall be visually screened from such street by Type III landscaping and/or architectural element, or combination thereof; provided, such elements reflect the primary building and provide appropriate screening.

(ii) The stacking lane shall be physically separated from the parking lot, sidewalk, and pedestrian areas by Type III landscaping and/or architectural element, or combination thereof; provided, such elements reflect the primary building and provide appropriate separation. Painted lanes are not sufficient.

(iii) Drive-through speakers shall not be audible off-site.

(iv) A bypass/escape lane is recommended for all drive-through facilities.

(v) See FWRC 19.115.090(4) for supplemental guidelines.

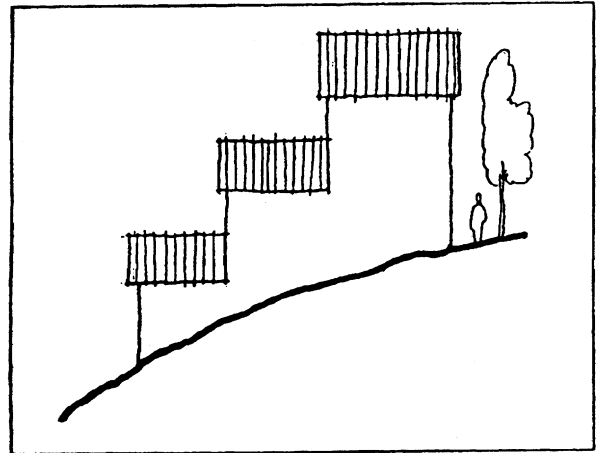
(Ord. No. 09-610, § 3(Exh. A), 4-7-09; Ord. No. 09-604, § 3(Exh. A), 3-3-09; Ord. No. 07-554, § 5(Exh. A(15)), 5-15-07; Ord. No. 06-515, § 3, 2-7-06; Ord. No. 03-443, § 3, 5-20-03; Ord. No. 01-382, § 3, 1-16-01; Ord. No. 99-333, § 3, 1-19-99; Ord. No. 96-271, § 3, 7-2-96. Code 2001 § 22-1634.)

19.115.060 Building design – All zoning districts.

(1) *General criteria.*

(a) Emphasize, rather than obscure, natural topography. Buildings should be designed to “step up” or “step down” hillsides to accommodate sig-

nificant changes in elevation, unless this provision is precluded by other site elements such as storm-water design, optimal traffic circulation, or the proposed function or use of the site. See FWRC 19.120.110 for related standards for development on sites with slopes of 15 percent or greater.



Emphasizing natural topography

Figure 5 – FWRC 19.115.060(1)

(b) Building siting or massing shall preserve public viewpoints as designated by the comprehensive plan or other adopted plans or policies.

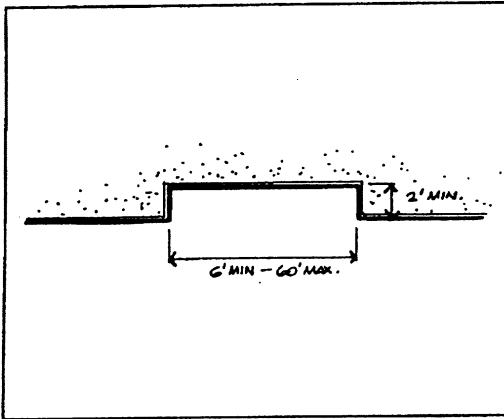
(c) Materials and design features of fences and walls should reflect that of the primary building(s) and shall also meet the applicable requirements of FWRC 19.120.120, Rockeries and retaining walls.

(2) *Building facade modulation and screening options, defined.* Except for zero lot line townhouse development and attached dwelling units, all building facades that are both longer than 60 feet and are visible from either a right-of-way or residential use or zone shall incorporate facade treatment according to this section. Subject facades shall incorporate at least two of the four options described herein; except, however, facades that are solidly screened by Type I landscaping, pursuant to Chapter 19.125 FWRC, Outdoors, Yards, and Landscaping, may use facade modulation as the sole option under this section. Options used under this section shall be incorporated along the entire length of the facade, in any approved combination. Options used must meet the dimensional standards as specified herein; except, however, if more than two are used, dimensional requirements for each option will be determined on a case-by-case basis; provided, that the gross area of a pedestrian plaza

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may not be less than the specified minimum of 200 square feet. See FWRC 19.115.090(3) for guidelines pertaining to city center core and city center frame.

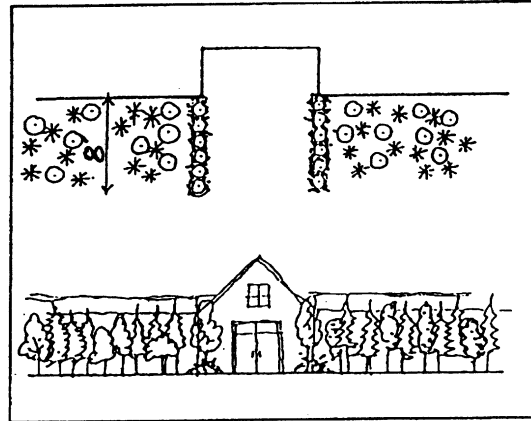
(a) *Facade modulation.* Minimum depth: two feet; minimum width: six feet; maximum width: 60 feet. Alternative methods to shape a building, such as angled or curved facade elements, off-set planes, wing walls and terracing, will be considered; provided, that the intent of this section is met.



Incorporating modulations

Figure 6 – FWRC 19.115.060(2)

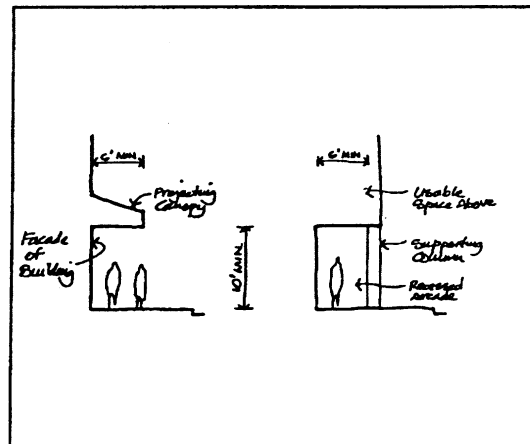
(b) *Landscape screening.* Eight-foot-wide Type II landscape screening along the base of the facade, except Type IV may be used in place of Type II for facades that are comprised of 50 percent or more window area, and around building entrance(s). For building facades that are located adjacent to a property line, some or all of the underlying buffer width required by Chapter 19.125 FWRC, Outdoors, Yards, and Landscaping, may be considered in meeting the landscape width requirement of this section.



Incorporating landscaped buffers

Figure 7 – FWRC 19.115.060(2)

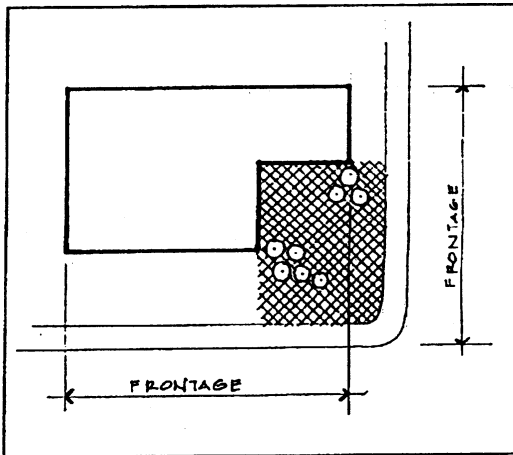
(c) *Canopy or arcade.* As a modulation option, canopies or arcades may be used only along facades that are visible from a right-of-way. Minimum length: 50 percent of the length of the facade using this option.



Incorporating canopy/arcade

Figure 8 – FWRC 19.115.060(2)

(d) *Pedestrian plaza.* Size of plaza: Plaza square footage is equal to one percent of the gross floor area of the building, but it must be a minimum of 200 square feet. The plaza should be clearly visible and accessible from the adjacent right-of-way.

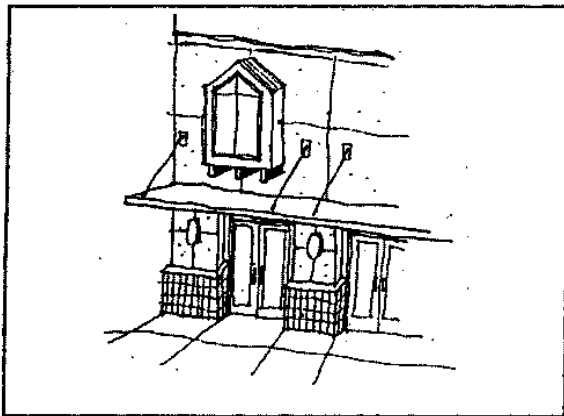


Incorporating pedestrian plaza

Figure 9 – FWRC 19.115.060(2)

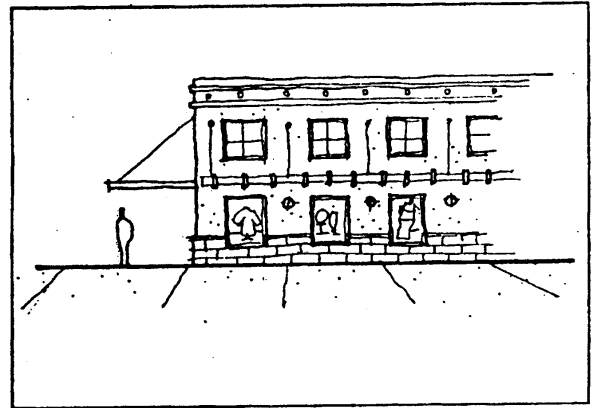
(3) *Building articulation and scale.*

(a) Except for zero lot line townhouse development and attached dwelling units, building facades visible from rights-of-way and other public areas should incorporate methods of articulation and accessory elements in the overall architectural design, as described in subsection (3)(b) of this section.



Building articulation

Figure 10 – FWRC 19.115.060(3)



Accessory Elements

Figure 11 – FWRC 19.115.060(3)

(b) *Methods to articulate blank walls.* Following is a nonexclusive list of methods to articulate blank walls, pursuant to FWRC 19.125.040(22) and subsection (3)(a) of this section:

- (i) Showcase, display, recessed windows;
- (ii) Window openings with visible trim material, or painted detailing that resembles trim;
- (iii) Vertical trellis(es) in front of the wall with climbing vines or similar planting;
- (iv) Set the wall back and provide a landscaped or raised planter bed in front of the wall, with plant material that will obscure or screen the wall's surface;
- (v) Artwork such as mosaics, murals, decorative masonry or metal patterns or grillwork, sculptures, relief, etc., over a substantial portion of the blank wall surface. (The Federal Way arts commission may be used as an advisory body at the discretion of the planning staff);
- (vi) Architectural features such as setbacks, indentations, overhangs, projections, articulated cornices, bays, reveals, canopies, and awnings;
- (vii) Material variations such as colors, brick or metal banding, or textural changes; and
- (viii) Landscaped public plaza(s) with space for vendor carts, concerts and other pedestrian activities.

(c) See FWRC 19.115.090(3) for supplemental guidelines.

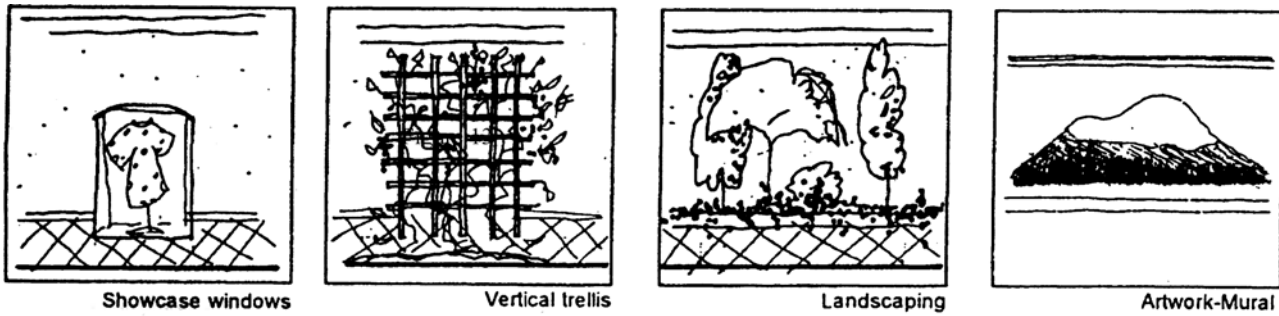


Figure 12 – FWRC 19.115.060(3)

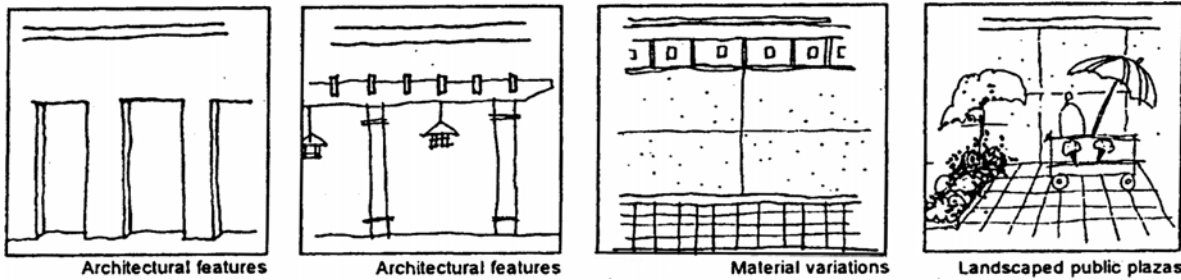


Figure 13 – FWRC 19.115.060(3)

(4) *Methods to reduce building massing.* The following is a nonexclusive list of methods to be utilized in construction of buildings in order to reduce their impacts on development located in an adjoining zoning district that permits less intensive residential or commercial uses:

(a) Reduce the apparent bulk of a building by breaking it into several smaller masses and varying the roof line with architectural elements.

(b) Consider options such as upper level setbacks in order to minimize bulk and shadow impacts on adjacent development.

(Ord. No. 17-834, § 8, 5-16-17; Ord. No. 09-610, § 3(Exh. A), 4-7-09; Ord. No. 09-604, § 3(Exh. A), 3-3-09; Ord. No. 07-554, § 5(Exh. A(15)), 5-15-07; Ord. No. 06-515, § 3, 2-7-06; Ord. No. 03-443, § 3, 5-20-03; Ord. No. 01-382, § 3, 1-16-01; Ord. No. 99-333, § 3, 1-19-99; Ord. No. 96-271, § 3, 7-2-96. Code 2001 § 22-1635.)

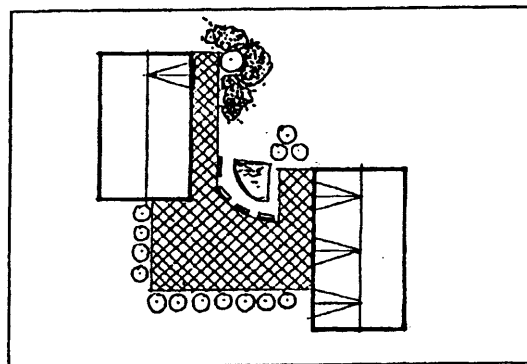
19.115.070 Building and pedestrian orientation – All zoning districts.

(1) *Building and pedestrian orientation, for all buildings except zero lot line townhouse development and attached dwelling units.*

(a) Buildings should generally be oriented to rights-of-way, as more particularly described in FWRC 19.115.090. Features such as entries, lob-

bies, and display windows should be oriented to the right-of-way; otherwise, screening or art features such as trellises, artwork, murals, landscaping, or combinations thereof should be incorporated into the street-oriented facade.

(b) Plazas, public open spaces and entries should be located at street corners to optimize pedestrian access and use.



Shared public spaces/plazas

Figure 14 – FWRC 19.115.070(1)

(c) All buildings adjacent to the street should provide visual access from the street into human services and activities within the building, if applicable.

(d) Multiple buildings on the same site should incorporate public spaces (formal or informal). These should be integrated by elements such as plazas, walkways, and landscaping along pedestrian pathways, to provide a clear view to destina-

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(4) *For all residential zones.*

(a) *Nonresidential uses.* Subsections (1)(g) through (k) and (n) through (r) of this section shall apply.

(b) *Non-single-family residential uses except for zero lot line townhouse residential uses and attached dwelling units.* Subsections (1)(g) through (r) of this section shall apply.

(c) *Zero lot line townhouse residential uses and attached dwelling units.* Subsections (1)(j), (l) through (o), and (r) of this section shall apply.

(Ord. No. 10-678, § 5, 12-7-10; Ord. No. 09-610, § 3(Exh. A), 4-7-09; Ord. No. 09-604, § 3(Exh. A), 3-3-09; Ord. No. 09-593, § 36, 1-6-09; Ord. No. 07-559, § 3(Exh. A), 7-3-07; Ord. No. 07-554, § 5(Exh. A(15)), 5-15-07; Ord. No. 06-515, § 3, 2-7-06; Ord. No. 05-506, § 3, 10-18-05; Ord. No. 03-443, § 3, 5-20-03; Ord. No. 01-382, § 3, 1-16-01; Ord. No. 99-333, § 3, 1-19-99; Ord. No. 96-271, § 3, 7-2-96. Code 2001 § 22-1638.)

19.115.100 Institutional uses.

In all zoning districts where such uses are permitted the following shall apply:

(1) FWRC 19.115.050, 19.115.060 and 19.115.070.

(2) FWRC 19.115.090(1)(a), (b), (e), (f), (h) and (i).

(3) Building facades that exceed 120 feet in length and are visible from an adjacent residential zone, right-of-way or public park or recreation area shall incorporate a significant structural modulation (offset). The minimum depth of the modulation shall be approximately equal to 10 percent of the total length of the subject facade and the minimum width shall be approximately twice the minimum depth. The modulation shall be integral to the building structure from base to roofline.

(4) Roof design shall utilize forms and materials that avoid the general appearance of a “flat” roof. Rooflines with an integral and obvious architectural pitch are an approved method to meet this guideline. Alternative distinctive roof forms such as varied and multiple stepped rooflines, architectural parapets, articulated cornices and fascias, arches, eyebrows, and similar methods will be considered by the director; provided, that the roof design minimizes uninterrupted horizontal planes and results in architectural and visual appeal.

(5) Alternative methods to organize and shape the structural elements of a building and provide facade treatment pursuant to FWRC 19.115.060(2) and/or subsection (3) of this section will be considered by the director as part of an overall design that addresses the following criteria:

(a) Facade design incorporates at least two of the options listed at FWRC 19.115.060(2);

(b) The location and dimensions of structural modulations are proportionate to the height and length of the subject facade, using FWRC 19.115.060(2) and subsection (3) of this section as a guideline;

(c) Facade design incorporates a majority of architectural and accessory design elements listed at FWRC 19.115.060(3)(b) and maximizes building and pedestrian orientation pursuant to FWRC 19.115.070; and

(d) Overall building design utilizes a combination of structural modulation, facade treatment, and roof elements that organize and vary building bulk and scale, add architectural interest, and appeal at a pedestrian scale, and, when viewed from an adjacent residential zone, right-of-way, or other public area, results in a project that meets the intent of these guidelines.

(6) The director may permit or require modifications to the parking area landscaping standards of FWRC 19.115.090(1)(h) for landscape designs that preserve and enhance existing natural features and systems; provided, that the total amount of existing and proposed landscaping within parking area(s) meets the applicable square footage requirement of Chapter 19.125 FWRC, Outdoors, Yards, and Landscaping, and the location and arrangement of such landscaping is approved by the director. Existing natural features and systems include environmentally sensitive areas, stands of significant trees and native vegetation, natural topography and drainage patterns, wildlife habitat, migration corridors, and connectivity to adjacent habitats.

(7) Lighting fixtures shall not exceed 30 feet in height and shall include cutoff shields.

(Ord. No. 09-604, § 3(Exh. A), 3-3-09; Ord. No. 07-559, § 3(Exh. A), 7-3-07; Ord. No. 07-554, § 5(Exh. A(15)), 5-15-07; Ord. No. 06-515, § 3, 2-7-06; Ord. No. 03-443, § 3, 5-20-03. Code 2001 § 22-1639.)

§ 19.115.110

19.115.110 Design criteria for public space.

The following guidelines apply to public space that is developed pursuant to Chapter 19.225 FWRC. All public space proposed under this section shall meet the definition of “public space” as set forth in this title and all of the following criteria:

(1) The total minimum amount of public space that shall be provided in exchange for bonus height is equal to 2.5 percent of the bonus floor area, in gross square feet; provided, that the total public space area shall not be less than 500 square feet.

(2) The public space may be arranged in more than one piece if appropriate to the site context, as determined by the director.

(3) The public space shall abut on, or be clearly visible and accessible from, a public right-of-way or pedestrian pathway.

(4) The public space shall be bordered on at least one side by, or be readily accessible from, structure(s) with entries to retail, office, housing, civic/public uses, or another public space.

(5) The open space shall not be located on asphalt or gravel pavement, or be adjacent to unscreened parking lots, chain-link fences, or on-site blank walls, and may not be used for parking, loading, or vehicular access.

(6) The open space shall be sufficiently designed and appointed to serve as a major focal point and public gathering place. It shall include a significant number of pedestrian-oriented features, furnishings, and amenities typically found in plazas and streetscapes, and as defined in this title, such as seating or sitting walls, lighting, weather protection, special paving, landscaping, trash receptacles, and bicycle racks. In addition, the open space(s) should provide one or more significant visual or functional amenity such as a water feature, artwork, or public restroom, and should allow for active uses such as vending, farmers’ markets, live performing arts space, and art shows. (Ord. No. 09-604, § 3(Exh. A), 3-3-09; Ord. No. 09-593, § 37, 1-6-09; Ord. No. 07-554, § 5(Exh. A(15)), 5-15-07; Ord. No. 06-515, § 3, 2-7-06; Ord. No. 03-443, § 3, 5-20-03; Ord. No. 01-382, § 3, 1-16-01; Ord. No. 99-333, § 3, 1-19-99; Ord. No. 96-271, § 3, 7-2-96. Code 2001 § 22-1640.)

