

**CITY OF MONROE
ORDINANCE NO. 001/2025**

AN ORDINANCE OF THE CITY OF MONROE, WASHINGTON, AMENDING TITLE 22 MMC UNIFIED DEVELOPMENT REGULATIONS AND CHAPTER 5.48 MMC LICENSING/ZONING OF SEXUALLY ORIENTED BUSINESSES; UPDATING AND AMENDING THE CITY'S CODE TO CORRECT SYNTAX ERRORS AND INTERNAL INCONSISTENCIES, TO ENSURE COMPLIANCE WITH APPLICABLE STATE LAW, AND TO ADDRESS VARIOUS OTHER HOUSEKEEPING MATTERS; SETTING FORTH LEGISLATIVE FINDINGS; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Monroe is a code city, as provided in Title 35A RCW, incorporated under the laws of the state of Washington, and planning pursuant to the Growth Management Act, Title 36.70A RCW; and

WHEREAS, the Washington State Growth Management Act (GMA) mandates in RCW 36.70A.130(4)(a) that a periodic comprehensive plan review and update be conducted every eight to 10 years,

WHEREAS, the City of Monroe has adopted and updated its GMA compliant Comprehensive Plan since 1998; and

WHEREAS, pursuant to RCW 36.70A.040(3), a jurisdiction that is required to plan, such as the City of Monroe, "shall adopt...development regulations that are consistent with and implement the comprehensive plan"; and

WHEREAS, in October 2017, the City began a complete rewrite of its development regulations to replace the previous development code formerly codified in Monroe Municipal Code (MMC) Titles 17, 18, 19, 20 and 21 with Title 22 containing the Unified Development Regulations (UDR) to be located in one comprehensive title; and

WHEREAS, the Planning Commission conducted a thorough review of the proposed UDR over the duration of 45 meetings, occurring between October 2017 and January 2019 and including a public hearing held by the Planning Commission on February 25, 2019, continued to March 11, 2019, and March 25, 2019, and the Commission then recommendation that City Council adopt Title 22, and the UDR was forwarded to the City Council for review; and

WHEREAS, the City Council accepted the Planning Commission's recommendation and enacted the UDR through the adoption of Ordinance No. 005/2019 in May 2019; and

WHEREAS, City Staff have been tracking various inconsistencies since the UDR was adopted; and

WHEREAS, amendments are necessary to correct minor internal inconsistencies and to ensure additional consistency within the MMC and with state law; and

WHEREAS, City Staff researched state law, the previous MMC, and prior Planning Commission agendas and minutes to determine what updates were needed to correct the inconsistencies, and, when necessary to determine the original intent of the code section, staff listened to recording of the discussion from previous planning commission meetings; and

WHEREAS, the Planning Commission held two (2) workshops reviewing the proposed code clean-up items and the resulting amendments to Title 22 and Chapter 5.48 set forth in this ordinance; and

WHEREAS, the proposed amendments were transmitted to the Washington State Department of Commerce for state agency review, in accordance with RCW 36.70A.106, on September 17, 2024. Expedited review (14 days rather than 60 days) was requested and approved; and

WHEREAS, the City has complied with the requirements of the State Environmental Policy Act (SEPA), Chapter 43.21C RCW, by issuing a Determination of Non-Significance (DNS) on September 6, 2024; the appeal period ended on September 20, 2024, and no appeals were filed; and

WHEREAS, the Planning Commission held a public hearing on November 25, 2024, to consider the proposed amendments to Title 22 Unified Development Regulations and Chapter 5.48 Licensing/Zoning of Sexually Oriented Businesses; and

WHEREAS, all persons desiring to comment on the proposal were given a full and complete opportunity to be heard; and

WHEREAS, the Planning Commission on December 9, 2024, adopted the Findings of Fact, authorized the Chair of the Planning Commission to sign the Findings of Fact on behalf of the Commission, and recommended that the Monroe City Council approve the proposed Phase 1 Code Clean Up Amendments set forth herein under files #CA2023-01; and

WHEREAS, the City Council held a public hearing on December 10, 2024, to consider the proposed amendments to Title 22 Unified Development Regulations and Chapter 5.48 Licensing/Zoning of Sexually Oriented Businesses; and

WHEREAS, all persons desiring to comment on the proposal were given a full and complete opportunity to be heard; and

WHEREAS, the Monroe City Council, after considering all information received, has determined to adopt the amendments as provided in this ordinance.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MONROE, WASHINGTON, HEREBY ORDAINS AS FOLLOWS:

Section 1. Findings. The above recitals, together with the Planning Commission Findings of Fact and Conclusions of Law dated December 9, 2024, and the content of Agenda Bill AB²⁴⁻⁵⁷³, are hereby adopted as legislative findings in support of this ordinance. The Monroe City Council further finds as follows:

- A. The Planning Commission held a public hearing on the substance of this ordinance on November 25, 2024, and recommended adoption by the City Council.
- B. The City is authorized by State law, including but not limited to Chapter 35A.63 RCW and Chapter 36.70A RCW, to adopt local regulations governing the use and development of land.
- C. The regulations set forth in this ordinance have been processed and considered by the City in material compliance with all applicable procedural requirements, including but not limited to requirements related to public notice and comment.
- D. All relevant requirements of SEPA have been satisfied with respect to this ordinance.
- E. The City Council has carefully considered, and the regulations set forth in this ordinance satisfy, the review requirements and criteria set forth in Title 22 MMC.
- F. In adopting this ordinance, the City considered and was guided by the applicable GMA planning goals enumerated at RCW 36.70A.020.
- G. The regulations set forth in this ordinance are consistent with and will implement the City's Comprehensive Plan and will meet the requirements and intent of the MMC.
- H. The regulations set forth in this ordinance are beneficial to the public health, safety, and welfare, and are in the public interest.

Section 2. Amendment of Chapter 5.48 MMC. Chapter 5.48 of the Monroe Municipal Code Licensing/Zoning of Sexually Oriented Businesses is hereby amended as provided in Exhibit A, attached hereto and incorporated herein by this reference as if set forth in full. New text is indicated by underline, and deleted text is indicated by ~~strikethrough~~. Without limitation of the foregoing, it is the City Council's express legislative intent that no preexisting text of Chapter 5.48 MMC be deemed deleted or otherwise repealed by this ordinance unless such text is affirmatively ~~struck through~~ in Exhibit A.

Section 3. Amendment of Title 22 MMC. Title 22 of the Monroe Municipal Code Unified Development Regulations is hereby amended as provided in Exhibit B, attached hereto and incorporated herein by this reference as if set forth in full. New text is indicated by underline, and deleted text is indicated by ~~strikethrough~~. Without limitation of the foregoing, it is the City Council's express legislative intent that no preexisting text of Title 22 MMC be deemed deleted or otherwise repealed by this ordinance unless such text is affirmatively ~~struck through~~ in Exhibit B.

Section 4. Copy to the Department of Commerce. Pursuant to RCW 36.70A.106, a true and correct copy of this ordinance shall be transmitted to the WA Department of Commerce, Growth Management Services Division, within ten days after adoption.

Section 5. Severability. Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by State or federal law or regulation, such decision or pre-emption shall not affect the validity or enforceability of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 6. Effective Date. This ordinance shall be in full force and effect five (5) days from and after its passage and approval and publication as required by law.

PASSED by the City Council and APPROVED by the Mayor of the City of Monroe, at a regular meeting held this 14th day of January, 2025.

First Reading: January 14, 2025
Adoption: January 14, 2025
Published: Jan 23, 2025
Effective: Jan 28, 2025

CITY OF MONROE, WASHINGTON:


Geoffrey Thomas (Jan 20, 2025 08:35 HST)

Geoffrey Thomas, Mayor

ATTEST:

APPROVED AS TO FORM:


Jodi Wycoff (Jan 21, 2025 09:21 PST)
Jodi Wycoff, City Clerk


Zach Lell (Jan 20, 2025 10:30 PST)
J. Zachary Lell, City Attorney

Ord 001 2025 - UDR Amendments Phase 1 FINAL-ord only

Final Audit Report

2025-01-21

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Exhibit B

**Amendments to Title 22 MMC
UNIFIED DEVELOPMENT REGULATIONS**

**Amendments to Chapter 22.10 MMC
ADMINISTRATION AND ENFORCEMENT**

22.10.070 Performance guarantees and liability protection.

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E. *Record of Certificates–Issued.* The zoning code administrator or ~~his/her~~ their delegate shall circulate a request for a certificate of occupancy for a change in use to all city departments and shall maintain a record of all certificates of occupancy issued.

22.10.080 Reasonable accommodation.

A. *Eligibility.* Any person claiming to have a handicap or disability, within the meaning of the Fair Housing Amendments Act (FHAA), 42 U.S.C. 3602(h) or the Washington Law Against Discrimination (WLAD), Chapter 49.60 RCW, or someone acting on ~~his or her~~ their behalf, who wishes to be excused from an otherwise applicable requirement of these unified development regulations pursuant to the requirement of the FHAA, or the WLAD, that reasonable accommodations be made in rules, policies, practices, or services when such accommodations may be necessary to afford persons with handicaps or disabilities equal opportunity to use and enjoy a dwelling, shall make such request for reasonable accommodation to the zoning administrator.

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**Amendments to Chapter 22.12 MMC
DEFINITIONS**

22.12.020 B definitions.

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Blank Wall Any wall or portion of a wall that has a surface area of 400 SF of vertical surface without a window, door, or building modulation or other architectural feature; and any ground level wall surface or section of a wall over 4' in height at ground level that is longer than 15' as measured horizontally without having a ground level window or door lying wholly or in part within that 15' section.

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22.12.040 D definitions.

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Day care services, family day care home An occupied dwelling unit in which the full-time occupant provides daily care for children other than his/her their own family. Such care in a family day care home is limited to twelve or fewer children including children living in the home.

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22.12.130 M definitions.

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Marijuana All parts of the plant Cannabis, whether growing or not, with a THC concentration greater than 0.3 percent on a dry weight basis; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin. The term does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted therefrom), fiber, oil, or cake, or the sterilized seed of the plant which is incapable of germination as defined by WAC 246-70-030.

Marijuana concentrates Products consisting wholly or in part of the resin extracted from any part of the plant Cannabis and having a THC concentration greater than ten percent as defined by WAC 246-70-030.

Marijuana-infused products Products that contain marijuana or marijuana extracts, are intended for human use, are derived from marijuana as defined in this section, and have a THC concentration no greater than ten percent. The term "marijuana-infused products" does not include either usable marijuana or marijuana concentrates as defined by WAC 246-70-030.

Marijuana processor A person licensed by the WSLCB under RCW 69.50.325 to process marijuana into marijuana concentrates, usable marijuana and marijuana-infused products, package and label marijuana concentrates, usable marijuana and marijuana-infused products for sale in retail outlets, and sell marijuana concentrates, usable marijuana and marijuana-infused products at wholesale to marijuana retailers as defined by WAC 246-70-030.

Marijuana producer A person licensed by the WSLCB under RCW 69.50.325 to produce and sell marijuana at wholesale to marijuana processors and other marijuana producers as defined by WAC 246-70-030.

Marijuana product Marijuana, marijuana concentrates, usable marijuana, and marijuana-infused products as defined by WAC 246-70-030.

Marijuana, usable Dried marijuana flowers. The term "usable marijuana" does not include either marijuana-infused products or marijuana concentrates as defined by WAC 246-70-030.

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22.12.160 P definitions.

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Public works director The public works director of the city of Monroe or their designee.

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22.12.190 S definitions.

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Sign, opaque A sign constructed from materials that do not allow light to pass through and that fully block visibility from one side to the other.

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Sign, translucent A sign constructed from materials that allow some light to pass through, but not enough for clear visibility of objects or images behind it.

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**Amendments to Chapter 22.14 MMC
ZONING MAPS AND DISTRICTS**

22.14.020 Zoning districts.

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Table 22.14.020(B). Establishment of Zoning Overlay Districts

Zoning Overlay District	Map Symbol	General Description
<u>Airport Compatibility Overlay</u>	<u>N/A</u>	<u>Overlay comprised of six land use zones based on the Washington State Department of Transportation, Division of Aviation, pursuant to MMC 22.54.050</u>
Fryelands Commercial Overlay District	FC-O	Overlay in the light industrial zoning district that regulates existing commercial uses and provides for the siting of new commercial development along the eastern side of Fryelands Boulevard
<u>North Kelsey Planning Area</u>	<u>N/A</u>	<u>Overlay in the general commercial zoning district that provides for the development of the North Kelsey Planning Area subject to Chapters 5-7 of the 2003 North Kelsey Development Plan Design Guidelines, which was amended in 2021</u>
<u>North Kelsey Planned Development Area</u>	<u>N/A</u>	<u>Overlay in the general commercial zoning district that provides for the development of the North Kelsey Planning Area subject to Chapters 1-7 of the 2003 North Kelsey Development Plan Design Guidelines, which was amended in 2021</u>
North Kelsey/Tjerne Place Overlay District	NK/TP-O	Overlay in the general commercial zoning district that provides for the development of the North Kelsey/Tjerne Place Planning Area subject to the 2003 North Kelsey Development Plan Design Guidelines, which was amended in 2021 <u>Overlay in the North Kelsey Planning Area allowing for residential uses in the vicinity of Tjerne Place</u>
<u>Sexually Oriented Business Overlay</u>	<u>N/A</u>	<u>Overlay in the light industrial zoning district that regulates sexually oriented businesses pursuant to MMC 5.48.090(A)</u>

**Amendments to Chapter 22.16 MMC
SINGLE-FAMILY RESIDENTIAL ZONING DISTRICTS**

22.16.030 Land use.

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Table 22.16.030. Land Use in the Single-Family Residential Zoning

Conforming Use	Single-Family Residential – 4 Units per Acre (R4)	Single-Family Residential – 7 Units per Acre (R7)	Single-Family Residential – 15 Units per Acre (R15)
1. RESIDENTIAL LAND USES			
Dwelling Units, Accessory			A A A
Dwelling Units, Attached			P
Dwelling Units, Detached			P P P
Dwelling Units, Duplex			P P
Dwelling Units, Temporary Security Guard			A A A
Group Homes			P P P
Halfway Houses			EPF EPF EPF
Home Occupations			A A A
Model Homes and Associated Sales Office			P P P
Retirement Housing and Assisted Living Facilities			P
2. SERVICE LAND USES			
Day Care Services			
• Adult Day Services			A A A
• Family Child Care Services			A A A
Social Services			
• Community Food Services			C
• Community Housing Services			C
• Emergency and Relief Services			C
• <u>Permanent Supportive Housing</u>			<u>P</u> <u>P</u> <u>P</u>
Temporary Lodging Services			
• Bed and Breakfast Inns			P P
3. INSTITUTIONAL LAND USES			
Community Facilities			
• Religious Institutions			C C C
Educational Facilities			
• Schools, Colleges, Universities, and Professional			EPF EPF EPF
• Schools, Elementary and Secondary (K-12)			EPF EPF EPF
Government Facilities			

• Courts	C	C	C
• Fire Stations	C	C	C
• Government Administration Buildings	C	C	C
• Police Stations	C	C	C
• Public Works Maintenance and Storage Facilities	C	C	C
• U.S. Post Offices	C	C	C

4. PARKS, RECREATION, AND ENTERTAINMENT LAND USES

Parks

• Concessions	A	A	A
• Nonmotorized Trails	P	P	P
• Parks and Open Spaces	P	P	P

Recreational Facilities, Indoor

P P P

Recreational Facilities, Outdoor

A A A

5. INDUSTRIAL LAND USES

Storage Facilities

• Indoor (On-Site Only)	A	A	A
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6. UTILITY AND TRANSPORTATION LAND USES

Electric Vehicle Charging Stations (All Levels)

A A A

Major and Regional Utility Facilities

• Regional Utility Corridors	C	C	C
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Major and Regional Transportation Facilities

• State and Regional Transportation Facilities	EPF	EPF	EPF
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Minor Utility Facilities

P P P

Wireless Communications Facilities

P P P

7. UNCLASSIFIED LAND USES

Accessory Structures

A A A

P = Permitted Use; A = Accessory Use; C = Requires a Conditional Use Permit; See Chapter 22.38 MMC for Requirements for Essential Public Facilities (EPF)

1 Table Notes: A land use not explicitly permitted by Table 22.16.030 is prohibited within all single-family residential zoning districts.

22.16.040 Bulk requirements.

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E. *General Bulk Requirements – Yard Setbacks.*

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4. *Exceptions to Minimum Setbacks.* The following may encroach no more than two feet into required yard setbacks or required open space:
- a. Architectural features such as belt courses, cornices, leaders, lintels, pilasters.
 - b. Awnings.
 - c. Canopies.

- d. Chimneys.
- e. Common mechanical equipment such as air compressors, air conditioning units, and heat pumps.
- ~~f. Driveways, patios, walkways, and similar paved surfaces.~~
- ~~f.g. Eaves.~~
- ~~h. Fences, walls, poles, and posts.~~
- ~~g.i. Flues.~~
- ~~h.j. Gutters.~~
- ~~i.k. Rainwater harvesting systems.~~
- ~~j.l. Sills.~~
- ~~k.m. Sunshades.~~
- l. Driveways, patios, walkways, and similar paved surfaces may encroach into the required front, side and rear yard setbacks up to the property line.
- m. Fences, walls, poles, and posts may encroach into the required front, side and rear yard setbacks up to the property line.
- n. Other customary yard accessories, ornaments, and furniture subject to height limitations and requirements limiting obstruction of visibility to the detriment of public safety.
- o. Unenclosed porches and balconies, including covered unenclosed porches and balconies, may encroach no more than five feet into required front and rear yard setbacks or required open space. These features shall not encroach into required side yards.

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O. *Single-Family Residential – 4 Units per Acre Zoning District (R4)*. The following bulk requirements in Table 22.16.040(O): 4 Units per Acre Zoning District (R4) Bulk Requirements specifically apply to the R4 zoning district. General information regarding bulk requirements is found in this section.

Table 22.16.040(O). 4 Units per Acre Zoning District (R4) Bulk Requirements

Residential Density ⁽¹⁾	
Maximum Allowed Residential Density	4 units per acre
Street Frontage ⁽¹⁾	
Minimum Street Frontage	40 feet
Minimum Street Frontage for Panhandle Lots	20 feet
Minimum Street Frontage for Cul-de-Sac Lots ⁽²⁾	40 feet
Minimum Street Frontage for Lots with Public Street Access from a Private Access Tract or Easement	20 feet
Lot Dimensions ⁽¹⁾	
Minimum Lot Width	40 feet
Yard Setbacks ⁽¹⁾	
Minimum Front Yard Setback Width to Living Space	10 feet

Minimum Front Yard Setback Width to Garage	20 feet
Minimum Side Yard Setback Width	Minimum 5 feet per side; minimum 15 feet combined total side yard setback width
Minimum Rear Yard Setback Width	10 feet
Minimum Setback Width for Corner Lot Side Yards Abutting a Street ⁽³⁾	10 feet
Minimum Setback Width for Corner Lot Side Yards Not Abutting a Street ⁽³⁾	5 feet
Minimum Setback from Private Access Tracts	10 feet
Minimum Setback from Private Access Easements	10 feet
Lot Coverage ⁽¹⁾	
Maximum Lot Coverage	50%
Building Height ⁽¹⁾	
Maximum Building Height ⁽⁴⁾	35 feet

Table Notes:

- 1** See this section for more information regarding the bulk requirements in the above table.
- 2** Lots fronting onto a cul-de-sac shall meet the minimum lot width at the building setback line.
- 3** On a corner lot, the yard adjacent to the widest dimension of the lot abutting a street is a side yard. The opposite yard is also a side yard.
- 4** Exceptions to height limitations specified in MMC 22.16.040(G)(4).

P. *Single-Family Residential – 7 Units per Acre Zoning District (R7)*. The following bulk requirements in Table 22.16.040(P): 7 Units per Acre Zoning District (R7) Bulk Requirements specifically apply to the R7 zoning district. General information regarding bulk requirements is found in this section.

Table 22.16.040(P). 7 Units per Acre Zoning District (R7) Bulk Requirements

Residential Density ⁽¹⁾	
Maximum Allowed Residential Density	7 units per acre
Street Frontage ⁽¹⁾	
Minimum Street Frontage	40 feet
Minimum Street Frontage for Panhandle Lots	20 feet
Minimum Street Frontage for Cul-de-Sac Lots ⁽²⁾	40 feet

Minimum Street Frontage for Lots with Public Street Access from a Private Access Tract or Easement	20 feet
Lot Dimensions ⁽¹⁾	
Minimum Lot Width	40 feet
Yard Setbacks ⁽¹⁾	
Minimum Front Yard Setback Width to Living Space	10 feet
Minimum Front Yard Setback Width to Garage	20 feet
Minimum Side Yard Setback Width	5 feet per side
Minimum Rear Yard Setback Width	10 feet
Minimum Setback Width for Corner Lot Side Yards Abutting a Street ⁽³⁾	10 feet
Minimum Setback Width for Corner Lot Side Yards Not Abutting a Street ⁽³⁾	5 feet
Minimum Setback from Private Access Tracts	10 feet
Minimum Setback from Private Access Easements	10 feet
Lot Coverage ⁽¹⁾	
Maximum Lot Coverage	60%
Building Height ⁽¹⁾	
Maximum Building Height ⁽⁴⁾	35 feet

Table Notes:

- 1** See this section for more information regarding the bulk requirements in the above table.
- 2** Lots fronting onto a cul-de-sac shall meet the minimum lot width at the building setback line.
- 3** On a corner lot, the yard adjacent to the widest dimension of the lot abutting a street is a side yard. The opposite yard is also a side yard.
- 4** Exceptions to height limitations specified in MMC 22.16.040(G)(4).

Q. *Single-Family Residential – 15 Units per Acre Zoning District (R15)*. The following bulk requirements in Table 22.16.040(Q): 15 Units per Acre Zoning District (R7) Bulk Requirements specifically apply to the R15 zoning district. General information regarding bulk requirements is found in this section.

