

Ordinance _____
Exhibit A

Title 19 Zoning Amendments

Chapter 19.10 Definitions

19.10.030 Definitions.

“Composting facility, small scale” means a facility or equipment used in the composting of organic feedstock such as yard waste or food waste to produce a product for use as a soil conditioner or amendment. Such product is intended for use on the property from which it was generated and is not intended for sale.

“Deck” means an attached or detached raised horizontal platform, ~~as opposed to a patio, which is built flush with the ground. Decks are most often constructed of wood.~~

“Director” means the Director of the Planning Community and Development Services Department or authorized designee.

“Floor area” means the sum of the gross horizontal areas of all floors of the building or portion thereof devoted to a use, including storage areas. However, “floor area” shall not include attic storage, unfinished basement floor area other than area devoted to retailing activities, to the production or processing of goods, or to business or professional offices. The floor area shall be measured from the exterior face of exterior walls and from the centerline of walls dividing uses or establishments. See UPMC 19.45.080 for guidance on calculating floor area ratio. inside perimeter of the exterior walls.

“Inoperable vehicle” means a vehicle which is apparently inoperable or which requires repairs in order to be operated legally on public roads, such as repair or replacement of a window, windshield, wheel, tire, motor or transmission. any wrecked, dismantled, or partially dismantled, or inoperative vehicle, or any other vehicle or vehicles not legally operable upon the roadway; and/or auto body parts, engines or drivetrain parts, or any other parts, assemblies or components of automobiles and other motor vehicles.

“Kitchen” means any room or area, rooms, or portion of a room or rooms, used, or intended, or designed to be used for the cooking or the preparation of food that contains a range, stove, oven or cooktop that is serviced by gas or a 220/240v outlet, plus one of the following: and a kitchen type sink, garbage disposal, or refrigerator. by having a stove.

“Lot size, minimum” means the smallest lot that can be created through a land division process, consistent with applicable development regulations.

“Lot, substandard” means a parcel of land that has less than the minimum area or minimum dimensions required in the zone in which the lot is located.

“Mobile home/manufactured home park” means a tract of land designed and maintained under a single ownership or unified control where two or more spaces or pads are provided solely for the placement of mobile or manufactured homes for residential purposes with or without charge. A mobile home or manufactured home park shall not include mobile home or manufactured home subdivisions or recreational vehicle parks.

“Modulation” means a stepping back or projecting forward of portions of a building facade within specified intervals of building width and depth, as a means of lessening the apparent bulk of a structure’s continuous exterior walls.

“Street, private” means a privately owned ~~access or route street that which~~ provides vehicle access on a commonly owned tract or ~~private easement, as an easement providing a~~ Access is limited to not more than four dwelling units or ~~non-residential uses~~ businesses on separate parcels or any number of ~~dwelling units or non-residential~~ uses on a single parcel ~~as allowed by a PDD or in a multifamily zone~~. A private street may include property reserved for utilities, transmission lines and extensions, walkways, sidewalks, bikeways and other similar uses.

“Use, temporary” means a use established for a limited duration with the intent to discontinue such use upon the expiration of the time period. Temporary uses include sales by temporary vendors, temporary housing units, temporary real estate offices, temporary construction buildings, and COWs and personal wireless telecommunications facilities exempt under UPMC 23.45.030.

“Yard Sale” means all temporary and intermittent sales that may be variously referred to as “yard sale,” “garage sale,” “lawn sale,” “attic sale,” “rummage sale,” “estate sale,” or any similar casual sale of tangible personal property from a residence or community use that is advertised by any means whereby the public at large is or can be made aware of the sale, and that is clearly secondary to the primary use of the site.

Chapter 19.15 Enforcement and Penalties

19.15.020 Violations.

C. It is a violation of this title for any person to remove or deface any sign, notice, complaint or order required by or posted in accordance with this title, ~~or~~ Chapter [1.20 UPMC](#), ~~or~~ Chapter [1.30 UPMC](#).

E. It is a violation of this title for any person to fail to comply with the requirements, [provisions](#), [standards](#), [criteria](#) or [processes](#) of this title, regardless of whether or not a permit is required.