19.115.115 Design criteria for residential usable open space and fee-in-lieu option.

The following guidelines apply to residential usable open space that is developed pursuant to FWRC 19.200.100, 19.205.070, 19.215.150, 19.220.080, 19.225.070 and 19.230.060:

(1) *Common open space.* All common open space proposed under this section shall meet the definition of “open space, common” as set forth in this title and all of the following criteria:

(a) In order to be credited toward total residential usable open space, common open space must be a minimum of 225 square feet and have a minimum dimension of 15 feet. The inclusion of additional contiguous open space areas that have smaller dimensions, but enhance the use and enjoyment of the overall larger space, may be credited toward the overall minimum usable open space requirement subject to director approval.

(b) Indoor common areas such as recreation/workout rooms, swimming pools, and gathering spaces that meet the criteria of this section may be counted as common open space subject to the criteria in this section.

(c) The common open space shall be readily visible and accessible from structure(s) with entries to residential units.

(d) The common open space shall not be located on asphalt or gravel pavement, or be adjacent to unscreened parking lots, chain-link fences, or blank walls, and may not be used for parking, loading, or vehicular access.

(e) Pedestrian access ways shall only be counted as common open space when the pedestrian path or walkway traverses a common open space that is 15 feet or wider.

(f) The common open space shall be sufficiently designed and appointed to serve as a major focal point and gathering place. Common open spaces shall include a significant number of pedestrian-oriented features, furnishings, and amenities typically found in plazas and recreational open space, such as seating or sitting walls, lighting, weather protection, special paving, landscaping, and trash receptacles. In addition, the common open space(s) should provide one or more significant visual or functional amenities such as a water feature, fireplace, and/or artwork, and should allow for active uses such as physical exercise, children’s

play area, gathering area for group social events, and p-patch or other gardening activity.

(2) *Private open space.* A minimum of 48 square feet with a minimum dimension of six feet will be credited to usable open space.

(3) *Publicly accessible open space.* Publicly accessible open spaces provided on site may be credited toward the minimum residential usable open space requirement, as long as the open space is directly accessible to and available to residents for their use. Only the portion of the public open space directly accessible to and available to residents for their use may be credited toward the residential usable open space requirement.

(4) *Fee-in-lieu option.* A fee-in-lieu payment may be made to satisfy up to 50 percent of the residential usable open space requirement for the development of public parks and recreation improvements. Fee-in-lieu acceptance shall be at the discretion of the parks director after consideration of the city's overall park plan, and the quality, location, and usability of the open space that would otherwise be provided on the project site. If the city determines that a fee-in-lieu is appropriate, a payment of an equivalent fee in lieu of the required open space shall be made.

The fee in lieu of open space shall be calculated based on the most recent assessed value of the subject property, or an appraisal conducted by a state-certified real estate appraiser. If the applicant offers to pay fee in lieu of open space, and if the city accepts the offer, the amount shall be determined based upon the square footage of open space that otherwise would have been required to be provided, multiplied by the then-current market value per square foot of the property. By choosing the fee-in-lieu option, the applicant agrees that the city will not be restricted to using the fees in the park comprehensive planning area that the subject property falls within, and that they may be used for park and recreation improvements in any of the park comprehensive planning areas that serve the city center core and city center frame zoned areas. See also FWRC 19.100.070.

(Ord. No. 17-834, § 9, 5-16-17; Ord. No. 12-727, § 5, 9-18-12.)

19.115.120 Design for cluster residential subdivision lots.

(1) Garages shall be provided for all residential lots except if the lot is in a multifamily zone.

(2) Front entryways should be the prominent feature of the home. Attached garages should not compose more than 40 percent of the front facade of the single-family home if the garage doors are flush with the front facade, or will be set back a minimum of five feet from the rest of the front facade. Detached garages should also be set back a minimum of five feet from the facade.

(3) If garage access is provided from alleys, the front yard setback can be reduced to 15 feet.

(4) Each dwelling unit shall be intended for owner occupancy.

(Ord. No. 09-604, § 3(Exh. A), 3-3-09; Ord. No. 03-443, § 3, 5-20-03; Ord. No. 01-381, § 3, 1-16-01. Code 2001 § 22-1641.)

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(2) Violators shall be responsible for restoring unlawfully damaged areas in conformance with a plan, approved by the director, which provides for repair of any environmental and property damage, and restoration of the site; and which results in a site condition that, to the greatest extent practical, equals the site condition that would have existed in the absence of the violation(s).

(3) The number of trees required to be planted shall be equal to the number of tree unit credits of illegally removed trees according to Table 19.120.130-2.

(4) The minimum size for a tree planted for restoration is 12-foot-tall evergreen and three-inch caliper deciduous tree. The city may approve smaller restoration tree sizes at a higher restoration ratio, provided the site has capacity for the additional trees and the results of restoration at a higher restoration ratio is as good or better than at the normal ratio. The smallest allowable alternatives to the normal restoration requirements shall be two eight-foot evergreen for one 12-foot evergreen or two two-inch caliper deciduous for one three-inch caliper deciduous tree.

(5) Remedial measures must be completed within the time frame specified by the director.

(6) The cost of any remedial measures necessary to correct violation(s) of this article shall be borne by the property owner and/or applicant. Upon the applicant's failure to implement required remedial measures, the director may redeem all or any portion of any security submitted by the applicant to implement such remedial measures, pursuant to the provisions of FWRC 19.120.240, Performance assurance.

(Ord. No. 09-610, § 4(Exh. A), 4-7-09.)

Chapter 19.125

OUTDOORS, YARDS, AND LANDSCAPING*

Sections:

Article I. Landscaping

- 19.125.010 Purpose.
- 19.125.020 Applicability.
- 19.125.030 Landscape plan approval.
- 19.125.035 Landscape and irrigation plan submittal requirements.
- 19.125.040 General landscaping requirements – All zones.
- 19.125.050 Landscaping types.
- 19.125.060 Landscaping requirements by zoning district.
- 19.125.070 Parking lot landscaping.
- 19.125.085 Planting requirements for certain trees.
- 19.125.090 Performance and maintenance standards.
- 19.125.100 Modification options.

Article II. Fences and Screening

- 19.125.120 Barbed wire.
- 19.125.130 Electrified fences.
- 19.125.140 Razor wire fences prohibited.
- 19.125.150 Solid waste receptacles – Placement and screening.

Article III. Yard Requirements

- 19.125.152 Scope of article.
- 19.125.156 Exceptions and limitations in some zones.
- 19.125.160 Structures and improvements.

***Cross references:** Density regulations for subdivision improvements, FWRC 18.60.020; land modification restrictions and requirements, Chapter 19.120 FWRC; off-street parking regulations, Chapter 19.130 FWRC; landscaping requirements for rights-of-way, FWRC 19.135.160; sight distance requirements at intersections, FWRC 19.135.300 et seq.; administration of the provisions regarding environmentally critical areas, Chapter 19.145 FWRC, Article I; specific district regulations for zones, FWRC Title 19, Division VI; supplementary district regulations, FWRC Title 19, Division VII.

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Article IV. Outdoor Activities and Storage

- 19.125.165 Application of article.
- 19.125.170 Commercial and industrial uses.
- 19.125.180 Regulation of outdoor storage containers for permanent accessory storage.
- 19.125.190 Permit requirements for permanent accessory outdoor storage containers.

Article I. Landscaping

19.125.010 Purpose.

The purpose of this article is to:

- (1) Provide minimum standards for landscaping in order to maintain and protect property values and to enhance the general appearance of the city.
 - (2) Encourage creative landscaping designs that utilize native vegetative species, drought-tolerant species, and retain natural vegetation, in order to reduce the impact of development on the water resources of the city.
 - (3) Respond to state-level mandates for action in such areas as water conservation, energy conservation, enhancement of water quality, and improvement of air quality.
 - (4) Reflect current city planning goals, urban design standards, and ecological awareness.
 - (5) Provide an appropriate amount and quality of landscaping related to all land use in the city.
 - (6) Establish a minimum level of regulation that reflects the purposes of this title.
 - (7) Provide for design flexibility.
 - (8) Retain stands of trees and mature vegetation, a valuable natural resource of the community.
 - (9) Recognize the unique qualities embodied in public facilities by providing for a reasonable degree of flexibility in structure while protecting adjacent uses.
 - (10) Encourage low-impact techniques including the use of native or drought-tolerant plants.
- (Ord. No. 09-610, § 3(Exh. A), 4-7-09; Ord. No. 01-390, § 3, 6-5-01; Ord. No. 93-170, § 4, 4-20-93. Code 2001 § 22-1561.)

19.125.020 Applicability.

This article shall apply to all development applications in the city, with the exception of individual single-family residential lots which shall only comply with the applicable requirements of FWRC 19.120.130 for tree and vegetation preservation. (Ord. No. 09-610, § 3(Exh. A), 4-7-09; Ord. No. 93-170, § 4, 4-20-93. Code 2001 § 22-1562.)

19.125.030 Landscape plan approval.

(1) No permit shall be issued to erect, construct or undertake any development project without prior approval of a landscape plan by the department of community development.

(2) Required landscape plans for all projects shall be prepared by a Washington State licensed landscape architect.

(Ord. No. 09-610, § 3(Exh. A), 4-7-09; Ord. No. 07-573, § 47, 12-4-07; Ord. No. 93-170, § 4, 4-20-93. Code 2001 § 22-1563.)

19.125.035 Landscape and irrigation plan submittal requirements.

The applicant shall submit the appropriate number of landscape and irrigation plans for review, as determined by the department of community development services. The landscape and irrigation plan may be provided separately or incorporated into plans submitted for site plan review. Landscaping and irrigation may be shown on the same plan. No permit for use which is subject to the requirements of this section shall be issued until the landscape and irrigation plan for such use has been approved by the department of community development services.

(1) *Landscape plans.*

(a) Persons qualified to prepare landscape plan. The landscape plan shall be prepared by a landscape architect licensed in the state of Washington, a nursery professional certified pursuant to the Washington Certified Nursery Professional program, or a Washington State certified landscape technician.

(c) *Other maintenance.* Maintenance of all landscaped areas shall also include operations as needed of painting, repairing, reconstruction, and rehabilitation of landscape structures such as walls, fences, overheads, trellises, and the removal of trash.

(d) Failure to comply with landscape maintenance standards shall constitute a zoning violation under FWRC 19.05.340.

(Ord. No. 09-610, § 3(Exh. A), 4-7-09; Ord. No. 93-170, § 4, 4-20-93. Code 2001 § 22-1569.)

19.125.100 Modification options.

(1) *Purpose.* The purpose of this section is to provide an opportunity for development of exceptional or unique landscape designs that do not meet the express terms of FWRC 19.125.040 through 19.125.070, and/or flexibility of landscape designs. The director of community development services shall have the authority, consistent with the criteria stated herein, to modify specific requirements or impose additional requirements in unique or special circumstances to assure the fulfillment of the stated purpose of this title and to allow for flexibility and creative design. Special circumstances or unique conditions shall be reviewed with the director of community development services concurrent to submittal the review of a landscape plan. Examples of special conditions might include:

- (a) Preservation of unique wildlife habitat;
- (b) Preservation of natural or native areas;
- (c) Compliance with special easements;
- (d) Renovation of existing landscaping;
- (e) Unique site uses.

The alternative landscape modifications described in subsections (3) through (6) of this section shall be allowed only if the proposed modification meets the threshold criteria of subsection (2) of this section, in addition to the special criteria of subsections (3) through (6) of this section. In the case of public parks, schools, and public recreational facilities, these uses must meet subsections (1)(a) through (d) of this section only.

(2) Modifications to the landscape standards may be granted by the director of community development if:

(a) The proposed modification represents a superior result than that which could be achieved by strictly following the requirements of this title; and

(b) The proposed modification complies with the stated purpose of this title and any applicable subsections of this title; and

(c) If the proposed modification will not violate any city of Federal Way Revised Codes or ordinances. In particular, a modification shall not be a substitute for any zoning variance; and

(d) Where applicable, the proposed modification would result in an increased retention of significant trees and/or naturally occurring vegetation on the site; and

(e) The proposed modification also satisfies the criteria listed in subsection (2), (3), (4), (5), or (6) of this section.

(3) The width of the perimeter landscaping may be reduced up to 25 percent when the proposed landscaped area incorporates a combination of plant materials, berms a minimum of three feet in height, and architectural elements of appropriate height and scale sufficient to act as an efficient substitute for the three-foot berm.

(4) The landscaping requirement may be modified when necessary, because of special circumstances relating to the size, shape, topography, vegetation, location or surroundings of the subject property, to provide it with use rights and privileges permitted to other properties in the vicinity and zone in which it is located, or if strict application would result in scenic view obstruction.

(5) Perimeter landscape strips may be averaged, provided the minimum width shall not be less than 50 percent of the underlying width requirement.

(6) If the property abutting the subject property is in the same or a more intensive land use zoning district than the subject property, the landscaping required along that common interior property line may be reduced by 25 percent in area. In addition, the remaining 75 percent of the required landscaping may be relocated upon approval of the community development director, consistent with the standards of this title.

(7) Biofiltration swales and other surface water/water quality structures may be incorporated into required landscape areas provided the landscaping standards of this title are met and the integrity of the surface water function is not compromised. The community development director shall approve any modification of this nature.

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(8) *Modification submittal requirements.* A request for modification shall:

(a) Be submitted in the same form and according to the same terms as the required landscape documents of this section and subject to the same enforcement requirements; and

(b) Be clearly labeled as “Landscape Modification Plan”; and

(c) Clearly delineate and identify the deviations requested from the provisions of this or any other section; and

(d) Be approved by the community development director.

(9) Pedestrian facilities, transit stops, and handicapped access may be allowed in required landscape areas without requiring additional buffer area; provided, that the intent of this article is met and that the function and safety of the pedestrian facility, transit stop or handicapped facility is not compromised.

(Ord. No. 09-610, § 3(Exh. A), 4-7-09; Ord. No. 01-390, § 3, 6-5-01; Ord. No. 93-170, § 4, 4-20-93. Code 2001 § 22-1570.)

Article II. Fences and Screening*

19.125.120 Barbed wire.

Barbed wire is permitted only atop a fence or a wall at least six feet in height or between two agricultural uses.

(Ord. No. 90-43, § 2(115.40(1)), 2-27-90. Code 2001 § 22-1026.)

19.125.130 Electrified fences.

Electrified fences are not permitted in the city, except to contain large domestic animals. All electric fences and appliances, equipment and materials used in connection with an electrified fence must be listed or labeled by a qualified testing agency and shall be installed in accordance with manufacturer’s specifications. All electric fences shall be posted with permanent signs, which are a minimum of 36 square inches in area, at intervals of 15 feet along the fence stating that the fence is

electrified. The permitted location of electrified fences is as follows:

(1) Electrified fences separating agricultural uses may be located anywhere on the subject property, including on the property line.

(2) Other than as stated in subsection (1) of this section, an electrified fence must be located at least 18 inches inside of a wood fence if the electrified fence is within 20 feet of any property line.

(Ord. No. 90-43, § 2(115.40(2)), 2-27-90. Code 2001 § 22-1027.)

19.125.140 Razor wire fences prohibited.

Razor wire fences are prohibited in the city.

(Ord. No. 90-43, § 2(115.40(3)), 2-27-90. Code 2001 § 22-1028.)

19.125.150 Solid waste receptacles – Placement and screening.

(1) *Storage area.* Storage areas for garbage, recycling, and compostables receptacles for managing solid waste materials generated on site shall be required to be incorporated into the designs for multifamily, commercial, and institutional buildings constructed after January 1, 1993. Common solid waste materials include generic recyclables (paper, metal, plastics, and other materials); garbage; noncompostable rubbish and trash; compostables and yard debris; properly stored medical or moderate risk wastes; bulky items such as mattresses and appliances; and recyclable semi-liquid wastes (such as used cooking oil).

(2) *Exemptions.* The following structures are exempt from the requirements of this section:

(a) Storage receptacles for parks or construction sites.

(b) Structural alterations or increases in gross floor area to existing nonconforming structures which do not meet the threshold levels described in Chapter 19.30 FWRC.

(3) *Storage area defined.* Storage areas shall include the areas containing receptacles served by collection equipment and may also include interim on-site storage areas used to aggregate material prior to delivering it to the collection storage area.

(4) *Location.* Solid waste and recycling receptacles, including underground facilities:

(a) May not be located in required yards;

(b) May not be located in landscape buffer areas required by or under this code; and

*Cross references: Nuisances, FWRC Title 7; swimming pools, hot tubs, spas, Chapter 13.40 FWRC.

(c) Must be screened according to FWRC 19.125.010 et al.

(5) *Security and accessibility.* The following provisions shall apply to all solid waste and recyclable storage areas which contain receptacles served by commercial collection equipment.

(a) The storage area for recycling receptacles shall be located adjacent to the solid waste storage area. The enclosures shall be easily accessible to users occupying the site. Collection equipment must have an adequate vertical clearance and an adequate turning radius to ensure access and ease of ingress and egress to the storage area, whether located either inside or outside a structure.

(b) Storage areas shall not interfere with the primary use of the site. The area shall be located so that collection of materials by trucks shall not interfere with pedestrian or vehicular movement to the minimum extent possible. The storage area shall not be located in areas incompatible with noise, odor, and frequent pedestrian and vehicle traffic.

(6) *Design guidelines – General.* The following provisions shall apply to all storage area designs:

(a) *Design and architectural compatibility.* Solid waste and recycling storage area design shall be consistent with the architectural design of the primary structure(s) on the site. Storage areas shall be built on a flat and level area at the same grade as the truck access area.

(b) *Enclosure and landscaping.* All outdoor trash enclosures for solid waste and recycling receptacles shall be screened according to FWRC 19.125.040(4) and (5). In all cases, gates shall be of sufficient width to allow direct, in-line access by solid waste and recycling collectors and equipment. In uses where two or more separate detachable containers (commonly referred to as dumpsters) are situated side-by-side within an enclosure, there must be a minimum of 18 feet of unobstructed access when gates are fully opened (hardware, hinges, and walls will add to total enclosure width, based on design and materials used). Gate openings must be at least 12 feet wide when an enclosure houses a single drop box or compactor unit. Enclosure gates shall not include center posts that would obstruct service access. All landscaping shall be designed not to impede access to the enclosure.

(c) *Signage.* Exterior signage on enclosures shall conform with Chapter 19.140 FWRC and

shall not exceed four square feet per sign face. The containers for recycling, garbage, and other source-separated solid waste materials shall be identified using clearly visible signs.

(d) *Weather protection.* All solid waste storage areas (enclosures) require a spill prevention plan for management of liquids generated on or discharged from the storage area. The storage area spill prevention plan must detail how all liquids either precipitated, sprayed, washed, spilled, leaked, dripped, or blown onto the storage area will be collected and managed in compliance with city surface water protection standards. The storage area spill prevention plan shall be provided to the city's surface water management program, to be kept on file in order to inform periodic site monitoring.

(i) All storage areas without a roof require a functioning oil water separator to be installed and maintained. The oil water separator must be sized and designed to accommodate all liquids exiting the storage area, as well as all surrounding impervious surface that drains to the oil water separator's location. The storage area pad shall be sloped at the minimum grade required to channel all such liquids to the oil water separator.

(ii) Storage areas larger than 175 square feet in size must have a roof covering the storage area. This roof shall provide adequate overhang surface to prevent the direct entry of precipitation to the enclosure area. Storage areas with a roof require adequate floor drainage connected and conveyed to sanitary sewer. Precipitation runoff from the roof shall not be discharged to the sanitary sewer. Roofed or covered storage areas must provide adequate clearances to allow access by haulers and collection equipment.

(7) *Space and access requirements.* The following minimum space and access requirements for solid waste and recycling storage areas shall be incorporated into the design of all buildings:

(a) Except as provided in subsection (7)(a)(i) of this section, for all uses, storage space for solid waste and recyclable materials containers shall be provided as shown in Table A for all new structures and for existing structures to which two or more dwelling units are added.

(i) Residential uses proposed to be located on separate lots, for which each dwelling unit will be billed individually for utilities, shall provide one

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storage area per dwelling unit that has minimum dimensions of two feet by six feet.

(ii) In addition to the requirement in subsection (7)(g) of this section, plans for stacked multifamily dwelling units shall require designated interior solid waste accumulation or storage areas on each level, including details on how solid waste is conveyed to shared storage space(s).

(iii) Residential development for which a homeowner’s association, or other single entity, exists or will exist, as a sole source for utility billing, may meet the requirement in subsection (7)(a)(i) of this section, or the requirement in Table A.

Residential and nonresidential development shall meet the respective requirements in Table A.

Table A: Shared Storage Space for Solid Waste Containers

Residential Development	Minimum Area for Shared Storage Space
2 – 8 dwelling units	84 square feet
9 – 15 dwelling units	150 square feet
16 – 25 dwelling units	225 square feet
26 – 50 dwelling units	375 square feet
51 – 100 dwelling units	375 square feet plus 4 square feet for each additional unit above 50
More than 100 dwelling units	575 square feet plus 4 square feet for each additional unit above 100, except as permitted in subsection (7)(c) of this section
Nonresidential Development (Based on gross floor area of all structures on the lot)	Minimum Area for Shared Storage Space
0 – 5,000 square feet	82 square feet
5,001 – 15,000 square feet	125 square feet
15,001 – 50,000 square feet	175 square feet
50,001 – 100,000 square feet	225 square feet
100,001 – 200,000 square feet	275 square feet
200,001 plus square feet	500 square feet
Mixed-use development that contains both residential and nonresidential uses shall meet the requirements of subsection (7)(b) of this section.	

(b) Mixed-use development that contains both residential and nonresidential uses shall meet the storage space requirements shown in Table A for residential development, plus 50 percent of the requirement for nonresidential development. In mixed use developments, storage space for solid waste may be shared between residential and non-residential uses, and designated storage space for recycling services shall also be provided.