Table 22.16.040(Q). 15 Units per Acre Zoning District (R15) Bulk Requirements

Residential Density ⁽¹⁾	Detached Dwelling Units	Attached Dwelling Units
Maximum Allowed Residential Density	15 units per acre	15 units per acre

Street Frontage ⁽¹⁾	Detached Dwelling Units	Attached Dwelling Units
Minimum Street Frontage	40 feet	40 feet
Minimum Street Frontage for Panhandle Lots	20 feet	20 feet
Minimum Street Frontage for Cul-de-Sac Lots ⁽²⁾	40 feet	40 feet
Minimum Street Frontage for Lots with Public Street Access from a Private Access Tract or Easement	20 feet	20 feet
Lot Dimensions ⁽¹⁾	Detached Dwelling Units	Attached Dwelling Units
Minimum Lot Width	30 feet	30 feet
Yard Setbacks ⁽¹⁾	Detached Dwelling Units	Attached Dwelling Units
Minimum Front Yard Setback Width to Living Space	10 feet	10 feet
Minimum Front Yard Setback Width to Garage	20 feet	N/A
Minimum Side Yard Setback Width	5 feet per side	N/A
Minimum Side Yard Setback Width for Attached Dwelling Units on the Attached Side	N/A	0 feet
Minimum Side Yard Setback Width Attached Dwelling Units on a Side Abutting a ROW, Separate Detached Unit(s), or Different Zone	N/A	10 feet
Minimum Rear Yard Setback Width	10 feet	10 feet
Minimum Setback Width for Corner Lot Side Yards Abutting a Street ⁽³⁾	10 feet	10 feet
Minimum Setback Width for Corner Lot Side Yards Not Abutting a Street ⁽³⁾	10 feet	10 feet
Minimum Setback from Private Access Tracts	10 feet	10 feet
Minimum Setback from Private Access Easements	10 feet	10 feet
Lot Coverage ⁽¹⁾	Detached Dwelling Units	Attached Dwelling Units
Maximum Lot Coverage	60%	60%
Building Height ⁽¹⁾	Detached Dwelling Units	Attached Dwelling Units
Maximum Building Height ⁽⁴⁾	35 feet	35 feet

Table Notes:

- 1** See this section for more information regarding the bulk requirements in the above table.
- 2** Lots fronting onto a cul-de-sac shall meet the minimum lot width at the building setback line.
- 3** On a corner lot, the yard adjacent to the widest dimension of the lot abutting a street is a side yard. The opposite yard is also a side yard.
- 4** Exceptions to height limitations specified in MMC 22.16.040(G)(4).

**Amendments to Chapter 22.18 MMC
MULTIFAMILY RESIDENTIAL ZONING DISTRICT**

22.18.030 Land use.

Table 22.18.030. Land Use in the Multifamily Residential Zoning District

Conforming Use	Multifamily Residential – 25 Units per Acre (R25)
1. RESIDENTIAL LAND USES	
Dwelling Units, Attached	P
Dwelling Units, Temporary Security Guard	A
Group Homes	P
Halfway Houses	EPF
Home Occupations	A
Retirement Housing and Assisted Living Facilities	P
2. SERVICE LAND USES	
Health Care Services	
• Nursing and Residential Care Facilities	P
Parking Facilities	A
Social Services	
• Community Food Services	C
• Community Housing Services	C
• Emergency and Relief Services	C
• <u>Permanent Supportive Housing</u>	<u>P</u>
3. INSTITUTIONAL LAND USES	
Community Facilities	
• Religious Institutions	C
Educational Facilities	
• Schools, Colleges, Universities, and Professional	EPF
• Schools, Elementary and Secondary (K-12)	EPF
Government Facilities	
• Courts	C

Conforming Use	Multifamily Residential – 25 Units per Acre (R25)
• Fire Stations	C
• Government Administration Buildings	C
• Police Stations	C
• Public Works Maintenance and Storage Facilities	C
• U.S. Post Offices	C
4. PARKS, RECREATION, AND ENTERTAINMENT LAND USES	
Parks	
• Concessions	A
• Nonmotorized Trails	P
• Parks and Open Spaces	P
Recreational Facilities, Indoor	P
Recreational Facilities, Outdoor	A
5. INDUSTRIAL LAND USES	
Storage Facilities	
• Indoor (On-Site Only)	A
6. UTILITY AND TRANSPORTATION LAND USES	
Electric Vehicle Charging Stations (All Levels)	A
Major and Regional Utility Facilities	
• Regional Utility Corridors	C
Major and Regional Transportation Facilities	
• State and Regional Transportation Facilities	EPF
Minor Utility Facilities	P
Wireless Communications Facilities	P
7. UNCLASSIFIED LAND USES	
Accessory Structures	A
P = Permitted Use; A = Accessory Use; C = Requires a Conditional Use Permit; See Chapter 22.38 MMC for Requirements for Essential Public Facilities (EPF)	

Table Notes:

1 A land use not explicitly permitted by Table 22.18.030 is prohibited within the multifamily residential zoning district.

22.18.040 Bulk requirements.

B. *Street Frontage.* Street frontage shall be in compliance with the provisions of MMC 22.16.040(C) and subject to the applicable bulk requirements found in MMC ~~22.16.040~~ 22.18.040, Bulk requirements.

C. *Lot Dimensions.* Lot dimensions shall be in compliance with the provisions of MMC 22.16.040(D) and subject to the applicable bulk requirements found in MMC ~~22.16.040~~ 22.18.040, Bulk requirements.

D. *Yard Setbacks.* Required yard setbacks shall be in compliance with the provisions of MMC 22.16.040(E) and subject to the applicable bulk requirements found in MMC ~~22.16.040~~ 22.18.040, Bulk requirements.

E. *Lot Coverage.* Lot coverage shall be in compliance with the provisions of MMC 22.16.040(F) and subject to the applicable bulk requirements found in MMC ~~22.16.040~~ 22.18.040, Bulk requirements.

F. *Building Height.* Building height and its measurement shall be in compliance with the provisions of MMC 22.16.040(G) and subject to the applicable bulk requirements found in MMC ~~22.16.040~~ 22.18.040, Bulk requirements.

G. *Multifamily Residential – 25 Units per Acre (R25) Zoning District.* The following bulk requirements in Table 22.18.040(G): R25 Residential Zoning District Bulk Requirements specifically apply to the R25 multifamily residential zoning district. General information regarding bulk requirements is found in this section.

Table 22.18.040(G). R25 Residential Zoning District Bulk Requirements

Minimum Lot Area ⁽¹⁾	Attached Dwelling Units	Detached Dwelling Units	Nonresidential Uses
Minimum Lot Area	N/A	1,500 square feet	N/A
Residential Density ⁽¹⁾	Attached Dwelling Units	Detached Dwelling Units	Nonresidential Uses
Maximum Dwelling Units per Lot	N/A ⁽²⁾	1 dwelling unit	N/A
Minimum Number of Attached Units	3 dwelling units	N/A	N/A
Minimum Allowed Density	12 units per acre	12 units per acre	N/A
Maximum Allowed Density	25 units per acre	25 units per acre	N/A
Street Frontage ⁽¹⁾	Attached Dwelling Units	Detached Dwelling Units	Nonresidential Uses
Minimum Street Frontage	30 feet	25 feet	30 feet

Minimum Street Frontage for Panhandle Lots	20 feet	20 feet	20 feet
Minimum Street Frontage for Cul-de-Sac Lots	30 feet	25 feet	30 feet
Minimum Street Frontage for Lots with Public Street Access from a Private Access Tract or Easement	20 feet	20 feet	20 feet
Lot Dimensions ⁽¹⁾	Attached Dwelling Units	Detached Dwelling Units	Nonresidential Uses
Minimum Lot Width	30 feet	30 feet	30 feet
Yard Setbacks ⁽¹⁾	Attached Dwelling Units	Detached Dwelling Units	Nonresidential Uses
Minimum Front Yard Setback Width	10 feet	10 feet	10 feet
Minimum Side Yard Setback Width	10 feet	5 feet	10 feet
Minimum Side Yard Setback Width for Attached Dwelling Units on the Attached Side(s)	0 feet	N/A	N/A
Minimum Side Yard Setback Width Attached Dwelling Units on a Side Abutting a ROW, Separate Detached Unit(s), or Different Zone	10 feet	N/A	N/A
Minimum Setback Width for Corner Lot Side Yards Abutting a Street ⁽³⁾	10 feet	10 feet	10 feet
Minimum Setback Width for Corner Lot Side Yards Not Abutting a Street ⁽³⁾	10 feet	5 feet	10 feet
Minimum Rear Yard Setback Width	10 feet	10 feet	10 feet
Minimum Setback from Private Access Tracts	10 feet	10 feet	10 feet
Minimum Setback from Private Access Easements	10 feet	10 feet	10 feet
Lot Coverage ⁽¹⁾	Attached Dwelling Units	Detached Dwelling Units	Nonresidential Uses
Maximum Lot Coverage	80%	70%	80%

Building Height ⁽¹⁾	Attached Dwelling Units	Detached Dwelling Units	Nonresidential Uses
Maximum Building Height ⁽⁴⁾	45 feet	35 feet	45 feet

Table Notes:

1 See MMC 22.16.040, Bulk requirements, for more information regarding the bulk requirements in the above table.

2 The maximum number of attached dwelling units per lot is the maximum number of dwelling units permitted by the maximum allowed density for the specific zoning district in which the dwelling units are located.

3 On a corner lot, the yard adjacent to the widest dimension of the lot abutting a street is a side yard. The opposite yard is also a side yard.

4 Exceptions to height limitations specified in MMC 22.16.040(G)(4).

**Amendments to Chapter 22.20 MMC
MIXED USE ZONING DISTRICTS**

22.20.030 Land use.

A. *Land Use Matrix.* The following zoning matrix found in Table 22.20.030: Land Use in Mixed Use Zoning Districts summarizes land uses permitted in the mixed use – general (MG), mixed use – neighborhood (MN), and mixed use – medical (MM) zoning districts. A land use not explicitly permitted by Table 22.20.030 is prohibited.

Table 22.20.030. Land Use in the Mixed Use Zoning Districts

Conforming Use ⁽¹⁾	Mixed Use – Neighborhood (MN)	Mixed Use – Medical (MM)	Mixed Use – General (MG)
1. RESIDENTIAL LAND USES			
Dwelling Units, Attached	P		P
Dwelling Units, Temporary Security Guard	A	A	A
Group Homes			P
Halfway Houses			EPF
Home Occupations	A		A
Retirement Housing and Assisted Living Facilities	P		P
Work Release Facilities			EPF
2. COMMERCIAL LAND USES			
Building Material and Garden Supply Establishments			
• Hardware Stores	P		P
Food and Beverage Establishments			
• Bakeries	P		P
• Coffee Shops	P	A	P
• Convenience Stores	P	A	P
• Grocery Stores	P		P
• Liquor Stores	P		P
• Restaurants	P	A	P
• Tasting Rooms	P		P
• Taverns	P		P

Conforming Use ⁽¹⁾	Mixed Use – Neighborhood (MN)	Mixed Use – Medical (MM)	Mixed Use – General (MG)
Gas Stations			P
General Retail	P	A	P
Mobile Vendors	P	P	P
Motor Vehicle Sales Facilities			
• Automobiles and Trucks			P
• Motorsports Vehicles and Boats			P
• Recreational Vehicles (RV)			P
<u>Personal Services</u>	<u>P</u>	<u>A</u>	<u>P</u>
Pharmacies and Drug Stores	P	P	P
Warehouse Clubs and Supercenters			P
3. SERVICE LAND USES			
Business and Professional Services			
• Professional Offices	P		P
• Research and Development			P
• Technical Consulting Services	P		P
Day Care Services			
• Adult Day Services	A		A
• Child Care Centers		A	P
• Family Child Care Services	A		A
• Preschools	<u>C</u>		<u>P</u>
Financial and Insurance Services	P		P
General Services	P	C	P
Health Care Services			
• Diagnostic Imaging Centers	P	P	C
• Health Care Provider Offices	P	P	C
• Hospitals	EPF	EPF	EPF
• Inpatient Mental Health Treatment Facilities	P	P	C
• Inpatient Substance Abuse Treatment Facilities	P	P	C

Conforming Use ⁽¹⁾	Mixed Use – Neighborhood (MN)	Mixed Use – Medical (MM)	Mixed Use – General (MG)
• Medical Laboratories	P	P	C
• Nursing and Residential Care Facilities	P	P	P
• Outpatient Health Care Clinics	P	P	C
• Outpatient Mental Health Treatment Facilities	P	P	C
• Outpatient Substance Abuse Treatment Facilities	P	P	C
Membership Organizations	P		P
Parking Facilities	A	A	P
Rental and Leasing Services			
• Consumer Goods	P	P	P
• Motor Vehicles			P
• Tools, Machinery, and Equipment		P	P
Repair and Maintenance Services			
• All Other Repair and Maintenance	P		P
• Motor Vehicle Repair and Maintenance			C
Social Services			
• Community Food Services	C		C
• Community Housing Services	C		C
• Emergency and Relief Services	C		C
• Permanent Supportive Housing	C		P
Temporary Lodging Services			
• Bed and Breakfast Inns	P		P
• Hotels and Motels			C
Veterinary Clinics			P
4. INSTITUTIONAL LAND USES			
Community Facilities			
• Community-Oriented Open Air Market	P		P
• Religious Institutions	P	A	P
Educational Facilities			

Conforming Use ⁽¹⁾	Mixed Use – Neighborhood (MN)	Mixed Use – Medical (MM)	Mixed Use – General (MG)
• Schools, Colleges, Universities, and Professional	EPF	EPF	EPF
• Schools, Elementary and Secondary (K-12)	EPF	EPF	EPF
• Schools, Technical and Trade	P		P
• Vocational Rehabilitation Centers	P		P
Government Facilities			
• Courts	C	C	C
• Fire Stations	C	C	C
• Government Administration Buildings	C	C	C
• Police Stations	C	C	C
• Public Works Maintenance and Storage Facilities	C	C	C
• U.S. Post Offices	C	C	C
5. PARKS, RECREATION, AND ENTERTAINMENT LAND USES			
Entertainment Facilities			
• Arcades and Gaming Establishments			P
• Art Galleries	P		P
• Movie Theaters			P
Parks			
• Concessions	A		A
• Parks and Open Spaces	P	P	P
Fitness and Health Clubs, Indoor	P	A	P
Recreational Facilities, Indoor	P		P
Sports and Recreation Instruction, Indoor	P		P
6. INDUSTRIAL LAND USES			
Craft Manufacturing	P		P
Manufacturing and Processing			
• General Manufacturing			C

Conforming Use ⁽¹⁾	Mixed Use – Neighborhood (MN)	Mixed Use – Medical (MM)	Mixed Use – General (MG)
Storage Facilities			
• Indoor (On-Site Only)	A	A	A
• Outdoor (On-Site Only)			A
• Warehouses		A	A
7. UTILITY AND TRANSPORTATION LAND USES			
Electric Vehicle Charging Stations (All Levels)	A	A	A
Major and Regional Utility Facilities			
• Regional Utility Corridors	C	C	C
Major and Regional Transportation Facilities			
• Regional Transit Station	EPF	EPF	EPF
• School Bus Bases	C		C
• State and Regional Transportation Facilities	EPF	EPF	EPF
Minor Utility Facilities	P	P	P
Wireless Communications Facilities	P	P	P
8. UNCLASSIFIED LAND USES			
Accessory Structures	A	A	A
Mixed Use Developments	P	P	P
P = Permitted Use; A = Accessory Use; C = Requires a Conditional Use Permit; See Chapter 22.38 MMC for Requirements for Essential Public Facilities (EPF)			

Table Notes:

1 A land use not explicitly permitted by Table 22.20.030 is prohibited within all mixed use zoning districts.

22.20.040 Bulk requirements.

Bulk requirements, as provided in this chapter, establish density and dimensional standards for lots within mixed use zoning districts in the city. Bulk requirements include maximum lot coverage, maximum building height, minimum setbacks, and other similar standards. Bulk requirements, specified in MMC 22.16.040, apply to all lots within the mixed use – general (MG), mixed use – neighborhood (MN), and mixed use – medical (MM) zoning districts.

A. *Maximum Residential Density.* Table 22.20.040(A): Allowed Residential Density establishes the minimum and maximum residential densities for mixed use zoning districts. Residential density shall be calculated pursuant to MMC 22.16.040(B).

Table 22.20.040(A). Allowed Residential Density

Zoning District	Minimum Density	Maximum Density
Mixed Use – General (MG)	12 dwelling units per acre	25 dwelling units per acre
Mixed Use – Neighborhood (MN)	8 dwelling units per acre	16 dwelling units per acre
Mixed Use – Medical (MM)	N/A	N/A

B. *Street Frontage.* Street frontage shall be in compliance with the provisions of MMC 22.16.040(C) and subject to the applicable bulk requirements found in MMC ~~22.16.040~~ 22.20.040, Bulk requirements.

C. *Lot Dimensions.* Lot dimensions shall be in compliance with the provisions of MMC 22.16.040(D) and subject to the applicable bulk requirements found in MMC ~~22.16.040~~ 22.22.040, Bulk requirements.

D. *Yard Setbacks.* Required yard setbacks shall be in compliance with the provisions of MMC 22.16.040(E) and subject to the applicable bulk requirements found in MMC ~~22.16.040~~ 22.22.040, Bulk requirements.

E. *Lot Coverage.* Lot coverage shall be in compliance with the provisions of MMC 22.16.040(F) and subject to the applicable bulk requirements found in MMC ~~22.16.040~~ 22.20.040, Bulk requirements.

F. *Building Height.* Building height and its measurement shall be in compliance with the provisions of MMC 22.16.040(G) and subject to the applicable bulk requirements found in MMC ~~22.16.040~~ 22.20.040, Bulk requirements.

G. *Mixed Use – General Zoning District (MG).* The following bulk requirements in Table 22.20.040(G): Mixed Use – General Zoning District (MG) Bulk Requirements specifically apply to the MG zoning district. General information regarding bulk requirements is found in MMC 22.16.040, Bulk requirements.

Table 22.20.040(G). Mixed Use – General Zoning District (MG) Bulk Requirements

Residential Density ⁽¹⁾	Attached Dwelling Units	Detached Dwelling Units	Nonresidential Uses
Maximum Dwelling Units per Lot	N/A ⁽²⁾	1 dwelling unit	N/A
Minimum Number of Attached Units	3 dwelling units	N/A	N/A
Minimum Allowed Density	12 units per acre	12 units per acre	N/A
Maximum Allowed Density	25 units per acre	25 units per acre	N/A
Street Frontage ⁽¹⁾	Attached Dwelling Units	Detached Dwelling Units	Nonresidential Uses
Minimum Street Frontage	N/A	30 feet	N/A

Minimum Street Frontage for Panhandle Lots	20 feet	20 feet	20 feet
Minimum Street Frontage for Cul-de-Sac Lots	N/A	30 feet	N/A
Minimum Street Frontage for Lots with Public Street Access from a Private Access Tract or Easement	20 feet	20 feet	20 feet
Lot Dimensions ⁽¹⁾	Attached Dwelling Units	Detached Dwelling Units	Nonresidential Uses
Minimum Lot Width	N/A	30 feet	N/A
Yard Setbacks ⁽¹⁾	Attached Dwelling Units	Detached Dwelling Units	Nonresidential Uses
Minimum Front Yard Setback Width	10 feet	10 feet	10 feet
Minimum Side Yard Setback Width	5 feet	5 feet	5 feet
Minimum Side Yard Setback Width for Attached Dwelling Units on the Attached Side(s)	0 feet	N/A	N/A
Minimum Side Yard Setback Width Attached Dwelling Units on a Side Abutting a ROW, Separate Detached Unit(s), or Different Zone	10 feet	N/A	N/A
Minimum Setback Width for Corner Lot Side Yards Abutting a Street ⁽³⁾	10 feet	10 feet	10 feet
Minimum Setback Width for Corner Lot Side Yards Not Abutting a Street ⁽³⁾	5 feet	5 feet	5 feet
Minimum Rear Yard Setback Width	10 feet	10 feet	10 feet
Minimum Setback from Private Access Tracts	10 feet	10 feet	10 feet
Minimum Setback from Private Access Easements	10 feet	10 feet	10 feet
Lot Coverage ⁽¹⁾	Attached Dwelling Units	Detached Dwelling Units	Nonresidential Uses

Maximum Lot Coverage	100%	70%	100%
Building Height ⁽¹⁾	Attached Dwelling Units	Detached Dwelling Units	Nonresidential Uses
Maximum Building Height ⁽⁴⁾	45 feet	35 feet	45 feet

Table Notes:

1 See MMC 22.16.040, Bulk requirements, for more information regarding the bulk requirements in the above table.

2 The maximum number of attached dwelling units per lot is the maximum number of dwelling units permitted by the maximum allowed density for the specific zoning district in which the dwelling units are located.

3 On a corner lot, the yard adjacent to the widest dimension of the lot abutting a street is a side yard. The opposite yard is also a side yard.

4 Exceptions to height limitations specified in MMC 22.16.040(G)(4).

H. *Mixed Use – Neighborhood Zoning District (MN)*. The following bulk requirements in Table 22.20.040(H): Mixed Use – Neighborhood Zoning District (MN) Bulk Requirements specifically apply to the MN zoning district. General information regarding bulk requirements is found in MMC 22.16.040, Bulk requirements.

Table 22.20.040(H). Mixed Use – Neighborhood Zoning District (MN) Bulk Requirements

Residential Density ⁽¹⁾	Attached Dwelling Units	Detached Dwelling Units	Nonresidential Uses
Maximum Dwelling Units per Lot	N/A ⁽²⁾	1 dwelling unit	N/A
Minimum Number of Attached Units	3 dwelling units	N/A	N/A
Minimum Allowed Density	8 units per acre	8 units per acre	N/A
Maximum Allowed Density	16 units per acre	16 units per acre	N/A
Street Frontage ⁽¹⁾	Attached Dwelling Units	Detached Dwelling Units	Nonresidential Uses
Minimum Street Frontage	N/A	30 feet	N/A
Minimum Street Frontage for Panhandle Lots	20 feet	20 feet	20 feet
Minimum Street Frontage for Cul-de-Sac Lots	N/A	30 feet	N/A
Minimum Street Frontage for Lots with Public Street Access from a Private Access Tract or Easement	20 feet	20 feet	20 feet

Lot Dimensions ⁽¹⁾	Attached Dwelling Units	Detached Dwelling Units	Nonresidential Uses
Minimum Lot Width	N/A	30 feet	N/A
Yard Setbacks ⁽¹⁾	Attached Dwelling Units	Detached Dwelling Units	Nonresidential Uses
Minimum Front Yard Setback Width	10 feet	10 feet	10 feet
Minimum Side Yard Setback Width	5 feet	5 feet	5 feet
Minimum Side Yard Setback Width for Attached Dwelling Units on the Attached Side(s)	0 feet	N/A	N/A
Minimum Side Yard Setback Width Attached Dwelling Units on a Side Abutting a ROW, Separate Detached Unit(s), or Different Zone	10 feet	N/A	N/A
Minimum Setback Width for Corner Lot Side Yards Abutting a Street ⁽³⁾	10 feet	10 feet	10 feet
Minimum Setback Width for Corner Lot Side Yards Not Abutting a Street ⁽³⁾	10 feet	5 feet	10 feet
Minimum Rear Yard Setback Width	10 feet	10 feet	10 feet
Minimum Setback from Private Access Tracts	10 feet	10 feet	10 feet
Minimum Setback from Private Access Easements	10 feet	10 feet	10 feet
Lot Coverage ⁽¹⁾	Attached Dwelling Units	Detached Dwelling Units	Nonresidential Uses
Maximum Lot Coverage	80%	70%	80%
Building Height ⁽¹⁾	Attached Dwelling Units	Detached Dwelling Units	Nonresidential Uses
Maximum Building Height ⁽⁴⁾	45 feet	35 feet	45 feet

Table Notes:

1 See MMC 22.16.040, Bulk requirements, for more information regarding the bulk requirements in the above table.

2 The maximum number of attached dwelling units per lot is the maximum number of dwelling units permitted by the maximum allowed density for the specific zoning district in which the dwelling units are located.