19.15.035 Investigation and notice of violation.

A. The Director or his representative may investigate any structure or use which the Director reasonably believes does not comply with the standards and requirements of this title.

B. If, after investigation, the Director determines that this title has been violated, the Director may seek compliance and serve a notice of violation [or issue a notice of civil infraction](#) on the owner, tenant or other person responsible for the condition that violates this title and may otherwise enforce this title, pursuant to this chapter; UPMC [19.15.045](#), [Emergency Order](#); Chapter [1.20 UPMC](#), [Enforcement](#); [Chapter 1.30 UPMC](#), [Civil Infractions](#); and Chapter [9.35 UPMC](#), [Public Nuisances](#).

19.15.045 Emergency order.

C. Enforcement authority given the Director under this chapter is in addition to any authority granted under Chapter [1.20 UPMC, Enforcement](#), [Chapter 1.30 UPMC, Civil Infractions](#), and Chapter [9.35 UPMC, Public Nuisances](#).

19.15.055 Penalties.

A. Civil. Any violation of any provision of this chapter constitutes a civil violation under Chapter [1.20 UPMC](#) [and/or Chapter 1.30 UPMC](#) for which a monetary penalty may be assessed and abatement may be required as provided therein.

19.15.060 Additional relief.

The Director may seek legal or equitable relief to enjoin any acts or practices and restore or abate any condition which constitutes or will constitute a violation of this title when civil or criminal penalties are inadequate to effect compliance. The Director may bring such an action under this chapter; Chapter [1.20 UPMC, Enforcement](#); [Chapter 1.30 UPMC, Civil Infractions](#); Chapter [9.35 UPMC, Public Nuisances](#); or under the common law or any applicable federal or State law or City ordinance.

Chapter 19.25 Uses and Zone Classifications

19.25.020 Use tables – Interpretations.

A. Use Categories, Types and Levels. Uses are grouped into eight major categories: residential, civic/[recreation/education](#), utilities, essential public facilities, [resource, office/business](#), commercial, [and industrial](#), ~~and resource~~. Each use category includes a number of use types. Each use type may contain one or more levels. Each level indicates uses based on intensity or characteristics of the use. These use categories, types, and levels are shown on the use tables at the end of this chapter.

19.25.030 Exempt uses.

Unless otherwise stated, the provisions of this title shall not apply to the following uses:

- A. On-site and community septic systems;
- B. Stormwater conveyance systems which include features such as gutters, pipelines, culverts, manholes, weirs, manmade and natural channels, water quality filtration systems and drywells;
- C. Electrical distribution lines and poles less than 40 feet high and under 55 kilovolts;
- D. Sewerage and water conveyance systems which include [small-scale above-ground facilities](#) [and](#) underground or flush-with-the-ground features, including but not limited to pipes and manholes;
- E. Water, oil, and natural gas distribution pipelines;
- F. Natural gas distribution lines (as opposed to transmission lines) and necessary appurtenant facilities and hookups;

G. Cable, fiber optic, or telephone transmission and distribution lines, poles and appurtenances less than 40 feet high (not including personal wireless telecommunication facilities; see UPMC [19.25.060](#), Utilities use category – Descriptions);

H. Streets and linear trails when located in existing rights-of-way; and

I. Fertilizer applications and biosolids applications at or below agronomic rates.

[J. Over-the-Air-Reception Devices such as satellite television antenna \(dish\) of one meter or less in accordance with the Federal Telecommunications Act of 1996 OTARD Rules.](#)

[K. Bus shelters less than 80 square feet in area.](#)

19.25.040 Residential use category – Descriptions.

B. Assisted Living Facilities. Assisted living facilities means any home or other institution that provides housing and basic services, assumes general responsibility for the safety and well-being of the residents, and may also provide domiciliary care to seven or more residents. Assisted living facilities do not include any independent senior housing, independent living units in continuing care retirement communities, or other similar living situations. Residential communities that include a mix of assisted living and independent housing facilities must meet the density requirements of the underlying zone for independent housing that includes dwelling units. use type is a living situation with dwelling units and/or rooms where services such as prepared meals, personal care, supervision of self-administered medication, recreation, and/or transportation are provided. The scope of services provided in assisted living facilities may vary, but it must, at least, provide prepared meals in a group setting and offer transportation services. Assisted living facilities with dwelling units must meet the density requirements of the underlying zone. Assisted living facilities with only “rooms” are not subject to the density requirements of the underlying zone. An assisted living facility shall not serve as a Level II group home.