(c) The storage space required by Table A shall meet the following requirements:

(i) The storage space must have adequate dimensions to enclose solid waste containers and also allow users to access these containers. For multifamily developments with eight or fewer dwelling units, and for nonresidential development with gross floor area of 5,000 square feet or less, the storage space must have a minimum dimension from the front gates to the back wall of at least

seven feet. For all other uses, the storage space must have a minimum dimension from the front gates to the back wall of at least 10 feet. Storage space for trash compactor units and for larger developments will generally exceed this 10-foot dimension from front gates to back wall.

(ii) The floor of the storage space shall be level and hard-surfaced, and the floor beneath garbage or recycling compactors shall be made of high-strength concrete.

(d) The location of all storage spaces shall meet the following requirements:

(i) The storage space shall be located on the lot of the structure(s) it serves;

(ii) The storage space shall not be located in any required driveways, parking aisles, or parking spaces;

(iii) The storage space shall not block or impede any fire exits, any public rights-of-way, or any pedestrian or vehicular access;

(iv) The storage space shall be located to minimize noise, odor, and visual impacts to building occupants and neighboring lots;

(v) The storage space shall not be used for purposes other than solid waste materials storage and access; and

(vi) The storage space(s) shall be no more than 150 feet from the common entrance(s) to residences and/or service entrances to nonresidential buildings located on the site.

(e) Access for service providers to the storage space from the collection location shall meet the following requirements:

(i) For containers two cubic yards or smaller:

(1) Containers to be manually pulled for service and emptying shall be placed no more than 50 feet from a curb cut or collection location;

(2) Access ramps to the storage space shall not exceed a grade of six percent; and

(3) Site-access routes and entries for use by collection trucks shall be a minimum of 11.5 feet wide.

(ii) For containers larger than two cubic yards and all compacted refuse containers:

(1) Direct access shall be provided from the alley or street to the containers;

(2) Site access routes and entries for trucks shall be a minimum of 11.5 feet wide; and

(3) If accessed directly by a collection vehicle, whether inside or outside a structure, a 21-foot overhead clearance shall be provided.

(f) Access for occupants to the storage space shall meet the following requirements:

(i) Direct access shall be provided from the alley or street to the containers;

(ii) A pick-up location within 50 feet of a curb cut or collection location shall be designated that minimizes any blockage of pedestrian movement along a sidewalk, pedestrian path, or other right-of-way;

(iii) If a planting strip is designated as a pick-up location, any required landscaping shall be designed to accommodate the solid waste and recyclable containers temporarily placed within this area; and

(iv) All storage space openings and access points for pedestrians shall be a minimum of five feet wide.

(g) The solid waste and recyclable materials storage space, access, and pick-up/service specifications required in this section, including the number and sizes of containers, shall be included on the plans submitted with the land use or building permit application for any development subject to the requirements of this section.

(h) *Multifamily and nonresidential mandatory recycling requirements.* Multifamily, nonresidential, and mixed-use development occupants shall participate in separation for recycling of the following materials that will include, at a minimum: newspapers; mixed papers; recyclable bottles, cans, and plastic containers; and compostable materials where collection services are available. All recyclable materials shall be placed in properly labeled containers or carts as distributed by the city's solid waste collection contractor. All compostables separated for collection shall be placed in properly labeled containers or carts.

All multifamily property owners shall provide residents with a minimum total weekly volume of recycling container capacity equal to or greater than the total weekly volume of garbage capacity. To the greatest extent possible, receptacles for garbage, recycling, and compostable materials shall be co-located in one storage space.

(i) The public works director or designee may modify the requirements of this subsection at his or her discretion, or upon the request of the property owner, if, in the opinion of the director, the exception is necessary. The modification must be granted in writing and may be revoked by the director at any time if the necessity for the modification ceases to exist as determined by the director, or designee, which determination shall not be made unreasonably. Any such revocation will be effective on a date selected by the director, but no less than three business days from the date of notice.

(8) *Compliance with other applicable codes.* All enclosures installed or altered under this chapter must comply with all applicable federal, state, and local regulations, including without limitation the provisions of the International Building Code and the National Electric Code as adopted in FWRC Title 13. If any provision of this chapter is found to be in conflict with any provision of any

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zoning, building, fire, safety, or health ordinance, or code of the city, the provision that establishes the higher standard shall prevail.

(Ord. No. 17-834, § 10, 5-16-17; Ord. No. 93-170, § 5, 4-20-93; Ord. No. 92-158, § 3, 12-15-92; Ord. No. 90-43, § 2(115.45), 2-27-90. Code 2001 § 22-949.)

Cross reference: Solid waste, FWRC Title 11, Division II.

Article III. Yard Requirements

19.125.152 Scope of article.

This article establishes what structures, improvements and activities may be in or take place in required yards as established for each use in each zone by this title.

(Ord. No. 08-585, § 3(Exh. A), 11-4-08. Code 2001 § 22-1131.)

19.125.156 Exceptions and limitations in some zones.

This title contains specific regulations regarding what may be in or take place in required yards in certain instances. Where applicable, those specific regulations replace any inconsistent provisions of this article.

(Ord. No. 08-585, § 3(Exh. A), 11-4-08. Code 2001 § 22-1132.)

19.125.160 Structures and improvements.

No improvement or structure may be in a required yard except as follows:

(1) A driveway and/or parking area subject to the standards of FWRC 19.130.240.

(2) Any improvement or structure, other than a driveway and/or parking area, that is not more than four inches above finished grade may be anywhere in a required setback yard.

(3) An improvement or structure that is not more than 18 inches above finished grade may extend not more than five feet into a required yard.

(4) Chimneys, bay windows, greenhouse windows, eaves, awnings and similar elements of a structure that customarily extend beyond the exterior walls of a structure may extend up to 18 inches into any required yard. The total horizontal dimension of the elements that extend into a required yard, excluding eaves, may not exceed 25 percent of the length of the facade of the structure from which the elements extend.

(5) Fences and railings not over six feet in height may be located in required yards subject to the fence regulations contained within this chapter.

(6) Rockeries and retaining walls may be located in required yards if:

(a) The rockery or retaining wall is not being used as a direct structural support for a major improvement;

(b) The rockery or retaining wall is reasonably necessary to provide support to a cut, fill, or slope; and

(c) The rockery or retaining wall also meets the requirements of FWRC 19.120.120 et seq.

(7) Signs may be located in required yards subject to provisions of Chapter 19.140 FWRC.

(8) Covered walkways, no more than eight feet wide and 10 feet above finished grade and open along the sides, are permitted in required yards in commercial, office and industrial zones.

(9) In low and medium density residential zones, the applicant may, through process III, request approval to locate a storage shed in a required yard, except a required front yard. The city may approve the application if:

(a) The proposed structure is no more than eight feet high above finished grade;

(b) The maximum length of the facade of the proposed structure parallel to each property line, from which the required yard is not provided, shall not exceed 10 feet;

(c) The proposed structure contains no more than 120 square feet in total area;

(d) No reasonable alternative location exists on the subject property due to special circumstances regarding the size, shape, topography or location of the subject property or the location for legally constructed pre-existing improvements of the subject property; and

(e) Permitting the intrusion onto the required yard will not create a material, negative impact on the character of nearby residential uses.

(10) Construction-related outdoor storage containers may be temporarily placed in the required front yard of a single-family residential lot if approved under FWRC 19.275.110, and portable moving containers may be temporarily placed in the required front yard of any lot if approved under FWRC 19.275.120.

(Ord. No. 09-610, § 3(Exh. A), 4-7-09; Ord. No. 08-585, § 3(Exh. A), 11-4-08; Ord. No. 07-573, § 44, 12-4-07; Ord. No. 07-559, § 3(Exh. A), 7-3-

07; Ord. No. 00-375, § 24, 2000; Ord. No. 90-43, § 2(115.115(3)), 2-27-90. Code 2001 § 22-1133.)

Cross references: Streets and sidewalks, FWRC Title 4, Division II; buildings and building regulations, FWRC Title 13; subdivision improvements, Chapter 18.60 FWRC; off-street requirements, Chapter 19.130 FWRC; development improvements, Chapter 19.135 FWRC.

Article IV. Outdoor Activities and Storage

19.125.165 Application of article.

This article establishes regulations applicable to outdoor uses, storage and activity.

(Ord. No. 08-585, § 3(Exh. A), 11-4-08. Code 2001 § 22-1111.)

19.125.170 Commercial and industrial uses.

(1) *Generally.* Subject to process I and the following requirements, the commercial and industrial uses that are permitted on a site under this title may be conducted out-of-doors unless otherwise regulated or prohibited by this title.

(2) *Site plan.* The applicant shall submit, for approval to the department of community development, a site plan drawn to scale showing and describing the following items:

(a) Locations and dimensions of all buildings, structures and fences on the subject property.

(b) Locations and dimensions of all parking and driving areas on the subject property.

(c) Locations and dimensions of all existing and proposed outdoor use, activity, or storage areas and related buildings or structures on the subject property.

(d) Locations and description of all existing and proposed landscaping on the subject property.

(e) The nature of the outdoor use, activity, storage area or related building or structure, including a detailed description of all items proposed to be stored outdoors.

(f) The intended duration of the outdoor use, activity or storage.

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19.200.090 Schools. (Continued)

USE ↕		USE ZONE CHART									
		DIRECTIONS: FIRST, read down to find use . . . THEN, across for REGULATIONS									
REGULATIONS ↕	Required Review Process	Minimums			Maximums			Required Parking Spaces	SPECIAL REGULATIONS AND NOTES		
		Lot Size	Front	Side (each)	Rear	Lot Coverage	Height of Structure				
									<div style="border: 1px solid black; padding: 5px; display: inline-block; margin-bottom: 10px;"> ZONE RS </div> <p>9. For all structures except gyms, if the structure is located 100 ft. or more from an adjacent low density zone, the maximum height may be increased from 30 ft. to 40 ft. if all of the following criteria are met:</p> <ul style="list-style-type: none"> a. The additional height is necessary to accommodate the particular use conducted in the building; and b. Each required yard abutting the structure is increased five ft. for each one ft. the structure exceeds 30 ft. above average building elevation. <p>10. For any structure, including gyms, an increase in height above 30 ft. shall not block views designated by the comprehensive plan.</p> <p>11. May include accessory living facilities for one staff person.</p> <p>12. This use must comply with the requirements of the State Department of Social and Health Services and/or the State Superintendent of Public Instruction.</p> <p>13. Refer to Chapter 19.265 FWRC to determine what other provisions of this title may apply to the subject property.</p> <p>14. Refer to Chapter 19.125 FWRC, Outdoors, Yards, and Landscaping, for appropriate requirements.</p> <p>15. For sign requirements that apply to the project, see Chapter 19.140 FWRC.</p> <p>16. For community design guidelines that apply to the project, see Chapter 19.115 FWRC.</p> <p>17. Minor and supporting structures constructed as a functional requirement of schools may exceed the applicable height limitation; provided, that the director of community development services determines that such structures will not significantly impact adjacent properties.</p>		

Process I, II, III and IV are described in Chapter 19.55 FWRC, Chapter 19.60 FWRC, Chapter 19.65 FWRC, Chapter 19.70 FWRC respectively.

For other information about parking and parking areas, see Chapter 19.130 FWRC.

For details of what may exceed this height limit, see FWRC 19.110.050 et seq.

For details regarding required yards, see FWRC 19.125.160 et seq.

(Ord. No. 12-735, § 4(Exh. A), 12-4-12; Ord. No. 08-585, § 3(Exh. A), 11-4-08; Ord. No. 01-399, § 3, 8-7-01; Ord. No. 01-390, § 3, 6-5-01; Ord. No. 01-385, § 3, 4-3-01; Ord. No. 99-333, § 3, 1-19-99; Ord. No. 97-291, § 3, 4-1-97; Ord. No. 93-170, § 7(Exh. B), 4-20-93; Ord. No. 90-43, § 2(20.42), 2-27-90. Code 2001 § 22-639.)

19.200.100 Senior citizen or special needs housing.

The following uses shall be permitted in the single-family residential (RS) zone subject to the regulations and notes set forth in this section:

USE ↓ ↑ REGULATIONS		DIRECTIONS: FIRST, read down to find use... THEN, across for REGULATIONS						USE ZONE CHART	
		Minimums		Maximums		Required Spaces	SPECIAL REGULATIONS AND NOTES		
Required Review Process	Lot Size	Required Yards		Lot Coverage	Height of Structure				ZONE RS
		Front	Side (each)			Rear			
Process IV	As established on the zoning map. See notes 1 and 5	20 ft.	5 ft.	5 ft.	See note 9	30 ft. above average building elevation. See note 5	Senior housing: 1 for each dwelling unit Special needs housing: 0.5 for each unit. See note 17	<ol style="list-style-type: none"> Minimum lot size for this use is as follows: <ol style="list-style-type: none"> In RS 3.5.0 zones, the minimum lot size is 35,000 sq. ft. In RS 1.5.0 zones, the minimum lot size is 15,000 sq. ft. In RS 9.6 zones, the minimum lot size is 9,600 sq. ft. In RS 7.2 zones, the minimum lot size is 7,200 sq. ft. In RS 5.0 zones, the minimum lot size is 5,000 sq. ft. If any portion of a structure is adjacent to a single-family residential zone, then the structure shall be set back a minimum of 20 ft. from the property line of the residential zone. All buildings must be gabled with pitched roofs. The city may permit this use if it meets the following criteria: <ol style="list-style-type: none"> The subject property is situated in close proximity to, and has convenient access to, public transportation, shopping, health care providers and other services and facilities frequently utilized by the intended residents of the subject property. The proposed development will not create unreasonable impacts on traffic, public utilities and services or on nearby residential. The city will determine the number of dwelling units or occupancy rooms or suites permitted in the proposed development and may permit or require modification of the required yard, lot coverage, height, landscaping and other similar dimensional and site design requirements based on the following criteria: <ol style="list-style-type: none"> The specific nature of the occupancy and the persons that will be housed in the proposed development. The size of the dwelling units or occupancy rooms or suites and the specific configuration of and facilities within these units, rooms or suites. The impacts on nearby residential uses of the proposed development. The architecture, site design and other design features of the proposed development. The city may approve the limited commercial establishments listed in subsection (6)(c) of this section on the first floor, if all of the following criteria are satisfied: <ol style="list-style-type: none"> Locating limited commercial uses on the subject property is clearly reasonable considering the size of the subject property, the location of the subject property and access to the subject property. <p>(Continued on next page)</p>	
Process I, II, III and IV are described in Chapter 19.55 FWRC, Chapter 19.60 FWRC, Chapter 19.65 FWRC, Chapter 19.70 FWRC respectively.								For other information about parking and parking areas, see Chapter 19.130 FWRC. For details of what may exceed this height limit, see FWRC 19.110.050 et seq. For details regarding required yards, see FWRC 19.125.160 et seq.	

19.200.100 Senior citizen or special needs housing. (Continued)

USE ZONE CHART										
USE ↕	DIRECTIONS: FIRST, read down to find use. . . . THEN, across for REGULATIONS									
	Required Review Process	Minimums			Lot Coverage	Height of Structure	Required Spaces	<div style="border: 1px solid black; padding: 5px; display: inline-block;"> ZONE RS </div>		SPECIAL REGULATIONS AND NOTES
		Lot Size	Front	Side (each)						
										<p>b. Any adverse impacts or undesirable effects of locating retail establishments on the subject property can be eliminated or significantly reduced through conditions imposed as part of the approval.</p> <p>c. The city may approve the following limited retail establishments under this section: (1) Grocery stores containing no more than 3,000 sq. ft.; (2) Pharmacies; (3) Clothing cleaners; (4) Beauty and/or barber shops; (5) Banks, excluding drive-in facilities; (6) Travel agents; (7) Restaurants, including fast food restaurants; (8) Arts and craft supply stores; (9) Flower and gift shops.</p> <p>7. Chapter 19.265 FWRC contains regulations regarding accessory uses, buildings and structures. Accessory dwelling units are not permitted.</p> <p>8. Chapter 19.270 FWRC contains regulations regarding home occupations.</p> <p>9. Maximum lot coverage is as follows:</p> <ul style="list-style-type: none"> a. In RS 35.0 = 50 percent. b. In RS 15.0 = 50 percent. c. In RS 9.6 = 60 percent. d. In RS 7.2 = 60 percent. e. In RS 5.0 = 60 percent. <p>10. Refer to Chapter 19.125 FWRC, Outdoors, Yards, and Landscaping, for appropriate requirements.</p> <p>11. For sign requirements that apply to the project, see Chapter 19.140 FWRC.</p> <p>12. For community design guidelines that apply to the project, see Chapter 19.115 FWRC.</p> <p>13. For provisions that relate to the keeping of animals, see Chapter 19.260 FWRC.</p> <p>14. For affordable housing requirements, see FWRC 19.110.010.</p> <p>15. The subject property must provide usable open space in a total amount equal to at least 100 sq. ft. per dwelling unit and may include common open spaces such as plazas, recreation rooms, rooftop terraces, p-patches, pools, active lobbies, and atriums. All eligible usable open space shall also meet the requirements specified in FWRC 19.115.115. A fee-in-lieu option is available for up to 50 percent of the usable open space as specified in FWRC 19.115.115.</p> <p>16. Any common open space requirements for senior housing or special needs housing may be reduced at the discretion of the director, if an open space study documents that less common open space will be adequate to serve the needs of the residents.</p> <p>17. Alternatively, an applicant may choose to submit a parking study in accordance with FWRC 19.130.080(2).</p>
	Process I, II, III and IV are described in Chapter 19.55 FWRC, Chapter 19.60 FWRC, Chapter 19.65 FWRC, Chapter 19.70 FWRC respectively.		For other information about parking and parking areas, see Chapter 19.130 FWRC.		For details of what may exceed this height limit, see FWRC 19.110.050 et seq. For details regarding required yards, see FWRC 19.125.160 et seq.					

(Ord. No. 17-834, § 11, 5-16-17; Ord. No. 12-735, § 4(Exh. A), 12-4-12; Ord. No. 01-399, § 3, 8-7-01; Ord. No. 99-333, § 3, 1-19-99; Ord. No. 97-291, § 3, 4-1-97; Ord. No. 93-170, § 7(Exh. B), 4-20-93; Ord. No. 90-43, § 2(20.45), 2-27-90. Code 2001 § 22-640.)

19.200.110 Noncommercial sports fields, etc.

The following uses shall be permitted in the single-family residential (RS) zone subject to the regulations and notes set forth in this section:

USE ZONE CHART					
USE ↑ REGULATIONS ↓	DIRECTIONS: FIRST, read down to find use . . . THEN, across for REGULATIONS				
	Minimums		Maximums		
	Required Process	Lot Size	Required Yards	Lot Coverage	Height of Structure
	Front	Side (each)	Rear	Parking Spaces	Required Spaces
Private noncommercial sports fields or similar open area uses	Process III	None	Determined on a case-by-case basis	75%	Determined on a case-by-case basis
SPECIAL REGULATIONS AND NOTES					
<p>1. The city may permit this use only if it meets the following criteria:</p> <ul style="list-style-type: none"> a. It will not unreasonably interfere with any nearby residential uses. b. The streets and utilities serving the subject property can support the traffic and demand generated by the proposed use and activity. c. Any undesirable effects or impacts from this use are clearly outweighed by its benefits. <p>2. The city will determine what minor accessory facilities, such as, but not limited to, changing rooms and storage sheds may be located on the subject property on a case-by-case basis.</p> <p>3. The city may impose limitations to reduce or eliminate any undesirable effects or impacts of this proposed development. This may include, but is not limited to, limiting the hours of operation of the uses and facilities on the subject property.</p> <p>4. If any portion of a structure on the subject property is within 100 ft. of a low density use, then either:</p> <ul style="list-style-type: none"> a. The height of that structure shall not exceed 15 ft. above average building elevation; or b. The facade of that portion of the structure parallel to the low density use shall not exceed 50 ft. in length. <p>5. Refer to Chapter 19.265 FWRC to determine what other provisions of this title may apply to the subject property.</p> <p>6. For sign requirements that apply to the project, see Chapter 19.140 FWRC.</p> <p>7. For community design guidelines that apply to the project, see Chapter 19.115 FWRC.</p>					
<p>Process I, II, III and IV are described in Chapter 19.55 FWRC, Chapter 19.60 FWRC, Chapter 19.65 FWRC, Chapter 19.70 FWRC respectively.</p>					
<p>For other information about parking and parking areas, see Chapter 19.130 FWRC. For details of what may exceed this height limit, see FWRC 19.110.050 et seq. For details regarding required yards, see FWRC 19.125.160 et seq.</p>					

(Ord. No. 99-333, § 3, 1-19-99; Ord. No. 97-291, § 3, 4-1-97; Ord. No. 93-170, § 7(Exh. B), 4-20-93; Ord. No. 90-43, § 2(20.50), 2-27-90. Code 2001 § 22-641.)