3 On a corner lot, the yard adjacent to the widest dimension of the lot abutting a street is a side yard. The opposite yard is also a side yard.

4 Exceptions to height limitations specified in MMC 22.16.040(G)(4).

I. *Mixed Use – Medical Zoning District (MM)*. The following bulk requirements in Table 22.20.040(I): Mixed Use – Medical Zoning District (MM) Bulk Requirements specifically apply to the MM zoning district. General information regarding bulk requirements is found in MMC 22.16.040, Bulk requirements.

Table 22.20.040(I). Mixed Use – Medical Zoning District (MM) Bulk Requirements

Street Frontage ⁽¹⁾	
Minimum Street Frontage	N/A
Minimum Street Frontage for Panhandle Lots	20 feet
Minimum Street Frontage for Cul-de-Sac Lots	N/A
Minimum Street Frontage for Lots with Public Street Access from a Private Access Tract or Easement	20 feet
Minimum Lot Width ⁽¹⁾	
Minimum Lot Width	N/A
Yard Setbacks ⁽¹⁾	
Minimum Front Yard Setback Width	10 feet
Minimum Side Yard Setback Width	10 feet
Minimum Setback Width for Corner Lot Side Yards Abutting a Street ⁽²⁾	10 feet
Minimum Setback Width for Corner Lot Side Yards Not Abutting a Street ⁽²⁾	10 feet
Minimum Rear Yard Setback Width	10 feet
Minimum Setback from Private Access Tracts	10 feet
Minimum Setback from Private Access Easements	10 feet
Lot Coverage ⁽¹⁾	
Maximum Lot Coverage	80%
Building Height ⁽¹⁾	
Maximum Building Height ⁽³⁾	45 feet

Table Notes:

1 See MMC 22.16.040, Bulk requirements, for more information regarding the bulk requirements in the above table.

2 On a corner lot, the yard adjacent to the widest dimension of the lot abutting a street is a side yard. The opposite yard is also a side yard.

3 Exceptions to height limitations specified in MMC 22.16.040(G)(4).

**Amendments to Chapter 22.22 MMC
DOWNTOWN COMMERCIAL ZONING DISTRICT**

22.22.050 Land use.

A. *Land Use Matrix.* The following zoning matrix found in Table 22.22.050: Land Use in the Downtown Commercial Zoning District summarizes land uses permitted in the downtown commercial zoning district (DC). A land use not explicitly permitted by Table 22.22.050 is prohibited.

Table 22.22.050. Land Use in the Downtown Commercial Zoning District

Conforming Use ⁽¹⁾	DC – Residential (DC-RN)	DC – Historic Main (DC-HM)	DC – East Downtown (DC-ED)	DC – Downtown Promenade (DC-DTP)
1. RESIDENTIAL LAND USES				
Dwelling Units, Accessory	A ⁽²⁾	A ⁽²⁾		
Dwelling Units, Attached	P ⁽³⁾	P ⁽³⁾	P ⁽³⁾	C ⁽³⁾
Dwelling Units, Detached	P	C		
Dwelling Units, Temporary Security Guard	A	A	A	A
Group Homes	P	P		
Halfway Houses	EPF	EPF	EPF	
Home Occupations	P	P	<u>P</u>	
Assisted Living Facilities	P	P		
Retirement Housing	P	P		
2. COMMERCIAL LAND USES				
Building Material and Garden Supply Establishments				
• Hardware Stores		P ⁽⁵⁾	P ⁽⁵⁾	P ⁽⁵⁾
• Plant Nurseries		P	P	P
Food and Beverage Establishments				
• Bakeries		P	P	P
• Coffee Shops	A	P	P	P
• Convenience Stores		P	P	P
• Grocery Stores		P ⁽⁴⁾	P ⁽⁴⁾	P ⁽⁴⁾
• Liquor Stores		P	P	

Conforming Use ⁽¹⁾	DC – Residential (DC-RN)	DC – Historic Main (DC-HM)	DC – East Downtown (DC-ED)	DC – Downtown Promenade (DC-DTP)
• Restaurants		P	P	P
• Tasting Rooms		P	P	P
• Taverns		P	P	P
General Retail		P	P	P
Mobile Vendors		P ⁽⁶⁾	P ⁽⁶⁾	P ⁽⁶⁾
Motor Vehicle Sales Facilities				
• Motorsports Vehicles and Boats			P	
Pharmacies and Drug Stores		P	P	P
3. SERVICE LAND USES				
Business and Professional Services				
• Professional Offices	P	P	P	
• Technical Consulting Services	P	P	P	
Day Care Services				
• Adult Day Services	A	P	P	
• Child Care Centers		P	P	
• Family Child Care Services	A	P	P	
• Preschools			P	
General Services	C	P	P	
Health Care Services				
• Diagnostic Imaging Centers	C	C	C	
• Health Care Provider Offices	C	C	C	
• Medical Laboratories	C	C	C	
• Nursing and Residential Care Facilities		P	P	
• Outpatient Health Care Clinics	C	C	C	
• Outpatient Mental Health Treatment Facilities	C	C	C	
• Outpatient Substance Abuse Treatment Facilities	C	C	C	

Conforming Use ⁽¹⁾	DC – Residential (DC-RN)	DC – Historic Main (DC-HM)	DC – East Downtown (DC-ED)	DC – Downtown Promenade (DC-DTP)
Membership Organizations		P	P	
Parking Facilities		A	A	
Parking Facilities, Stand-Alone		C	C	
Personal Services		P	P	P
Rental and Leasing Services				
• Tools, Machinery, and Equipment			A	
Social Services				
• Community Food Services	P	P	P	
• Community Housing Services	P	P	P	
• Emergency and Relief Services	P	P	P	
• <u>Permanent Supportive Housing</u>	<u>C</u>	<u>P</u>	<u>P</u>	
Temporary Lodging Services				
• Bed and Breakfast Inns	C	C	P	
• Hotels		P	P	
• Motels		P	P	
Veterinary Clinics	C	C	P	
4. INSTITUTIONAL LAND USES				
Community Facilities				
• Community-Oriented Open Air Market	P	P	P	P
• Religious Institutions	C	C	P	
• Visitor Center		P	P	P
Educational Facilities				
• Schools, Colleges, Universities, and Professional	EPF	EPF	EPF	EPF
• Schools, Elementary and Secondary (K-12)	EPF	EPF	EPF	EPF

Conforming Use ⁽¹⁾	DC – Residential (DC-RN)	DC – Historic Main (DC-HM)	DC – East Downtown (DC-ED)	DC – Downtown Promenade (DC-DTP)
Government Facilities				
• Courts	C	C	C	C ⁽⁸⁾
• Fire Stations	C	C	C	
• Government Administration Buildings	C	C	C	C ⁽⁸⁾
• Police Stations	C	C	C	C ⁽⁸⁾
• Public Works Maintenance and Storage Facilities	C	C	C	
• U.S. Post Offices	C	C	C	C ⁽⁸⁾
5. PARKS, RECREATION, AND ENTERTAINMENT LAND USES				
Entertainment Facilities				
• Arcades and Gaming Establishments (Amusement Arcade)	P	P	P	P
• Art Galleries	P	P	P	P
• Art Studios	P	P	P	P
• Banquet/Conference/Event Facility (Major)		C	C	
• Banquet/Conference/Event Facility (Minor)	C	P	P	
• Libraries	P	P	P	P
• Museums	P	P	P	P
• Theaters	P	P ⁽⁷⁾	P	P ⁽⁷⁾
Parks				
• Concessions	A	A	A	A
• Parks and Open Spaces	P	P	P	P
Boutique Gym		C	P	
Fitness and Health Clubs, Indoor		C	P	
6. INDUSTRIAL LAND USES				
Craft Manufacturing		P	P	P

Conforming Use ⁽¹⁾	DC – Residential (DC-RN)	DC – Historic Main (DC-HM)	DC – East Downtown (DC-ED)	DC – Downtown Promenade (DC-DTP)
Storage Facilities				
• Indoor (On-Site Only)	A	A	A	A
7. UTILITY AND TRANSPORTATION LAND USES				
Electric Vehicle Charging Stations (All Levels)	A	A	A	A
Major and Regional Utility Facilities				
• Regional Utility Corridors	C	C	C	C
• Wastewater Treatment Plants	EPF			
Major and Regional Transportation Facilities				
• Regional Transit Station	EPF	EPF	EPF	
• State and Regional Transportation Facilities	EPF	EPF	EPF	
Minor Utility Facilities	P	P	P	P
Wireless Communications Facilities	P	P	P	P
8. UNCLASSIFIED LAND USES				
Accessory Structures	A	A	A	A
Mixed Use Developments	P	P	P	P
P = Permitted Use; A = Accessory Use; C = Requires a Conditional Use Permit; See Chapter 22.38 MMC for Requirements for Essential Public Facilities (EPF)				

Table Notes:

- 1 A land use not explicitly permitted by Table 22.22.050 is prohibited within the downtown commercial zone.
- 2 Accessory dwelling units are subject to the requirements of MMC 22.16.050.
- 3 In the downtown promenade, attached dwellings are only allowed in conjunction with mixed use structures.
- 4 Grocery stores shall not exceed thirty thousand square feet in gross floor area.
- 5 Hardware stores shall not exceed thirty thousand square feet in gross floor area.
- 6 Mobile vendors must meet the criteria outlined in MMC 22.60.040(B), Mobile Vendors.
- 7 Theaters shall not exceed thirty thousand square feet in gross floor area.

8 Conditional uses within the downtown promenade shall be open to the public a minimum of five days and totaling a minimum of twenty-five hours per week, except for holidays or extenuating circumstances.

22.22.060 Bulk requirements.

B. *Street Frontage.* Street frontage shall be in compliance with the provisions of MMC 22.16.040(C) and subject to the applicable bulk requirements found in MMC ~~22.16.040~~ 22.22.060, Bulk requirements.

C. *Lot Dimensions.* Lot dimensions shall be in compliance with the provisions of MMC 22.16.040(D) and subject to the applicable bulk requirements found in MMC ~~22.16.040~~ 22.22.060, Bulk requirements.

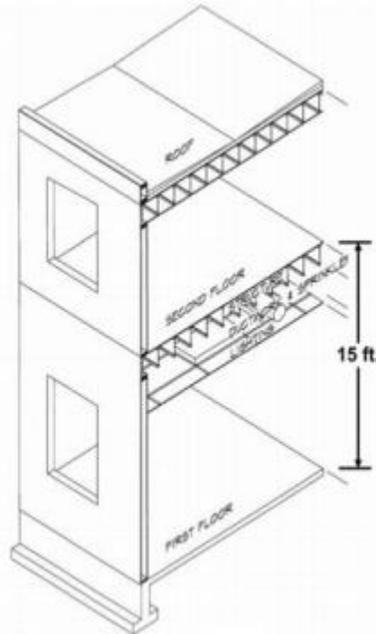
D. *Yard Setbacks.* Required yard setbacks shall be in compliance with the provisions of MMC 22.16.040(E) and subject to the applicable bulk requirements found in MMC ~~22.16.040~~ 22.22.060, Bulk requirements.

E. *Lot Coverage.* Lot coverage shall be in compliance with the provisions of MMC 22.16.040(F) and subject to the applicable bulk requirements found in MMC ~~22.16.040~~ 22.22.060, Bulk requirements.

F. *Building Height.* Building height and its measurement shall be in compliance with the provisions of MMC 22.16.040(G) and subject to the applicable bulk requirements found in MMC ~~22.16.040~~ 22.22.060, Bulk requirements.

G. *Ground Floor Height.* The minimum height of ground floor shall be measured from the top of floor to the top of the successive finished floor surface on applicable buildings, as illustrated in Figure 22.22.060(G): Minimum Ground Floor Height Diagram.

Figure 22.22.060(G). Minimum Ground Floor Height Diagram



H. *Downtown Commercial Neighborhood Bulk Requirements.* The following bulk requirements in Table 22.22.060(H): Downtown Commercial Bulk Requirements by Neighborhood apply specifically to the downtown commercial zoning district

neighborhood identified. The downtown commercial neighborhoods are delineated in MMC 22.22.040. General information regarding bulk requirements is found in MMC 22.16.040, Bulk requirements.

Table 22.22.060(H). Downtown Commercial Bulk Requirements by Neighborhood

Bulk Requirements ^{(1), (2)}	Residential Neighborhood	Historic Main Area ⁽⁵⁾	East Downtown Neighborhood	Downtown Promenade
Minimum Lot Area	4,000 sq. ft. for office uses	N/A	N/A	N/A
Minimum Street Frontage	20 feet	20 feet	20 feet	20 feet
Minimum Lot Width	20 feet	20 feet	20 feet	20 feet
Maximum Lot Coverage	75%	N/A	85%	N/A
Landscaping Requirements	Per Chapter 22.46 MMC	Per Chapter 22.46 MMC	Per Chapter 22.46 MMC	Per Chapter 22.46 MMC
Parking Requirements	Per Chapter 22.44 MMC	Per Chapter 22.44 MMC	Per Chapter 22.44 MMC	Per Chapter 22.44 MMC
Yard Setbacks	Residential Neighborhood	Historic Main Area ⁽⁵⁾	East Downtown Neighborhood	Downtown Promenade
Minimum Front Yard Setback Width to Living Space	10 feet	N/A	N/A	N/A
Minimum Front Yard Setback Width to Garage	20 feet	N/A	N/A	N/A
Minimum Front Yard Setback Width to Office Buildings	20 feet	N/A	N/A	N/A
Minimum Side Yard Setback Width	First story: 5 ft. Each story above the first: an additional 2 ft. per story	Per IBC and IFC	Per IBC and IFC	Per IBC and IFC
Minimum Rear Yard Setback Width	First story: 5 ft. Each story above the first: an additional 2 ft. per story	Per IBC and IFC	Per IBC and IFC	Per IBC and IFC
Minimum Setback Width from a ROW	10 feet	N/A	N/A	N/A

Minimum Setback from Private Access Tracts	10 feet	N/A	N/A	N/A
Minimum Setback from Private Access Easements	10 feet	N/A	N/A	N/A
Floor Area Ratio (FAR)	Residential Neighborhood	Historic Main Area⁽⁵⁾	East Downtown Neighborhood	Downtown Promenade
Maximum Floor Area Ratio (FAR)	N/A	1.7:1	1.7:1	1.7:1
Bonus FAR for Residential Uses	N/A	0.5 ⁽²⁾	0.5 ⁽²⁾	0.5 ⁽²⁾
Bonus FAR for Underground Parking	N/A	0.5 ⁽⁷⁾	0.5 ⁽⁷⁾	0.5 ⁽⁷⁾
Building Height	Residential Neighborhood	Historic Main Area⁽⁵⁾	East Downtown Neighborhood	Downtown Promenade
Maximum Building Height ⁽⁸⁾	35 feet	35 feet ⁽⁴⁾	35 feet ⁽⁴⁾	35 feet ⁽⁴⁾
Maximum Height for Mixed Use Buildings ⁽⁸⁾	N/A	55 feet ⁽⁶⁾	55 feet ⁽⁶⁾	55 feet ⁽⁶⁾
Minimum First Story Height for Mixed Use Buildings	N/A	15 feet ⁽³⁾	15 feet ⁽³⁾	15 feet ⁽³⁾

Table Notes:

- 1** See MMC 22.16.040, Bulk requirements, for more information regarding the bulk requirements in the above table.
- 2** If a structure is mixed use, a minimum of one story must be dedicated to residential use.
- 3** Minimum height of ground floor shall be as illustrated in Figure 22.22.060(G): Minimum Ground Floor Height Diagram.
- 4** Mixed use structures may achieve a maximum height bonus of twenty feet.
- 5** New single-family development in the historic main area will follow the bulk requirements for the residential neighborhood.
- 6** Portions of the building greater than thirty-five feet in height must be stepped back a minimum of five feet from the front facade.
- 7** The bonus FAR of 0.5 is only available for buildings which provide one full level of parking below grade.
- 8** Exceptions to height limitations specified in MMC 22.16.040(G)(4).

**Amendments to Chapter 22.24 MMC
TOURIST COMMERCIAL ZONING DISTRICT**

22.24.030 Land use.

A. *Land Use Matrix.* The following zoning matrix found in Table 22.24.030: Land Use in the Tourist Commercial Zoning District summarizes land uses permitted in the tourist commercial zoning district. A land use not explicitly permitted by Table 22.24.030 is prohibited within the tourist commercial zoning district.

Table 22.24.030. Land Use in the Tourist Commercial Zoning District

Conforming Use	Tourist Commercial (TC)
1. RESIDENTIAL LAND USES	
Dwelling Units, Temporary Security Guard	A
Retirement Housing and Assisted Living Facilities	P
2. COMMERCIAL LAND USES	
Food and Beverage Establishments	
• Bakeries	A
• Coffee Shops	P
• Convenience Stores	A
• Restaurants	P
• Taverns	P
Gas Stations	P
General Retail	A
Mobile Vendors	P
Pharmacies and Drug Stores	P
3. SERVICE LAND USES	
Parking Facilities	A
<u>Social Services</u>	
• <u>Permanent Supportive Housing</u>	<u>C</u>
Temporary Lodging Services	
• Bed and Breakfast Inns	P
• Hotels and Motels	P
4. INSTITUTIONAL LAND USES	
Community Facilities	

Conforming Use	Tourist Commercial (TC)
• Community Centers	C
• Religious Institutions	C
Educational Facilities	
• Schools, Colleges, Universities, and Professional	EPF
• Schools, Elementary and Secondary (K-12)	EPF
• Schools, Technical and Trade	P
• Vocational Rehabilitation Centers	P
Government Facilities	
• Courts	P
• Fire Stations	P
• Government Administration Buildings	P
• Police Stations	P
• Public Works Maintenance and Storage Facilities	P
• U.S. Post Offices	P
5. PARKS, RECREATION, AND ENTERTAINMENT LAND USES	
Parks	
• Concessions	A
• Nonmotorized Trails	P
• Parks and Open Spaces	P
• Public Stables	P
Fitness and Health Clubs, Indoor	P
Recreational Facilities, Indoor	P
Recreational Facilities, Outdoor	P
Sports and Recreation Instruction, Indoor	P
6. INDUSTRIAL LAND USES	
Craft Manufacturing	P
Storage Facilities	
• Indoor (On-Site Only)	A
7. UTILITY AND TRANSPORTATION LAND USES	
Electric Vehicle Charging Stations (All Levels)	A

Conforming Use	Tourist Commercial (TC)
Major and Regional Utility Facilities	
• Regional Utility Corridors	C
Major and Regional Transportation Facilities	
• Airports	EPF
• Regional Transit Station	EPF
• School Bus Bases	P
• State and Regional Transportation Facilities	EPF
Minor Utility Facilities	P
Wireless Communications Facilities	P
8. UNCLASSIFIED LAND USES	
Accessory Structures	A
P = Permitted Use; A = Accessory Use; C = Requires a Conditional Use Permit; See Chapter 22.38 MMC for Requirements for Essential Public Facilities (EPF)	

Table Notes:

- 1 A land use not explicitly permitted by Table 22.24.030 is prohibited within the tourist commercial zoning district.
- 2 Development in the tourist commercial zoning district is subject to the applicable provisions of Chapter 22.54 MMC, Airport Compatibility.

22.24.040 Bulk requirements.

Bulk requirements, as provided in this chapter, establish density and dimensional standards for lots within tourist commercial zoning district in the city. Bulk requirements include maximum lot coverage, maximum building height, minimum setbacks, and other similar standards. Bulk requirements, specified in MMC 22.16.040, apply to all lots within the tourist commercial zoning district.

- A. *Minimum Lot Area.* The minimum area for lots in the tourist commercial zoning district is five thousand square feet.
- B. *Street Frontage.* Street frontage shall be in compliance with the provisions of MMC 22.16.040(C) and subject to the applicable bulk requirements found in MMC ~~22.16.040~~22.24.040, Bulk requirements.
- C. *Lot Dimensions.* Lot dimensions shall be in compliance with the provisions of MMC 22.16.040(D) and subject to the applicable bulk requirements found in MMC ~~22.16.040~~22.24.040, Bulk requirements.
- D. *Yard Setbacks.* Required yard setbacks shall be in compliance with the provisions of MMC 22.16.040(E) and subject to the applicable bulk requirements found in MMC ~~22.16.040~~22.24.040, Bulk requirements.

E. *Lot Coverage*. Lot coverage shall be in compliance with the provisions of MMC 22.16.040(F) and subject to the applicable bulk requirements found in MMC ~~22.16.040~~22.24.040, Bulk requirements.

F. *Building Height*. Building height and its measurement shall be in compliance with the provisions of MMC 22.16.040(G) and subject to the applicable bulk requirements found in MMC ~~22.16.040~~22.24.040, Bulk requirements.

G. *Tourist Commercial Zoning District (TC)*. The following bulk requirements in Table 22.24.040(G): Tourist Commercial Zoning District (TC) Bulk Requirements specifically apply to the TC zoning district. General information regarding bulk requirements is found in MMC 22.16.040, Bulk requirements.