1. Level 1. Assisted living facilities:

a. Located on an arterial street;

b. Located on two or fewer acres;

c. Limited to two stories in height; and

d. Maintains an architectural character similar to typical single-family and duplex residences including pitched roofs, modulated facades to divide the structure into smaller visual units, and architectural detailing (e.g., at windows and doors, ornamental use of building materials); and

~~e. Maintains 20-foot minimum side yard setbacks.~~

2. Level 2. Assisted living facilities:

a. Located on an arterial street;

b. Located on more than two acres;

c. Limited to two stories in height;

d. Maintains an architectural character similar to typical single-family and duplex residences including pitched roofs, modulated facades to divide the structure into smaller visual units, and architectural detailing (e.g., at windows and doors, ornamental use of building materials); and

~~e. Maintains 20-foot minimum side yard setbacks; and~~

~~ef. Provides Has at least minimum 20 percent of site area as open space including setbacks.~~

3. Level 3. Assisted living facilities with none of the above restrictions.

D. Level I group home use type includes group homes for the physically/mentally challenged, foster homes, and women's shelters and other groups protected by the Fair Housing Act or Washington's law against discrimination. Group homes are living accommodations for related or unrelated individuals with special needs. Individuals may be provided with a combination of personal care, social or counseling services and transportation.

Level II: See ~~this chapter~~ essential public facilities (UPMC 19.25.070(B)).

I. Nursing Home. Nursing home means any home, place or institution that operates or maintains facilities providing convalescent or chronic care, or both, for a period in excess of 24 consecutive hours for three or more patients not related by blood or marriage to the operator, who by reason of illness or infirmity, are unable properly to care for themselves. Nursing homes do not include general hospitals or other places that provide care and treatment for the acutely ill and maintain and operate facilities for major surgery or obstetrics, or both. Nursing home use type refers to multi-unit or multi-bed facilities licensed or approved to provide living accommodations, health care, and medical supervision for 24 or more consecutive hours. A nursing home is not a "hospital." Nursing homes with dwelling units must meet the density requirements of the underlying zone. Nursing homes with only "rooms" are not subject to the density requirements of the underlying zone.

1. Level 1. Nursing homes:

a. Located on an arterial street;

b. Located on two or fewer acres;

c. Limited to two stories in height; and

d. Maintains an architectural character similar to typical single-family and duplex residences including pitched roofs, modulated facades to divide the structure into smaller visual units, and architectural detailing (e.g., at windows and doors, ornamental use of building materials); and

~~e. Maintains 20-foot minimum side yard setbacks.~~

2. Level 2. Nursing homes:

a. Located on an arterial street;

b. Located on more than two acres;

c. Limited to two stories in height;

d. Maintains an architectural character similar to typical single-family and duplex residences including pitched roofs, modulated facades to divide the structure into smaller visual units, and architectural detailing (e.g., at windows and doors, ornamental use of building materials); and

~~e. Maintains 20-foot minimum side yard setbacks; and~~

~~ef. Provides at least Has minimum 20 percent of site area as open space including setbacks~~

3. Level 3. Nursing homes with none of the above restrictions.

19.25.050 Civic/recreation/education use category – Descriptions.

O. Recreation, Public. Recreation, public use type refers to publicly owned recreational areas and recreation facilities. Typical uses include neighborhood parks, community parks, regional parks, waterfront parks, open space, performance theater/center, arboretums, small or special landscaped areas, community gardens, and swimming pools. Also see commercial category, amusement and recreation use type for other types of recreation.

1. Level 1 – Neighborhood and Community Parks and Open Space. Neighborhood parks ~~typically do not exceed range in size from approximately three to~~ 40 acres. Typical uses include but are not limited to ball fields, sports courts, tot lots, trails, passive open space, community centers, concessions, and park maintenance facilities. Open space may be unlimited in size and may or may not have public access.