19.200.200 Urban agriculture.

The following uses shall be permitted in the single-family residential (RS) zone subject to the regulations and notes set forth in this section:

USE ↓		DIRECTIONS: FIRST, read down to find use . . . THEN, across for REGULATIONS						ZONE RS		SPECIAL REGULATIONS AND NOTES
		Minimums		Maximums		Required Parking Spaces	Required			
↑ REGULATIONS	Required Review Process	Lot Size	Required Yards		Lot Coverage			Height of Structure	Determined on a case-by-case basis	Required
			Front	Side (each)		Rear				
Community gardens, urban farms, and farm stands	Process I for community gardens, urban farms, and farm stands See note 1	None	20 ft.	5 ft.	5 ft.	15 ft. above average building elevation	Determined on a case-by-case basis		1. Urban agriculture uses that exceed 10,000 square feet in lot area shall be required to provide public notice per requirements outlined in Chapter 19.262 FWRC. 2. Fertilizer, pesticides, and other chemicals used must be typical of household use. 3. Only mechanical equipment designed for household use may be used. 4. For provisions that relate to on-site sales of plants and food products produced on site see Chapter 19.262 FWRC. 5. Refer to Chapter 19.265 FWRC to determine what other provisions of this chapter may apply to the subject property. 6. Refer to Chapter 19.125 FWRC, Outdoors, Yards, and Landscaping, for appropriate requirements. a. Community garden/urban farm planting areas, including raised beds, may be located within required yards and perimeter landscaping areas when the intent of Chapter 19.125 FWRC is met. b. This use is exempt from the requirements of FWRC 19.125.060 except in cases where the director may find that landscaping prescribed under this section is necessary related to some component of the use other than planting areas. 7. For provisions that relate to keeping of animals, see Chapter 19.260 FWRC. 8. For sign requirements that apply to the project, see Chapter 19.140 FWRC. 9. See Chapter 19.262 FWRC for full range of development regulations applicable to urban agriculture. If provisions of this use zone chart conflict with provisions of Chapter 19.262 FWRC, the provisions of Chapter 19.262 FWRC shall control.	
Cottage food operations	None for cottage food operations									
	Process I, II, III and IV are described in Chapter 19.55 FWRC, Chapter 19.60 FWRC, Chapter 19.65 FWRC, Chapter 19.70 FWRC respectively.								For other information about parking and parking areas, see Chapter 19.130 FWRC. For details of what may exceed this height limit, see FWRC 19.110.050 et seq. For details regarding required yards, see FWRC 19.125.160 et seq.	

(Ord. No. 13-754, § 10, 12-3-13.)

Chapter 19.205

MULTIFAMILY RESIDENTIAL (RM) *

Sections:

- 19.205.010 Zero lot line townhouse and townhouse (attached) dwelling units.
- 19.205.020 Small lot detached dwelling units.
- 19.205.030 Detached dwelling units.
- 19.205.040 Multifamily dwelling units.
- 19.205.050 Manufactured home parks.
- 19.205.070 Senior citizen or special needs housing.
- 19.205.080 Social service transitional housing.
- 19.205.090 Convalescent centers – Nursing homes.
- 19.205.100 Churches, etc.
- 19.205.120 Day care facilities, commercial – Up to 50 attendees.
- 19.205.130 Schools.
- 19.205.140 Noncommercial sports fields, etc.
- 19.205.150 Recreation areas.
- 19.205.160 Public transit shelter.
- 19.205.170 Public utility.
- 19.205.180 Governmental facility.
- 19.205.190 Public parks.
- 19.205.200 Personal wireless service facility.
- 19.205.210 Urban agriculture.

***Cross references:** Parking commercial vehicles in RM districts, FWRC 8.50.020; legislative rezoning procedure applicable to this district, FWRC 19.35.040 et seq.; supplementary district regulations, FWRC Title 19, Division VII.

19.205.030 Detached dwelling units.

The following uses shall be permitted in the multifamily residential (RM) zone subject to the regulations and notes set forth in this section:

USE ZONE CHART										
DIRECTIONS: FIRST, read down to find use . . . THEN, across for REGULATIONS										
USE ↓	↑ REGULATIONS	Minimums			Maximums			Required Parking Spaces	SPECIAL REGULATIONS AND NOTES	
		Required Review Process	Lot Size	Required Yards		Lot Coverage	Height of Structure			
Front	Side (each)			Rear						
Detached dwelling unit		None	5,000 sq. ft.	20 ft.	See note 3	5 ft.	60%	30 ft. above average building elevation	2 per dwelling unit	<div style="border: 1px solid black; padding: 5px; text-align: center; margin-bottom: 10px;">ZONE RM</div> <p>SPECIAL REGULATIONS AND NOTES</p> <p>1. Not more than one dwelling unit may be located on the subject property regardless of the size of the subject property, except in the case of a CHD pursuant to note 5 below.</p> <p>2. Refer to Chapter 19.265 FWRC to determine what other provisions of this title may apply to the subject property.</p> <p>3. Side yard setback for a corner lot for that portion of the lot not adjacent to the primary vehicular access is 10 feet, otherwise five feet.</p> <p>4. See FWRC 19.110.020(2)(b) for calculation of lot coverage for flag lots.</p> <p>5. CHDs in the RM zones are permitted as a subdivision or short subdivision with each dwelling unit on its own lot of record, or as a condominium or multifamily development with all dwelling units on an individual lot of record.</p> <p>6. See Chapter 19.250 FWRC for full range of development regulations applicable to CHDs. If provisions of this use zone chart conflict with provisions of Chapter 19.250 FWRC, the provisions of Chapter 19.250 FWRC shall control.</p> <p>7. Refer to Chapter 19.125 FWRC, Outdoors, Yards, and Landscaping, for appropriate requirements.</p> <p>8. For sign requirements that apply to the project, see Chapter 19.140 FWRC.</p> <p>9. For provisions that relate to the keeping of animals, see Chapter 19.260 FWRC.</p>
		None if processed as a formal or short subdivision, otherwise Process III	CHDs are not permitted on lots less than .75 acres in size	15 ft.	5 ft.	5 ft.	60%	18 feet above average building elevation, not to exceed 24 feet to top of ridge	1.8 per cottage, 2 per CSF unit	
	Process I, II, III and IV are described in Chapter 19.55 FWRC, Chapter 19.60 FWRC, Chapter 19.65 FWRC, Chapter 19.70 FWRC respectively.		Minimum lot size not established. See Chapter 19.250 FWRC for calculation of density						For other information about parking and parking areas, see Chapter 19.130 FWRC. For details of what may exceed this height limit, see FWRC 19.110.050 et seq. For details regarding required yards, see FWRC 19.125.160 et seq.	

(Ord. No. 07-545, § 3(Exh. A), 1-2-07; Ord. No. 06-533, § 5(Exh. A), 9-19-06; Ord. No. 02-424, § 3, 9-17-02; Ord. No. 97-291, § 3, 4-1-97; Ord. No. 93-170, § 7(Exh. B), 4-20-93; Ord. No. 90-43, § 2(25.10), 2-27-90. Code 2001 § 22-666.)

19.205.040 Multifamily dwelling units.

The following uses shall be permitted in the multifamily residential (RM) zone subject to the regulations and notes set forth in this section:

USE ↓ ↑		DIRECTIONS: FIRST, read down to find use . . . THEN, across for REGULATIONS					ZONE RM	SPECIAL REGULATIONS AND NOTES
		Required Review Process	Minimums	Maximums	Required Spaces			
		Lot Size	Required Yards		Lot Coverage	Height of Structure	Parking Spaces	
			Front	Side (each)	Rear			
Multifamily dwelling units (stacked dwelling units)	Process II	7,200 sq. ft. with a density as established on the zoning map See note 1	20 ft. See notes 5 and 8	5 ft.	5 ft.	In RM 3.6 and 2.4 zones, 30 ft. above average building elevation. In RM 1.8 zones, 35 ft. above average building elevation See note 5	See notes 13 and 14	<p>1. The minimum amount of lot area per dwelling unit is as follows:</p> <p>a. In RM 3.6 zones, the subject property must contain at least 3,600 sq. ft. of lot area per dwelling unit.</p> <p>b. In RM 2.4 zones, the subject property must contain at least 2,400 sq. ft. of lot area per dwelling unit.</p> <p>c. In RM 1.8 zones, the subject property must contain at least 1,800 sq. ft. of lot area per dwelling unit.</p> <p>2. All buildings must be gabled with pitched roofs.</p> <p>3. The subject property must contain at least 400 sq. ft. per dwelling unit of usable open space for many activities and may include common open spaces such as plazas, recreation rooms, rooftop terraces, p-patches, pools, active lobbies, and atriums. A minimum of 25 percent of the usable open space provided must be common open space. Private open space such as a patio, porch, balcony, or yard may be credited toward total residential usable open space, if such private open space is a minimum of 48 square feet and has a minimum dimension of six feet. At least 10 percent of this required open space must be developed and maintained with children's play equipment. If the subject property contains four or more units, this required open space must be in one or more pieces each having a length and width of at least 2.5 ft. In addition, if the subject property contains 20 or more units, at least 50 percent of this required open space must be in one or more pieces each having a length and width of at least 40 ft.</p> <p>4. If located along an arterial or collector and is visible from the right-of-way, up to 50 percent of the total length of the ground floor facade of all buildings facing a right-of-way may be developed with commercial uses allowed by office/retail use zone chart, FWRC 19.215.010, or entertainment use zone chart, FWRC 19.215.020. The commercial ground floor uses may occupy up to a maximum depth of 15 ft. and a minimum interior height of 13 ft. of commercial space for any single tenant.</p> <p>5. If any portion of a structure on the subject property is within 100 ft. of a single-family residential zone, then that portion of the structure shall not exceed 30 ft. above average building elevation and the structure shall be set back a minimum of 20 ft. from the property line of the residential zone.</p> <p>6. Chapter 19.265 FWRC contains regulations regarding accessory uses, buildings, and structures. Accessory dwelling units are not permitted.</p> <p>7. Chapter 19.270 FWRC contains regulations regarding home occupations.</p> <p>8. Refer to Chapter 19.125 FWRC, Outdoors, Yards, and Landscaping, for appropriate requirements.</p> <p>9. For sign requirements that apply to the project, see Chapter 19.140 FWRC.</p>
<p>(Continued on next page)</p> <p>Process I, II, III and IV are described in Chapter 19.55 FWRC, Chapter 19.60 FWRC, Chapter 19.65 FWRC, Chapter 19.70 FWRC respectively.</p> <p>For other information about parking and parking areas, see Chapter 19.130 FWRC.</p> <p>For details of what may exceed this height limit, see FWRC 19.110.050 et seq.</p> <p>For details regarding required yards, see FWRC 19.125.160 et seq.</p>								

19.205.040 Multifamily dwelling units. (Continued)

USE ZONE CHART										
USE ↕	DIRECTIONS: FIRST, read down to find use . . . THEN, across for REGULATIONS									
	REGULATIONS ↑	Required Review Process	Minimums			Maximums			Required Parking Spaces	SPECIAL REGULATIONS AND NOTES
			Lot Size	Front	Side (each)	Rear	Lot Coverage	Height of Structure		
										<div style="border: 1px solid black; padding: 5px; display: inline-block; margin-bottom: 10px;"> ZONE RM </div> <p>SPECIAL REGULATIONS AND NOTES</p> <p>10. For community design guidelines that apply to the project, see Chapter 19.115 FWRC. 11. For provisions that relate to the keeping of animals, see Chapter 19.260 FWRC. 12. For affordable housing requirements, see FWRC 19.110.010. 13. Parking spaces shall be provided as follows: Efficiency dwelling units – 1.0 per unit Studio dwelling units – 1.25 per unit One bedroom dwelling units – 1.5 per unit Dwelling units with two bedrooms or more – 2.0 per unit 14. Alternatively, an applicant may choose to submit a parking study in accordance with FWRC 19.130.080(2).</p>
										<p>Process I, II, III and IV are described in Chapter 19.55 FWRC, Chapter 19.60 FWRC, Chapter 19.65 FWRC, Chapter 19.70 FWRC respectively.</p> <p>For other information about parking and parking areas, see Chapter 19.130 FWRC. For details of what may exceed this height limit, see FWRC 19.110.050 et seq. For details regarding required yards, see FWRC 19.125.160 et seq.</p>

(Ord. No. 17-834, § 12, 5-16-17; Ord. No. 07-554, § 5(Exh. A(7)), 5-15-07; Ord. No. 07-545, § 3(Exh. A), 1-2-07; Ord. No. 02-424, § 3, 9-17-02; Ord. No. 01-385, § 3, 4-3-01; Ord. No. 99-333, § 3, 1-19-99; Ord. No. 97-291, § 3, 4-1-97; Ord. No. 93-170, § 7(Exh. B), 4-20-93; Ord. No. 90-43, § 2(25.15), 2-27-90. Code 2001 § 22-667.)

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19.205.070 Senior citizen or special needs housing.

The following uses shall be permitted in the multifamily residential (RM) zone subject to the regulations and notes set forth in this section:

USE ↓ ↑ REGULATIONS		DIRECTIONS: FIRST, read down to find use... THEN, across for REGULATIONS						ZONE RM	SPECIAL REGULATIONS AND NOTES
		Required Review Process	Lot Size	Minimums Required Yards			Maximums Lot Coverage		
Front	Side (each)	Rear	Lot Coverage	Height of Structure	Required Parking Spaces				
Senior citizen housing or special needs housing (stacked dwelling units)	Process II	7,200 sq. ft.	See note 2	20 ft. 5 ft. 5 ft.	5 ft. 4 and 7	60 percent	In RM 3.6 and 2.4 zones, 30 ft. above average building elevation.	In RM 3.6 and 2.4 zones, 30 ft. above average building elevation.	1. All buildings must be gabled with pitched roofs. 2. The city will determine the number of dwelling units or occupancy rooms or suites in the proposed development and may permit or require modification of the required yard, lot coverage, height, landscaping, and other similar dimensional and site design requirements based on the following criteria: a. The specific nature of the occupancy and the persons that will be housed in the proposed development. b. The size of the dwelling units or occupancy rooms, or suites and the specific configuration of and facilities within these units, rooms or suites. c. The impacts on nearby residential uses of the proposed development. d. The architecture, site design and other design features of the proposed development. 3. The city may approve the limited commercial establishments listed in subsection (3)(c) of this section, if all of the following criteria are satisfied: a. Locating limited commercial uses on the subject property is clearly reasonable considering the site of the subject property, the location of the subject property and access to the subject property. b. Any adverse impacts or undesirable effects of locating retail establishments on the subject property can be eliminated or significantly reduced through conditions imposed as part of the approval. c. The city may approve the following limited retail establishments under this section: (1) Grocery stores containing no more than 3,000 sq. ft. (2) Pharmacies. (3) Clothing cleaners. (4) Beauty and/or barber shops. (5) Banks, excluding drive-in facilities. (6) Travel agents. (7) Restaurants, including fast food restaurants. (8) Arts and craft supply stores. (9) Flower and gift shops.
(Continued on next page)									
<p>Process I, II, III and IV are described in Chapter 19.55 FWRC, Chapter 19.60 FWRC, Chapter 19.65 FWRC, Chapter 19.70 FWRC respectively.</p> <p>For other information about parking and parking areas, see Chapter 19.130 FWRC.</p> <p>For details of what may exceed this height limit, see FWRC 19.110.050 et seq. For details regarding required yards, see FWRC 19.125.160 et seq.</p>									

19.205.070 Senior citizen housing. (Continued)

USE ZONE CHART										
USE ↕	↑ REGULATIONS									
	Required Review Process	Lot Size	Minimums			Maximums			Required Parking Spaces	Structure Height of
			Front	Side (each)	Rear	Lot Coverage	Height of Structure			
ZONE RM	SPECIAL REGULATIONS AND NOTES									
										<p>4. If any portion of a structure on the subject property is within 100 ft. of a single-family residential zone, then that portion of the structure shall not exceed 30 ft. above average building elevation and the structure shall be set back a minimum of 20 ft. from the property line of the residential zone.</p> <p>5. Chapter 19.265 FWRC contains regulations regarding accessory uses, buildings and structures. Accessory dwelling units are not permitted.</p> <p>6. Chapter 19.270 FWRC contains regulations regarding home occupations.</p> <p>7. Refer to Chapter 19.125 FWRC, Outdoors, Yards, and Landscaping, for appropriate requirements.</p> <p>8. For sign requirements that apply to the project, see Chapter 19.140 FWRC.</p> <p>9. For community design guidelines that apply to the project, see Chapter 19.115 FWRC.</p> <p>10. For provisions that relate to the keeping of animals, see Chapter 19.260 FWRC.</p> <p>11. For affordable housing requirements, see FWRC 19.110.010.</p> <p>12. The subject property must provide usable open space in a total amount equal to at least 100 sq. ft. per dwelling unit and may include common open spaces such as plazas, play grounds, recreation rooms, rooftop terraces, p-patches, pools, active lobbies, and atriums. All eligible usable open space shall also meet the requirements specified in FWRC 19.115.115. A fee-in-lieu option is available for up to 50 percent of the usable open space as specified in FWRC 19.115.115.</p> <p>13. Any common open space requirements for senior housing or special needs housing may be reduced at the discretion of the director, if an open space study documents that less common open space will be adequate to serve the needs of the residents.</p> <p>14. Alternatively, an applicant may choose to submit a parking study in accordance with FWRC 19.130.080(2).</p>
	Process I, II, III and IV are described in Chapter 19.55 FWRC, Chapter 19.60 FWRC, Chapter 19.65 FWRC, Chapter 19.70 FWRC respectively.									For other information about parking and parking areas, see Chapter 19.130 FWRC. For details of what may exceed this height limit, see FWRC 19.110.050 et seq. For details regarding required yards, see FWRC 19.125.160 et seq.

(Ord. No. 17-834, § 13, 5-16-17; Ord. No. 12-735, § 4(Exh. A), 12-4-12; Ord. No. 02-424, § 3, 9-17-02; Ord. No. 01-385, § 3, 4-3-01; Ord. No. 99-333, § 3, 1-19-99; Ord. No. 97-291, § 3, 4-1-97; Ord. No. 94-223, § 3(D), 10-18-94; Ord. No. 93-170, § 7(Exh. B), 4-20-93; Ord. No. 90-43, § 2(25.25), 2-27-90. Code 2001 § 22-669.)

Chapter 19.215

NEIGHBORHOOD BUSINESS (BN)

Sections:

- 19.215.010 Office/retail.
- 19.215.020 Entertainment.
- 19.215.030 Vehicle service stations.
- 19.215.040 Schools – Day care facilities, commercial – Animal kennels or animal care facilities.
- 19.215.050 Multifamily dwelling units.
- 19.215.060 Group homes.
- 19.215.070 Social service transitional housing.
- 19.215.080 Government facility, public parks, public transit shelter.
- 19.215.090 Public utility.
- 19.215.100 Personal wireless service facility.
- 19.215.110 Churches.
- 19.215.120 Funeral homes – Mortuaries.
- 19.215.130 Self-service storage facilities.
- 19.215.140 Urban agriculture.
- 19.215.150 Senior citizen or special needs housing.

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19.215.040 Schools – Day care facilities, commercial – Animal kennels or animal care facilities.

The following uses shall be permitted in the neighborhood business (BN) zone subject to the regulations and notes set forth in this section:

USE ↑ ↓		DIRECTIONS: FIRST, read down to find use . . . THEN, across for REGULATIONS				USE ZONE CHART		SPECIAL REGULATIONS AND NOTES
		Required Review Process	Lot Size	Minimums Required Yards Front Side (each) Rear		Structure Height of	Required Parking Spaces	
Schools	Schools: process III	7,200 sq. ft.	Schools for 50 or more attendees: 50 ft. 50 ft. 50 ft.	55 ft. above average building elevation for gyms if located 100 ft. or more from an adjacent residential zone	High school: 1 for each employee and 1 for each 10 students	Elementary/Middle: 1 for each employee	1. Day care facilities must contain an outdoor play area with at least 75 sq. ft. for each child using the area at any one time. This play area must be completely enclosed by a solid fence or other screen at least six ft. in height. Play equipment and structured play areas must be set back at least five ft. from each property line. 2. School, day care facilities, animal kennels, or animal care facilities may include one accessory living facility. 3. Day care facilities and schools must comply with the requirements of the State Department of Social and Health Services and/or the State Superintendent of Public Instruction. 4. All activities pertaining to schools, such as auto repair or other uses that may impact adjacent properties, must take place within an enclosed building. 5. Animal kennels and animal care facilities must be designed so that the maximum permissible noise levels from outdoor runs and other open areas comply with the provisions of FWRC 7.10.050; and such outdoor areas shall be screened from adjacent properties by 10 ft. of Type III landscaping, as defined by Chapter 19.125 FWRC, or greater buffer as required therein. 6. If any portion of a structure on the subject property is located less than 100 ft. from an adjacent residential zone, then that portion of the structure shall not exceed 30 ft. above average building elevation and the structure shall be set back a minimum of 20 ft. from the property line of the residential zone. 7. For schools, with the exception of gyms, the height of a structure may exceed 35 ft. above average building elevation to a maximum of 40 ft., if all of the following criteria are met: a. The structure is located more than 100 ft. from an adjacent residential zone; and b. The additional height is necessary to accommodate the particular use conducted in the building; and c. Each required yard abutting the structure is increased five ft. for each one ft. the structure exceeds 35 ft. above average building elevation; and d. The increased height is consistent with goals and policies for the area of the subject property as established by the comprehensive plan. 8. For schools, including gyms, an increase in height above 35 ft. shall not block views designated by the comprehensive plan. 9. No maximum lot coverage is established. Instead, the buildable area will be determined by other site development requirements, i.e., required buffers, parking lot landscaping, surface water facilities, etc. 10. For community design guidelines that apply to the project, see Chapter 19.115 FWRC. 11. For landscaping requirements that apply to the project, see Chapter 19.125 FWRC. 12. For sign requirements that apply to the project, see Chapter 19.140 FWRC. 13. Refer to Chapter 19.265 FWRC to determine what other provisions of this title may apply to the subject property. 14. Site design, including the location of parking and passenger loading areas, shall be designed to reduce impacts on nearby residential areas.	
Day care facilities, commercial	Day care facilities, commercial	7,200 sq. ft.	Schools for 50 or more attendees: 50 ft. 50 ft. 50 ft.	55 ft. above average building elevation for gyms if located 100 ft. or more from an adjacent residential zone	High school: 1 for each employee and 1 for each 10 students	Elementary/Middle: 1 for each employee	1. Day care facilities must contain an outdoor play area with at least 75 sq. ft. for each child using the area at any one time. This play area must be completely enclosed by a solid fence or other screen at least six ft. in height. Play equipment and structured play areas must be set back at least five ft. from each property line. 2. School, day care facilities, animal kennels, or animal care facilities may include one accessory living facility. 3. Day care facilities and schools must comply with the requirements of the State Department of Social and Health Services and/or the State Superintendent of Public Instruction. 4. All activities pertaining to schools, such as auto repair or other uses that may impact adjacent properties, must take place within an enclosed building. 5. Animal kennels and animal care facilities must be designed so that the maximum permissible noise levels from outdoor runs and other open areas comply with the provisions of FWRC 7.10.050; and such outdoor areas shall be screened from adjacent properties by 10 ft. of Type III landscaping, as defined by Chapter 19.125 FWRC, or greater buffer as required therein. 6. If any portion of a structure on the subject property is located less than 100 ft. from an adjacent residential zone, then that portion of the structure shall not exceed 30 ft. above average building elevation and the structure shall be set back a minimum of 20 ft. from the property line of the residential zone. 7. For schools, with the exception of gyms, the height of a structure may exceed 35 ft. above average building elevation to a maximum of 40 ft., if all of the following criteria are met: a. The structure is located more than 100 ft. from an adjacent residential zone; and b. The additional height is necessary to accommodate the particular use conducted in the building; and c. Each required yard abutting the structure is increased five ft. for each one ft. the structure exceeds 35 ft. above average building elevation; and d. The increased height is consistent with goals and policies for the area of the subject property as established by the comprehensive plan. 8. For schools, including gyms, an increase in height above 35 ft. shall not block views designated by the comprehensive plan. 9. No maximum lot coverage is established. Instead, the buildable area will be determined by other site development requirements, i.e., required buffers, parking lot landscaping, surface water facilities, etc. 10. For community design guidelines that apply to the project, see Chapter 19.115 FWRC. 11. For landscaping requirements that apply to the project, see Chapter 19.125 FWRC. 12. For sign requirements that apply to the project, see Chapter 19.140 FWRC. 13. Refer to Chapter 19.265 FWRC to determine what other provisions of this title may apply to the subject property. 14. Site design, including the location of parking and passenger loading areas, shall be designed to reduce impacts on nearby residential areas.	
Animal kennels or animal care facilities (no breeding of animals is allowed)	Animal kennels or animal care facilities (no breeding of animals is allowed)	7,200 sq. ft.	Schools for 50 or more attendees: 50 ft. 50 ft. 50 ft.	55 ft. above average building elevation for gyms if located 100 ft. or more from an adjacent residential zone	High school: 1 for each employee and 1 for each 10 students	Elementary/Middle: 1 for each employee	1. Day care facilities must contain an outdoor play area with at least 75 sq. ft. for each child using the area at any one time. This play area must be completely enclosed by a solid fence or other screen at least six ft. in height. Play equipment and structured play areas must be set back at least five ft. from each property line. 2. School, day care facilities, animal kennels, or animal care facilities may include one accessory living facility. 3. Day care facilities and schools must comply with the requirements of the State Department of Social and Health Services and/or the State Superintendent of Public Instruction. 4. All activities pertaining to schools, such as auto repair or other uses that may impact adjacent properties, must take place within an enclosed building. 5. Animal kennels and animal care facilities must be designed so that the maximum permissible noise levels from outdoor runs and other open areas comply with the provisions of FWRC 7.10.050; and such outdoor areas shall be screened from adjacent properties by 10 ft. of Type III landscaping, as defined by Chapter 19.125 FWRC, or greater buffer as required therein. 6. If any portion of a structure on the subject property is located less than 100 ft. from an adjacent residential zone, then that portion of the structure shall not exceed 30 ft. above average building elevation and the structure shall be set back a minimum of 20 ft. from the property line of the residential zone. 7. For schools, with the exception of gyms, the height of a structure may exceed 35 ft. above average building elevation to a maximum of 40 ft., if all of the following criteria are met: a. The structure is located more than 100 ft. from an adjacent residential zone; and b. The additional height is necessary to accommodate the particular use conducted in the building; and c. Each required yard abutting the structure is increased five ft. for each one ft. the structure exceeds 35 ft. above average building elevation; and d. The increased height is consistent with goals and policies for the area of the subject property as established by the comprehensive plan. 8. For schools, including gyms, an increase in height above 35 ft. shall not block views designated by the comprehensive plan. 9. No maximum lot coverage is established. Instead, the buildable area will be determined by other site development requirements, i.e., required buffers, parking lot landscaping, surface water facilities, etc. 10. For community design guidelines that apply to the project, see Chapter 19.115 FWRC. 11. For landscaping requirements that apply to the project, see Chapter 19.125 FWRC. 12. For sign requirements that apply to the project, see Chapter 19.140 FWRC. 13. Refer to Chapter 19.265 FWRC to determine what other provisions of this title may apply to the subject property. 14. Site design, including the location of parking and passenger loading areas, shall be designed to reduce impacts on nearby residential areas.	

ZONE
BN

Process I, II, III and IV are described in Chapter 19.55 FWRC, Chapter 19.60 FWRC, Chapter 19.65 FWRC, Chapter 19.70 FWRC respectively.

For other information about parking and parking areas, see Chapter 19.130 FWRC.

For details of what may exceed this height limit, see FWRC 19.110.050 et seq.

For details regarding required yards, see FWRC 19.125.160 et seq.

(Ord. No. 12-735, § 4(Exh. A), 12-4-12; Ord. No. 11-700, § 4, 9-20-11; Ord. No. 09-605, § 3(Exh. A), 3-3-09; Ord. No. 08-585, § 3(Exh. A), 11-4-08; Ord. No. 05-506, § 3, 10-18-05; Ord. No. 01-399, § 3, 8-7-01; Ord. No. 01-385, § 3, 4-3-01; Ord. No. 97-291, § 3, 4-1-97; Ord. No. 96-270, § 5, 7-2-96; Ord. No. 93-170, § 7(Exh. B), 4-20-93; Ord. No. 90-43, § 2(45.65), 2-27-90. Code 2001 § 22-724.)

19.215.050 Multifamily dwelling units.

The following uses shall be permitted in the neighborhood business (BN) zone subject to the regulations and notes set forth in this section:

USE ↓ ↑ REGULATIONS		DIRECTIONS: FIRST, read down to find use . . . THEN, across for REGULATIONS					USE ZONE CHART		SPECIAL REGULATIONS AND NOTES
		Required Review Process	Lot Size	Minimums Required Yards		Height of Structure	Required Parking Spaces	ZONE BN	
		Front	Side (each)	Rear					
Multifamily dwelling units (stacked dwelling units)	II	None	Same as these regulations for ground floor use	See notes 4, 5 and 10	See note 5	See notes 15 – 17		<ol style="list-style-type: none"> All buildings must be gabled with pitched roofs. This use may be located on the ground floor of the structure if the ground floor contains one or more of the commercial uses allowed by office/retail use zone chart, FWRC 19.215.010, or entertainment use zone chart, FWRC 19.215.020. The commercial ground floor uses must occupy at least 50 percent of the total length of the ground floor facade of all buildings facing a right-of-way. The commercial ground floor uses must also occupy a minimum depth of 15 ft. and a minimum interior height of 13 ft. of commercial space for any single tenant. The subject property must contain at least 2,400 sq. ft. of lot area per dwelling unit or one acre for every 18 dwelling units. If any portion of a structure on the subject property is within 100 ft. of a single-family residential zone, then that portion of the structure shall not exceed 30 ft. above average building elevation and the structure shall be set back a minimum of 20 ft. from the property line of the residential zone. No maximum lot coverage is established. Instead, the buildable area will be determined by other site development requirements, e.g., required buffers, parking lot landscaping, surface water facilities, among others. Chapter 19.265 FWRC contains regulations regarding accessory uses, buildings and structures. Accessory dwelling units are not permitted. Chapter 19.270 FWRC contains regulations regarding home occupations. For community design guidelines that apply to the project, see Chapter 19.115 FWRC. Refer to Chapter 19.125 FWRC, Outdoors, Yards, and Landscaping, for appropriate requirements. For sign requirements that apply to the project, see Chapter 19.140 FWRC. For provisions that relate to the keeping of animals, see Chapter 19.260 FWRC. For affordable housing requirements, see FWRC 19.110.010. The subject property must provide usable open space in a total amount equal to at least 150 sq. ft. per dwelling unit and may include common open space such as playgrounds, recreation rooms, plazas, rooftop terraces, pools, active lobbies, atriums, or other areas the director deems appropriate. A minimum of 25 percent of the usable open space provided must be common open space. Private open space such as a patio, porch, balcony, or yard may be credited toward total residential usable open space, if such private open space is a minimum of 48 square feet and has a minimum dimension of six feet. 	
Process I, II, III and IV are described in Chapter 19.55 FWRC, Chapter 19.60 FWRC, Chapter 19.65 FWRC, Chapter 19.70 FWRC respectively.								(Continued on next page)	
								For other information about parking and parking areas, see Chapter 19.130 FWRC.	
								For details of what may exceed this height limit, see FWRC 19.110.050 et seq.	
								For details regarding required yards, see FWRC 19.125.160 et seq.	

19.215.050 Multifamily dwelling units. (Continued)

USE ZONE CHART						
↕ USE ↕	DIRECTIONS: FIRST, read down to find use . . . THEN, across for REGULATIONS					
	Required Review Process	Minimums Required Yards			Height of Structure	Required Parking Spaces
		Lot Size	Front	Side (each)		
ZONE BN	SPECIAL REGULATIONS AND NOTES					
						15. Parking spaces shall be provided as follows: Efficiency dwelling units – 1.0 per unit One bedroom dwelling units – 1.5 per unit Studio dwelling units – 1.25 per unit Dwelling units with two bedrooms or more – 2.0 per unit. 16. Dwelling unit parking stalls are in addition to required parking for all nonresidential ground floor uses. 17. Alternatively, an applicant may choose to submit a parking study in accordance with FWRC 19.130.080(2).
	Process I, II, III and IV are described in Chapter 19.55 FWRC, Chapter 19.60 FWRC, Chapter 19.65 FWRC, Chapter 19.70 FWRC respectively.			For other information about parking and parking areas, see Chapter 19.130 FWRC.		
				For details of what may exceed this height limit, see FWRC 19.110.050 et seq. For details regarding required yards, see FWRC 19.125.160 et seq.		

(Ord. No. 17-834, § 14, 5-16-17; Ord. No. 05-506, § 3, 10-18-05; Ord. No. 03-450, § 3, 9-16-03; Ord. No. 02-424, § 3, 9-17-02; Ord. No. 00-375, § 17, 10-3-00; Ord. No. 97-291, § 3, 4-1-97; Ord. No. 96-270, § 5, 7-2-96; Ord. No. 93-170, § 7(Exh. B), 4-20-93; Ord. No. 90-43, § 2(40.50), 2-27-90. Code 2001 § 22-725.)

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19.215.140 Urban agriculture.

The following uses shall be permitted in the neighborhood business (BN) zone subject to the regulations and notes set forth in this section:

USE ↓ ↑ REGULATIONS		DIRECTIONS: FIRST, read down to find use . . . THEN, across for REGULATIONS							<div style="border: 1px solid black; padding: 5px; text-align: center;"> ZONE BN </div> SPECIAL REGULATIONS AND NOTES	
		Minimums			Maximums					
Required Process		Required Yards		Lot Size	Lot Coverage	Height of Structure	Required Parking Spaces			
Front	Side (each)	Rear								
Community gardens, urban farms, and farm stands	Process I for community gardens, urban farms, and farm stands	0 ft.	5 ft.	5 ft.	No max. lot coverage is established. The build-able area will be determined by other site development requirements	35 ft. above average building elevation	Determined on a case-by-case basis	1. Fertilizer, pesticides, and other chemicals used must be typical of that intended for growing edibles in populated areas. 2. Only mechanical equipment designed for use in populated urban areas may be used. 3. For provisions that relate to on-site sales of plants and food products produced on site see Chapter 19.262 FWRC. 4. Refer to Chapter 19.265 FWRC to determine what other provisions of this chapter may apply to the subject property. 5. Refer to Chapter 19.125 FWRC, Outdoors, Yards, and Landscaping, for appropriate requirements. a. Community garden/urban farm planting areas, including raised beds, may be located within required yards and perimeter landscaping areas when the intent of Chapter 19.125 FWRC is met. b. This use is exempt from the requirements of FWRC 19.125.060 except in cases where the director may find that landscaping prescribed under this section is necessary related to some component of the use other than planting areas. 6. For provisions that relate to keeping of animals, see Chapter 19.260 FWRC. 7. For sign requirements that apply to the project, see Chapter 19.140 FWRC. 8. See Chapter 19.262 FWRC for full range of development regulations applicable to urban agriculture. If provisions of this use zone chart conflict with provisions of Chapter 19.262 FWRC, the provisions of Chapter 19.262 FWRC shall control.		
		See note 5								
Cottage food operations	None for cottage food operations							For other information about parking and parking areas, see Chapter 19.130 FWRC. For details of what may exceed this height limit, see FWRC 19.110.050 et seq. For details regarding required yards, see FWRC 19.125.160 et seq.		

(Ord. No. 13-754, § 13, 12-3-13.)

19.215.150 Senior citizen or special needs housing.

The following uses shall be permitted in the neighborhood business (BN) zone subject to the regulations and notes set forth in this section:

USE ZONE CHART						
DIRECTIONS: FIRST, read down to find use . . . THEN, across for REGULATIONS						
USE ↓	↑ REGULATIONS	Required Review Process	Minimums		Maximum Height of Structure	Required Parking Spaces
			Lot Size	Required Yards (each)		
Senior citizen or special needs housing (stacked dwelling units)		Process II or, with SEPA, Process III	None	Front Special needs housing: same as these requirements for ground floor use Stand-alone senior citizen or special needs housing: 20 ft. 5 ft. 5 ft.	35 ft. See note 3	Senior citizen housing: 1 for each unit Special needs housing: 0.5 for each unit See note 14
	ZONE BN	SPECIAL REGULATIONS AND NOTES				
		<ol style="list-style-type: none"> 1. All buildings must be gabled with pitched roofs. 2. Commercial uses allowed in this zone may be permitted on the ground floor of stacked senior citizen or special needs housing with a minimum floor-to-ceiling height of 13 ft. 3. If any portion of a structure on the subject property is within 100 ft. of a single-family residential zone, then that portion of the structure shall not exceed 30 ft. above average building elevation and the structure shall be set back a minimum of 20 ft. from the property line of the residential zone. 4. The subject property must provide usable open space in a total amount equal to at least 100 sq. ft. per dwelling unit and may include common open spaces such as plazas, recreation rooms, rooftop terraces, p-patches, pools, active lobbies, and atriums. All eligible usable open space shall also meet the requirements specified in FWRC 19.115.115. A fee-in-lieu payment may be utilized for up to 50 percent of the usable open space as specified in FWRC 19.115.115. 5. Any common open space requirements for senior housing or special needs housing may be reduced at the discretion of the director, if an open space study documents that less common open space will be adequate to serve the needs of the residents. 6. No maximum lot coverage is established. Instead, the buildable area will be determined by other site development requirements; e.g., required buffers, parking lot landscaping, surface water facilities, among others. 7. For community design guidelines that apply to the project, see Chapter 19.115 FWRC. 8. Refer to Chapter 19.125 FWRC, Outdoors, Yards, and Landscaping, for appropriate requirements. 9. For sign requirements that apply to the project, see Chapter 19.140 FWRC. 10. For provisions that relate to the keeping of animals, see Chapter 19.260 FWRC. 11. Chapter 19.265 FWRC contains regulations regarding accessory uses, buildings and structures. Accessory dwelling units are not permitted. 12. Chapter 19.270 FWRC contains regulations regarding home occupations. 13. For affordable housing requirements, see FWRC 19.110.010. 14. Alternatively, an applicant may choose to submit a parking study in accordance with FWRC 19.130.080(2). 				
		<p>Process I, II, III and IV are described in Chapter 19.55 FWRC; Chapter 19.60 FWRC; Chapter 19.65 FWRC; Chapter 19.70 FWRC respectively.</p> <p>For other information about parking and parking areas, see Chapter 19.130 FWRC.</p> <p>For details of what may exceed this height limit, see FWRC 19.110.050 et seq. For details regarding required yards, see FWRC 19.125.160 et seq.</p>				

(Ord. No. 17-834, § 15, 5-16-17.)

Chapter 19.220

COMMUNITY BUSINESS (BC)

Sections:

- 19.220.010 Office/retail – Manufacturing and production, limited.
- 19.220.020 Entertainment – Generally.
- 19.220.030 Vehicle and equipment sales, service, repair, rental – Self-service storage facilities.
- 19.220.040 Schools – Day care facilities, commercial – Animal kennels.
- 19.220.050 Multifamily dwelling units.
- 19.220.060 Hotels – Motels.
- 19.220.070 Hospital facilities – Convalescent centers – Nursing homes.
- 19.220.080 Senior citizen or special needs housing.
- 19.220.090 Group homes.
- 19.220.100 Social service transitional housing.
- 19.220.110 Government facility, public parks, public transit shelter.
- 19.220.120 Personal wireless service facility.
- 19.220.130 Churches.
- 19.220.140 Urban agriculture.

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19.220.050 Multifamily dwelling units.

The following uses shall be permitted in the community business (BC) zone subject to the regulations and notes set forth in this section:

USE ⇕ REGULATIONS		DIRECTIONS: FIRST, read down to find use . . . THEN, across for REGULATIONS					USE ZONE CHART	
		Required Review Process	Lot Size	Minimums Required Yards Front Side (each) Rear	Height of Structure	Parking Spaces	ZONE BC	SPECIAL REGULATIONS AND NOTES
Multifamily dwelling units (stacked dwelling units)	Process II or, with SEPA, Process III	None	Same as these regulations for ground floor use except 20 ft. abutting single-family residential zones See notes 2 and 14	65 ft. above average building elevation (ABE) See note 2	See notes 5 – 8	1. All nonresidential ground floor spaces must have a minimum floor-to-ceiling height of 13 ft. and a minimum depth of 15 ft. 2. Building height may not exceed 30 ft. above average building elevation for the portion of the building located within 100 ft. from a single-family residential zone. 3. All buildings except for related parking structures up to 65 ft. in height (six stories), must be gabled with pitched roofs, unless the building is taller than 35 ft. (three stories) with a rooftop that contributes to the multifamily open space requirements. 4. Multi-unit housing and accessory living facilities may be located on the ground floor of a structure only as follows: (a) ground level space that spans at least 60 percent of the total length of the principal commercial facade of all buildings, as determined by the director, is occupied with one or more other use(s) allowed in this zone; and (b) ground level space that spans at least 40 percent of the total length of all other street-facing facades of all buildings is occupied with one or more other use(s) allowed in this zone. Parking in conjunction with other uses allowed in this zone may also be located on the ground floor of the structure if non-visible from the right-of-way or public areas. 5. For 100 dwelling units or more on a subject property, 25 percent of parking shall be underground or on the first floor within the building footprint, except for visitor parking, which can be surface parking. 6. Parking spaces shall be provided as follows: Efficiency dwelling units – 1.0 per unit Studio dwelling units – 1.25 per unit One bedroom dwelling units – 1.5 per unit Dwelling units with two bedrooms or more – 2.0 per unit. 7. Dwelling unit parking stalls are in addition to required parking for all nonresidential ground floor uses. 8. Alternatively, applicant may choose to submit a parking study in accordance with FWRC 19.130.080(2). 9. Chapter 19.265 FWRC contains regulations regarding accessory uses, buildings and structures. Accessory dwelling units are not permitted. 10. Chapter 19.270 FWRC contains regulations regarding home occupations. (Continued on next page)		
Process I, II, III and IV are described in Chapter 19.55 FWRC, Chapter 19.60 FWRC, Chapter 19.65 FWRC, Chapter 19.70 FWRC respectively.						For other information about parking and parking areas, see Chapter 19.130 FWRC. For details of what may exceed this height limit, see FWRC 19.110.050 et seq. For details regarding required yards, see FWRC 19.125.160 et seq.		

19.220.050 Multifamily dwelling units. (Continued)

USE ZONE CHART						
USE ⇕	DIRECTIONS: FIRST, read down to find use . . . THEN, across for REGULATIONS					
	Required Review Process	Minimums			Height of Structure	Parking Spaces
		Lot Size	Required Yards	Rear		
⇕	Front	Side (each)	Rear	ZONE BC		
						<p style="text-align: center;">SPECIAL REGULATIONS AND NOTES</p> <p>11. The subject property must provide usable open space in a total amount equal to at least 150 sq. ft. per dwelling unit, and may include private spaces such as yards, patios, and balconies, as well as common areas such as playgrounds, recreation rooms, plazas, rooftop terraces, pools, active lobbies, atriums, or other areas the director deems appropriate. A minimum of 25 percent of the usable open space provided must be common open space. Private open space such as a patio, porch, balcony, or yard may be credited toward total residential usable open space, if such private open space is a minimum of 48 square feet and has a minimum dimension of six feet.</p> <p>12. No maximum lot coverage is established. Instead, the buildable area will be determined by other site development requirements, e.g., required buffers, parking lot landscaping, parking lot landscaping, surface water facilities, among others.</p> <p>13. For community design guidelines that apply to the project, see Chapter 19.115 FWRC.</p> <p>14. Refer to Chapter 19.125 FWRC, Outdoors, Yards, and Landscaping, for appropriate requirements.</p> <p>15. For sign requirements that apply to the project, see Chapter 19.140 FWRC.</p> <p>16. For affordable housing requirements, see FWRC 19.110.010.</p> <p>17. For provisions that relate to the keeping of animals, see Chapter 19.260 FWRC.</p>
	Process I, II, III and IV are described in Chapter 19.55 FWRC, Chapter 19.60 FWRC, Chapter 19.65 FWRC, Chapter 19.70 FWRC respectively.					<p>For other information about parking and parking areas, see Chapter 19.130 FWRC.</p> <p>For details of what may exceed this height limit, see FWRC 19.110.050 et seq.</p> <p>For details regarding required yards, see FWRC 19.125.160 et seq.</p>

(Ord. No. 17-834, § 16, 5-16-17; Ord. No. 10-678, § 3, 12-7-10; Ord. No. 07-559, § 3(Exh. A), 7-3-07; Ord. No. 07-554, § 5(Exh. A(17)), 5-15-07; Ord. No. 02-424, § 3, 9-17-02; Ord. (Ord. No. 10-678, § 3, 12-7-10; Ord. No. 07-559, § 3(Exh. A), 7-3-07; Ord. No. 07-554, § 5(Exh. A(17)), 5-15-07; Ord. No. 02-424, § 3, 9-17-02; Ord. No. 97-291, § 3, 4-1-97; Ord. No. 96-270, § 5, 7-2-96; Ord. No. 93-170, § 7(Exh. B), 4-20-93; Ord. No. 90-43, § 2(45.60), 2-27-90. Formerly 22-756. Code 2001 § 22-755.)