Table 22.24.040(G). Tourist Commercial Zoning District (TC) Bulk Requirements

Minimum Lot Area ⁽¹⁾	
Minimum Lot Area	5,000 square feet
Street Frontage ⁽¹⁾	
Minimum Street Frontage	70 feet
Minimum Street Frontage for Panhandle Lots	20 feet
Minimum Street Frontage for Cul-de-Sac Lots	70 feet
Minimum Street Frontage for Lots with Public Street Access from a Private Access Tract or Easement	20 feet
Minimum Lot Width ⁽¹⁾	
Minimum Lot Width	70 feet
Yard Setbacks ⁽¹⁾	
Minimum Front Yard Setback Width – Adjacent to TC Zone	20 feet
Minimum Side Yard Setback Width – Adjacent to TC Zone	5 feet
Minimum Rear Yard Setback Width – Adjacent to TC Zone	10 feet
Minimum Front Yard Setback Width – Adjacent to Non-TC Zone	20 feet
Minimum Side Yard Setback Width – Adjacent to Non-TC Zone	20 feet
Minimum Rear Yard Setback Width – Adjacent to Non-TC Zone	20 feet
Minimum Setback from Private Access Tracts	10 feet
Minimum Setback from Private Access Easements	10 feet
Lot Coverage ⁽¹⁾	
Maximum Lot Coverage	100%
Building Height ⁽¹⁾	
Maximum Building Height ⁽³⁾	35 feet

Table Notes:

1 See MMC 22.16.040, Bulk requirements, for more information regarding the bulk requirements in the above table.

2 Development in the tourist commercial zoning district is subject to the applicable provisions of Chapter 22.54 MMC, Airport Compatibility.

3 Exceptions to height limitations specified in MMC 22.16.040(G)(4).

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**Amendments to Chapter 22.26 MMC
GENERAL COMMERCIAL ZONING DISTRICTS**

22.26.030 North Kelsey/Tjerne Place overlay district.

All properties located within the North Kelsey/Tjerne Place overlay district (NK/TP-O) shall have a base zoning designation of general commercial. The North Kelsey/Tjerne Place overlay district ~~allows for residential uses in the vicinity of Tjerne Place~~ ~~consists of approximately one hundred acres of land located north of SR 2, south of the proposed SR 2 bypass, east of the SR 522 overpass, and west of Chain Lake Road.~~

A. *Design Guidelines.* All development within the North Kelsey/Tjerne Place overlay district shall comply with the North Kelsey Design Guidelines in addition to the applicable requirements of Chapter 22.42 MMC, Design Standards.

22.26.040 Land use.

A. *Land Use Matrix.* The following zoning matrix found in Table 22.26.040: Land Use in General Commercial Zoning Districts summarizes land uses permitted in the general commercial (GC) zoning district, industrial transition (IT) zoning district, and the North Kelsey/Tjerne Place overlay district (NK/TP-O). A land use not explicitly permitted by Table 22.26.040 is prohibited.

Table 22.26.040. Land Use in General Commercial Zoning Districts

Conforming Use	General Commercial (GC)	North Kelsey/Tjerne Place Overlay (NK/TP-O)	Industrial Transition (IT)
1. RESIDENTIAL LAND USES			
Dwelling Units, Attached		P	
Dwelling Units, Temporary Security Guard	A	A	A
Home Occupations		P	
Retirement Housing and Assisted Living Facilities		P	
2. COMMERCIAL LAND USES			
Building Material and Garden Supply Establishments			
• Hardware Stores	P	P	P
• Home Improvement Centers	P	P	P
• Plant Nurseries	A	A	P
Department Stores	P	P	P
Food and Beverage Establishments			

Conforming Use	General Commercial (GC)	North Kelsey/Tjerne Place Overlay (NK/TP-O)	Industrial Transition (IT)
• Bakeries	P	P	P
• Coffee Shops	P	P	P
• Convenience Stores	P	P	P
• Grocery Stores	P	P	P
• Liquor Stores	P	P	P
• Restaurants	P	P	P
• Tasting Rooms	P	P	P
• Taverns	P	P	P
Gas Stations	P		P
General Retail	P	P	P
Mobile Vendors	P	P	P
Motor Vehicle Sales Facilities			
• Automobiles and Trucks	P		P
• Motorsports Vehicles and Boats	P		
• Recreational Vehicles (RV)	P		
Pharmacies and Drug Stores	P	P	P
Warehouse Clubs and Supercenters	P		P
3. SERVICE LAND USES			
Business and Professional Services			
• Professional Offices	P	P	P
• Research and Development			P
• Technical Consulting Services	P	P	P
Day Care Services			
• Child Care Centers	C	P	C
• Preschools	P	P	
Financial and Insurance Services	P	P	P
General Services	P	P	
Health Care Services			
• Diagnostic Imaging Centers	P	P	P

Conforming Use	General Commercial (GC)	North Kelsey/Tjerne Place Overlay (NK/TP-O)	Industrial Transition (IT)
• Health Care Provider Offices	P	P	P
• Hospitals	EPF		
• Inpatient Mental Health Treatment Facilities	C	C	C
• Inpatient Substance Abuse Treatment Facilities	C	C	C
• Medical Laboratories	P	P	P
• Nursing and Residential Care Facilities	P	P	
• Outpatient Health Care Clinics	P	P	P
• Outpatient Mental Health Treatment Facilities	P	P	P
• Outpatient Substance Abuse Treatment Facilities	P	P	P
Membership Organizations	P		P
Parking Facilities	A	A	A
Personal Services	P	P	P
Rental and Leasing Services			
• Consumer Goods	P	P	P
• Motor Vehicles	P		P
• Tools, Machinery, and Equipment	P	A	P
Repair and Maintenance Services			
• All Other Repair and Maintenance	P	P	P
• Motor Vehicle Repair and Maintenance	P		P
Social Services			
• Community Food Services	C		C
• Community Housing Services	C		C
• Emergency and Relief Services	C	C	C
• <u>Permanent Supportive Housing</u>	<u>P</u>	<u>C</u>	<u>P</u>
Temporary Lodging Services			
• Hotels and Motels	P	P	P

Conforming Use	General Commercial (GC)	North Kelsey/Tjerne Place Overlay (NK/TP-O)	Industrial Transition (IT)
• Recreational Vehicle (RV) Parks			C
Veterinary Clinics	C		P
4. INSTITUTIONAL LAND USES			
Community Facilities			
• Animal Shelter			P
• Community Centers	C	C	C
• Community-Oriented Open Air Market	P	P	
• Religious Institutions	P	C	P
Educational Facilities			
• Schools, Colleges, Universities, and Professional	EPF	EPF	EPF
• Schools, Elementary and Secondary (K-12)	EPF	EPF	EPF
• Schools, Technical and Trade	P		P
• Vocational Rehabilitation Centers	P		P
Government Facilities			
• Courts	P		P
• Fire Stations	P		P
• Government Administration Buildings	P		P
• Police Stations	P		P
• Public Works Maintenance and Storage Facilities	P		P
• U.S. Post Offices	P		P
5. PARKS, RECREATION, AND ENTERTAINMENT LAND USES			
Entertainment Facilities			
• Arcades and Gaming Establishments	P	P	
• Art Galleries	P	P	
• Libraries	P	P	
• Movie Theaters	P	P	
• Museums	P	P	

Conforming Use	General Commercial (GC)	North Kelsey/Tjerne Place Overlay (NK/TP-O)	Industrial Transition (IT)
• Theaters	P	P	
• Zoos, Botanical Gardens, and Arboretums	P	P	
Parks			
• Concessions	A	A	A
• Nonmotorized Trails	P	P	P
• Parks and Open Spaces	P	P	P
Fitness and Health Clubs, Indoor	P		P
Boutique Gym	P	P	P
Recreational Facilities, Indoor	P	P	P
Recreational Facilities, Outdoor	P		P
Sports and Recreation Instruction, Indoor	P	P	P
6. INDUSTRIAL LAND USES			
Craft Manufacturing			P
Manufacturing and Processing			
• General Manufacturing			P
Storage Facilities			
• Indoor (On-Site Only)	A	A	A
• Mini Self-Storage			P
• Outdoor (On-Site Only)	A ⁽²⁾	A ⁽²⁾	A ⁽²⁾
• Warehouses			P
7. UTILITY AND TRANSPORTATION LAND USES			
Electric Vehicle Charging Stations (All Levels)	A	A	A
Major and Regional Utility Facilities			
• Regional Utility Corridors	C	C	C
Major and Regional Transportation Facilities			
• Regional Transit Station	EPF	EPF	EPF

Conforming Use	General Commercial (GC)	North Kelsey/Tjerne Place Overlay (NK/TP-O)	Industrial Transition (IT)
• School Bus Bases	P		P
• State and Regional Transportation Facilities	EPF	EPF	EPF
Minor Utility Facilities	P	P	P
Wireless Communications Facilities	P	P	P
8. UNCLASSIFIED LAND USES			
Accessory Structures	A	A	A
Mixed Use Developments		P	P
P = Permitted Use; A = Accessory Use; C = Requires a Conditional Use Permit; See Chapter 22.38 MMC for Requirements for Essential Public Facilities (EPF)			

Table Notes:

1 A land use not explicitly permitted by Table 22.26.040 is prohibited within all general commercial zoning districts.

2 Outdoor storage is only permitted as an accessory use to the principal use on a specific site and shall not occupy more than fifty percent of the gross site area in the industrial transition zone and twenty-five percent in all other general commercial zones. Outdoor storage shall not be allowed as a primary use in the general commercial zoning district.

3 Development in the general commercial zoning districts is subject to the applicable provisions of Chapter 22.54 MMC, Airport Compatibility.

22.26.050 Bulk requirements.

Bulk requirements, as provided in this chapter, establish density and dimensional standards for lots within general commercial zoning districts in the city. Bulk requirements include maximum lot coverage, maximum building height, minimum setbacks, and other similar standards. Bulk requirements, specified in ~~MMC 22.16.040~~ 22.26.050 apply to all lots within the general commercial zoning districts.

A. *Maximum Residential Density.* Table 22.26.050(A): Allowed Residential Density establishes the maximum density for general commercial zoning districts. Maximum density shall be calculated pursuant to MMC 22.16.040(B).

Table 22.26.050(A). Allowed Residential Density

Zoning District	Maximum Density
North Kelsey/Tjerne Place Overlay District	26 dwelling units per acre

B. *Street Frontage.* Street frontage shall be in compliance with the provisions of MMC 22.16.040(C) and subject to the applicable bulk requirements found in ~~MMC 22.16.040(G)~~ 22.26.050, Bulk requirements, and the following:

1. Lots within the general commercial zoning districts are not required to front onto a street. However, adequate access, as determined by the city, shall be provided via a panhandle, vehicular access easement, or vehicular access tract.
2. Buildings located on lots without street frontage in the general commercial zoning districts shall be oriented consistent with the prevailing front yard pattern on adjoining lots.

C. *Lot Dimensions.* Lot dimensions shall be in compliance with the provisions of MMC 22.16.040(D) and subject to the applicable bulk requirements found in ~~MMC 22.16.040(G)~~ 22.26.050, Bulk requirements.

D. *Yard Setbacks.* Required yard setbacks shall be in compliance with the provisions of MMC 22.16.040(E) and subject to the applicable bulk requirements found in ~~MMC 22.16.040(G)~~ 22.26.050, Bulk requirements.

E. *Lot Coverage.* Lot coverage shall be in compliance with the provisions of MMC 22.16.040(F) and subject to the applicable bulk requirements found in ~~MMC 22.16.040(G)~~ 22.26.050, Bulk requirements.

F. *Building Height.* Building height and its measurement shall be in compliance with the provisions of MMC 22.16.040(G) and subject to the applicable bulk requirements found in ~~MMC 22.16.040(G)~~ 22.26.050, Bulk requirements.

G. *General Commercial Zoning District and Overlay.* The following bulk requirements in Table 22.26.050(G): General Commercial Zoning District Bulk Requirements specifically apply to the general commercial zoning district (GC) and North Kelsey/Tjerne Place overlay district (NK/TP-O). General information regarding bulk requirements is found in MMC 22.16.040, Bulk requirements.

Table 22.26.050(G). General Commercial Zoning District Bulk Requirements

Minimum Residential Density ^{(1), (2)}	General Commercial (GC)	North Kelsey/Tjerne Place Overlay (NK/TP-O)
Maximum Residential Density	N/A	26 dwelling units per acre
Street Frontage ^{(1), (2)}	General Commercial (GC)	North Kelsey/Tjerne Place Overlay (NK/TP-O)
Minimum Street Frontage	N/A	N/A
Minimum Street Frontage for Panhandle Lots	20 feet	20 feet
Minimum Street Frontage for Lots with Public Street Access from a Private Access Tract or Easement	20 feet	20 feet

Lot Dimensions ^{(1), (2)}	General Commercial (GC)	North Kelsey/Tjerne Place Overlay (NK/TP-O)
Minimum Lot Width	N/A	N/A
Yard Setbacks ^{(1), (2)}	General Commercial (GC)	North Kelsey/Tjerne Place Overlay (NK/TP-O)
Minimum Front Yard Setback Width	0 feet	0 feet
Minimum Side Yard Setback Width	0 feet	0 feet
Minimum Separation between Structures	10 feet	10 feet
Minimum Rear Yard Setback Width	10 feet	10 feet
Minimum Front Yard Setback – Abutting Residential Zones	20 feet	20 feet
Minimum Side Yard Setback – Abutting Residential Zones	10 feet	10 feet
Minimum Rear Yard Setback – Abutting Residential Zones	20 feet	20 feet
Minimum Setback from Private Access Tracts	10 feet	10 feet
Minimum Setback from Private Access Easements	10 feet	10 feet
Lot Coverage ^{(1), (2)}	General Commercial (GC)	North Kelsey/Tjerne Place Overlay (NK/TP-O)
Maximum Lot Coverage	100%	100%
Building Height ^{(1), (2)}	General Commercial (GC)	North Kelsey/Tjerne Place Overlay (NK/TP-O)
Maximum Building Height ⁽³⁾	45 feet	<ul style="list-style-type: none"> • 65 feet for residential uses • 45 feet for all other uses

Table Notes:

1 See MMC 22.16.040, Bulk requirements, for more information regarding the bulk requirements in the above table.

2 Development in the general commercial zoning district and North Kelsey/Tjerne Place overlay district is subject to the applicable provisions of Chapter 22.54 MMC, Airport Compatibility.

3 Exceptions to height limitations specified in MMC 22.16.040(G)(4).

H. *Industrial Transition Zoning District (IT)*. The following bulk requirements in Table 22.26.050(H): Industrial Transition Zoning District Bulk Requirements specifically apply to the IT zoning district. General information regarding bulk requirements is found in MMC 22.16.040, Bulk requirements.

Table 22.26.050(H). Industrial Transition Zoning District Bulk Requirements

Street Frontage ^{(1), (2)}	
Minimum Street Frontage	N/A
Minimum Street Frontage for Panhandle Lots	20 feet
Minimum Street Frontage for Lots with Public Street Access from a Private Access Tract or Easement	20 feet
Lot Dimensions ^{(1), (2)}	
Minimum Lot Width	N/A
Yard Setbacks ^{(1), (2)}	
Minimum Front Yard Setback Width	20 feet
Minimum Side Yard Setback Width	10 feet
Minimum Separation between Structures	10 feet
Minimum Rear Yard Setback Width	10 feet
Minimum Front Yard Setback – Abutting Residential Zoning Districts	20 feet
Minimum Side Yard Setback – Abutting Residential Zoning Districts	10 feet
Minimum Rear Yard Setback – Abutting Residential Zoning Districts	20 feet
Minimum Setback from Private Access Tracts	10 feet
Minimum Setback from Private Access Easements	10 feet
Lot Coverage ^{(1), (2)}	
Maximum Lot Coverage	100%
Building Height ^{(1), (2)}	
Maximum Building Height ⁽²⁾⁽³⁾	65 feet

Table Notes:

1 See MMC 22.16.040, Bulk requirements, for more information regarding the bulk requirements in the above table.

2 Development in the industrial transition zoning district is subject to the applicable provisions of Chapter 22.54 MMC, Airport Compatibility.

3 Exceptions to height limitations specified in MMC 22.16.040(G)(4).

**Amendments to Chapter 22.28 MMC
INDUSTRIAL ZONING DISTRICTS**

22.28.040 Bulk requirements.

Bulk requirements, as provided in this chapter, establish density and dimensional standards for lots within industrial zoning districts in the city. Bulk requirements include maximum lot coverage, maximum building height, minimum setbacks, and other similar standards. Bulk requirements, specified in MMC 22.16.040, apply to all lots within the light industrial (LI), general industrial (GI), and shoreline industrial (SI) zoning districts, as well as the Fryelands commercial overlay district (FC-O).

A. *Minimum Lot Area.* The minimum area for lots in industrial zoning districts is five thousand square feet each.

B. *Street Frontage.* Street frontage shall be in compliance with the provisions of MMC 22.16.040(C) and subject to the applicable bulk requirements found in MMC ~~22.16.040~~22.28.040, Bulk requirements.

C. *Lot Dimensions.* Lot dimensions shall be in compliance with the provisions of MMC 22.16.040(D) and subject to the applicable bulk requirements found in MMC ~~22.16.040~~22.28.040, Bulk requirements.

D. *Yard Setbacks.* Required yard setbacks shall be in compliance with the provisions of MMC 22.16.040(E) and subject to the applicable bulk requirements found in MMC ~~22.16.040~~22.28.040, Bulk requirements.

E. *Lot Coverage.* Lot coverage shall be in compliance with the provisions of MMC 22.16.040(F) and subject to the applicable bulk requirements found in MMC ~~22.16.040~~22.28.040, Bulk requirements.

F. *Building Height.* Building height and its measurement shall be in compliance with the provisions of MMC 22.16.040(G) and subject to the applicable bulk requirements found in MMC ~~22.16.040~~ 22.28.040, Bulk requirements.

G. *Fryelands Commercial Overlay District (FC-O).* The following bulk requirements in Table 22.28.040(G): Fryelands Commercial Overlay District (FC-O) Bulk Requirements specifically apply to the FC-O overlay district. General information regarding bulk requirements is found in MMC 22.16.040, Bulk requirements.

Table 22.28.040(G). Fryelands Commercial Overlay District (FC-O) Bulk Requirements

Minimum Lot Area ⁽¹⁾	
Minimum Lot Area	5,000 square feet
Street Frontage ⁽¹⁾	
Minimum Street Frontage	N/A
Minimum Street Frontage for Panhandle Lots	20 feet
Minimum Street Frontage for Lots with Public Street Access from a Private Access Tract or Easement	20 feet
Lot Dimensions ⁽¹⁾	

Minimum Lot Width	N/A
Yard Setbacks ⁽¹⁾	
Minimum Front Yard Setback Width	20 feet
Minimum Side Yard Setback Width	10 feet
Minimum Rear Yard Setback Width	10 feet
Minimum Front Yard Setback Width from Residential Zones and Residential Uses	25 feet
Minimum Side Yard Setback Width from Residential Zones and Residential Uses	25 feet
Minimum Rear Yard Setback Width from Residential Zones and Residential Uses	25 feet
Minimum Setback from Private Access Tracts	10 feet
Minimum Setback from Private Access Easements	10 feet
Lot Coverage ⁽¹⁾	
Maximum Lot Coverage	100%
Building Height ⁽¹⁾	
Maximum Building Height ⁽²⁾	35 feet

Table Notes:

1 See MMC 22.16.040, Bulk requirements, for more information regarding the bulk requirements in the above table.

2 Exceptions to height limitations specified in MMC 22.16.040(G)(4).

H. *Light Industrial Zoning District (LI)*. The following bulk requirements in Table 22.28.040(H): Light Industrial Zoning District (LI) Bulk Requirements specifically apply to the LI zoning district. General information regarding bulk requirements is found in MMC 22.16.040, Bulk requirements.

Table 22.28.040(H). Light Industrial Zoning District (LI) Bulk Requirements

Minimum Lot Area ⁽¹⁾	
Minimum Lot Area	5,000 square feet
Street Frontage ⁽¹⁾	
Minimum Street Frontage	N/A
Minimum Street Frontage for Panhandle Lots	20 feet
Minimum Street Frontage for Lots with Public Street Access from a Private Access Tract or Easement	20 feet
Lot Dimensions ⁽¹⁾	

Minimum Lot Width	N/A
Yard Setbacks ⁽¹⁾	
Minimum Front Yard Setback Width	20 feet
Minimum Side Yard Setback Width	10 feet
Minimum Rear Yard Setback Width	10 feet
Minimum Front Yard Setback Width from Residential Zones and Residential Uses	25 feet
Minimum Side Yard Setback Width from Residential Zones and Residential Uses	25 feet
Minimum Rear Yard Setback Width from Residential Zones and Residential Uses	25 feet
Minimum Setback from Private Access Tracts	10 feet
Minimum Setback from Private Access Easements	10 feet
Lot Coverage ⁽¹⁾	
Maximum Lot Coverage	100%
Building Height ⁽¹⁾	
Maximum Building Height ⁽²⁾	35 feet

Table Notes:

1 See MMC 22.16.040, Bulk requirements, for more information regarding the bulk requirements in the above table.

2 Exceptions to height limitations specified in MMC 22.16.040(G)(4).

I. *General Industrial Zoning District (GI)*. The following bulk requirements in Table 22.28.040(I): General Industrial Zoning District (GI) Bulk Requirements specifically apply to the GI zoning district. General information regarding bulk requirements is found in MMC 22.16.040, Bulk requirements.

Table 22.28.040(I). General Industrial Zoning District (GI) Bulk Requirements

Minimum Lot Area ⁽¹⁾	
Minimum Lot Area	5,000 square feet
Street Frontage ⁽¹⁾	
Minimum Street Frontage	N/A
Minimum Street Frontage for Panhandle Lots	20 feet
Minimum Street Frontage for Lots with Public Street Access from a Private Access Tract or Easement	20 feet
Lot Dimensions ⁽¹⁾	

Minimum Lot Width	N/A
Yard Setbacks ⁽¹⁾	
Minimum Front Yard Setback Width	20 feet
Minimum Side Yard Setback Width	10 feet
Minimum Rear Yard Setback Width	10 feet
Minimum Front Yard Setback Width from Residential Zones and Residential Uses	25 feet
Minimum Side Yard Setback Width from Residential Zones and Residential Uses	25 feet
Minimum Rear Yard Setback Width from Residential Zones and Residential Uses	25 feet
Minimum Setback from Private Access Tracts	10 feet
Minimum Setback from Private Access Easements	10 feet
Lot Coverage ⁽¹⁾	
Maximum Lot Coverage	100%
Building Height ⁽¹⁾	
Maximum Building Height ⁽²⁾	45 feet

Table Notes:

1 See MMC 22.16.040, Bulk requirements, for more information regarding the bulk requirements in the above table.

2 Exceptions to height limitations specified in MMC 22.16.040(G)(4).

J. *Shoreline Industrial Zoning District (SI)*. The following bulk requirements in Table 22.28.040(J): Shoreline Industrial Zoning District (SI) Bulk Requirements specifically apply to the SI zoning district. General information regarding bulk requirements is found in MMC 22.16.040, Bulk requirements.