2. Level 2 – Regional Parks. Regional parks exceed 40 acres in size, and may include uses typical in Neighborhood and Community Parks and larger facilities such as golf courses.

3. Level 3 – Linear Trails. Linear trails are long, narrow parks used for walking, jogging, and bicycling. (Linear trails are exempt when located in existing rights-of-way, see UPMC [19.25.030](#), Exempt uses.)

19.25.110 Use tables.

A. The following use tables indicate which uses are permitted in which zones. Zones are shown across the horizontal axis and use category and types are shown down the vertical axis.

B. Zone Acronyms. The following acronyms are used in the use tables in place of zone names:

R1	Residential 1
R2	Residential 2
MF-L	Multifamily Residential – Low
MF-H	Multifamily Residential – High
POS	Parks and Open Space
MU-O	Mixed Use – Office
NC	Neighborhood Commercial
TC	Town Center
MU	Mixed Use
CC	Community Commercial
LI-BP	Light Industrial – Business Park
MU-M	Mixed Use – Maritime

C. Symbols. The following symbols are employed in the use tables:

1. A blank cell on the table indicates that the use type is not allowed in the zone listed at the top of the column.
2. A “P” in a cell on the table indicates that the use type is permitted subject to applicable standards in this code in the zone listed at the top of the column.
3. A “C” in a cell on the table indicates that the use type is permitted subject to the conditional use provisions specified in UPMC [19.85.020](#), Conditional use permits.
4. A “D” in a cell on the table indicates that the use type is permitted subject to design review under the provisions specified in UPMC [19.85.050](#), Administrative design review.
5. An “A” in a cell on the table indicates that the use type is permitted subject to administrative review under the provisions specified in UPMC [19.85.010](#), Administrative use permits.
6. A number accompanying a “P,” “C,” “D” or “A” in a cell refers to the level of the use type allowed in the zone listed at the top of the column. If a letter is not accompanied by a number, all levels of that use type are permitted, subject to appropriate review. The description of levels for each use type is contained in this chapter.

Residential Use Types and Zone Classification Table

USE TYPES	ZONE CLASSIFICATIONS										
RESIDENTIAL USES	R1	R2	MF	POS	MU-O (14)	NC	TC (15)	MU (14)	CC (15)	LI-BP	MU-M (27)
Adult family home (6 or fewer)	P	P	P		P	P	P	P	P		P
Assisted living facility		P1, C2	P3		P3		P3	P3	P3		
Bed and breakfast (2)	P	P	P		P	P					
Caretaker unit	P (22)			P							P
Family day care facility	P	P	P		P	P	P	P	P		P
Level I group home	P	P	P		P	P	P	P	P		P
Live/work unit					D (5)			D (5)	D (5)		D (16)
Mobile/manufactured home (3)			P								
New manufactured home (4)	P	P	P								
Mobile home park			C								
Multifamily housing			D (16)		D (5)		D (5)	D (5)	D (5)		D (16)
Nursing home		P1, C2	P3		P3		P3	P3	P3		
Single-family attached housing	P1	P1	P2		P2	P2		P2			
Single-family/duplex housing	P	P	P								
Small lot housing	D (17)	D (17)									

See notes in UPMC [19.25.120](#).

Civic and Recreation Use Types and Zone Classification Table

USE TYPES	ZONE CLASSIFICATIONS										
	R1	R2	MF	POS	MU-O	NC	TC	MU	CC	LI-BP	MU-M (20, 21, 27)
Administrative government services				P	P	P	P	P	P	P	
Animal control (animals kept)										C	
Existing cemeteries/mortuaries	C	C									
Community centers	C	C	C	P	P	P	P	P	P	P	P
Community clubs	C	C	C	P	P	P	P	P	P	P	P
Courthouse							C		C		
Cultural services (museums, libraries)				P	C	P	P	P	P		P
Day care centers (exceeds 12)	C	C	P		P	P	P	P	P	C	P
Education	P1	P1	P1		P1	P1 (6), 4, C2	P1 (6), 4, C2, 3	P1 (6), 4, C2, 3	P1 (6), 4, C2, 3	P4	P4
Hospitals/24-hour medical clinics					P, C2	P, C2	P, C2	P, C2	P, C2	C	
Holding cells							P1	P1	P1	C	
Postal services						P1	P1	P1	P1	P1, 2	P1
Private clubs and lodges						P	P	P	P		P
Public safety services	C	C	C		P	P	P	P	P	P	P
Recreation – Public	P1, 3, C2	P1, 3, C2	P1, 3, C2	P1, 2, 3	P1, 3, C2	P1, 3, C2	P1, 3, C2	P1, 3, C2	P1, 3, C2	P1	P1, 3
Recreation – Nonprofit	P	P	C			C	C	C	C		P1, 3