19.220.060 Hotels – Motels.

The following uses shall be permitted in the community business (BC) zone subject to the regulations and notes set forth in this section:

USE ↓ ↑ REGULATIONS		DIRECTIONS: FIRST, read down to find use . . . THEN, across for REGULATIONS					ZONE BC	SPECIAL REGULATIONS AND NOTES
		Required Review Process	Lot Size	Minimums Required Yards		Height of Structure		
Hotel or motel	Process II or, with SEPA, Process III	None	Front	Side (each)	Rear	45 ft. above average building elevation (AABE), AABE and four floors See notes 1 and 3	1 for each guest room See notes 2 and 4	1. If approved by the director of community development services, the height of a structure may exceed 45 ft. above average building elevation (AABE) to a maximum of 55 ft. AABE and four floors, if all of the following criteria are met: a. The additional height is necessary to accommodate the structural, equipment, or operational needs of the use conducted in the building, and/or all ground floor spaces have a minimum floor-to-ceiling height of 13 ft. and a minimum depth of 15 ft.; b. Height complies with note 3; c. Height over 40 ft. is set back from nonresidential zones by one ft. for each one ft. of height over 40 ft.; and d. The rooflines of the building are designed to avoid a predominantly flat and featureless appearance by incorporating variations in roof height, forms, angles, and materials. 2. If this use includes accessory meeting, convention or other facilities that will be used by persons other than overnight guests at the hotel or motel, the city may require additional parking on a case-by-case basis, based on the extent and nature of these accessory facilities. 3. Building height may not exceed 30 ft. AABE when located within 100 ft. of a residential zone. 4. No maximum lot coverage is established. Instead, the buildable area will be determined by other site development requirements, i.e., required buffers, parking lot landscaping, surface water facilities, etc. 5. For community design guidelines that apply to the project, see Chapter 19.115 FWRC. 6. For landscaping requirements that apply to the project, see Chapter 19.125 FWRC. 7. For sign requirements that apply to the project, see Chapter 19.140 FWRC. 8. Refer to Chapter 19.265 FWRC to determine what other provisions of this title may apply to the subject property.
			Process I, II, III and IV are described in Chapter 19.55 FWRC, Chapter 19.60 FWRC, Chapter 19.65 FWRC, Chapter 19.70 FWRC respectively.					

(Ord. No. 07-559, § 3(Exh. A), 7-3-07; Ord. No. 97-291, § 3, 4-1-97; Ord. No. 96-270, § 5, 7-2-96; Ord. No. 93-170, § 7(Exh. B), 4-20-93; Ord. No. 90-43, § 2(45.35), 2-27-90. Formerly 22-757. Code 2001 § 22-756.)

19.220.070 Hospital facilities – Convalescent centers – Nursing homes.

The following uses shall be permitted in the community business (BC) zone subject to the regulations and notes set forth in this section:

USE ZONE CHART										
USE ↑ REGULATIONS ↓	Required Review Process	Lot Size	Minimums			Height of Structure	Required Parking Spaces	ZONE BC	SPECIAL REGULATIONS AND NOTES	
			Required Yards							Rear
			Front	Side (each)	Except 20 ft. along residential zones					
Hospital facilities, convalescent centers or nursing homes	Process II or, with SEPA, Process III	None	20 ft.	0 ft.	0 ft.	35 ft. to 55 ft. above average building elevation (AABE)	Hospital (primary care): 1 for each 3 beds, plus 1 for each staff doctor, plus 1 for each 3 employees	1. If approved by the director of community development services, the height of a structure may exceed 35 ft. above average building elevation (AABE) to a maximum of 55 ft. AABE, if all of the following criteria are met: a. The additional height is necessary to accommodate the structural, equipment, or operational needs of the use conducted in the building, and/or all ground floor spaces have a minimum floor-to-ceiling height of 13 ft. and a minimum depth of 15 ft.; b. Height complies with note 2; c. Building height over 35 ft. is set back from nonresidential zones by one additional ft. for each one ft. of height over 35 ft.; and d. Rooflines are designed to avoid a predominantly flat and featureless appearance through variations in roof height, forms, angles, and materials. 2. Building height may not exceed 30 ft. AABE when located within 100 ft. of a residential zone. 3. No maximum lot coverage is established. Instead, the buildable area will be determined by other site development requirements, i.e., required buffers, parking lot landscaping, surface water facilities, etc. 4. For community design guidelines that apply to the project, see Chapter 19.115 FWRC. 5. For landscaping requirements that apply to the project, see Chapter 19.125 FWRC. 6. For sign requirements that apply to the project, see Chapter 19.140 FWRC. 7. Refer to Chapter 19.265 FWRC to determine what other provisions of this title may apply to the subject property.		
Process I, II, III and IV are described in Chapter 19.55 FWRC, Chapter 19.60 FWRC, Chapter 19.65 FWRC, Chapter 19.70 FWRC respectively.	See notes 1 and 2	See note 5	For other information about parking and parking areas, see Chapter 19.130 FWRC.			For details of what may exceed this height limit, see FWRC 19.110.050 et seq.	For details regarding required yards, see FWRC 19.125.160 et seq.			

(Ord. No. 12-735, § 4(Exh. A), 12-4-12; Ord. No. 07-559, § 3(Exh. A), 7-3-07; Ord. No. 97-291, § 3, 4-1-97; Ord. No. 96-270, § 5, 7-2-96; Ord. No. 93-170, § 7(Exh. B), 4-20-93; Ord. No. 90-43, § 2(45.75), 2-27-90. Formerly 22-758. Code 2001 § 22-757.)

19.220.080 Senior citizen or special needs housing.

The following uses shall be permitted in the community business (BC) zone subject to the regulations and notes set forth in this section:

USE REGULATIONS		DIRECTIONS: FIRST, read down to find use . . . THEN, across for REGULATIONS				USE ZONE CHART	SPECIAL REGULATIONS AND NOTES									
		Required Review Process	Lot Size	Minimums Required Yards	Height of Structure			Required Parking Spaces								
USE	REGULATIONS	Required Review Process	Lot Size	Minimums Required Yards	Height of Structure	Required Parking Spaces	USE ZONE CHART									
Senior citizen or special needs housing (stacked dwelling units)		Process II or, with SEPA, Process III	None	<table border="1"> <tr> <th colspan="2">Required Yards</th> </tr> <tr> <td>Front</td> <td>Senior housing or special needs housing: same as these requirements for ground floor use</td> </tr> <tr> <td>Side (each)</td> <td>20 ft. 5 ft. 5 ft.</td> </tr> <tr> <td>Rear</td> <td>Stand-alone senior citizen or special needs housing</td> </tr> </table>	Required Yards		Front	Senior housing or special needs housing: same as these requirements for ground floor use	Side (each)	20 ft. 5 ft. 5 ft.	Rear	Stand-alone senior citizen or special needs housing	65 ft. above average building elevation (ABE) See note 2	Senior citizen housing: 1 for each unit Special needs housing: 0.5 per each unit See notes 4 and 5	<div style="border: 1px solid black; padding: 5px; text-align: center;"> ZONE BC </div>	<p>SPECIAL REGULATIONS AND NOTES</p> <ol style="list-style-type: none"> All buildings, except for related parking structures up to 65 ft. in height (six stories), must be gabled with pitched roofs, unless the building is taller than 35 ft. (three stories) with a rooftop that contributes to the multifamily open space requirements. If any portion of a structure on the subject property is within 100 ft. of a single-family residential zone, then that portion of the structure shall not exceed 30 ft. above average building elevation, and the structure shall be set back a minimum of 20 ft. from the property line of the single-family residential zone. Commercial uses allowed in this zone may be permitted on the ground floor of stacked senior citizen or special needs housing with a minimum floor-to-ceiling height of 13 ft. For 100 units or more on a subject property, 25 percent of parking shall be underground, or on the first floor within the building footprint, except for visitor parking, which can be surface parking. Alternatively, applicant may choose to submit a parking study in accordance with FWRC 19.130.080(2). Chapter 19.265 FWRC contains regulations regarding accessory uses, buildings and structures. Accessory dwelling units are not permitted. Chapter 19.270 FWRC contains regulations regarding home occupations. The subject property must provide usable open space in a total amount equal to at least 100 sq. ft. per dwelling unit and may include common open spaces such as plazas, recreation rooms, rooftop terraces, p-patches, pools, active lobbies, and atriums. All eligible usable open space shall also meet the requirements specified in FWRC 19.115.115. A fee-in-lieu payment may be utilized for up to 50 percent of the usable open space as specified in FWRC 19.115.115. Any common open space requirements for senior housing or special needs housing may be reduced at the discretion of the director, if an open space study documents that less common open space will be adequate to serve the needs of the residents. No maximum lot coverage is established. Instead, the buildable area will be determined by other site development requirements, e.g., required buffers, parking lot landscaping, surface water facilities, among others. For community design guidelines that apply to the project, see Chapter 19.115 FWRC. Refer to Chapter 19.125 FWRC, Outdoors, Yards, and Landscaping, for appropriate requirements. For sign requirements that apply to the project, see Chapter 19.140 FWRC. For affordable housing requirements, see FWRC 19.110.010. For provisions that relate to the keeping of animals, see Chapter 19.260 FWRC.
Required Yards																
Front	Senior housing or special needs housing: same as these requirements for ground floor use															
Side (each)	20 ft. 5 ft. 5 ft.															
Rear	Stand-alone senior citizen or special needs housing															
<p>Process I, II, III and IV are described in Chapter 19.55 FWRC, Chapter 19.60 FWRC, Chapter 19.65 FWRC, Chapter 19.70 FWRC respectively.</p>		<p>For other information about parking and parking areas, see Chapter 19.130 FWRC.</p>		<p>For details of what may exceed this height limit, see FWRC 19.110.050 et seq.</p> <p>For details regarding required yards, see FWRC 19.125.160 et seq.</p>		<p>(Ord. No. 17-834, § 17, 5-16-17; Ord. No. 10-678, § 4, 12-7-10; Ord. No. 07-559, § 3(Exh. A), 7-3-07. Code 2001 § 22-758.)</p>										

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Chapter 19.225

CITY CENTER CORE (CC-C)*

Sections:

- 19.225.010 Office use.
- 19.225.020 Retail use.
- 19.225.030 Retail shopping center, regional.
- 19.225.040 Entertainment.
- 19.225.050 Hotel, convention or trade centers.
- 19.225.060 Parking garages.
- 19.225.070 Multifamily dwelling units, senior citizen, or special needs housing.
- 19.225.080 Hospital – Convalescent centers – Nursing homes.
- 19.225.090 Schools – Day care facilities, commercial.
- 19.225.100 Government facility, public parks, public transit shelter.
- 19.225.110 Public utility.
- 19.225.120 Personal wireless service facility.
- 19.225.130 Churches.
- 19.225.140 Urban agriculture.

***Cross references:** Increases to single-story construction limits – city center core and frame, FWRC 19.110.080; structured parking in the city center core and frame, FWRC 19.130.150; city center frame, Chapter 19.230 FWRC.

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19.225.070 Multifamily dwelling units, senior citizen, or special needs housing.
 The following uses shall be permitted in the city center core (CC-C) zone subject to the regulations and notes set forth in this section:

USE ↓ ↑		DIRECTIONS: FIRST, read down to find use . . . THEN, across for REGULATIONS					USE ZONE CHART	
		Required Review Process	Lot Size	Minimums Required Yards			Height of Structure	Required Parking Spaces
		Front	Side (each)	Rear				
Multifamily dwelling units (stacked dwelling units) Senior citizen or special needs housing (stacked dwelling units)	Process II Possible	None	Multifamily dwelling units, senior housing, or special needs housing. See notes 1 and 7	70 ft. or 200 ft.	Multifamily dwelling units: 1 per unit if underground or in structured parking or 1.7 per unit if surface parking	SPECIAL REGULATIONS AND NOTES 1. The city may, using process III, modify required yard, height, lot coverage, and other site design and dimensional requirements for a proposed development that meets the following criteria: a. The proposed development will be consistent with the adopted comprehensive plan policies for this zone; and b. The proposed development will be consistent with the applicable design guidelines; and c. The street, utilities, and other infrastructure in the area are adequate to support the proposed development. 2. No setback is required adjacent to rights-of-way for senior citizen and special needs housing, when publicly visible streetscape amenities, as defined in FWRC 19.05.190, are located along the right-of-way; the siting and design of which shall be approved by the director. 3. The entire ground floor must be utilized with retail space(s) with a minimum floor-to-ceiling height of 13 ft. 4. Retail uses allowed in this zone may be permitted on the ground floor of stacked senior citizen or special needs housing with a minimum floor-to-ceiling height of 13 ft. 5. Primary building entries to residential, retail, or parking must face an arterial street with no multifamily residential ground-floor parking visible from arterial streets. 6. All buildings, except for related parking structures up to 65 ft. in height (six stories), must be gabled with pitched roofs, unless the building is taller than 35 ft. (three stories) with a rooftop that contributes to the multifamily open space requirements. 7. Building height may be increased from the permitted outright height of 70 ft. to 200 ft. in exchange for providing publicly visible streetscape amenities, as defined in FWRC 19.05.190, along the right-of-way; the siting and design of which shall be approved by the director. 8. The subject property must provide usable open space in a total amount equal to at least 100 sq. ft. per dwelling unit and may include private open spaces such as yards, patios, and balconies, as well as common open spaces such as plazas, playgrounds, recreation rooms, rooftop terraces, p-patches, pools, active lobbies, and atriums. A minimum of 25 percent of the usable open space provided must be common open space. All eligible usable open space shall also meet the requirements specified in FWRC 19.115.115. A fee-in-lieu payment may be utilized for up to 50 percent of the usable open space as specified in FWRC 19.115.115. 9. Any common open space requirements for senior housing or special needs housing may be reduced at the discretion of the director, if an open space study documents that less common open space will be adequate to serve the needs of the residents.	ZONE CC-C	
	See note 1	20 ft. 5 ft. 5 ft.	See notes 1, 2 and 12	See notes 1-24	Senior citizen housing: 1 for each unit Special needs housing: 0.5 for each unit			
Process I, II, III and IV are described in Chapter 19.55 FWRC, Chapter 19.60 FWRC, Chapter 19.65 FWRC, Chapter 19.70 FWRC respectively.		(Continued on next page)			For other information about parking and parking areas, see Chapter 19.130 FWRC. For details of what may exceed this height limit, see FWRC 19.110.050 et seq. For details regarding required yards, see FWRC 19.125.160 et seq.			

19.225.070 Multi-unit housing. (Continued)

USE ZONE CHART						
USE ⇕	DIRECTIONS: FIRST, read down to find use . . . THEN, across for REGULATIONS					
	Required Review Process	Minimums			Height of Structure	Required Parking Spaces
		Lot Size	Front	Rear		
Required Yards		Side (each)				
ZONE CC-C	SPECIAL REGULATIONS AND NOTES					
						<p>10. No maximum lot coverage is established. Instead, the buildable area will be determined by other site development requirements, e.g., required buffers, parking lot landscaping, surface water facilities, among others.</p> <p>11. For community design guidelines that apply to the project, see Chapter 19.115 FWRC.</p> <p>12. Refer to Chapter 19.125 FWRC, Outdoors, Yards, and Landscaping, for appropriate requirements.</p> <p>13. For sign requirements that apply to the project, see Chapter 19.140 FWRC.</p> <p>14. Chapter 19.265 FWRC contains regulations regarding accessory uses, buildings and structures. Accessory dwelling units are not permitted.</p> <p>15. Chapter 19.270 FWRC contains regulations regarding home occupations.</p> <p>16. For affordable housing requirements, see FWRC 19.110.010.</p> <p>17. For provisions that relate to the keeping of animals, see Chapter 19.260 FWRC.</p> <p>18. Single-story buildings may not exceed a total ground floor area of 16,000 gross sq. ft., unless approved under the provisions of FWRC 19.110.080, or approved by the director for minor additions such as entry structures, lobbies, seating or dining areas, bay windows, and similar features; provided, that such addition(s) shall not exceed 1,000 sq. ft. per building in any one consecutive 12-month period.</p> <p>19. No more than 16,000 sq. ft. of new single-story construction may occur on a subject property, excluding increases approved under the provisions of FWRC 19.110.080 and minor additions approved by the director under note 18.</p> <p>20. Multiple-story buildings are not subject to notes 18 and 19; provided, that each floor contains at least 75 percent of the gross sq. ft. of the floor below it and contains a retail use(s).</p> <p>21. Parking may be provided underground or above ground in structured parking or may be permitted as surface parking.</p> <p>22. Dwelling unit parking stalls are in addition to required parking for all nonresidential ground floor uses.</p> <p>23. Surface parking areas for multifamily development must be located so that they are not visible from arterials or pedestrian oriented walkways. When determined by the community development director or designee that such requirement is not feasible, surface parking may be screened from public view by a compact evergreen hedge, a solid wall or fence, or in a manner approved by the community development director or designee.</p> <p>24. Required parking may be reduced under the provisions of FWRC 19.130.020(3) (a), (b), (c), and (d).</p>
	<p>Process I, II, III and IV are described in Chapter 19.55 FWRC, Chapter 19.60 FWRC, Chapter 19.65 FWRC, Chapter 19.70 FWRC respectively.</p>					<p>For other information about parking and parking areas, see Chapter 19.130 FWRC.</p> <p>For details of what may exceed this height limit, see FWRC 19.110.050 et seq.</p> <p>For details regarding required yards, see FWRC 19.125.160 et seq.</p>

(Ord. No. 17-834, § 18, 5-16-17; Ord. No. 12-735, § 4(Exh. A), 12-4-12; Ord. No. 12-727, § 3, 9-18-12; Ord. No. 07-554, § 5(Exh. A(18)), 5-15-07; Ord. No. 06-542, § 3(Exh. A), 12-19-06; Ord. No. 06-515, § 3, 2-7-06; Ord. No. 02-424, § 3, 9-17-02; Ord. No. 97-291, § 3, 4-1-97; Ord. No. 96-270, § 5, 7-2-96; Ord. No. 93-170, § 7(Exh. B), 4-20-93; Ord. No. 90-43, § 2(50.55), 2-27-90. Code 2001 § 22-797.)

Chapter 19.230

CITY CENTER FRAME (CC-F) *

Sections:

- 19.230.010 Office use.
- 19.230.020 Retail use.
- 19.230.030 Entertainment, etc.
- 19.230.040 Vehicle service station.
- 19.230.050 Hotel, convention and trade centers.
- 19.230.060 Multifamily dwelling units, senior citizen, or special needs housing.
- 19.230.070 Group homes.
- 19.230.080 Social service transitional housing.
- 19.230.090 Schools – Day care facilities, commercial.
- 19.230.100 Hospitals – Convalescent centers – Nursing homes.
- 19.230.110 Parking garages.
- 19.230.120 Government facility, public parks, public transit shelter.
- 19.230.130 Public utility.
- 19.230.140 Personal wireless service facility.
- 19.230.150 Churches.
- 19.230.160 Urban agriculture.

***Cross references:** Increases to single-story construction limits – city center core and frame, FWRC 19.110.080; structured parking in the city center core and frame, FWRC 19.130.150; city center core, Chapter 19.225 FWRC.

19.230.010 Office use.

The following uses shall be permitted in the city center frame (CC-F) zone subject to the regulations and notes set forth in this section:

USE ↓ ↑ REGULATIONS		DIRECTIONS: FIRST, read down to find use . . . THEN, across for REGULATIONS					USE ZONE CHART	
		Required Process	Lot Size	Minimums Required Yards		Height of Structure	Required Parking Spaces	<div style="border: 1px solid black; padding: 5px; text-align: center;"> ZONE CC-F </div> SPECIAL REGULATIONS AND NOTES
Office use, medical and dental office	Process II Possible Process III See note 1	None	Front 0 ft. See notes 1, 2, and 5	Side (each) 0 ft.	Rear 0 ft.	35 ft. above average building elevation See notes 1 and 5	1 for each 300 sq. ft. of gross floor area See note 14	
Process I, II, III and IV are described in Chapter 19.55 FWRC, Chapter 19.60 FWRC, Chapter 19.65 FWRC, Chapter 19.70 FWRC respectively.								<p>For other information about parking and parking areas, see Chapter 19.130 FWRC.</p> <p>For details of what may exceed this height limit, see FWRC 19.110.050 et seq.</p> <p>For details regarding required yards, see FWRC 19.125.160 et seq.</p>

19.230.050 Hotel, convention and trade centers. (Continued)

USE ZONE CHART								
USE ↑ ↓	REGULATIONS ↑	DIRECTIONS: FIRST, read down to find use . . . THEN, across for REGULATIONS						
		Required Review Process	Lot Size	Minimums			Height of Structure	Required Parking Spaces
				Front	Side (each)	Rear		
							<div style="border: 1px solid black; padding: 5px; display: inline-block;"> ZONE CC-F </div>	
							<p>SPECIAL REGULATIONS AND NOTES</p> <p>10. Single-story buildings may not exceed a total ground floor area of 16,000 gross sq. ft., unless approved under the provisions of FWRC 19.110.080, or approved by the director for minor additions such as entry structures, lobbies, seating or dining areas, bay windows, and similar features; provided, that such addition(s) shall not exceed 1,000 sq. ft. per building in any one consecutive 12-month period.</p> <p>11. No more than 16,000 sq. ft. of new single-story construction may occur on a subject property, excluding increases approved under the provisions of FWRC 19.110.080 and minor additions approved by the director under note 10, above.</p> <p>12. Multiple-story buildings are not subject to notes 10 and 11, above; provided, that each floor contains at least 75 percent of the gross sq. ft. of the floor below it and contains a principal use(s) permitted in this zone.</p> <p>13. Required parking may be reduced under the provisions of FWRC 19.130.020(3)(a), (b), (c) and (d).</p>	
		Process I, II, III and IV are described in Chapter 19.55 FWRC, Chapter 19.60 FWRC, Chapter 19.65 FWRC, Chapter 19.70 FWRC respectively.					For other information about parking and parking areas, see Chapter 19.130 FWRC. For details of what may exceed this height limit, see FWRC 19.110.050 et seq. For details regarding required yards, see FWRC 19.125.160 et seq.	