Table 22.28.040(J). Shoreline Industrial Zoning District (SI) Bulk Requirements

Minimum Lot Area ^{(1), (2)}	
Minimum Lot Area	5,000 square feet
Street Frontage ⁽¹⁾	
Minimum Street Frontage	N/A
Minimum Street Frontage for Panhandle Lots	20 feet
Minimum Street Frontage for Lots with Public Street Access from a Private Access Tract or Easement	20 feet
Lot Dimensions ^{(1), (2)}	

Minimum Lot Width	N/A
Yard Setbacks ^{(1), (2)}	
Minimum Front Yard Setback Width	20 feet
Minimum Side Yard Setback Width	10 feet
Minimum Rear Yard Setback Width	20 feet
Minimum Setback from Private Access Tracts	10 feet
Minimum Setback from Private Access Easements	10 feet
Lot Coverage ^{(1), (2)}	
Maximum Lot Coverage	100%
Building Height ^{(1), (2)}	
Maximum Building Height ⁽³⁾	45 feet

Table Notes:

- 1** See MMC 22.16.040, Bulk requirements, for more information regarding the bulk requirements in the above table.
- 2** All development within the shoreline industrial zoning district shall meet all applicable requirements in Chapter 22.82 MMC for shoreline jurisdictions and all applicable provisions of the adopted shoreline master program.
- 3** Exceptions to height limitations specified in MMC 22.16.040(G)(4).

**Amendments to Chapter 22.30 MMC
TRANSPORTATION ZONING DISTRICT**

22.30.040 Bulk requirements.

Bulk requirements, as provided in this chapter, establish density and dimensional standards for lots within the transportation zoning district in the city. Bulk requirements include maximum lot coverage, maximum building height, minimum setbacks, and other similar standards. Bulk requirements, specified in MMC 22.16.040, apply to all lots within the transportation zoning district.

A. *Residential Development.* All permitted residential development within the transportation zoning district shall be subject to the residential development requirements in Chapter 22.34 MMC, Limited Open Space Zoning District.

B. *Street Frontage.* Street frontage shall be in compliance with the provisions of MMC 22.16.040(C) and subject to the applicable bulk requirements found in MMC ~~22.16.040~~22.30.040, Bulk requirements.

C. *Lot Dimensions.* Lot dimensions shall be in compliance with the provisions of MMC 22.16.040(D) and subject to the applicable bulk requirements found in MMC ~~22.16.040~~22.30.040, Bulk requirements.

D. *Yard Setbacks.* Required yard setbacks shall be in compliance with the provisions of MMC 22.16.040(E) and subject to the applicable bulk requirements found in MMC ~~22.16.040~~22.30.040, Bulk requirements.

E. *Lot Coverage.* Lot coverage shall be in compliance with the provisions of MMC 22.16.040(F) and subject to the applicable bulk requirements found in MMC ~~22.16.040~~22.30.040, Bulk requirements.

F. *Building Height.* Building height and its measurement shall be in compliance with the provisions of MMC 22.16.040(G) and subject to the applicable bulk requirements found in MMC ~~22.16.040~~22.30.040, Bulk requirements.

G. *Transportation Zoning District (TR).* The following bulk requirements in Table 22.30.040(G): Transportation Zoning District (TR) Bulk Requirements specifically apply to the TR zoning district. General information regarding bulk requirements is found in MMC 22.16.040, Bulk requirements.

Table 22.30.040(G). Transportation Zoning District (TR) Bulk Requirements

Street Frontage ^{(1), (2)}	
Minimum Street Frontage	70 feet
Minimum Street Frontage for Panhandle Lots	20 feet
Minimum Street Frontage for Cul-de-Sac Lots	70 feet
Minimum Street Frontage for Lots with Public Street Access from a Private Access Tract or Easement	20 feet
Lot Dimensions ^{(1), (2)}	
Minimum Lot Width	70 feet
Yard Setbacks ^{(1), (2)}	

Minimum Front Yard Setback Width	10 feet
Minimum Side Yard Setback Width	10 feet
Minimum Rear Yard Setback Width	10 feet
Minimum Setback from Private Access Tracts	10 feet
Minimum Setback from Private Access Easements	10 feet
Lot Coverage ^{(1), (2)}	
Maximum Lot Coverage	100%
Building Height ^{(1), (2)}	
Maximum Building Height ⁽³⁾	35 feet

Table Notes:

1 See MMC 22.16.040, Bulk requirements, for more information regarding the bulk requirements in the above table.

2 All residential development permitted by Table 22.30.030: Land Use in the Transportation Zoning District shall comply with the requirements of the limited open space zoning district, as specified in Chapter 22.34 MMC.

3 Exceptions to height limitations specified in MMC 22.16.040(G)(4).

**Amendments to Chapter 22.32 MMC
INSTITUTIONAL ZONING DISTRICT**

22.32.030 Land use.

A. *Land Use Matrix.* The following zoning matrix found in Table 22.32.030: Land Use in the Institutional Zoning District summarizes land uses permitted in the institutional zoning district (IN). A land use not explicitly permitted by Table 22.32.030 is prohibited within the institutional zoning district.

Table 22.32.030. Land Use in the Institutional Zoning District

Conforming Use ⁽¹⁾	Institutional (IN)
1. RESIDENTIAL LAND USES	
Dwelling Units, Temporary Security Guard	A
Halfway Houses	EPF
2. COMMERCIAL LAND USES	
Food and Beverage Establishments	
• Coffee Shops	A
• Restaurants	A
Mobile Vendors	P
Pharmacies and Drug Stores	A
3. SERVICE LAND USES	
Health Care Services	
• Diagnostic Imaging Centers	C
• Health Care Provider Offices	C
• Hospitals	EPF
• Inpatient Mental Health Treatment Facilities	C
• Inpatient Substance Abuse Treatment Facilities	C
• Medical Laboratories	C
• Outpatient Health Care Clinics	C
• Outpatient Mental Health Treatment Facilities	C
• Outpatient Substance Abuse Treatment Facilities	C
Parking Facilities	P
Social Services	
• Community Food Services	P

Conforming Use ⁽¹⁾	Institutional (IN)
• Community Housing Services	P
• Emergency and Relief Services	P
• <u>Permanent Supportive Housing</u>	<u>C</u>
4. INSTITUTIONAL LAND USES	
Community Facilities	
• Cemeteries	A
• Religious Institutions	C
Educational Facilities	
• Schools, Colleges, Universities, and Professional	EPF
• Schools, Elementary and Secondary (K-12)	EPF
• Schools, Technical and Trade	P
• Vocational Rehabilitation Centers	P
Government Facilities	
• Correctional Facilities, Local	EPF
• Correctional Facilities, State	EPF
• Courts	P
• Fire Stations	P
• Government Administration Buildings	P
• Police Stations	P
• Public Works Maintenance and Storage Facilities	P
• U.S. Post Offices	P
5. PARKS, RECREATION, AND ENTERTAINMENT LAND USES	
Parks	
• Concessions	A
• Nonmotorized Trails	P
• Parks and Open Spaces	P
• Public Stables	C
Recreational Facilities, Indoor	P
Sports and Recreation Instruction, Indoor	P
6. UTILITY AND TRANSPORTATION LAND USES	

Conforming Use ⁽¹⁾	Institutional (IN)
Electric Vehicle Charging Stations (All Levels)	A
Major and Regional Utility Facilities	
• Regional Utility Corridors	C
• Wastewater Treatment Plants	EPF
Major and Regional Transportation Facilities	
• Regional Transit Station	EPF
• School Bus Bases	P
• State and Regional Transportation Facilities	EPF
Minor Utility Facilities	P
Wireless Communications Facilities	P
7. UNCLASSIFIED LAND USES	
Accessory Structures	A
P = Permitted Use; A = Accessory Use; C = Requires a Conditional Use Permit; See Chapter 22.38 MMC for Requirements for Essential Public Facilities (EPF)	

Table Notes:

1 A land use not explicitly permitted by Table 22.32.030 is prohibited within the institutional zoning district.

22.32.040 Bulk requirements.

Bulk requirements, as provided in this chapter, establish density and dimensional standards for lots within the institutional zoning district in the city. Bulk requirements include maximum lot coverage, maximum building height, minimum setbacks, and other similar standards. Bulk requirements, specified in MMC 22.16.040, apply to all lots within the institutional zoning district.

A. *Minimum Lot Area.* The minimum area for lots in the institutional zoning district is five thousand square feet each.

B. *Street Frontage.* Street frontage shall be in compliance with the provisions of MMC 22.16.040(C) and subject to the applicable bulk requirements found in MMC ~~22.16.040~~22.32.040, Bulk requirements.

C. *Lot Dimensions.* Lot dimensions shall be in compliance with the provisions of MMC 22.16.040(D) and subject to the applicable bulk requirements found in MMC ~~22.16.040~~22.32.040, Bulk requirements.

D. *Yard Setbacks.* Required yard setbacks shall be in compliance with the provisions of MMC 22.16.040(E) and subject to the applicable bulk requirements found in MMC ~~22.16.040~~22.32.040, Bulk requirements.

E. *Lot Coverage.* Lot coverage shall be in compliance with the provisions of MMC 22.16.040(F) and subject to the applicable bulk requirements found in MMC ~~22.16.040~~22.32.040, Bulk requirements.

F. *Building Height.* Building height and its measurement shall be in compliance with the provisions of MMC 22.16.040(G) and subject to the applicable bulk requirements found in ~~MMC 22.16.040~~22.32.040, Bulk requirements.

G. *Institutional Zoning District (IN).* The following bulk requirements in Table 22.32.040(G): Institutional Zoning District (IN) Bulk Requirements specifically apply to the IN zoning district. General information regarding bulk requirements is found in MMC 22.16.040, Bulk requirements.

Table 22.32.040(G). Institutional Zoning District (IN) Bulk Requirements

Minimum Lot Area ⁽¹⁾	
Minimum Lot Area	5,000 square feet
Street Frontage ⁽¹⁾	
Minimum Street Frontage	30 feet
Minimum Street Frontage for Panhandle Lots	20 feet
Minimum Street Frontage for Cul-de-Sac Lots	30 feet
Minimum Street Frontage for Lots with Public Street Access from a Private Access Tract or Easement	20 feet
Minimum Lot Width ⁽¹⁾	
Minimum Lot Width	30 feet
Yard Setbacks ⁽¹⁾	
Minimum Front Yard Setback Width	10 feet
Minimum Side Yard Setback Width	10 feet per side
Minimum Rear Yard Setback Width	10 feet
Minimum Setback from Private Access Tracts	10 feet
Minimum Setback from Private Access Easements	10 feet
Lot Coverage ⁽¹⁾	
Maximum Lot Coverage	80%
Building Height ⁽¹⁾	
Maximum Building Height ⁽²⁾	45 feet
Maximum Building Height with a Conditional Use Permit ⁽²⁾	55 feet

Table Notes:

1 See MMC 22.16.040, Bulk requirements, for more information regarding the bulk requirements in the above table.

2 Exceptions to height limitations specified in MMC 22.16.040(G)(4).

**Amendments to Chapter 22.34 MMC
LIMITED OPEN SPACE ZONING DISTRICT**

22.34.030 Land use.

A. *Land Use Matrix.* The following zoning matrix found in Table 22.34.030: Land Use in the Limited Open Space Zoning District summarizes land uses permitted in the limited open space zoning district. A land use not explicitly permitted by Table 22.34.030 is prohibited within the limited open space zoning district.

Table 22.34.030. Land Use in the Limited Open Space Zoning District

Conforming Use ⁽¹⁾	Limited Open Space (LS)
1. RESIDENTIAL LAND USES	
Dwelling Units, Accessory	A
Dwelling Units, Detached	P
Dwelling Units, Temporary Security Guard	A
Group Homes	P
Halfway Houses	EPF
Home Occupations	A
Model Homes and Associated Sales Office	P
2. COMMERCIAL LAND USES	
Building Material and Garden Supply Establishments	
• Plant Nurseries	C
3. SERVICE LAND USES	
Day Care Services	
• Adult Day Services	A
• Family Child Care Services	A
<u>Social Services</u>	
• <u>Permanent Supportive Housing</u>	<u>P</u>
Temporary Lodging Services	
• Bed and Breakfast Inns	P
4. INSTITUTIONAL LAND USES	
Community Facilities	
• Cemeteries	C
• Religious Institutions	C

Conforming Use ⁽¹⁾	Limited Open Space (LS)
Educational Facilities	
• Schools, Colleges, Universities, and Professional	EPF
• Schools, Elementary and Secondary (K-12)	EPF
5. PARKS, RECREATION, AND ENTERTAINMENT LAND USES	
Parks	
• Concessions	A
• Nonmotorized Trails	P
• Parks and Open Spaces	P
• Public Stables	P
Recreational Facilities, Indoor	P
Recreational Facilities, Outdoor	P
6. INDUSTRIAL LAND USES	
Storage Facilities	
• Indoor (On-Site Only)	A
7. UTILITY AND TRANSPORTATION LAND USES	
Electric Vehicle Charging Stations (All Levels)	A
Major and Regional Utility Facilities	
• Regional Utility Corridors	C
Major and Regional Transportation Facilities	
• State and Regional Transportation Facilities	EPF
Minor Utility Facilities	P
Wireless Communications Facilities	P
8. UNCLASSIFIED LAND USES	
Accessory Structures	A
P = Permitted Use; A = Accessory Use; C = Requires a Conditional Use Permit; See Chapter 22.38 MMC for Requirements for Essential Public Facilities (EPF)	

Table Notes:

1 A land use not explicitly permitted by Table 22.34.030 is prohibited in the limited open space zoning district.

22.34.040 Bulk requirements.

Bulk requirements, as provided in this chapter, establish density and dimensional standards for lots within the limited open space zoning district in the city. Bulk requirements include maximum lot coverage, maximum building height, minimum

setbacks, and other similar standards. Bulk requirements, specified in MMC 22.16.040, apply to all lots within the limited open space zoning district.

A. *Maximum Residential Density.* Table 22.34.040(A): Allowed Residential Density establishes the maximum density for the limited open space zoning district. Maximum density shall be calculated pursuant to MMC 22.16.040(B).

Table 22.34.040(A). Allowed Residential Density

Zoning District	Maximum Density
Limited Open Space (LS)	0.20 dwelling units per acre (1 dwelling unit per each 5 acres)

B. *Street Frontage.* Street frontage shall be in compliance with the provisions of MMC 22.16.040(C) and subject to the applicable bulk requirements found in MMC ~~22.16.040~~22.34.040, Bulk requirements.

C. *Lot Dimensions.* Lot dimensions shall be in compliance with the provisions of MMC 22.16.040(D) and subject to the applicable bulk requirements found in MMC ~~22.16.040~~22.34.040, Bulk requirements.

D. *Yard Setbacks.* Required yard setbacks shall be in compliance with the provisions of MMC 22.16.040(E) and subject to the applicable bulk requirements found in MMC ~~22.16.040~~22.34.040, Bulk requirements.

E. *Lot Coverage.* Lot coverage shall be in compliance with the provisions of MMC 22.16.040(F) and subject to the applicable bulk requirements found in MMC ~~22.16.040~~22.34.040, Bulk requirements.

F. *Building Height.* Building height and its measurement shall be in compliance with the provisions of MMC 22.16.040(G) and subject to the applicable bulk requirements found in MMC ~~22.16.040~~22.34.040, Bulk requirements.

G. *Limited Open Space Zoning District (LS).* The following bulk requirements in Table 22.34.040(G): Limited Open Space Zoning District (LS) Bulk Requirements specifically apply to the LS zoning district. General information regarding bulk requirements is found in MMC 22.16.040, Bulk requirements.

Table 22.34.040(G). Limited Open Space Zoning District (LS) Bulk Requirements

Residential Density ⁽¹⁾	
Maximum Dwelling Units per Lot	1 dwelling unit
Maximum Allowed Density	0.2 units per acre (1 dwelling unit per each 5 acres)
Street Frontage ⁽¹⁾	
Minimum Street Frontage	70 feet
Minimum Street Frontage for Panhandle Lots	20 feet
Minimum Street Frontage for Cul-de-Sac Lots	70 feet

Minimum Street Frontage for Lots with Public Street Access from a Private Access Tract or Easement	20 feet
Lot Dimensions ⁽¹⁾	
Minimum Lot Width	70 feet
Yard Setbacks ^{(1), (2)}	
Minimum Front Yard Setback Width	20 feet
Minimum Side Yard Setback Width	20 feet
Minimum Setback Width for Corner Lot Side Yards Abutting a Street	20 feet ⁽²⁾
Minimum Setback Width for Corner Lot Side Yards Not Abutting a Street	20 feet ⁽²⁾
Minimum Rear Yard Setback Width	20 feet
Minimum Setback from Private Access Tracts	10 feet
Minimum Setback from Private Access Easements	10 feet
Lot Coverage ⁽¹⁾	
Maximum Lot Coverage	30%
Building Height ⁽¹⁾	
Maximum Building Height ⁽³⁾	35 feet

Table Notes:

- 1** See MMC 22.16.040, Bulk requirements, for more information regarding the bulk requirements in the above table.
- 2** On a corner lot, the yard adjacent to the widest dimension of the lot abutting a street is a side yard. The opposite yard is also a side yard.
- 3** Exceptions to height limitations specified in MMC 22.16.040(G)(4).

**Amendments to Chapter 22.36 MMC
PARKS ZONING DISTRICT**

22.36.040 Bulk requirements.

Bulk requirements, as provided in this chapter, establish density and dimensional standards for lots within the parks zoning district in the city. Bulk requirements include maximum lot coverage, maximum building height, minimum setbacks, and other similar standards. Bulk requirements, specified in MMC 22.16.040, apply to all lots within the parks zoning district.

A. *Minimum Lot Area.* The minimum area for lots in the parks zoning district is one-half acre each (twenty-one thousand seven hundred eighty square feet).

B. *Street Frontage.* Street frontage shall be in compliance with the provisions of MMC 22.16.040(C) and subject to the applicable bulk requirements found in MMC ~~22.16.040~~22.36.040, Bulk requirements.

C. *Lot Dimensions.* Lot dimensions shall be in compliance with the provisions of MMC 22.16.040(D) and subject to the applicable bulk requirements found in MMC ~~22.16.040~~22.36.040, Bulk requirements.

D. *Yard Setbacks.* Required yard setbacks shall be in compliance with the provisions of MMC 22.16.040(E) and subject to the applicable bulk requirements found in MMC ~~22.16.040~~22.36.040, Bulk requirements.

E. *Lot Coverage.* Lot coverage shall be in compliance with the provisions of MMC 22.16.040(F) and subject to the applicable bulk requirements found in MMC ~~22.16.040~~22.36.040, Bulk requirements.

F. *Building Height.* Building height and its measurement shall be in compliance with the provisions of MMC 22.16.040(G) and subject to the applicable bulk requirements found in MMC ~~22.16.040~~22.36.040, Bulk requirements.

G. *Parks Zoning District (P).* The following bulk requirements in Table 22.36.040(G): Parks Zoning District (P) Bulk Requirements specifically apply to the P zoning district. General information regarding bulk requirements is found in MMC 22.16.040, Bulk requirements.

Table 22.36.040(G). Parks Zoning District (P) Bulk Requirements

Minimum Lot Area ⁽¹⁾	
Minimum Lot Area	0.50 acres (21,780 square feet)
Street Frontage ⁽¹⁾	
Minimum Street Frontage	70 feet
Minimum Street Frontage for Panhandle Lots	20 feet
Minimum Street Frontage for Cul-de-Sac Lots	70 feet
Minimum Street Frontage for Lots with Public Street Access from a Private Access Tract or Easement	20 feet
Minimum Lot Width ⁽¹⁾	

Minimum Lot Width	70 feet
Yard Setbacks ⁽¹⁾	
Minimum Front Yard Setback Width	5 feet
Minimum Side Yard Setback Width	5 feet
Minimum Rear Yard Setback Width	5 feet
Minimum Setback from Lots in Single-Family or Multifamily Residential Zoning Districts	10 feet
Minimum Setback from Private Access Tracts	10 feet
Minimum Setback from Private Access Easements	10 feet
Lot Coverage ⁽¹⁾	
Maximum Lot Coverage	75%
Building Height ⁽¹⁾	
Maximum Building Height ⁽²⁾	45 feet

Table Notes:

1 See MMC 22.16.040, Bulk requirements, for more information regarding the bulk requirements in the above table.

2 Exceptions to height limitations specified in MMC 22.16.040(G)(4).

**Amendments to Chapter 22.42 MMC
DESIGN STANDARDS**

22.42.040 Land disturbing activity.

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E. *Retaining Walls.* The following standards apply to all retaining walls greater than four feet in height:

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2. Retaining walls shall maintain a minimum five-foot separation between walls and shall have five feet of unencumbered landscaping per Chapter 22.46 MMC, Landscaping Standards, or will be considered one wall, as it applies to this chapter.

22.42.050 New street design.

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D. The following are required of all new development:

-
5. *Roadway Geometrics.* All new streets shall meet all applicable requirements below in Table 22.42.050(D)(5): Roadway Geometrics, and in this section.

Table 22.42.050(D)(5). Roadway Geometrics

	STREET CLASSIFICATIONS					
	<u>PRIVATE ROADPRIVATE ACCESS DRIVE IN FULL PLAT</u>	<u>PRIVATE ROAD IN SHORT PLAT</u>	<u>PRIVATE ROAD FOR INFILL-IN INFILL AREA</u>	<u>LOCAL ACCESS</u>	<u>COLLECTOR STREET</u>	<u>ARTERIAL STREET</u>
Maximum number of dwelling units	4	<u>9</u>	30	N/A	N/A	N/A
Minimum ROW width/ <u>Tract Easement width</u>	25' 30' private easement or tract	<u>35'</u>	<u>35'</u> 25' private easement or tract	52'	64'	80'
Minimum Pavement Width = <u>not including gutters</u>	20'	<u>20'</u>	20' <u>See infill standards</u>	20'	32'	34'

<u>Maximum Centerline Length</u>	<u>150'</u>	<u>600'</u>	<u>600'</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>
Minimum curb to curb width	20'		See infill standards	20'	32'	34'
Curb and gutter	<u>Required</u> <u>Optional</u>	<u>Required</u>	<u>Required</u> <u>See infill standards</u>	Required	Required unless pedestrian protection provided	Required unless pedestrian protection provided
Sidewalk	Required where DU faces street <u>Optional</u>	<u>Required where DU faces street</u>	Required <u>See infill standards</u>	Required	Required	Required
Maximum allowable grade	15%	<u>15%</u>	12% <u>See infill standards</u>	12%	12%	9%
Parking per side	Add 8'	<u>Add 8'</u>	Add 8' <u>See infill standards</u>	Add 8'	Add 10'	Add 12'
<u>Bicycle Lanes Required</u>	<u>No</u>	<u>No</u>	<u>No</u>	<u>No</u>	<u>Yes</u>	<u>Yes</u>

22.42.060 Single-family residential design standards.

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B. General Provisions.