Civic and Recreation Use Types and Zone Classification Table

USE TYPES	ZONE CLASSIFICATIONS										
	R1	R2	MF	POS	MU-O	NC	TC	MU	CC	LI-BP	MU-M (20, 21, 27)
CIVIC AND RECREATION USES											
Religious assemblies	P1, C3	P1, C3	P1, C3		P1, C2	P	P	P	P	P1	P1
Transportation	P1	P1	P1		P1, C2	P1, C2	P1, C2	P1, C2	P1, C2	P1	P1, C2
Utility and public maintenance facilities				P1, 2			P1, C2	P1, C2	P1, C2	P	P1, C2

See notes in UPMC [19.25.120](#).

Utilities/Essential Public Facilities/Resources Use Types and Zone Classification Table

USE TYPES	ZONE CLASSIFICATIONS										
	R1	R2	MF	POS	MU-O (14)	NC	TC (15)	MU (14)	CC (15)	LI-BP	MU-M (20, 21, 27)
Wireless telecommunications facilities (7)	C1, 2, 3	C1, 2, 3	C1, 2, 3, 4	P	C1, 2, 3, 4	C1, 2, 3, 4	C1, 2, 3, 4	P1, A2, 3, C4	C1, 2, 3, 4	P1, A2, 3, C4	P1, C2, 3
Electric facilities	C	C	C		P	P	P	P	P	P	P
Electrical generation, accessory, on site only											
Natural gas facilities	P1	P1	P1		P1, 2	P1, 2		P1, 2		P	P1, 2
Recycling collection sites	P	P	P	P (18)	P	P	P	P	P	P	P
Sewage collection facilities	P	P	P		P	P	P	P	P	P	P
Storm water facilities	P	P	P	P	P	P	P	P	P	P	P
Water supply facilities	P1, C2	P1, C2	P1, C2		P1, C2	P1, C2	P1, C2	P1, C2	P1, C2	P1, C2	P1, C2

Utilities/Essential Public Facilities/Resources Use Types and Zone Classification Table

USE TYPES	ZONE CLASSIFICATIONS										
UTILITIES	R1	R2	MF	POS	MU-O (14)	NC	TC (15)	MU (14)	CC (15)	LI-BP	MU-M (20, 21, 27)
ESSENTIAL PUBLIC FACILITIES (8)	R1	R2	MF	POS	MU-O (14)	NC	TC (15)	MU (14)	CC (15)	LI-BP	MU-M (20, 21, 27)
Level II group homes			C		C			C		C	
Organic waste processing facilities										C	
Correctional institutions										C	
Recycling processors											
Sewage treatment facilities											
Waste disposal facilities											
Waste transfer facilities										C1, 2, 3	
RESOURCE USES	R1	R2	MF	POS	MU-O (14)	NC	TC (15)	MU (14)	CC (15)	LI-BP	MU-M (20, 21, 27)
Agricultural sales						P	P	P	P		P1
Crop production	P	P	P								
Fish enhancement											P
Limited horse boarding	P	P									

See notes in UPMC [19.25.120](#).