(Ord. No. 12-735, § 4(Exh. A), 12-4-12; Ord. No. 07-559, § 3(Exh. A), 7-3-07; Ord. No. 06-515, § 3, 2-7-06; Ord. No. 97-291, § 3, 4-1-97; Ord. No. 96-270, § 5, 7-2-96; Ord. No. 93-170, § 7(Exh. B), 4-20-93; Ord. No. 90-43, § 2(50.25), 2-27-90. Code 2001 § 22-808.)

19.230.060 Multifamily dwelling units, senior citizen, or special needs housing.

The following uses shall be permitted in the city center frame (CC-F) zone subject to the regulations and notes set forth in this section:

USE ↓ ↑ REGULATIONS		DIRECTIONS: FIRST, read down to find use . . . THEN, across for REGULATIONS					SPECIAL REGULATIONS AND NOTES
		Required Review Process	Lot Size	Minimums Required Yards			
			Front	Side (each)	Rear		
Multifamily dwelling units (stacked dwelling units)	Process II Possible Process III	None	Multifamily dwelling units, senior housing, or special needs housing:	70 ft. or 85 ft.		<p>ZONE CC-F</p> <p>SPECIAL REGULATIONS AND NOTES</p> <p>1. The city may, using process III, modify required height, yard, landscape and other site design and dimensional requirements for a proposed development that meets the following criteria:</p> <ul style="list-style-type: none"> a. The proposed development will be consistent with the adopted comprehensive plan policies for this zone; and b. The proposed development will be consistent with applicable design guidelines; and c. The street utilities and other infrastructure in the area are adequate to support the proposed development. <p>2. All buildings, except for related parking structures up to 65 ft. in height (six stories), must be gabled with pitched roofs, unless the building is taller than 35 ft. (three stories) with a rooftop that contributes to the multifamily open space requirements.</p> <p>3. Multi-unit housing and accessory living facilities may be located on the ground floor of a structure only as follows: (a) ground level space that spans at least 60 percent of the total length of the principal commercial facade of all buildings, as determined by the director, is occupied with one or more other use(s) allowed in this zone; and (b) ground level space of all buildings that span at least 40 percent of the length of any other street-facing facades is occupied with one or more other use(s) allowed in this zone; and (c) all ground level nonresidential space(s) have a minimum floor-to-ceiling height of 13 ft. and an average depth of 30 ft., but in no case less than 15 ft.</p> <p>4. Commercial uses allowed in this zone may be permitted on the ground floor of stacked senior citizen or special needs housing with a minimum floor-to-ceiling height of 13 ft.</p> <p>5. Building height may be increased from the permitted outright height of 70 ft. to 85 ft. in exchange for providing publicly visible streetscape amenities, as defined in FWRC 19.05.190, along the right-of-way; the siting and design of which shall be approved by the director.</p> <p>6. Structures on property that adjoins a single-family residential zone shall be set back a minimum of 20 ft. from the property line adjacent to the single-family residential zone. The height of structures shall not exceed 30 ft. above average building elevation when located within 100 ft. from such property line.</p> <p>7. The subject property must provide usable open space in a total amount equal to at least 100 sq. ft. per dwelling unit and may include private spaces such as yards, patios, and balconies, as well as common open spaces such as plazas, playgrounds, recreation rooms, rooftop terraces, p-patches, pools, active lobbies, and atriums. A minimum of 25 percent of the usable open space provided must be common open space. All eligible usable open space shall also meet the requirements specified in FWRC 19.115.115. A fee-in-lieu option is available for up to 50 percent of the usable open space as specified in FWRC 19.115.115.</p> <p>(Continued on next page)</p>	
	See note 1	Same as these requirements for ground floor use	Stand-alone senior citizen or special needs housing:	20 ft. 5 ft. 5 ft.	See notes 1, 6, 10, and 12		
Senior citizen or special needs housing (stacked dwelling units)							

Process I, II, III and IV are described in Chapter 19.55 FWRC, Chapter 19.60 FWRC, Chapter 19.65 FWRC, Chapter 19.70 FWRC respectively.

For other information about parking and parking areas, see Chapter 19.130 FWRC.

For details of what may exceed this height limit, see FWRC 19.110.050 et seq.

For details regarding required yards, see FWRC 19.125.160 et seq.

19.230.060 Multifamily dwelling units, senior citizen, or special needs housing. (Continued)

USE ZONE CHART						
USE ⇕	DIRECTIONS: FIRST, read down to find use . . . THEN, across for REGULATIONS					
	Required Review Process	Lot Size	Minimums Required Yards		Height of Structure	Parking Spaces
			Front	Side (each)		
⇕						<div style="border: 1px solid black; padding: 5px; display: inline-block;"> ZONE CC-F </div>
						<p style="text-align: center;">SPECIAL REGULATIONS AND NOTES</p> <p>8. Any common open space requirements for senior housing or special needs housing may be reduced at the discretion of the director, if an open space study documents that less common open space will be adequate to serve the needs of the residents.</p> <p>9. No maximum lot coverage is established. Instead, the buildable area will be determined by other site development requirements, e.g., buffers, parking lot landscaping, surface water facilities, among others.</p> <p>10. No setback is required adjacent to rights-of-way for senior citizen and special needs housing, when publicly visible streetscape amenities, as defined in FWRC 19.05.190, are located along the right-of-way, the siting and design of which shall be approved by the director.</p> <p>11. For community design guidelines that apply to the project, see Chapter 19.115 FWRC.</p> <p>12. Refer to Chapter 19.125 FWRC, Outdoors, Yards, and Landscaping, for appropriate requirements.</p> <p>13. For sign requirements that apply to the project, see Chapter 19.140 FWRC.</p> <p>14. Chapter 19.265 FWRC contains regulations regarding accessory uses, buildings and structures. Accessory dwelling units are not permitted.</p> <p>15. Chapter 19.270 FWRC contains regulations regarding home occupations.</p> <p>16. For affordable housing requirements, see FWRC 19.110.010.</p> <p>17. For provisions that relate to the keeping of animals, see FWRC 19.260.010 et seq.</p> <p>18. Single-story buildings may not exceed a total ground floor area of 16,000 gross sq. ft., unless approved under the provisions of FWRC 19.110.080, or approved by the director for minor additions such as entry structures, lobbies, seating or dining areas, bay windows, and similar features; provided, that such addition(s) shall not exceed 1,000 sq. ft. per building in any one consecutive 12-month period.</p> <p>19. No more than 16,000 sq. ft. of new single-story construction may occur on a subject property, excluding increases approved under the provisions of FWRC 19.110.080 and minor additions approved by the director under note 18, above.</p> <p>20. Multiple-story buildings are not subject to notes 18 and 19, above; provided, that each floor contains at least 75 percent of the gross sq. ft. of the floor below it and contains a principal use(s) permitted in this zone.</p> <p>21. Parking may be provided underground or above ground in structured parking or may be permitted as surface parking.</p> <p>22. Dwelling unit parking stalls are in addition to required parking for all nonresidential ground floor uses.</p> <p>23. Required parking may be reduced under the provisions of FWRC 19.130.020(3) (a), (b), (c), and (d).</p>
	<p>Process I, II, III and IV are described in Chapter 19.55 FWRC, Chapter 19.60 FWRC, Chapter 19.65 FWRC, Chapter 19.70 FWRC respectively.</p>					<p>For other information about parking and parking areas, see Chapter 19.130 FWRC.</p> <p>For details of what may exceed this height limit, see FWRC 19.110.050 et seq.</p> <p>For details regarding required yards, see FWRC 19.125.160 et seq.</p>

(Ord. No. 17-834, § 19, 5-16-17; Ord. No. 12-735, § 4(Exh. A), 12-4-12; Ord. No. 12-727, § 4, 9-18-12; Ord. No. 07-554, § 5(Exh. A(19)), 5-15-07; Ord. No. 06-515, § 3, 2-7-06; Ord. No. 02-424, § 3, 9-17-02; Ord. No. 97-291, § 3, 4-1-97; Ord. No. 96-270, § 5, 7-2-96; Ord. No. 93-170, § 7(Exh. B), 4-20-93; Ord. No. 90-43, § 2(50.55), 2-27-90. Code 2001 § 22-809.)

19.230.070 Group homes.

The following uses shall be permitted in the city center frame (CC-F) zone subject to the regulations and notes set forth in this section:

USE ZONE CHART						
USE ↓	REGULATIONS ↑	DIRECTIONS: FIRST, read down to find use . . . THEN, across for REGULATIONS				
		Required Review Process	Lot Size	Minimums Required Yards		Height of Structure
				Front	Side (each)	
Group homes type II		Process IV	None	20 ft. 0 ft.	0 ft.	
			See notes 15	35 ft. above average building elevation	See note 12	
				Determined on a case-by-case basis	Determined on a case-by-case basis	
					<div style="border: 1px solid black; padding: 5px; width: fit-content; margin: 0 auto;"> ZONE CC-F </div> <p style="text-align: center;">SPECIAL REGULATIONS AND NOTES</p> <p>1. The city will determine the maximum number of residents and the number of dwelling units or occupancy rooms or suites permitted in the proposed development based on the following criteria:</p> <ol style="list-style-type: none"> The specific nature of the occupancy and the persons that will be housed in the proposed development. The size of the dwelling units or occupancy rooms or suites and the specific configuration of the facilities within these units, rooms, or suites. The impacts on nearby residential uses of the proposed development. The architecture, site design, and other design features of the proposed development. <p>2. a. Except as specified in subsection (2)(b) of this section, the facility must be:</p> <ol style="list-style-type: none"> Distanced at least 1,000 ft. from any school, park, church, playground, or day care center; measured by following a straight line, without regard to intervening buildings, from the nearest point of the parcel or property or land use district boundary line from which the proposed use is to be separated. Distanced at least 1,000 ft. from any other group home type II, group home type III, or social service transitional housing, as defined by this title; and as measured by the same method as the separation requirement described herein. <p>b. The city may, using the specified review process, approve this use regardless of its proximity to the uses specified in subsection (2)(a) of this section, based on the following criteria:</p> <ol style="list-style-type: none"> The extent to which the topography or physical features of the area would result in effective separation between existing uses and the proposed development. The compatibility of the proposed use with nearby uses. The lack of availability of alternative locations for the proposed use based on the separation requirements. The extent to which the proposal is consistent with the public health, safety, and welfare. <p>3. The facility and program must secure and maintain all licenses and/or approvals as required by the state, including verification from the Department of Juvenile Justice, which shall be reviewed by the police department, that the proposed facility meets state standards for such facilities and that the facility will meet state laws and requirements.</p> <p>4. No maximum lot coverage is established. Instead, the buildable area will be determined by other site development requirements, i.e., required buffers, parking lot landscaping, surface water facilities, etc.</p> <p>5. The program must be operated under the authority of a reputable governing board, social service, government agency, or proprietor, to whom staff are responsible and who will be available to city officials, if necessary, to resolve concerns pertaining to the facility.</p> <p style="text-align: right;">((Continued on next page))</p>	
					<p>For other information about parking and parking areas, see Chapter 19.130 FWRC.</p> <p>For details of what may exceed this height limit, see FWRC 19.110.050 et seq.</p> <p>For details regarding required yards, see FWRC 19.125.160 et seq.</p>	

Chapter 19.240

COMMERCIAL ENTERPRISE (CE) *

Sections:

- 19.240.010 Manufacturing and production, general.
- 19.240.020 Warehouse – Distribution – Storage facilities – Truck stops – Automotive emissions testing facilities.
- 19.240.030 Commercial photography – Communications – Product testing – Industrial laundry facilities.
- 19.240.040 Hazardous waste treatment and storage – Chemical manufacturing – Gravel batch plant – Transfer station.
- 19.240.050 Vehicle, boat, equipment, and outdoor storage container sales, rental, service, repair – Self-service storage – Tow and taxi lots.
- 19.240.060 Retail – Bulk retail.
- 19.240.070 Retail, general and specialty – Manufacturing and production, limited.
- 19.240.080 Office uses.
- 19.240.090 Hotels – Motels.
- 19.240.100 Business, vocational, trade schools – Day care facilities, commercial – Animal kennels.
- 19.240.110 Entertainment – Generally.
- 19.240.120 Entertainment – Adult entertainment, activity, retail, or use (adult uses).
- 19.240.130 Government facilities, public parks, public transit shelter.
- 19.240.140 Personal wireless service facilities.
- 19.240.160 Churches.
- 19.240.170 Urban agriculture.
- 19.240.180 Group homes.

***Cross references:** Rezoning of this district to be conducted under the quasi-judicial rezoning procedure, FWRC 19.35.050 et seq.; supplementary district regulations, FWRC Title 19, Division VII.

19.240.010 Manufacturing and production, general.

The following uses shall be permitted in the commercial enterprise (CE) zone subject to the regulations and notes set forth in this section:

USE REGULATIONS		DIRECTIONS: FIRST, read down to find use . . . THEN, across for REGULATIONS					USE ZONE CHART ZONE CE	SPECIAL REGULATIONS AND NOTES
		Required Review Process	Lot Size	Minimums Required Yards		Maximum Height of Structure(s)		
USE	REGULATIONS	Process II or, with SEPA, Process III	1.5 acres See note 15	Front 20 ft. See note 12	Side (each) See note 12	Rear See note 2	40 ft. above average building elevation (AABE) to 55 ft. AABE See notes 3 and 4	1. These uses may not be located on property that adjoins a low or medium density residential zone. 2. Minimum side and rear yards shall be 20 ft. along residential zones and 15 ft. along all other zones. 3. If approved by the director of community development services, the height of a structure may exceed 40 ft. above average building elevation (AABE), to a maximum of 55 ft. AABE, if all of the following criteria are met: a. The increased height is necessary to accommodate the structural, equipment, or operational needs of the use conducted in the building, and/or all ground floor spaces have a minimum floor-to-ceiling height of 13 ft. and a minimum depth of 15 ft.; b. Height complies with note 4; c. Height over 40 ft. is set back from nonresidential zones by one additional ft. for each one ft. of height over 40 ft.; and d. Rooflines are designed to avoid a predominantly flat and featureless appearance through variations in roof height, forms, angles, and materials. 4. Building height may not exceed 30 ft. AABE when located within 100 ft. of a residential zone. 5. No use or activity may be conducted that involves the release of toxins, noxious gases, smoke, fumes, dust, odors, or other discharge on neighboring uses or natural systems. (Continued on next page)
Manufacturing, fabrication, or assembly of office equipment, machines, furniture, and fixtures; electrical, electronic, communications, and lighting products; appliances, bicycles, automobiles, boats, aircraft, and their component parts; heating equipment; photographic and clock instruments; toys; jewelry; musical instruments; scientific equipment; handtools; signs; advertising displays; and similar items								
Fabrication of clay, glass, ceramic, stone, china or metal products; metal plating and coating; engraving and stone cutting								
Preparation of food products; leather products; textile, fabric, or apparel								
For manufacturing and production, limited, as defined in this title, see FWRC 19.240.070								
Any manufacturing, fabrication, and assembly uses other than listed herein (see note 16)								
See note 1								
Process I, II, III and IV are described in Chapter 19.55 FWRC, Chapter 19.60 FWRC, Chapter 19.65 FWRC, Chapter 19.70 FWRC respectively.							For other information about parking and parking areas, see Chapter 19.130 FWRC. For details of what may exceed this height limit, see FWRC 19.110.050 et seq. For details regarding required yards, see FWRC 19.125.160 et seq.	

19.240.140 Personal wireless service facilities.

The following uses shall be permitted in the commercial enterprise (CE) zone subject to the regulations and notes set forth in this section:

USE REGULATIONS		DIRECTIONS: FIRST, read down to find use . . . THEN, across for REGULATIONS					ZONE CE	SPECIAL REGULATIONS AND NOTES
		Required Review Process	Lot Size	Minimums Required Yards Front Side (each) Rear	Maximum Height of Structure	Required Parking Spaces		
USE ↕ Personal wireless service facility See note 5 for allowed types of PWSFs	Required Review Process	See note 2	None	See notes 1 and 4	Refer to FWRC 19.255.020 for maximum heights for allowed types of PWSFs See note 3	N/A	1. For setbacks, see FWRC 19.255.020(5)(b). 2. Subject to meeting all applicable development standards, the review process shall be process I, except for the following proposals: a. Process II for the following proposals: (1) The PWSF is located within 300 feet of a residential zone; (2) The PWSF is located on a structure that is a residence or school or contains a residence or school; (3) The PWSF is a new freestanding PWSF. b. Process III if the PWSF is a lattice tower accommodating four or more providers, or the PWSF is a new freestanding PWSF. 3. Maximum allowed height for a new freestanding PWSF shall be the minimum necessary to provide the service up to 100 ft., plus any height granted under FWRC 19.110.060. A PWSF shall be allowed up to 120 ft. if there are two or more providers; except that a lattice tower of between 120 ft. to 150 ft. will be allowed under a combined application of four or more providers. 4. All PWSFs shall be landscaped and screened in accordance with Chapter 19.125 FWRC and the provisions of the PWSF development regulations. At a minimum, a five ft. Type III landscape area shall be required around the facility, unless the community development services director determines that the facility is adequately screened. 5. New freestanding PWSFs are allowed subject to height limits and collocation provisions. PWSFs are allowed on existing towers, on private buildings and structures, on publicly used structures not located in public rights-of-way, on existing structures located in the BPA trail, and on existing structures in appropriate public rights-of-way. Refer to FWRC 19.255.020 for development standards applicable to allowed types of PWSFs.	
	Required Review Process	See note 2	None	See notes 1 and 4	Refer to FWRC 19.255.020 for maximum heights for allowed types of PWSFs See note 3	N/A		

(Ord. No. 09-633, § 20, 11-17-09; Ord. No. 07-559, § 3(Exh. A), 7-3-07. Code 2001 § 22-874.)

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Chapter 19.280**MARIJUANA**

Sections:

19.280.010 Marijuana businesses prohibited.

19.280.010 Marijuana businesses prohibited.

Marijuana-related businesses, both medical and recreational, such as marijuana production, processing, or retail sales, as may be allowed by Chapter 69.50 RCW, as now existing or hereafter amended, are expressly prohibited from locating or operating in any zone within the city of Federal Way.

(Ord. No. 15-806, § 1, 12-1-15.)

Chapter 19.285**PROTECTION AND PRESERVATION OF LANDMARKS**

Sections:

19.285.010 Purpose.
 19.285.020 King County Code Chapter 20.62 adopted.
 19.285.030 Landmarks commission created – Membership and organization.
 19.285.040 Application completeness.
 19.285.050 Review of building and related permits.
 19.285.060 Appeal procedure.
 19.285.070 Redesignation of existing landmarks.

19.285.010 Purpose.

The purposes of this chapter are to:

(1) Designate, preserve, protect, enhance, and perpetuate those sites, buildings, districts, structures and objects that reflect significant elements of the city's cultural, aesthetic, social, economic, political, architectural, ethnic, archaeological, engineering, historic, and other heritage;

(2) Foster civic pride in the beauty and accomplishments of the past;

(3) Stabilize and improve the economic values and vitality of landmarks;

(4) Encourage, protect, and enhance the city's tourist industry by promoting heritage-related tourism;

(5) Promote the continued use, exhibition, and interpretation of significant sites, districts, buildings, structures, and objects for the education, inspiration, and welfare of the people of the city;

(6) Promote and continue incentives for ownership and utilization of landmarks;

(7) Assist, encourage and provide incentives to public and private owners for preservation, restoration, rehabilitation, and use of landmark buildings, sites, districts, structures, and objects;

(8) Work cooperatively with other jurisdictions to identify, evaluate, and protect historic resources in furtherance of the purposes of this chapter.

(Ord. No. 17-837, § 3, 7-5-17.)

§ 19.285.020

19.285.020 King County Code Chapter 20.62 adopted.

As now or hereafter amended, the following sections of Chapter 20.62 King County Code (“KCC”) are adopted as amended, added to, or excepted in this chapter and are incorporated by reference:

(1) KCC 20.62.020, Definitions, except as follows:

(a) Subsection H is changed to read: “Director” is the director of the city of Federal Way community development department or designee.

(b) Add subsection Z: “Council” is the city of Federal Way city council.

(2) KCC 20.62.040, Designation Criteria, except all references to “King County” are changed to read “city of Federal Way.”

(3) KCC 20.62.050, Nomination Procedure, except:

(a) Property owner written consent is required prior to King County acceptance of a nomination request.

(b) The applicant shall provide one set of self-addressed, stamped business sized envelopes (with city of Federal Way return address) of persons receiving property tax statements for all properties within 300 feet of the subject property. Include a separate list of the addresses with their parcel numbers and an assessor’s map showing the 300-foot boundary.

(c) The hearing notice will be mailed to the persons receiving the property tax statements for all property within 300 feet of each boundary of the subject property.

(4) KCC 20.62.070, Designation Procedure, except all references to “King County” are changed to read “city of Federal Way.”

(5) KCC 20.62.080, Certificate of Appropriateness Procedure, except the last sentence of subsection A thereof.

(6) KCC 20.62.100, Evaluation of Economic Impact.

(7) KCC 20.62.130, Penalty for Violation of Section 20.62.080 (FWRC 19.285.020(5)).