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7. *Parking, Garages, and Vehicular Access.* Design standards for parking, garages and vehicular access are necessary to mitigate parking and traffic impacts and preserve the aesthetic quality of homes, and to minimize the negative impacts of vehicular access and parking areas on the streetscape and pedestrian environment.

a. *Garages – General.*

- i. A single car garage shall be a minimum of nineteen feet in depth and ten feet in width (unobstructed).
- ii. A two-car garage shall be a minimum of nineteen feet in depth and twenty feet in width (unobstructed).
- iii. A tandem two-car garage shall be a minimum of thirty-eight feet in depth and ten feet in width.

b. The cumulative garage door in the R4 zone shall occupy no more than fifty percent of the lineal, ground level facade facing the street, except as follows:

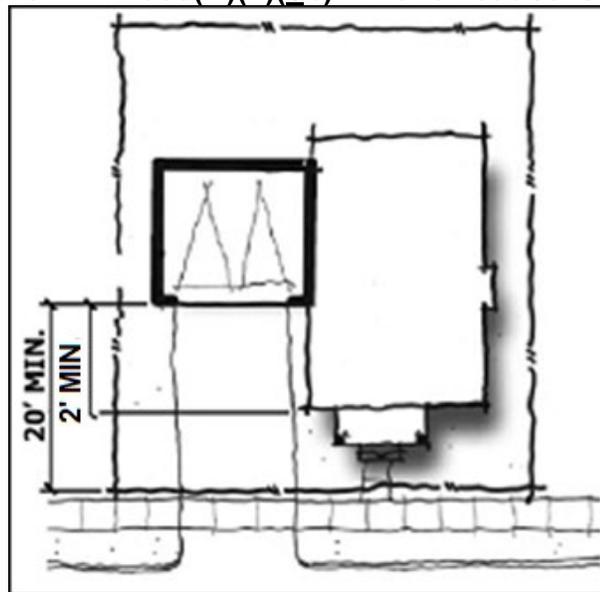
i. Cul-de-sac lots. Additional design elements shall be included to reduce the mass of the garage.

ii. Tuck-under garages.

iii. Detached garages are exempt from meeting the fifty percent of the ground level facade requirement.

cb. *Front-Loaded Garages.* Front-loaded garages shall be set back a minimum of two feet from the front building facade (see Figure 22.42.060(B)(7)(cb)). Front-loaded tuck-under garages may be permitted subject to zoning administrator's approval on sites that slope downward from the street only if they reduce the negative visual impact of the garage and where each garage entry is individually articulated.

Figure 22.42.060(B)(7)(cb). Front-Loaded Garage



de. *Tuck-Under Garages.*

i. Tuck-under garages must be set back from the primary facade a minimum of two feet. Where used, tuck-under garages and associated driveways shall provide sufficient width for a driver to comfortably maneuver a vehicle into and out of the garage.

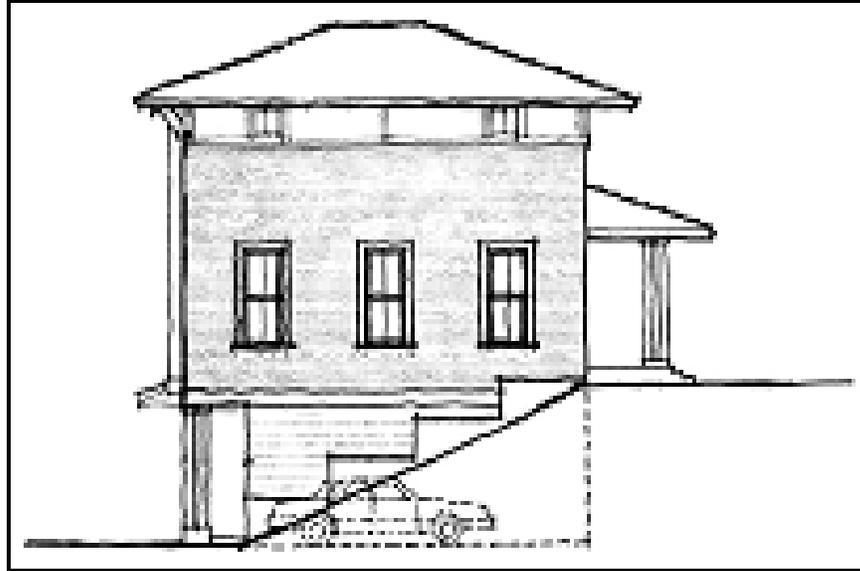
ii. ~~The cumulative garage door in the R4 zone shall occupy no more than fifty percent of the lineal, ground level facade facing the street, except as follows:~~

~~(A) Cul-de-sac lots. Additional design elements shall be included to reduce the mass of the garage.~~

~~(B) Tuck-under garages.~~

~~(C) Detached garages are exempt from meeting the fifty percent of the ground level facade requirement.~~

Figure 22.42.060(B)(7)(ed). Tuck-Under Garage



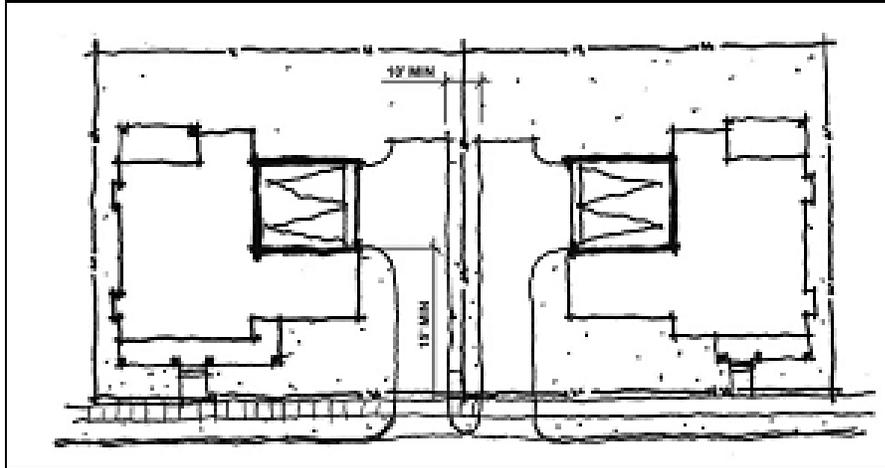
ed. *Rear-Loaded Garages.*

- i. Driveway lengths shall either be five feet (reduced driveway) or a minimum of twenty feet (standard driveway) in length.
- ii. Rear-loaded garages are not subject to the fifty percent facade requirement.

fe. *Side-Loaded Garages.*

- i. Side-loaded garages must be set back a minimum of fifteen feet from the designated front property.
- ii. The side of the garage facing the street must provide windows and architectural design elements that mimic the overall design of the home, as well as landscaping in front of or along the garage wall for a depth of at least three feet.
- iii. Driveways shall be separated from the sidewalk and front entry (stoop or porch) with lawn or landscape beds. Pedestrian entries shall be from the street and may not be accessed from the driveway.
- iv. Where side-loaded garages are located behind a house (see Figure 22.42.060(B)(7)(~~fe~~)), there is no limitation on their quantity in a plat.
- v. Where side entry garages are located on adjoining lots, there shall be a minimum ten-foot landscape area between driveways with a maximum driveway width of fifteen feet. In lieu of two fifteen-foot driveways and the associated landscape requirements, the adjoining lots may be served by a single joint use driveway not exceeding fifteen feet in width.

Figure 22.42.060(B)(7)(~~fe~~). Side-Loaded Garage



- gf. *Additional Driveway Standards.*
 - i. Tandem parking in garages is permitted for all housing types as long as spaces are identified for the exclusive use of occupants of a designated dwelling.
 - ii. Where lots abut an alley, the garage or off-street parking area must take access from the alley, unless precluded by steep topography. No curb cuts to the adjacent street shall be permitted unless access from the alley is precluded by steep topography.

22.42.070 Multifamily residential design standards.

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 G. *On-Site Recreation.*

-
- 4. On-site recreation open space shall be designed as follows:

-
- j. Access for physically disabled persons to benches, play equipment and picnic tables shall be provided. The building official shall determine all ADA accessibility requirements, pursuant to International Building Code (IBC) Chapter 11, Accessibility, and/or other applicable state and local requirements.
 - k. Fencing, plant screening or other buffer shall separate the recreation space from parking areas, driveways or public streets.

22.42.090 Design standards for service areas.

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 A. *Trash and Recycling Containers.*

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- 5. Trash, recycling and utility service areas shall be landscaped in accordance with Chapter 22.46 MMC, Landscaping Standards.

**Amendments to Chapter 22.44 MMC
PARKING STANDARDS AND DESIGN**

22.44.130 Off-street parking area design standards.

~~D.~~ Up to fifty percent of the total number of spaces to be provided in any development may be sized to accommodate compact cars subject to the following:

- ~~1.~~ Each space shall be clearly identified as a compact car space by painting the word "COMPACT" in capital letters, a minimum of eight inches high, on the pavement at the base of the parking space and centered between the striping.
- ~~2.~~ Aisle widths and parking stall sizes shall conform to the standards set out in Table 22.44.130: Minimum Parking Space and Aisle Dimensions.
- ~~3.~~ The compact stalls shall be dispersed around the site.

~~ED.~~ Excluding shared parking, off-street parking areas shall be located within the same lot, subdivision or binding site improvement plan as the building they are required to serve.

~~FE.~~ Parking facilities shall be designed so exiting vehicles are not required to back into streets, except for residential uses of less than four dwellings per lot on local access streets.

~~GE.~~ Wheel stops are required in all parking areas, excluding residential driveways, to prevent vehicles from overhanging walkways, property lines or other limits of a parking area and to prevent damage to landscaping. The requirement for wheel stops may be waived and the length of the parking stall reduced by two feet if an additional two feet is added to the minimum required width for sidewalks and landscape strips.

~~HG.~~ Any parking spaces abutting a required landscaped area on the driver or passenger side of the vehicle shall provide an additional eighteen inches above the minimum space width requirement to provide a place to step other than in the landscaped area. The additional width shall be separated from the adjacent parking space by a parking space division stripe.

~~IH.~~ The parking space depth may be reduced a maximum of two feet by the zoning administrator when vehicles overhang a walkway under the following conditions:

1. Wheelstops or curbs are installed; or
2. The walkway is increased by two feet. The remaining walkway shall not be reduced further in width.

~~JL.~~ Driveways providing ingress and egress between off-street parking areas and abutting streets shall be designed, located and constructed in accordance with the provisions of the public works development design standards and Chapter 22.42 MMC, Design Standards.

~~KJ.~~ Lighting shall be provided for safety of traffic and pedestrian circulation on the site, as required by Chapter 15.15 MMC, Lighting Standards. Lighting shall be designed to minimize direct illumination of abutting properties and adjacent streets.

~~LK.~~ All vehicle parking and storage for single-family detached dwellings must be in a garage, carport or on a paved surface. Any impervious surface used for vehicle parking or storage must have direct and unobstructed driveway access.

~~ML.~~ Vanpool and carpool parking areas shall meet the following minimum design standards:

1. A minimum vertical clearance of seven feet three inches shall be provided to accommodate van vehicles if designated vanpool/carpool parking spaces are located in a parking structure; and
2. A minimum turning radius of twenty-six feet four inches with a minimum turning diameter (curb to curb) of fifty-two feet five inches shall be provided from parking aisles to adjacent carpool/vanpool parking spaces.

NM. Any parking stalls located in enclosed buildings must be totally within the enclosed building.

ON. The slope of access easements and tracts, and the slope of entrance and exit driveways, including driveways for detached single-family residences, shall be designed in accordance with the City of Monroe Design and Construction Manual.

PO. Parking lots shall be arranged as to permit the internal circulation of vehicles between parking aisles without reentering adjoining public streets; and

QP. ADA accessible parking shall be provided in accordance with MMC 22.44.080.

**Amendments to Chapter 22.46 MMC
LANDSCAPING STANDARDS**

22.46.040 Types of planting.

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A. *Type I Planting – Solid Screen.*

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2. Type I planting shall consist of evergreen trees a minimum height of ~~eight~~six feet at planting, and evergreen shrubs which will provide an eighty percent sight-obscuring screen at the time of planting; or a combination of sixty percent evergreen/forty percent deciduous trees and sixty percent evergreen/forty percent deciduous shrubs, backed by one hundred percent sight-obscuring decorative wall or fence.
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22.46.050 Landscaping area requirements.

Landscaping shall be installed at the minimum width and of the type as set out in Table 22.46.050: Landscaping Area Requirements. Landscaping requirements for other uses are as determined to be appropriate by the zoning administrator.

Table 22.46.050. Landscaping Area Requirements

Type of Landscaping ⇒	Minimum Width	Type I	Type II	Type III	Type IV	Type V
Type of Use/Location ↓						
Trash/recycle/utility service areas	5 feet	X				
Retaining wall landscaping ⁽¹⁾	5 feet		X			
Mechanical/electrical equipment (ground or wall mounted)	5 feet	X				
Utility installations or equipment (ground or wall mounted)	5 feet	X				
Wireless communication facilities	10 feet	X				
Parking lot/parking structure containing 1-100 parking spaces perimeter landscaping	5 feet		X			
<u>Parking lots/parking structures containing over 100 parking spaces perimeter landscaping</u>	<u>10 feet</u>		<u>X</u>			
Driveway entrances and exits at streets	Minimum necessary for sight distance			X		

Type of Landscaping ⇒	Minimum Width	Type I	Type II	Type III	Type IV	Type V
Type of Use/Location ↓						
Fire access areas, around hydrants and utility boxes	Minimum necessary			X		
Parking lot islands	5 feet minimum				X	
Islands of plantings in lawn areas ⁽²⁾	64 square feet minimum				X	
Storm water facilities – minimum 80 percent evergreen trees and shrubs ⁽³⁾	15 feet					X
Outside storage	10 feet	X				

Table Notes:

- 1 The area between two retaining walls shall have five feet of unencumbered landscaping (i.e., drainage rock areas shall not be considered part of the five feet).
- 2 Areas shall be placed in a tract. The landscaping tract shall not be considered part of the required building setback.
- 3 Areas shall be placed in a tract or easement and shall be maintained by a homeowner’s association.

22.46.060 Buffer requirements between zones and uses.

A. Landscaping shall be installed at the minimum width as set out in Table 22.46.060: Buffer requirements between zones and uses. All buffer requirements between zoning districts shall be Type I landscaping. Rights-of-ways between properties shall act as a buffer and an additional buffer shall not be required unless determined to be necessary to mitigate for specific impacts in specific circumstances.

Table 22.46.060. Buffer requirements between zones and uses

<u>Zoning District in Which Development Occurs</u>	<u>Abutting Property Zoning District</u>	<u>Different</u>	<u>Different</u>
		<u>Nonresidential</u>	<u>Residential</u>
<u>Downtown Commercial</u>	<u>DC</u>	<u>5 feet</u>	<u>20 feet</u>
<u>General Commercial</u>	<u>GC</u>	<u>5 feet</u>	<u>20 feet</u>
<u>General Industrial</u>	<u>GI</u>	<u>5 feet</u>	<u>20 feet</u>
<u>Industrial Transition</u>	<u>IT</u>	<u>5 feet</u>	<u>20 feet</u>
<u>Institutional</u>	<u>IN</u>	<u>5 feet</u>	<u>20 feet</u>
<u>Light Industrial</u>	<u>LI</u>	<u>5 feet</u>	<u>20 feet</u>
<u>Limited Open Space</u>	<u>LS</u>	<u>5 feet</u>	<u>20 feet</u>
<u>Mixed Use – General</u>	<u>MG</u>	<u>5 feet</u>	<u>5 feet</u>
<u>Mixed Use – Medical</u>	<u>MM</u>	<u>5 feet</u>	<u>5 feet</u>

<u>Mixed Use – Neighborhood</u>	<u>MN</u>	<u>5 feet</u>	<u>5 feet</u>
<u>Shoreline Industrial</u>	<u>SI</u>	<u>5 feet</u>	<u>20 feet</u>
<u>Tourist Commercial</u>	<u>TC</u>	<u>5 feet</u>	<u>20 feet</u>

Table Notes:

1 The city may waive the landscape buffer for abutting properties in different zoning districts with the same use.

2 Landscape buffers will be five feet along property lines; however, the city may waive the five-foot perimeter landscape buffer for internal property lines when the adjacent properties share parking, access, or other common features that will make intensive landscaping impractical.

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22.46.060070 **Parking lot landscaping.**

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22.46.070080 **Plant materials.**

.....
22.46.080090 **Street trees.**

.....
22.46.090100 **Slopes.**

.....
22.46.400110 **Planting standards.**

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K. A root barrier shall be provided for all trees, including street trees, planted within 10 feet of public walkways. The root barrier shall be centered on the tree, no less than 16 feet in length, no less than 18 inches deep, and located adjacent to proposed curb and sidewalk. Additionally, if a tree is located within 10' of a fire hydrant, water meter or driveway approach, the root barrier shall also be installed perpendicular to the curb and sidewalk to form a continuous barrier. Root barriers adjacent to a water meter shall be installed no less than 24" back from the meter box to allow for maintenance access.

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22.46.440120 **Irrigation.**

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E. Operation of automatic irrigation systems shall be limited to the hours of midnight and five a.m., so that the final irrigation zone has concluded its sequence prior to five a.m.

F. An as-built irrigation drawing, to scale, shall be submitted prior to the issuance of the certificate of occupancy or release of the performance security. The method of irrigation for all landscaped areas shall be shown on the plans. In addition, the location of sprinkler heads, water source, controls and approved backflow prevention assembly shall be shown on final plans.

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22.46.120130 Performance assurance.

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22.46.130140 Maintenance requirements.

A. *General Landscaping.* A maintenance bond, cash deposit, or other security in a form acceptable to the city attorney covering ~~ten~~fifteen (15) percent of the cost of the performance assurance bond shall be in place prior to the release of a performance bond and shall be required for two years following installation.

.....

H. In subdivisions or site plans where the right-of-way contains landscaping, the adjacent property owner, homeowner's association, or like mechanism, is required to maintain that landscaping. Without prejudice to the City's enforcement authority, such requirement shall be noted on the face of the plat or site plan. If there are such requirements that are maintained by an organization other than the adjacent homeowner, or if there are common areas on a property, a homeowner's association is required.

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22.46.440150 Landscaping – Alternative options.

A. The following alternative landscape options may be allowed only if they accomplish equal or better levels of screening and are subject to city approval:

1. Landscaping area requirements may be reduced up to 25 percent along any portion where:

(a) Architectural barriers are at least six feet in height are incorporated into the landscape design; and

(b) The landscape materials are incorporated elsewhere on-site.

2. The width of the perimeter landscape strip may be reduced up to 25 percent along any portion where:

(a) Berms at least three feet in height or architectural barriers at least six feet in height are incorporated into the landscape design; and

(b) The landscape materials are incorporated elsewhere on-site;

3. When an existing structure precludes installation of the total amount of required site perimeter landscaping, such landscaping material shall be incorporated on another portion of the site.

4. The width of any required perimeter landscaping may be averaged, provided the minimum width is not less than five feet.

5. The landscaping requirement may be modified when existing conditions on or adjacent to the site, such as significant topographic differences, vegetation, structures or utilities, would render application of this chapter ineffective or result in scenic view obstruction.

**Amendments to Chapter 22.50 MMC
SIGNS**

22.50.020 Permanent commercial signs.

C. All applicable requirements shall govern a permanent commercial sign whether or not the requirements are cross-referenced in Table 22.50.020: Permanent Commercial Sign Allowance.