Commercial Use Types and Zone Classification Table

USE TYPES	ZONE CLASSIFICATIONS										
	R1	R2	MF	POS	MU-O (14)	NC	TC (15)	MU (14)	CC (15)	LI-BP	MU-M (20, 21, 27)
Administrative and professional offices					P1	P1, 2, 3	P1	P1, 2, 3	P1, 2	P1	P1
Veterinary clinics/animal hospitals					C1	P1	P1	P1	P1	P	
Adult entertainment										C (9)	
Amusement and recreation (private)						P	P	P	P	P	P
Beauty salon/barber					P (10)	P	P	P	P		P
Building materials (11)						P1	P1, C2	P1, C2	P1, C2	P	
Business support services					P	P	P	P	P	P	P
Commercial centers						C	P1, C2 (12)	C	P1, C2 (12)		
Eating and drinking establishment					P4	P1, 2, 3	P1, 3 (27)	P1, 3, C2	P1, 2, 3 (27)	P1, 3 (19)	P1, 3
Food stores (11)						P1, C2	P	P1, C2	P		P1
Garden center (11)						P	P	P	P	C	
Health club (a.k.a. fitness center)						P	P	P	P	C	P
Kennels										P	
Limited accessory retail (MU-O only)					P (13)						
Lodging – Hotels and motels (no RV)						C	P	P	P		P

Commercial Use Types and Zone Classification Table

USE TYPES	ZONE CLASSIFICATIONS										
	R1	R2	MF	POS	MU-O (14)	NC	TC (15)	MU (14)	CC (15)	LI-BP	MU-M (20, 21, 27)
COMMERCIAL USES											
Marinas and other boating facilities (launch ramps and covered moorage) (25)	P1 (23) P2 (24)										P2
Mini casinos											
Movie theaters (indoor only)						P	P	C	P		
Mobile, manufactured, and modular home sales										C	
Vehicle sales, repair, service						P1, 2		P1, C2		P1, 2, C3, 4	P6 (26)
Pawn shops										C	
Personal services (other)					P1 (10)	P1, C2	P1, C2	P1, C2	P1, C2	P	P1, C2
Pet day care						P		P		P	
Rental and repair						P1, C2		P1, C2		P	P1 (26) C2 (26)
Sales of general merchandise (11)						P1, 3, 4, C2	P1, C2 (28)	P1, 3, 4, C2	P1, 3, C2 (28)	P1, C2	P1
Tattoo parlors										P	
Video rental						P	P	P	P	P	
Wholesale trade (11)								C1		P1, C2	

See notes in UPMC [19.25.120](#).

Light Industrial Use Types and Zone Classification Table

USE TYPES	ZONE CLASSIFICATIONS										
	R1	R2	MF	POS	MU-O	NC	TC	MU	CC	LI-BP	MU-M (20, 21, 27)
Boat building										C	C
Bulk fuel dealers										C	
Buy-back recycling											
Contractor yards										P	P (26)
Craft production facilities										P	P
Food and related products										P	C
Industrial services and repair										C	C
Limited manufacturing										P	P
Microbeverage production facilities										P	P
Motion picture, TV and radio production studios								C		P	
Printing, publishing and related industries										P	
Salvage yards										P1, C2	
Storage units										P	P (26)
Vehicle impound yards										P	
Warehousing, distribution and freight movement										C	C

See notes in UPMC [19.25.120](#).

19.25.120 Use table notes.

- (1) *Repealed by Ord. 455.*
- (2) Breakfast is the only meal served.
- (3) In approved mobile/manufactured home parks only.
- (4) Permitted subject to standards in UPMC [19.70.120](#).
- (5) Only permitted in conjunction with a permitted commercial use and subject to compliance with the design standards and guidelines for the Town Center and Community Commercial zones per Chapter [19.52](#) UPMC or the design standards for the Mixed Use and Mixed Use – Office zones per Chapter [19.50](#) UPMC.
- (6) Kindergarten and primary school only.
- (7) Allowed in R1 and R2 zones only in conjunction with selected nonresidential uses in accordance with UPMC Title [23](#).
- (8) Subject to essential public facility review.
- (9) Subject to adult entertainment siting criteria.
- (10) Permitted only at 1,000 square feet gross floor area or less.
- (11) Establishments over 80,000 square feet are considered commercial centers.
- (12) Commercial centers greater than 200,000 square feet are permitted outright in the Town Center zone subject to the Town Center design standards.
- (13) Retail uses that are related to a use in an office building are limited to 750 square feet each. Total retail uses in a building shall not exceed 20 percent of the building's leasable square footage.
- (14) Certain categories of development, including new construction on vacant land, major redevelopment and major improvement, are subject to administrative design review approval to ensure compliance with the design standards and guidelines in Chapter [19.50](#) UPMC.
- (15) Certain categories of development, including new construction on vacant land, major redevelopment and major improvement, are subject to administrative design review approval to ensure compliance with the design standards and guidelines in Chapter [19.52](#) UPMC.
- (16) Allowed in MF-L, MF-H and MU-M zones subject to compliance with multifamily design standards and guidelines per Chapter [19.53](#) UPMC. Vertical mixed use buildings that include multifamily units in the MU-M zone are exempt from these provisions and subject to compliance with the mixed use design standards adopted by reference in Chapter [19.50](#) UPMC.
- (17) Allowed in R1 and R2 zones subject to compliance with small lot design standards and guidelines per Chapter [19.53](#) UPMC.
- (18) Recycling collection receptacles in the Parks and Open Space zone shall not exceed a maximum capacity of 20 cubic yards.