(8) KCC 20.62.140, Special Valuation for Historic Properties.

(Ord. No. 17-837, § 3, 7-5-17.)

19.285.030 Landmarks commission created – Membership and organization.

(1) The King County landmarks commission (“commission”), established pursuant to Chapter 20.62 KCC, is hereby designated and empowered to act as the landmarks commission for the city of Federal Way pursuant to the provisions of this chapter.

(2) The special member of the commission, provided for in KCC 20.62.030, shall be appointed by the city council. Such special member shall have a demonstrated interest and competence in historic preservation. Such appointment shall be made for a five-year term. Such special member shall serve until his or her successor is duly appointed and confirmed by the city council. In the event of a vacancy, an appointment shall be made to fill the vacancy in the same manner and with the same qualifications as if at the beginning of the term, and the person appointed to fill the vacancy shall hold the position for the remainder of the unexpired term. Such special member may be reappointed but may not serve more than two consecutive five-year terms. Such special member shall be deemed to have served one full term, if such special member resigns at any time after appointment or if such special member serves more than three years of an unexpired term. The special member of the commission shall serve without compensation.

(3) The commission shall file its rules and regulations, including procedures consistent with this chapter, with the city clerk.

(Ord. No. 17-837, § 3, 7-5-17.)

19.285.040 Application completeness.

Permit applications for changes to landmark properties shall not be considered complete unless accompanied by a certificate of appropriateness pursuant to KCC 20.62.080. Upon receipt of an application for a development proposal which affects a Federal Way landmark or a historic resource that has received a preliminary determination of significance as defined in KCC 20.62.080, the application circulated to the King County historic preservation officer shall be deemed an application for a certificate of appropriateness pursuant to KCC 20.62.080, if accompanied by the additional information required to apply for such certificate.

(Ord. No. 17-837, § 3, 7-5-17.)

19.285.050 Review of building and related permits.

The official responsible for the issuance of building and related permits shall promptly refer applications for permits that “affect” historic buildings, structures, objects, sites, districts, or archaeological sites to the King County historic preservation officer (“HPO”) for review and comment.

For the purposes of this section, “affect” shall be defined as an application for change to the actual structure, on a property with a landmark structure or designated as a landmark property, or on an adjacent property sharing a common boundary line, or included in King County’s historic resources inventory. The responsible official shall seek and take into consideration the comments of the HPO regarding mitigation of any adverse effects affecting historic buildings, structures, objects, sites, or districts.

The official responsible for the issuance of building and related permits shall evaluate landmark nominations for consistency with the city’s comprehensive plan. Nominations inconsistent with the plan shall be denied. Nominations consistent with the plan shall be forwarded to HPO for review and comment.

(Ord. No. 17-837, § 3, 7-5-17.)

19.285.060 Appeal procedure.

(1) A party of record aggrieved by a decision of the commission designating or rejecting a nomination for designation of a landmark or issuing or denying a certificate of appropriateness may, within 35 calendar days of mailing of notice of such designation or rejection of nomination, or of such issuance or denial or approval of a certificate of appropriateness, appeal such decision pursuant to the procedures established for process IV review in Chapter 19.70 FWRC.

(2) If, after the appeal hearing, the hearing examiner determines:

(a) An error in fact was made by the commission, the hearing examiner shall remand the proceeding to the commission for reconsideration; or

(b) The decision of the commission is based on an error in judgment or conclusion, the hearing examiner may modify or reverse the decision of the commission.

(Ord. No. 17-837, § 3, 7-5-17.)

19.285.070 Redesignation of existing landmarks.

All King County landmarks designated pursuant to the provisions of Chapter 20.62 KCC that are in compliance with this chapter and that are located within the boundaries of the city shall be subject to the provisions of the ordinance codified in this chapter and considered city of Federal Way landmarks.

(Ord. No. 17-837, § 3, 7-5-17.)

Federal Way Revised Code

Cross-Reference Table

Federal Way City Code	Federal Way Revised Code	Federal Way City Code	Federal Way Revised Code
22-637	<i>Repealed by 09-605</i>	22-727	19.215.070
22-638	19.200.080	22-728	19.215.080
22-639	19.200.090	22-729	19.215.090
22-640	19.200.100	22-730	19.215.100
22-641	19.200.110	22-731	19.215.110
22-642	19.200.120	22-732	19.215.120
22-643	19.200.130	22-733	19.215.130
22-644	19.200.140	22-751	19.220.010
22-645	19.200.150	22-752	19.220.020
22-646	19.200.160	22-753	19.220.030
22-647	19.200.170	22-754	19.220.040
22-648	19.200.180	22-755	19.220.050
22-649	19.200.190	22-756	19.220.060
22-664	19.205.010	22-757	19.220.070
22-665	19.205.020	22-758	19.220.080
22-666	19.205.030	22-759	19.220.090
22-667	19.205.040	22-760	19.220.100
22-668	19.205.050	22-761	19.220.110
22-668.5	<i>Repealed by 14-771</i>	22-762	19.220.120
22-669	19.205.070	22-791	19.225.010
22-669.5	19.205.080	22-792	19.225.020
22-670	19.205.090	22-792.1	19.225.030
22-671	19.205.100	22-793	19.225.040
22-672	<i>Repealed by 09-605</i>	22-795	19.225.050
22-673	19.205.120	22-796	19.225.060
22-674	19.205.130	22-797	19.225.070
22-675	19.205.140	22-798	19.225.080
22-676	19.205.150	22-799	19.225.090
22-677	19.205.160	22-800	19.225.100
22-678	19.205.170	22-801	19.225.110
22-679	19.205.180	22-802	19.225.120
22-680	19.205.190	22-803	19.230.010
22-681	19.205.200	22-804	19.230.020
22-696	19.210.010	22-805	19.230.030
22-697	19.210.020	22-807	19.230.040
22-698	19.210.030	22-808	19.230.050
22-699	19.210.040	22-809	19.230.060
22-700	19.210.050	22-810	19.230.070
22-721	19.215.010	22-811	19.230.080
22-722	19.215.020	22-812	19.230.090
22-723	19.215.030	22-813	19.230.100
22-724	19.215.040	22-814	19.230.110
22-725	19.215.050	22-815	19.230.120
22-726	19.215.060	22-816	19.230.130

Cross-Reference Table

Federal Way City Code	Federal Way Revised Code	Federal Way City Code	Federal Way Revised Code
22-817	19.230.140	22-924	19.250.180
22-826	19.235.010	22-946	19.265.010
22-827	19.235.020	22-946.1	19.105.020
22-828	19.235.030	22-947	7.05.010
22-829	19.235.040	22-948	7.05.020
22-830	19.235.050	22-949	19.125.150
22-831	19.235.060	22-950	7.05.030
22-832	19.235.070	22-951	7.05.040
22-833	19.235.080	22-952	7.20.020
22-834	19.235.090	22-953	19.105.010
22-835	19.235.100	22-954	19.105.030
22-861	19.240.010	22-955	19.110.020
22-862	19.240.020	22-956	7.10.050
22-863	19.240.030	22-957	7.10.060
22-864	19.240.040	22-958	7.05.050
22-865	19.240.050	22-960	19.110.070
22-866	19.240.060	22-961	19.110.030
22-867	19.240.070	22-962	<i>Repealed by 09-610</i>
22-868	19.240.080	22-963	19.275.110
22-869	19.240.090	22-964	19.110.040
22-870	19.240.100		19.275.120
22-871	19.240.110	22-965	19.265.020
22-872	19.240.120	22-966	19.255.010
22-873	19.240.130	22-967	19.255.020
22-874	19.240.140	22-968	19.255.030
22-875	<i>Repealed by 17-834</i>	22-969	19.255.040
22-906	<i>Repealed by 09-633</i>	22-970	19.255.050
22-921	19.250.010	22-971	19.255.060
22-922	19.250.020	22-972	<i>Repealed by 09-633</i>
22-923(1)	19.250.030	22-973	19.255.070
22-923(2)	19.250.040	22-974	<i>Repealed by 09-633</i>
22-923(3)	19.250.050	22-975	19.255.080
22-923(4)	19.250.060	22-976	19.110.010
22-923(5)	19.250.070	22-977	19.110.080
22-923(6)	19.250.080	22-978	19.105.050
22-923(7)	19.250.090	22-979	19.105.060
22-923(8)	19.250.100	22-981	19.260.010
22-923(9)	19.250.110	22-982	19.260.020
22-923(10)	19.250.120	22-983	19.260.030
22-923(11)	19.250.130	22-984	19.260.040
22-923(12)	19.250.140	22-985	19.260.050
22-923(13)	19.250.150	22-986	19.260.060
22-923(14)	19.250.160	22-987	19.260.070
22-923(15)	19.250.170	22-988	19.260.080

01-382, § 3, 1-16-01; Ord. No. 99-333, § 3, 1-19-99; Ord. No. 96-271, § 3, 7-2-96. Code 2001 § 22-1633.)

19.125.080 Significant trees.

Repealed by Ord. No. 09-610. (Ord. No. 09-593, § 32, 1-6-09; Ord. No. 07-573, § 48, 12-4-07; Ord. No. 07-559, § 3(Exh. A), 7-3-07; Ord. No. 93-170, § 4, 4-20-93. Code 2001 § 22-1568.)

19.125.110 Planting requirements for certain trees.

Repealed by Ord. No. 09-610. (Ord. No. 90-43, § 2(115.140), 2-27-90. Code 2001 § 22-962.)

19.130.230 Residential uses.

Repealed by Ord. No. 10-674. (Ord. No. 09-607, § 3(Exh. A-1), 4-7-09; Ord. No. 08-585, § 3(Exh. A), 11-4-08; Ord. No. 07-573, § 41, 12-4-07; Ord. No. 99-341, § 3, 5-4-99; Ord. No. 90-43, § 2(115.105(2)), 2-27-90. Code 2001 § 22-1112.)

19.140.020 Definitions.

Repealed by Ord. No. 09-593. (Ord. No. 07-554, § 5(Exh. A(14)), 5-15-07; Ord. No. 07-550, § 3, 3-20-07; Ord. No. 06-523, § 3(Exh. A), 4-18-06; Ord. No. 05-504, § 3, 10-4-05; Ord. No. 05-487, § 3, 4-19-05; Ord. No. 05-486, § 3, 4-19-05; Ord. No. 99-357, § 5, 12-7-99; Ord. No. 99-348, § 5, 9-7-99; Ord. No. 95-235, § 4, 6-6-95. Code 2001 § 22-1597.)

Chapter 19.150 Critical Areas Administration

Repealed by Ord. No. 15-797. (Ord. No. 09-594, § 153, 1-6-09; Ord. No. 07-554, § 5(Exh. A(10)), 5-15-07; Ord. No. 04-468, § 3, 11-16-04; Ord. No. 99-353, § 3, 11-16-99; Ord. No. 91-123, §§ 3(80.30 – 80.50), 12-17-91; Ord. No. 91-105, §§ 4(80.30 – 80.50), 8-20-91; Ord. No. 90-43, §§ 2(80.30 – 80.50), 2-27-90. Code 2001 §§ 22-1241 – 22-1248.)

Chapter 19.155 General Site Design Requirements

Repealed by Ord. No. 15-797. (Ord. No. 07-554, § 5(Exh. A(10)), 5-15-07; Ord. No. 04-468, § 3, 11-16-04; Ord. No. 91-123, §§ 3(80.60(1) – (5)), 12-17-91; Ord. No. 91-105, §§ 4(80.60(1) – (5)), 8-20-91; Ord. No. 90-43, §§ 2(80.60(1) – (5)), 2-27-90. Code 2001 §§ 22-1266 – 22-1270.)

Chapter 19.160 Geologically Hazardous Areas

Repealed by Ord. No. 15-797. (Ord. No. 07-554, § 5(Exh. A(10)), 5-15-07; Ord. No. 04-468, § 3, 11-16-04; Ord. No. 91-123, § 3(80.65), 12-17-91; Ord. No. 91-105, § 4(80.65), 8-20-91; Ord. No. 90-79, § 3, 12-18-90; Ord. No. 90-43, § 2(80.65), 2-27-90. Code 2001 § 22-1286.)

Chapter 19.165 Streams

Repealed by Ord. No. 15-797. (Ord. No. 07-554, § 5(Exh. A(10)), 5-15-07; Ord. No. 04-468, § 3, 11-16-04; Ord. No. 99-353, § 3, 11-16-99; Ord. No. 97-291, § 3, 4-1-97; Ord. No. 91-123, §§ 3(80.75 – 80.110), 12-17-91; Ord. No. 91-105, §§ 4(80.75 – 80.110), 8-20-91; Ord. No. 90-79, § 4, 12-18-90; Ord. No. 90-43, §§ 2(80.75 – 80.110), 2-27-90. Code 2001 §§ 22-1306 – 1313.)

Chapter 19.170 Regulated Lakes

Repealed by Ord. No. 15-797. (Ord. No. 07-554, § 5(Exh. A(10)), 5-15-07; Ord. No. 04-468, § 3, 11-16-04; Ord. No. 99-353, § 3, 11-16-99; Ord. No. 91-123, §§ 3(80.115 – 80.140), 12-17-91; Ord. No. 91-105, §§ 4(80.115 – 80.140), 8-20-91; Ord. No. 90-79, § 5, 12-18-90; Ord. No. 90-43, §§ 2(80.115 – 80.140), 2-27-90. Code 2001 §§ 22-1331 – 1336.)

Chapter 19.175 Regulated Wetlands

Repealed by Ord. No. 15-797. (Ord. No. 09-593, § 31, 1-6-09; Ord. No. 07-554, § 5(Exh. A(10)), 5-15-07; Ord. No. 04-468, § 3, 11-16-04; Ord. No. 99-353, § 3, 11-16-99; Ord. No. 91-123, §§ 3(80.145 – 80.160), 12-17-91; Ord. No. 91-105, §§ 4(80.145 – 80.160), 8-20-91; Ord. No. 90-79, §§ 6, 7, 12-18-90; Ord. No. 90-43, §§ 2(80.145 – 80.160), 2-27-90. Code 2001 §§ 22-1356 – 22-1359.)

Chapter 19.180 Regulated Wellheads

Repealed by Ord. No. 15-797. (Ord. No. 07-554, § 5(Exh. A(10)), 5-15-07; Ord. No. 04-468, § 3, 11-16-04; Ord. No. 90-43, § 2(80.70), 2-27-90. Code 2001 § 22-1369.)

Chapter 19.185 Critical Aquifer Recharge Areas and Wellhead Protection Areas

Repealed by Ord. No. 15-797. (Ord. No. 07-554, § 5(Exh. A(10)), 5-15-07; Ord. No. 04-468, § 3, 11-16-04. Code 2001 §§ 22-1370 – 22-1375.1.)

Repealed Sections

19.195.080 Day care facilities – Under 13 attendees.

Repealed by Ord. No. 09-605. (Ord. No. 97-291, § 3, 4-1-97; Ord. No. 93-170, § 7(Exh. B), 4-20-93; Ord. No. 91-87, § 5, 2-5-91; Ord. No. 90-43, § 2(15.45), 2-27-90. Code 2001 § 22-603.)

19.200.030 Social service transitional housing.

Repealed by Ord. No. 09-605. (Ord. No. 99-333, § 3, 1-19-99; Ord. No. 97-291, § 3, 4-1-97; Ord. No. 94-223, § 3(B), 10-18-94. Code 2001 § 22-633.5.)

19.200.070 Day care facilities – Under 13 attendees.

Repealed by Ord. No. 09-605. (Ord. No. 97-291, § 3, 4-1-97; Ord. No. 93-170, § 7(Exh. B), 4-20-93; Ord. No. 91-87, § 6, 2-5-91; Ord. No. 90-43, § 2(20.35), 2-27-90. Code 2001 § 22-637.)

19.205.060 Group homes.

Repealed by Ord. No. 14-771. (Ord. No. 09-605, § 3(Exh. A), 3-3-09; Ord. No. 01-385, § 3, 4-3-01; Ord. No. 99-333, § 3, 1-19-99; Ord. No. 97-291, § 3, 4-1-97; Ord. No. 94-223, § 3(c), 10-18-94. Code 2001 § 22-668.5.)

19.205.110 Day care facilities – Under 13 attendees.

Repealed by Ord. No. 09-605. (Ord. No. 01-385, § 3, 4-3-01; Ord. No. 97-291, § 3, 4-1-97; Ord. No. 93-170, § 7(Exh. B), 4-20-93; Ord. No. 90-43, § 2(25.40), 2-27-90. Code 2001 § 22-672.)

19.225.140 Structured parking in the city center core.

Repealed by Res. No. 09-539. (Ord. No. 07-554, § 5(Exh. A(11)), 5-15-07; Ord. No. 97-296, § 3, 6-17-97. Code 2001 § 22-1425.)

19.230.160 Structured parking in the city center frame.

Repealed by Res. No. 09-539. (Ord. No. 07-554, § 5(Exh. A(11)), 5-15-07; Ord. No. 97-296, § 3, 6-17-97. Code 2001 § 22-1425.)

19.240.150 Multi-unit housing.

Repealed by Ord. No. 17-834. (Ord. No. 12-735, § 4(Exh. A), 12-4-12; Ord. No. 07-559, § 3(Exh. A), 7-3-07. Code 2001 § 22-875.)

19.245.010 Personal wireless service facility.

Repealed by Ord. No. 09-633. (Ord. No. 00-363, § 13, 1-4-00; Ord. No. 97-300, § 3, 9-16-97. Code 2001 § 22-906.)

19.255.090 Permit limitations.

Repealed by Ord. No. 09-633. (Ord. No. 08-585, § 3(Exh. A), 11-4-08; Ord. No. 00-363, § 14, 1-4-00; Ord. No. 97-300, § 3, 9-16-97. Code 2001 § 22-974.)

19.270.040 Class II home occupation.

Repealed by Ord. No. 09-605. (Ord. No. 00-375, § 22, 2000; Ord. No. 91-87, § 12(115.65(3)), 2-5-91; Ord. No. 90-43, § 2(115.65(3)), 2-27-90. Code 2001 § 22-1069.)

19.275.060 Dimensional requirements – Development and performance standards.

Repealed by Ord. No. 12-716. (Ord. No. 94-209, § 3, 3-15-94; Ord. No. 90-43, § 2(127.25), 2-27-90. Code 2001 § 22-551.)

19.275.070 Frequency and duration.

Repealed by Ord. No. 12-716. (Ord. No. 94-209, § 3, 3-15-94; Ord. No. 90-43, § 2(127.30), 2-27-90. Code 2001 § 22-552.)

19.275.080 Removal.

Repealed by Ord. No. 12-716. (Ord. No. 94-209, § 3, 3-15-94; Ord. No. 90-43, § 2(127.35), 2-27-90. Code 2001 § 22-553.)

19.275.090 Bonds.

Repealed by Ord. No. 12-716. (Ord. No. 94-209, § 3, 3-15-94; Ord. No. 90-43, § 2(127.40), 2-27-90. Code 2001 § 22-554.)

19.275.100 Exceptions to permit requirement.

Repealed by Ord. No. 12-716. (Ord. No. 07-559, § 3(Exh. A), 7-3-07; Ord. No. 94-209, § 3, 3-15-94; Ord. No. 90-43, § 2(127.45), 2-27-90. Code 2001 § 22-555.)

Ordinance Number	Passage Date	Title
16-820	5-17-16	Amends Ord. 06-524, extending franchise to Comcast (Special)
16-821	6-7-16	Moratorium on expansion or creation of multifamily housing (Special)
16-822	8-9-16	Adds §§ 19.91.066, 19.95.055 and 19.100.075; amends §§ 19.91.060, 19.95.050, 19.100.060 and 19.100.070; repeals § 19.91.065, impact fee payment deferral program (19.91, 19.95, 19.100)
16-823	9-6-16	Franchise to Level 3 Communications, LLC (Special)
16-824	12-6-16	Amends 2015-2016 budget (Special)
16-825	12-6-16	Renews moratorium on expansion or creation of multifamily housing (Special)
16-826	12-6-16	Adopts 2017-2018 budget (Special)
16-827	12-6-16	2016 tax levy (Special)
16-828	12-6-16	Amends § 16.20.010, surface water management (16.20)
17-829	1-3-17	Franchise to Washington State Parks and Recreation (Special)
17-830	1-17-17	Adds Ch. 13.28; amends §§ 13.11.020, 13.11.060, 13.16.020, 13.16.030, 13.20.010, 13.20.020, 13.20.030, 13.20.040, 13.20.050, 13.20.060, 13.20.070, 13.20.090, 13.22.020, 13.22.030, 13.26.020, 13.26.030, 13.31.020, 13.31.030, 13.31.050, 13.34.020, 13.34.030, 13.41.020, 13.43.020 and 13.43.030; repeals § 13.20.100, building codes (13.11, 13.16, 13.20, 13.22, 13.26, 13.28, 13.31, 13.34, 13.41, 13.43)
17-831	1-17-17	Adds Ch. 3.60, admissions tax (3.60)
17-832	4-4-17	Amends § 8.30.040, speed limits (8.30)
17-833	4-4-17	Adds Ch. 4.22; amends § 4.25.030, right-of-way use and franchises (4.22, 4.25)
17-834	5-16-17	Adds §§ 19.115.040 and 19.215.150; amends §§ 19.05.040, 19.05.120, 19.05.160, 19.115.030, 19.115.060, 19.115.115, 19.125.150, 19.200.100, 19.205.040, 19.205.070, 19.215.050, 19.220.050, 19.220.080, 19.225.070 and 19.230.060; repeals § 19.240.150, multifamily dwelling units, senior housing and special needs housing (19.05, 19.115, 19.125, 19.200, 19.205, 19.215, 19.220, 19.225, 19.230)
17-835	6-6-17	Adds §§ 13.31.060 and 13.31.070, fire code (13.31)
17-836	6-20-17	Amends Ord. 13-738, Zayo Group, LLC, franchise (Special)
17-837	7-5-17	Adds Ch. 19.285, protection and preservation of landmarks (19.285)

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