Table 22.50.020. Permanent Commercial Sign Allowance

Purpose	Type of sign	Permit required	Number of signs	Area max per sign in sq ft	Height in ft	Setback in ft	Comments
Access, Landmark, and Informational Signs – All Zones							
entry	monument	yes	1	6	4	2	Per vehicle entry
landmark	wall (h)	no	1	2	8	2	Per building frontage
informational – private	wall (h)	no	1	4	8	2	Per building frontage – must be for an original purpose and may not simply repeat the same message over and over
informational – private	freestanding	no	1	4	8	2	Per property frontage – must be for an original purpose and may not simply repeat the same message over and over
informational – public	wall (h)	no	1	2	8	2	Per building frontage
informational – public	freestanding	no	1	2	8	2	Per organization
Institutional (IN) and Limited Open Space (LS) Zoning Districts							
informational	wall (h)	yes	1	6	8		Per frontage visible from ROW – no limit within the site if not ROW visible

Purpose	Type of sign	Permit required	Number of signs	Area max per sign in sq ft	Height in ft	Setback in ft	Comments
<u>informational</u>	freestanding	yes	1	6	6	2	Per property
<u>advertising</u>	window – opaque	no	1	20%			Percent of window area per window
<u>advertising</u>	window – transparent	no	1	20%			Percent of window area per first floor window
<u>advertising</u>	wall (h)	yes	1	40	24		Per building frontage
<u>advertising</u>	projecting	yes	1	20	(a)		Under 4 ft wide, mounted 6 inches from attaching wall
<u>advertising</u>	changeable message	yes	1	50%	10		Percent changeable of allowable sign area
<u>Advertising–freestanding</u>	<u>freestanding</u> <300 lf frontage	yes	1	40	10	2	Per property frontage
<u>advertising</u>	<u>Freestanding</u> >300 lf frontage	yes	2	40	10	2	Signs must be located more than 200 lf apart
<u>advertising</u>	monument – off-premises multitenant directions (f)	yes	1	24	10	2	Per closest arterial/collector road for businesses not located on the arterial or collector road; prohibited in ROW; maximum 1/4 mile straight line distance from sign to property
	TOTAL single-tenant site			100		2	Total allowed for combination of signs, except window signage

Purpose	Type of sign	Permit required	Number of signs	Area max per sign in sq ft	Height in ft	Setback in ft	Comments
	TOTAL multitenant site			120		2	Total allowed for combination of signs, except window signage

Downtown Commercial Zoning District (DC)

informational	wall (h)	yes	1	6	8		Per frontage visible from ROW – no limit within the site if not ROW visible
<u>advertising</u>	window – opaque	no	N/A	20%			Percent of window area per window
<u>advertising</u>	window – transparent	no	N/A	20%			Percent of window area per first floor window
<u>advertising</u>	under awning in lieu of blade	yes	1	10	(a)	(b)	Per business on street frontage
<u>advertising</u>	awning/canopy fascia (g)	yes	1	40%	(a)	(b)	Percent of vertical edge of awning/canopy
<u>advertising</u>	blade in lieu of under awning	yes	1	16	(a)	(b)	Per tenant space – may have blade or under awning but not both
<u>advertising</u>	directory – per tenant	yes	1	6	8		Per primary or secondary building frontage
<u>advertising</u>	wall – single tenant (h)	yes	1	100			2.0 sf/1.0 lf of building frontage per primary or secondary frontage up to maximum per frontage; secondary sign maximum 75% of primary sign maximum; no digital contents within the “Historic Main neighborhood” per MMC 22.50.120

Purpose	Type of sign	Permit required	Number of signs	Area max per sign in sq ft	Height in ft	Setback in ft	Comments
<u>advertising</u>	wall – multitenant (h)	yes	1	150			2.0 sf/1.0 lf of tenant space building frontage per primary or secondary frontage up to maximum per frontage; secondary sign maximum 75% of primary sign maximum; no digital contents within “Historic Main” per MMC <u>22.50.120(D)</u>
<u>advertising</u>	projecting	yes	1	20	(a)	(b)	Under 4 ft wide, mounted 6 inches from attaching wall – no digital contents within Historic Main Zone per MMC 22.50.120
<u>advertising</u>	changeable message	yes	1	50%	10		Percent changeable of public service message of allowable sign area
<u>advertising–freestanding</u>	monument – single tenant	yes	1	32	10	2 (e)	Per street frontage, Lewis Street allowed 50 sf and height up to 20 ft
<u>advertising</u>	monument – multitenant	yes	1	48	10	2 (e)	Per street frontage, Lewis Street allowed 80 sf and height up to 20 ft
<u>advertising</u>	monument – off-premises multitenant directions (f)	yes	1	24	10	2	Per closest arterial/collector road for businesses not located on Main or Lewis Streets; prohibited in ROW; maximum 1/4 mile straight line distance from sign to property

Purpose	Type of sign	Permit required	Number of signs	Area max per sign in sq ft	Height in ft	Setback in ft	Comments
<u>advertising</u>	off-premises multitenant advertising (f)	yes	1	32	10	2	Per closest arterial/collector road for businesses not located on Main or Lewis Streets, prohibited in ROW; maximum 1/4 mile straight line distance from sign to property
	TOTAL single-tenant site			140		2	Total allowed for combination of signs, except window signage
	TOTAL multitenant site			180		2	Total allowed for combination of signs, except window signage

Mixed Use – General (MG), and Mixed Use – Neighborhood (MN), and Mixed Use – Medical (MM) Zoning Districts

informational	wall (h)	yes	1	6	8		Per frontage visible from ROW – no limit within the site if not ROW visible
<u>advertising</u>	window – opaque	no	N/A	15%			Percent of window area per window
<u>advertising</u>	window – transparent	no	N/A	20%			Percent of window area per first floor window
<u>advertising</u>	awning/canopy fascia (g)	yes	1	40%	(a)	2	Percent of vertical edge of awning/canopy
<u>advertising</u>	under awning in lieu of blade	yes	1	10	(a)	2	Per tenant space
<u>advertising</u>	blade in lieu of under awning	yes	1	16	(a)	2	Per tenant space – may have blade or under awning but not both

Purpose	Type of sign	Permit required	Number of signs	Area max per sign in sq ft	Height in ft	Setback in ft	Comments
<u>advertising</u>	wall – single tenant (h)	yes	1	80/100			1.5 sf/1.0 lf of primary or secondary frontage up to maximum per frontage; maximum 80 MN, 100 MG; secondary sign maximum 75% of primary sign maximum
<u>advertising</u>	wall – multitenant (h)	yes	1	120/150			1.5 sf/1.0 lf of tenant space building frontage per primary or secondary frontage up to maximum per frontage; maximum 120 MN, 150 MG; secondary sign maximum 75% of primary sign maximum (d)
<u>advertising</u>	projecting	yes	1	20	(a)		Under 4 ft wide, mounted 6 inches from attaching wall
<u>advertising</u>	changeable message	yes	1	50%	10		Percent changeable of allowable sign area; allowed in MU only
<u>advertising - freestanding</u>	monument – single tenant	yes	1	32	8	2	Per street frontage
<u>advertising</u>	monument – multitenant single street	yes	1	48	8	2	Per street frontage
<u>advertising</u>	freestanding – single tenant <200 lf frontage	yes	1	80	20	2	Per street frontage; allowed in MG only

Purpose	Type of sign	Permit required	Number of signs	Area max per sign in sq ft	Height in ft	Setback in ft	Comments
<u>advertising</u>	freestanding – single tenant >200 lf frontage	yes	2	80	20	2	Per street frontage over 200 lf located more than 100 lf apart up to 4 total signs per site; allowed in MG only
<u>advertising</u>	freestanding – multitenant <200 lf frontage	yes	1	120	20	2	Per street frontage; allowed in MG only
<u>advertising</u>	freestanding – multitenant >200 lf frontage	yes	2	120	20	2	Per street frontage over 200 lf located more than 100 lf apart up to 4 total signs per site; allowed in MG only
<u>advertising</u>	freestanding – limited highway intersection	yes	1	140	45	2	Per 522 frontage at 522/Main Street intersection; sign must be perpendicular to and abutting 522 ROW, digital contents allowed
	TOTAL single-tenant site – MN only			140		2	Total allowed for combination of signs, except window signage
	TOTAL multitenant site – MN only			180		2	Total allowed for combination of signs, except window signage
General Commercial (GC), Industrial Transition (IT), and Tourist Commercial (TC) Zoning Districts							
informational	wall (h)	yes	1	40%	(a)	2	Percent of vertical edge of awning/canopy

Purpose	Type of sign	Permit required	Number of signs	Area max per sign in sq ft	Height in ft	Setback in ft	Comments
<u>informational</u>	freestanding	yes	1	6	8		Per frontage visible from ROW – no limit within the site if not ROW visible
advertising	window – opaque	no	N/A	20%			Percent of window area per window
<u>advertising</u>	window – transparent	no	N/A	20%			Percent of window area per first floor window
<u>advertising</u>	under awning in lieu of blade	yes	1	10	(a)	2	Per business on street frontage
<u>advertising</u>	blade in lieu of under awning	yes	1	16	(a)	2	Per tenant space – may have blade or under awning but not both
<u>advertising</u>	awning/canopy fascia (g)	yes	1	6	6	2	Per property
<u>advertising</u>	wall – single tenant (h)	yes	1	200	24		1.5 sf/1.0 lf of frontage per primary or secondary frontage up to maximum per frontage; secondary sign maximum 75% of primary maximum
<u>advertising</u>	wall – multitenant (h)	yes	1	300	24		1.5 sf/1.0 lf of tenant space building frontage per primary or secondary frontage up to maximum per frontage; secondary sign maximum 75% of primary maximum (d)
<u>advertising</u>	projecting	yes	1	20	(a)		Under 4 ft wide, mounted 6 inches from attaching wall – digital contents allowed

Purpose	Type of sign	Permit required	Number of signs	Area max per sign in sq ft	Height in ft	Setback in ft	Comments
<u>advertising--freestanding</u>	<u>Freestanding</u> single tenant <400 lf frontage	yes	1	100	35	2	Per street frontage – digital contents allowed except where visible from Lake Tye Park
<u>advertising</u>	<u>Freestanding</u> single tenant >400 lf frontage	yes	2	100	35	2	Per street frontage over 400 lf located more than 100 lf apart for a total of no more than 4 signs per site – digital contents allowed except where visible from Lake Tye Park
<u>advertising</u>	<u>freestanding</u> multitenant <400 lf frontage	yes	1	150	35	2	Per street frontage – digital contents allowed except where visible from Lake Tye Park
<u>advertising</u>	<u>freestanding</u> multitenant >400 lf frontage	yes	2	150	35	2	Per street frontage over 400 lf located more than 100 lf apart up for a total of no more than 4 signs per site – digital contents allowed except where visible from Lake Tye Park
<u>advertising</u>	off-premises multitenant advertising	yes	1	150	35	2	Per intersection of arterials and collectors on US 2 for businesses not located on US 2; located more than 100 lf from another freestanding sign subject to the total maximum allowable on- and off-premises sign

Purpose	Type of sign	Permit required	Number of signs	Area max per sign in sq ft	Height in ft	Setback in ft	Comments
							area of each tenant; prohibited in ROW; maximum 1/4 mile straight line distance from sign to property
<u>advertising</u>	limited highway intersection	yes	1	140	45	2	Per 522 frontage at 522/Main Street intersection; sign must be perpendicular to and abutting 522 ROW – digital contents allowed
<u>advertising</u>	monument – off-premises multitenant directions (f)	yes	1	24	10	2	Per closest arterial/collector road for businesses not located on US 2; prohibited in ROW; maximum 1/4 mile straight line distance from sign to property
<u>advertising</u>	changeable message – gas	yes	1	20	8	2	100% changeable of allowable sign area – digital contents allowed
<u>advertising</u>	changeable message – food	yes	2	24	8	2	100% changeable of allowable sign area – digital contents allowed
<u>advertising</u>	changeable message – movie	yes	1	80	24	2	80% changeable of allowable sign area – digital contents allowed
	TOTAL single-tenant site			360			Total allowed for combination of on- and off-premises signs, except window signage

Purpose	Type of sign	Permit required	Number of signs	Area max per sign in sq ft	Height in ft	Setback in ft	Comments
	TOTAL multitenant site			480			Total allowed for combination of on- and off-premises signs, except window signage

Light Industrial (LI), General Industrial (GI), and Shoreline Industrial (SI) Zoning Districts

informational	wall (h)	yes	1	6	8		Per frontage visible from ROW – no limit within the site if not ROW visible
<u>informational</u>	freestanding	yes	1	6	6	2	Per property
advertising	window – opaque	no	N/A	20%			Percent of window area per window
<u>advertising</u>	window – transparent	<u>yes</u> <u>no</u>	1	20%	(a)		Percent of vertical edge of awning/canopy
<u>advertising</u>	blade in lieu of under awning	yes	1	16	(a)	2	Per tenant space – may have blade or under awning but not both
<u>advertising</u>	wall – single tenant (h)	yes	1	300	24		1.0 sf/1.0 lf of frontage per primary or secondary frontage up to maximum per frontage; secondary sign maximum 75% of primary sign maximum
<u>advertising</u>	wall – multiple tenant (h)	yes	1	300	24		1.0 sf/1.0 lf of tenant space building frontage per primary or secondary frontage plus 32 sf/tenant for each additional tenant after the first 2 tenants; secondary maximum 75% of primary maximum (d)

Purpose	Type of sign	Permit required	Number of signs	Area max per sign in sq ft	Height in ft	Setback in ft	Comments
<u>advertising</u>	projecting	yes	1	20	(a)		Under 4 ft wide, mounted 6 inches from attaching wall
<u>advertising</u>	changeable message	yes	1	50%	10		Percent changeable of allowable sign area
advertising - freestanding	monument	yes	1	50	6	2	Per vehicle complex entry
<u>advertising</u>	<u>freestanding</u> single tenant <400 lf frontage	yes	1	100	35	2	Per street frontage – digital contents allowed except where visible from Lake Tye Park
<u>advertising</u>	<u>freestanding</u> single tenant >400 lf frontage	yes	2	100	35	2	Per street frontage over 400 lf located more than 200 lf apart for a total of no more than 4 per site – digital contents allowed except where visible from Lake Tye Park
<u>advertising</u>	<u>freestanding</u> multitenant <400 lf frontage	yes	1	150	35	2	Per street frontage – digital contents allowed except where visible from Lake Tye Park
<u>advertising</u>	<u>freestanding</u> multitenant >400 lf frontage	yes	2	150	35	2	Per street frontage over 400 lf located more than 200 lf apart for a total of no more than 4 per site – digital contents allowed except where visible from Lake Tye Park
<u>advertising</u>	off-premises multitenant advertising (f)	yes	1	150	35	2	Per intersection of arterials and collectors for businesses not located on

Purpose	Type of sign	Permit required	Number of signs	Area max per sign in sq ft	Height in ft	Setback in ft	Comments
							Fryelands Blvd; sign located more than 100 lf from another freestanding sign subject to the total maximum allowable on- and off-premises sign area of each tenant; prohibited in ROW; maximum 1/4 mile straight line distance from sign to property
<u>advertising</u>	monument – off-premises multitenant directions (f)	yes	1	24	10	2	Per closest arterial/collector road for businesses not located on Fryelands Blvd; prohibited in ROW; maximum 1/4 mile straight line distance from sign to property
	TOTAL single-tenant site			360			Total allowed for combination of on- and off-premises signs, except window signage
	TOTAL multitenant site			488			Total allowed for combination of on- and off-premises signs, except window signage

Table Notes:

- a** Must comply with MMC 22.50.110.
- b** All signs may be located at the edge of the public ROW. Under-awning signs may extend six feet while blade and projecting signs may extend four feet into the public ROW or over the sidewalk where the sidewalk is at least ten to twelve feet wide.

Column Headings:

c For buildings with two or more frontages, the length of the wall and allowable sign area shall be calculated separately for each such building frontage.

ROW Footnotes:

d If the site has reached the maximum, newly created tenant spaces shall be allowed one tenant identifying wall sign located above the tenant’s entry not to exceed sixteen square feet in surface area – not to be used as a bonus by tenants with existing signs. For multitenant building with a shared entry, the signage per tenant shall be determined by dividing the tenant’s gross floor area by the gross floor area of the building to determine the percentage of the building occupied by the tenant. The tenant is then allotted that percent of the total square footage allowed for the site.

e No setback required in the historic main neighborhood subject to city engineer approval of visibility.

f Minimum three businesses per sign; must not have arterial street frontage available for freestanding signage and special circumstances are necessary because of the location, size, shape, or topography of the property or business, group of businesses, or business area to provide it with signage privileges typical of other properties in the vicinity or zoning district.

g Awning or canopy fascia lettering should be composed of a single line of type with letters under twelve inches and not occupy more than two-thirds of the fascia linear surface front or side.

h No wall sign shall project more than eighteen inches from the wall of a building, nor extend above the eave or deck line of the building upon which it is located; except those located upon parapet walls, wherein they may be located above the deck line but not above the height of the parapet wall. No wall sign shall have an image area larger than twenty-five percent of the area of the message.

22.50.030 Temporary commercial signs.

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Table 22.50.030. Temporary Commercial Signs – All Zones

Purpose	Type of sign	Number of signs	Area maximum per sign in sq ft	Height in ft	Setback in ft	Comments
advertising	A-frame	1	8	4		Per business, 2 ft x 4 ft outside of pedestrian walkway. Maximum 60 days per year. Must comply with

Purpose	Type of sign	Number of signs	Area maximum per sign in sq ft	Height in ft	Setback in ft	Comments
						MMC 22.50.100. May be displayed during business hours only.
<u>advertising</u>	banners (b)	1	1.5 sf/1.0 lf of primary facade			Maximum of 60 days per year. Increments of 60, 30, 15, or 10 days; upon removal, a banner may not be re-erected for a duration equal to the time it was displayed. Shall not be located within the ROW.
<u>advertising</u>	inflatable (a)	1				Maximum 30 days per year. Shall not be located off site or within round-a-bouts or medians nor block vehicular sight-distance.
<u>advertising</u>	stake signs		6			Maximum 120 days per year. Shall not be located within round-a-bouts or medians nor block vehicular sight-distance. A maximum of two signs are allowed off site.
<u>advertising</u>	freestanding	1	20	10	2	Per street frontage
<u>advertising</u>	window/poster	N/A	20% of window area			Per window, per building
<u>advertising</u>	freestanding directional	5	4	3	2	1 sign on site, 4 off-premises signs allowed.

Table Notes:

a Inflatable objects or signs, air-supported structures, kites, and searchlights shall be located on the premises for which they are advertising, in the location specified under the approved permit. Inflatable objects or signs, air-supported structures, kites, and searchlights cannot be located in the public right-of-way or in required

landscaping or parking areas. Shall not interfere with pedestrian movement, nor impede the vision or block the movement of motorists on private or public rights-of-way. Size, height, and illumination shall adhere to all applicable city, state and federal requirements relating to public safety, air and vehicular traffic control and the like. Kites and inflatable objects such as balloons shall not be operated more than one hundred fifty feet from the grade of the earth beneath the point of attachment, without written waivers from the Federal Aviation Administration. The beam of the searchlight shall not flash against any building or sweep an arc greater than forty-five degrees from vertical.

b Banners shall be located completely on the wall of the building or leased space of the sponsoring business. Banners cannot be located in required parking areas, upon poles, other constructed frame, affixed to or covering required landscaping, utility poles or vehicles and shall be affixed so as to survive high winds or storm events.

22.50.040 Permanent noncommercial speech signs.

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Table 22.50.040. Permanent Noncommercial Speech Signs

Type of sign	Permit	Number of signs	Area maximum per sign in sq ft	Height in ft	Setback in ft	Comments
Residential Zones						
wall	yes	1	32	24	2	For properties with 4 or more dwelling units
monument-gateway	yes	1	40	5	2	For properties or tracts owned by an HOA. Sign quantity and location shall be at each vehicle complex entry
freestanding – entry	yes	1	32	10	2	For properties with 4 or more dwelling units, 2 signs permitted per public entrance if located opposite one another and not exceeding 16 sf/sign face
<u>window – opaque</u>	<u>no</u>	<u>N/A</u>	<u>20%</u>			<u>Percent of window area per window</u>

Type of sign	Permit	Number of signs	Area maximum per sign in sq ft	Height in ft	Setback in ft	Comments
<u>window – transparent</u>	no	N/A	20%			<u>Percent of window area per first floor window</u>
wall	yes	1	4680/100	5	2	<u>1.5 sf/1.0 lf of primary or secondary frontage up to maximum per frontage; maximum 80 MN, 100 MG; secondary sign maximum 75% of primary sign maximum. Illumination prohibited</u>
monument	yes	1	4632	5	2	May be illuminated but must adhere to MMC 22.50.130(E)
freestanding	yes	1	4680	5	2	May be illuminated but must adhere to MMC 22.50.130(E)

Commercial Zones

<u>window – opaque</u>	no	N/A	20%			<u>Percent of window area per window</u>
<u>window – transparent</u>	no	N/A	20%			<u>Percent of window area per first floor window</u>
wall	yes	1	150	5	2	1.5 sf/1.0 lf of tenant space building frontage per primary or secondary frontage up to maximum per frontage. Secondary sign maximum 75% of primary sign maximum
monument	yes	1	16	5	2	May be illuminated but must adhere to MMC 22.50.130(E)
freestanding	yes	1	16	5	2	May be illuminated but must adhere to MMC 22.50.130(E)

22.50.050 Temporary noncommercial speech signs.

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Table 22.50.050. Temporary Noncommercial Speech Signs

Sign type	Duration	Size	Location
Banners	60 days per year Increments of 60, 30, 15 or 10 days; upon removal, a banner may not be re-erected for a duration equal to the time it was displayed	32 sq ft	Shall not be located within the ROW without the underlying property owner consent
Inflatable	30 days per year	n/a	Must be located on site
A-frame	60 days per year	6 sq ft per side	Must comply with MMC 22.50.100. <u>Must be located outside of pedestrian walkway.</u> <u>May be located within the ROW.</u> <u>May be displayed during daylight hours only.</u>
Stake signs	90 days per year	6 sq ft	Shall not be located within round-a-bouts or medians nor block vehicular sight-distance

22.50.060 Murals.

Permit Required. Murals containing a commercial sign message shall require a sign permit and shall only be allowed on premises in the DC, GC, SI, TC, MN, MM, MG, LI, GI, LS, and IN zoning districts. The commercial “display area” of the mural shall be calculated against the allowed signage for the site and/or tenant.

22.50.120 Digital content and video display signs.

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D. Digital content signs, including message centers and displays, videos, etc., must have automatic dimming capability that adjusts the brightness to the ambient light at all times of the day and night such that changeable message signs cannot exceed the following foot candles (fc) by zone:

Zoning District	Foot Candles
Transportation (TR), Institutional (IN), Limited Open Space (LS)	0.3
Downtown Commercial (DC), Mixed Use – Neighborhood (MN), <u>Mixed Use – Medical (MM)</u> , Mixed Use – General (MG), Light Industrial (LI), General Industrial (GI), Shoreline Industrial (SI)	0.5

Zoning District

**Foot
Candles**

General Commercial (GC), Tourist Commercial (TC)

0.8

Source: Illuminating Engineering Society (IES)

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22.50.160 Permits and fees.

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I. *Permanent Sign Permit – Time Limitation.* Issued sign permits shall become null and void two years after the date of issuance in accordance with MMC 15.04.070(D). ~~If, after the issuance of a sign permit, the operations authorized thereunder are not completed or substantially completed within one hundred eighty days after the date of the permit, such sign permit shall be automatically null and void.~~

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22.50.170 Administration and enforcement.

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G. *Violation and Penalties.* It shall be unlawful for any person, firm or corporation to erect, hang, construct, enlarge, alter, repair, move, improve, convert, equip, use or maintain any sign or sign structure in the city, or cause or permit the same to be done, contrary to or in violation of the provisions of this title. Any person, firm or corporation violating any of the provisions of this title shall be subject to a penalty or fine established ~~by city council~~ in MMC 1.04 Code Enforcement, and each such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this title is committed, continued, or permitted, and upon conviction of any such violation such person shall be punishable by a penalty or fine established ~~by city council~~ in MMC 1.04 Code Enforcement.

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**Amendments to Chapter 22.56 MMC
MARIJUANA RELATED USES**

22.56.040 Marijuana related uses.

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B. For purposes of this chapter, "Marijuana" shall have the same definition as "Cannabis," as provided in RCW 69.50.101, including any amendments or updates thereto. All references to "Marijuana" within this title shall be construed and interpreted as synonymous with "Cannabis."

BC. Marijuana processors, marijuana producers, and marijuana retailers, as defined in Chapter 22.12 MMC, are prohibited in the following zoning districts:

1. All commercial zoning districts, including, without limitation, the following:
 - a. Downtown commercial (DC).
 - b. General commercial (GC).
 - c. Tourist commercial (TC).
 - d. Industrial transition (IT).
2. All industrial zoning districts, including, without limitation, the following:
 - a. General industrial (GI).
 - b. Light industrial (LI).
 - c. Shoreline industrial (SI).
3. All mixed use zoning districts, including, without limitation, the following:
 - a. Mixed use – general (MG).
 - b. Mixed use – medical (MM).
 - c. Mixed use – neighborhood (MN).
4. All open space zoning districts, including, without limitation, the following:
 - a. Limited open space (LS).
 - b. Parks (P).
5. All public facility zoning districts, including, without limitation, the following:
 - a. Institutional (IN).
 - b. Transportation (TR).
6. All residential zoning districts, including, without limitation, the following:
 - a. Multifamily residential – 25 units per acre (R25).
 - b. Single-family residential – 4 units per acre (R4).
 - c. Single-family residential – 7 units per acre (R7).
 - d. Single-family residential – 15 units per acre (R15)
7. Any new zoning district established after May 3, 2015.

CD. In addition to any other applicable remedy and/or penalty, any violation of this section is declared to be a public nuisance per se, and may be abated by the city attorney under the applicable provisions of this code or state law, including but not limited to the provisions of Chapter 1.04 MMC.

**Amendments to Chapter 22.60 MMC
TEMPORARY USES**

22.60.040 Allowed temporary uses.

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B. *Mobile Vendors.* Mobile vendors shall include those businesses or persons who engage in selling goods, services, or food from a temporary structure, vehicle, or other conveyance. Mobile vendors include food trucks and carts. Mobile vendors may be permitted on either public or private property, provided all of the following requirements as well as all applicable requirements of this chapter are met.

1. *General Provisions.*

- a. Mobile vendors may operate in one location for a maximum of twelve hours per any twenty-four-hour period.
- b. No mobile vendor shall sell or convey goods in the public right-of-way without an approved right-of-way permit issued by the city of Monroe.
- c. Mobile vendors shall not obstruct the passage of any sidewalk, street, avenue, alley or any other public place, by causing people to congregate at or near the place where any article is being sold or offered for sale.
- d. No merchandise will be offered, displayed, or sold, and no customers served, in any vehicle travel lane.
- e. Mobile vendors shall not conduct business unless the vehicle or conveyance is parked and operated in full compliance with the traffic and sidewalk ordinances of the city, in effect at the time of application or as hereafter amended.
- f. This section shall not apply to vendors operating in conjunction with, and at the location of, events known as the farmers' market or as part of permitted special event, per Chapter 5.28 MMC, Special Events.
- g. No temporary/portable restrooms are allowed on site.
- h. All mobile vendors shall clean up all litter originating from their business, each day, within a one-hundred-fifty-foot radius of the location where sales occur.
- i. Shall comply with all clauses and regulations of the Snohomish County health department regarding food handling.
- j. Shall not sell, operate or supply any good or service unless properly licensed by the state and/or county.
- k. No sound generating devices, such as radios or speaker systems, shall be used.
- l. Each individual solicitor or mobile vendor shall obtain a solicitor/mobile vendor license, and shall be required to carry and display the solicitor or mobile vendor license on their person whenever engaged in solicitation or mobile vending.
- ~~m. Application for a solicitor/mobile vendor license must be made at least two working days before the license may be issued.~~
- nm. A business license is required for all mobile vendors prior to conducting business, in conformance with licensing requirements established in Chapter 5.02 MMC, Business Licenses.

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**Amendments to Chapter 22.62 MMC
WIRELESS COMMUNICATION FACILITIES (WCF)**

22.62.120 Small wireless facility application requirements.

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F. A professional engineer licensed by the state of Washington shall certify in writing, over ~~his or her~~ their seal, that both construction plans and final construction of the small wireless facilities and structure or pole and foundation are designed to reasonably withstand wind and seismic loads as established by the International Building Code. The building official may accept alternative forms of the structural approval if the review and calculations are conducted by another agency, such as the pole owner.

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22.62.200 Abandonment and removal.

A. A WCF shall be removed by the facility owner within six months of the date it ceases to be operational or if the WCF falls into disrepair. Disrepair includes structural features, paint, landscaping, or general lack of maintenance which could result in safety or visual impacts. Whenever a WCF ceases operation or falls into disrepair as provided in this section and as determined by either the designated official or the WCF provider, the entire WCF shall be removed, including but not limited to all antennas, antenna supports, feeder lines, equipment enclosures, equipment, conduit, and the concrete pad upon which the structure is located. The WCF provider may apply for an extension of time within those six months if resuming operation of the facility is expected. The director, at ~~her/his~~ their sole discretion, may extend the time for a period not to exceed six months upon written request by the WCF provider.

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**Amendments to Chapter 22.68 MMC
SUBDIVISIONS**

22.68.040 Subdivisions and short subdivisions.

A. Preliminary Subdivisions and Short Subdivisions.

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5. *Time Limits.* The following time limits apply for preliminary subdivisions and short subdivisions:

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b. *Review of Preliminary Short Subdivisions.* Preliminary short subdivisions shall be approved, disapproved, or returned to the applicant within ~~thirty~~thirty-nine days from the date of filing a complete application thereof, unless the applicant consents to an extension of such time period.

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D. Final Subdivision Process for Preliminary Subdivision and Short Subdivision.

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5. *Public Works Director Review/Approval of As-Built Drawings.* Upon receipt of the as-built drawings, the public works director shall review such drawings for completeness.

a. If the public works director finds that the as-built drawings are not in accordance with the preliminary subdivision, the approved construction drawings, and/or development requirements and standards of this code and the development design standards, the public works director shall return the drawings to the applicant along with a letter identifying the deficiencies.

b. If the public works director finds that the drawings meet city requirements, the public works director and public works superintendent shall sign a reproducible ~~mylar~~paper copy furnished by the applicant. The public works director shall notify the applicant to submit a maintenance bond and final subdivision application.

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9. *Review/Approval of Final Subdivision Application.* The city shall check the subdivision for accuracy and conformance with the approved preliminary subdivision and the requirement of city ordinances and state law.

a. The final subdivision shall consist of a subdivision map and survey information attachments. The approved preliminary subdivision may be used as the final subdivision provided all specification requirements of this section are included. The final subdivision map shall be prepared by or under the supervision of a land surveyor registered in the state of Washington and prepared in black ink on any standard material consistent with and conforming to Chapter 58.09 RCW and WAC 332-130-150 and acceptable to the city measuring eighteen inches by twenty-four inches in size. Each sheet, including the index sheet, shall conform to, and be compatible with, the Snohomish County recorder's recording standards and guidelines. The subdivision shall include the following information:

- i. Information required by the preliminary subdivision approval, including the building envelopes, significant trees to be retained, and sensitive areas and buffers;
- ii. The name of adjacent subdivisions and unplatted property shall be identified using dotted lines;
- iii. The name of the subdivision, name(s) of the subdivider(s) and the name of the registered surveyor that prepared the subdivision shall be on all maps and surveyor notes;
- iv. All lots shall be dimensioned and numbered consecutively starting with number (1) and show the lot area ~~and the building setback lines~~ in accordance with this title;

. . . .

E. Effect of Final Approval. As required by RCW 58.17.170, a subdivision shall be governed by the terms of the approval of the final plat, and any lots created thereunder shall be a valid land use notwithstanding any change in zoning laws for a period of no less than five years from date of filing, unless the city council finds that a change in conditions in subdivision creates a serious threat to the public health or safety.

EF. Subdivision Vacation.

1. Any person interested in the vacation of any recorded subdivision or part of a recorded subdivision, or area dedicated for public use, shall file an application for vacation with the planning department. The application shall set forth the reasons for vacation and shall contain signatures of all parties having an ownership interest in that portion to be vacated. If the subdivision is subject to restrictive covenants which are filed at the time of approval of the subdivision, and the vacation would result in the violation of a covenant, the application shall contain an agreement signed by all parties subject to the covenants providing that the parties agree to terminate or alter the relevant covenants to accomplish the purpose of the vacation.
2. Applications for subdivision vacation shall be processed as a Type III permit. The decision-maker shall conduct a public hearing on the application for a vacation and may approve or deny the application for vacation of the subdivision after determining the public use and interest to be served. If any portion of the land contained in the subdivision was dedicated to the public for public use or benefit, such land, if not deeded to the city, shall be deeded to the city unless the approval authority adopts written findings that the public use would not be served in retaining title to those lands. Title to vacated property shall be governed by Chapter 58.17 RCW, Plats – Subdivision – Dedications.

FG. Subdivision Alterations.

1. Any person interested in the alteration of any approved subdivision shall submit an application for the alteration to the community development department. The application shall contain the signatures of the majority of those persons having an ownership interest of lots, tracts, parcels, sites, or divisions in the subject subdivision or portion to be altered and other application submittal materials as required. If the subdivision is subject to restrictive covenants which were filed at the time of the approval of the subdivision, and the alteration would result in the violation of a covenant, the application shall contain an agreement signed by all

parties subject to the covenants providing that the parties agree to terminate or alter the relevant covenants to accomplish the purpose of the alteration.

2. Alterations shall be reviewed in accordance with the process set out in Chapter 22.84 MMC, Permit Processing, for Type III permit applications.

3. If an alteration is approved, the applicant shall submit to the city a revised drawing of the approved alteration of the subdivision, which after signature of the decision-maker shall be filed by the applicant with the Snohomish County auditor's office to become the lawful subdivision of the property. The revised drawing shall be surveyed and prepared by a Washington State licensed land surveyor.

GH. Preliminary Subdivision Modifications.

1. Applications to modify preliminary subdivisions that have received preliminary approval that result in any substantial changes as determined by the city shall be considered major modifications and treated as a new application for purposes of vesting and processing. For the purpose of this section, substantial change includes the creation of additional lots, the elimination of open space, change to the overall layout that would change the quality of the design or product, or changes to conditions of approval on an approved preliminary subdivision.

2. Minor modifications shall be reviewed in accordance with the process set out in Chapter 22.84 MMC, Permit Processing, for Type II permit applications. The following modifications of preliminary plat approval may be reviewed administratively:

- a. Engineering detail unless the proposed detail modifies or eliminates features specifically required as an element of the preliminary plat approval;
- b. Minor changes in lot lines or lot dimensions;
- c. A decrease in the number of lots to be created.

3. Minor modifications shall be reviewed for consistency with this chapter and the regulations of this title, as well as the following criteria:

- a. The amendment maintains the design intent or purpose of the original approval;
- b. The amendment does not cause a significant environmental or land use impact on or beyond the site;
- c. The amendment is not precluded by the terms of this title or by state law from being decided administratively; and

d. Circumstances render it impractical, unfeasible or detrimental to the public interest to accomplish the subject condition or requirement of preliminary plat approval.

22.68.050 Model homes.

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C. *Eligibility.* A subdivision having received preliminary plat approval is eligible to submit a permit for model homes, provided the following criteria are met:

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12. No two model homes in a subdivision shall be identical or nearly identical floor plans. Two model homes shall be considered to have nearly identical floor plans if the only difference between them is the mirror-reversal of the layout.

22.68.070 Binding site plans.

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B. *Applicability.* The following proposed divisions of land shall be governed by the provisions of this section:

1. The use of a binding site plan to divisions for sale or lease of commercially or industrially zoned property as provided in RCW 58.17.040(4);
2. Divisions of property for the purpose of lease when no residential structure other than mobile homes, tiny houses or tiny houses with wheels as defined in RCW 35.21.686, are permitted to be placed upon the land as provided for in RCW 58.17.040(5); and
3. Divisions of property as provided for in RCW 58.17.040(7) including division as a result of either chapter 64.32 RCW Horizontal Property Regimes Act (Condominiums) or chapter 64.34 RCW Condominium Act.

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E. *Review and Decision.*

1. Preliminary Bbinding site plans for less than ten (10) lots shall be reviewed in accordance with the process set out in Chapter 22.84 MMC, Permit Processing, for Type III-permit applications. Preliminary binding site plans for ten (10) lots or more shall be reviewed in accordance with the process set out in Chapter 22.84 MMC, Permit Processing, for Type III permit applications. Final binding site plan permits shall be reviewed in accordance with the process set out in Chapter 22.84 MMC, Permit Processing, for Type I permit applications.

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Amendments to Chapter 22.72 MMC
AMENDMENTS TO UNIFIED DEVELOPMENT REGULATIONS

22.72.040 Review process.

A. *Procedure.*

1. Applications for amendments to the unified development regulations shall follow the procedures for a Type IV project review, pursuant to MMC 22.84.030, Types of project permits.

2. Applications for amendments to the official zoning map by a property owner for a specific property ("site-specific rezone"), which is consistent with the Monroe comprehensive plan, shall follow the procedures for a Type III land use action, as set out in Chapter 22.84 MMC, Permit Processing. Such site-specific rezones are a quasi-judicial land use proceeding, for which the Hearing Examiner will hold the open record public hearing and forward a recommendation to the City Council. The City Council is the final decision-making body.

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**Amendments to Chapter 22.78 MMC
STATE ENVIRONMENTAL POLICY ACT**

22.78.040 Definitions and abbreviations.

A. Consistent with WAC 197-11-040, the city adopts by reference the definitions contained in WAC 197-11-220 and WAC 197-11-700 through 197-11-799. In addition, the following definitions are adopted for this chapter:

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3. "Zoning administrator" means the Monroe community development director or ~~his/her~~ their designee.
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22.78.140 Public notice and comments.

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D. The city may require an applicant to complete the public notice requirements for the applicant's proposal at ~~his or her~~ their expense.

**Amendments to Chapter 22.80 MMC
CRITICAL AREAS**

22.80.140 Bonds.

An applicant for development within a critical area as identified herein may be required to furnish the city with a performance bond and/or maintenance bond for any required mitigating measures. ~~The city attorney or zoning administrator~~ or their designee shall determine the amount and time limitation of the bond or other security.

**Amendments to Chapter 22.82 MMC
SHORELINE MANAGEMENT**

22.82.030 Compliance required.

No developments or uses shall be undertaken on the shorelines of the city of Monroe except those that are consistent with the policies of this chapter and, after adoption or approval, as appropriate, the applicable guidelines, regulations, or the Monroe SMP. No substantial development or use shall be undertaken on the shorelines of the city of Monroe without first obtaining a permit from the city. No exempt development activities or use as defined in MMC 22.82.060 shall be undertaken without first acquiring a letter of exemption from the zoning administrator or ~~his/her~~ their designee. When development is proposed consistent with the limited exceptions in WAC 173-27-044, such development shall not require review or permit approval under this chapter and the Monroe SMP. Nothing in this chapter shall authorize the issuance of a permit contrary to the laws of Washington State.

**Amendments to Chapter 22.84 MMC
PERMIT PROCESSING**

22.84.030 Types of project permits.

For the purpose of project permit processing, all project permit applications shall be classified as one of the following: Type I, Type II, Type III, or Type IV.

A. *Type I Permits.* Type I permits set forth in Table 22.84.060(B)(1): Project Permit Types are minor administrative actions, and are not subject to public notice or a public hearing. Decisions on Type I actions are made by the zoning administrator. Type I project permits include the following actions:

1. Administrative interpretations shall meet the requirements set out in ~~Chapter 22.10-MMC~~ 22.10.060 (A)(4).

2. Final binding site plan reviews shall meet the requirements set out in MMC 22.68.070, Binding site plans.

~~23.~~ Boundary line revisions that are exempt from review under SEPA shall meet the requirements set out in MMC 22.68.060, Boundary line revisions.

~~34.~~ Development permits that are exempt from review under SEPA.

~~45.~~ Land clearing/forest practices permits that are exempt from review under SEPA shall meet the requirements set out in Chapter 22.86 MMC, Land Clearing and Forest Practices.

~~56.~~ Final short subdivisions shall meet the requirements set out in MMC 22.68.040(D), Final Subdivision Process for Preliminary Subdivision and Short Subdivision.

~~67.~~ Site plan reviews shall meet the requirements set out in Chapter 22.58 MMC, Site Plan Review.

~~78.~~ Final subdivisions shall meet the requirements set out in MMC 22.68.040(D), Final Subdivision Process for Preliminary Subdivision and Short Subdivision.

~~89.~~ Temporary use permits shall meet the requirements set out in Chapter 22.60 MMC, Temporary Uses.

B. *Type II Permits.* Type II permits set forth in Table 22.84.060(B)(1): Project Permit Types are major administrative actions subject to public notice. A public hearing is not required. Decisions on Type II actions are made by the zoning administrator. Type II permits include the following actions:

1. Administrative departures shall meet the requirements set out in MMC 22.42.100(A).

~~42.~~ Accessory dwelling units shall meet the requirements set out in MMC 22.16.050, Accessory dwelling units.

~~2.~~ ~~Final binding site plans shall meet the requirements set out in MMC 22.68.070, Binding site plans.~~

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C. *Type III Permits.* Type III permits set forth in Table 22.84.060(B)(1): Project Permit Types are quasi-judicial actions subject to public notice and a public hearing. Decisions on Type III actions are made by the hearing examiner after consideration of a recommendation from the zoning administrator, unless otherwise specified in Table 22.84.060(B)(2): Decision-Making and Appeal Authorities. Type III permits include the following actions:

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8. Site-Specific Zoning Map Amendment (Site-Specific Rezone) shall meet the requirements set out in MMC 22.72.040.

89. Preliminary subdivisions shall meet the requirements set out in MMC 22.68.040(A), Preliminary Subdivisions and Short Subdivisions.

910. Variances shall meet the requirements set out in Chapter 22.66 MMC, Variances.

4011. Variances from flood hazard regulations shall meet the requirements set out in MMC 14.01.160, Variances.

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22.84.040 Application and review process.

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G. *Time Limits/Review Clock.*

1. The city shall issue a notice of final decision on a project permit application for a preliminary long or short subdivision within ninety days ~~after the applicant is notified that the application is complete~~ from date of filing, pursuant to RCW 59.17.140(2).

2. The city shall issue a notice of final decision on a project permit application for a final long or short subdivision within thirty days ~~after the applicant is notified that the application is complete~~ from date of filing, pursuant to RCW 59.17.140(2).

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22.84.050 Public notice requirements.

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B. *SEPA Notification.* Notification of a SEPA determination shall be in accordance with Chapter 22.78 MMC, State Environmental Policy Act, and the following:

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2. Determinations of nonsignificance and mitigated determinations of nonsignificance shall be provided to the city's agency mailing list, ~~the planning commission, the city council, DRG~~ applicant, and parties of record in accordance with the timelines set out in MMC 22.84.040(G).

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22.84.060 Project permit review.

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B. *Project Permit Applications.* The following tables (Table 22.84.060(B)(1): Project Permit Types, Table 22.84.060(B)(2): Decision-Making and Appeal Authorities, and Table 22.84.060(B)(3): Required Procedures for Project Permit Applications) set out the required project permit decision-making and appeal processes.

Table 22.84.060(B)(1). Project Permit Types

Type I	Type II	Type III	Type IV
<u>Administrative Departure (MMC 22.42)</u>	Accessory Dwelling Unit	Administrative Approval (when a Conflict of Interest Exists)	Comprehensive Plan Amendment

Administrative Interpretation	Binding Site Plan – Final	<u>Binding Site Plan (10+ lots) – Preliminary</u>	
<u>Binding Site Plan - Final</u>		Conditional Use	Unified Development Regulations Amendment
Boundary Line Revision (SEPA exempt)	Binding Site Plan (<10 lots) – Preliminary	Reasonable Use Exception	Area-Wide Zoning Map Amendment (Area-Wide Rezone)
Development Permit (SEPA exempt)	Boundary Line Revision (not SEPA exempt)	Removal of a Six-Year Development Moratorium	Preannexation Zoning ³
Land Clearing/Forest Practices (SEPA exempt)	Development Permit (not SEPA exempt)	Shoreline Conditional Use Permit ²	
Short Subdivision – Final	Land Clearing/Forest Practices (not SEPA exempt)	Shoreline Variance ²	
Site Plan Review	SEPA Threshold Determination/EIS Adequacy ¹	Site-Specific Zoning Map Amendment (Site-Specific Rezone) ⁴	
Subdivision – Final	Shoreline Substantial Development	Subdivision – Preliminary	
Temporary Use	Short Subdivision – Preliminary	Variance	
	Single-Family Dwelling Exception to Development Moratoria	Variance from Flood Hazard Regulation	

Table Notes:

1 Appeals based on the substantive authority of SEPA for conditions imposed outside the threshold determination process are appealable to the city council, as required by RCW 43.21C.060. Otherwise, appeals of SEPA threshold determinations and EIS adequacy are considered procedural determinations and therefore appealable to the hearing examiner per WAC 197-11-680(3)(iv).

2 Shoreline conditional use permits and variances require final approval by the Department of Ecology per Chapter 22.82 MMC, Shoreline Management.

3 City council shall hold two public hearings for a prezone application, as consistent with RCW 35A.14.340.

4 The Hearing Examiner will hold the open record public hearing and forward a recommendation to the City Council. The City Council is the final decision-making body, appealable to Superior Court.

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22.84.080 Appeals

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D. *Judicial Appeals.* The city's final decision on an application may be appealed by a party of record with standing to file a land use petition in Snohomish County court. Such petition must be filed within twenty-one days of issuance of the decision, as provided in Chapter 36.70C RCW.

1. Notice of the appeal and any other pleadings to be filed with the court shall be served on the city as required by law.
2. The cost of transcribing and preparing all records ordered certified by the court or desired by the appellant for such appeal shall be borne by the appellant. The appellant shall post with the city clerk or their designee prior to the preparation of any records an advance fee deposit in the amount specified by the city clerk or their designee. Any overage will be promptly returned to the appellant.

**Amendments to Chapter 22.88 MMC
COMMUTE TRIP REDUCTION (CTR)**

22.88.030 Definitions.

For the purpose of this chapter, the following definitions shall apply in the interpretation and enforcement of this chapter:

A. "Affected employee" means a full-time employee who begins ~~his or her~~ their regular workday at a major employer work site between six a.m. and nine a.m. (inclusive) on two or more weekdays for at least twelve continuous months. For the purpose of defining affected employees the following apply:

1. A full-time employee is a person other than an independent contractor, scheduled to be employed on a continuous basis for fifty-two weeks for an average of at least thirty-five hours per week.
2. The employee will only be counted at ~~his or her~~ their primary worksite.
3. Seasonal agricultural employees, including seasonal employees of processors of agricultural products, are excluded from the count of affected employees.

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