(19) Eating and drinking establishments in the Light Industrial/Business Park zone are only permitted north of 24th Street.

(20) Uses allowed subject to compliance with mixed use design standards per Chapter [19.50](#) UPMC. The Director may exempt development proposals from compliance with specific mixed use design standards that conflict with UPMC Title [18](#), Shoreline Master Program, requirements.

(21) Uses located within the Day Island Medium Intensity (DIMI) Shoreline Environment are also subject to compliance with the requirements of UPMC Title [18](#). Non-water-oriented commercial, industrial and recreation uses, certain transportation and utility uses, and over-water portions of marinas and other boating facilities, are subject to shoreline conditional use permit approval in accordance with Table 18.30.A.

(22) May be authorized only in conjunction with an approved marina or other boating facility.

(23) Modifications to existing marinas and other boating facilities may be authorized in accordance with Level 1 zoning requirements and UPMC Title [18](#), Shoreline Master Program, requirements when located within the R1 Day Island overlay zone. Level 2 marinas are not permitted in the R1 Day Island overlay zone.

(24) Level 2 marinas and other boating facilities may be authorized in accordance with the Chambers Creek properties master site plan and UPMC Title [18](#), Shoreline Master Program, requirements when located within the R1 Chambers Creek properties overlay.

(25) Covered moorage lawfully established prior to adoption of the Shoreline Master Program is a permitted use; no new covered moorage may be authorized. Existing covered moorage may be maintained, modified or replaced, but not extended in terms of cumulative footprint and shading of water. See UPMC [18.30.070](#)(G).

(26) Predominantly marine-related activities, facilities, services, merchandise, and uses. Predominant means the most common, main or prevalent activities measured by the proportion of a site or building floor area devoted to such activities. The City may consider additional factors in determining whether marine-related activities are the predominant [use of a site or building](#).

[\(27\) Conditional use permit required for buildings or structures exceeding 45 feet in height.](#)

[\(287\) Taverns and nightclubs are not permitted on Larson Lane or Drexler Drive.](#)

[\(298\) Dollar stores, factory second stores, and retail establishments primarily selling used goods including second hand stores, are not allowed in the TC and CC zones.](#)

Chapter 19.30 Accessory Uses and Structures

19.30.040 Accessory use list.

A. The following table lists accessory uses permitted in each zone classification. Zones are shown in the row heading and accessory use types are shown in the left column.

<u>USE TYPES</u> <u>ACCESSORY</u>	<u>ZONE CLASSIFICATION</u>										
	<u>R1</u>	<u>R2</u>	<u>MF</u>	<u>POS</u>	<u>MU-O</u>	<u>NC</u>	<u>TC</u>	<u>MU</u>	<u>CC</u>	<u>LI-BP</u>	<u>MU-M</u>
<u>Antenna and Satellite dishes for private telecommunication services</u>	<u>X</u>	<u>X</u>	<u>X</u>								
<u>Antenna and Satellite dishes for commercial telecommunication services</u>			<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>Decks and Patios</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>Carports and Garages for use by occupants of premise without fee, attached or detached</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>Storage buildings for yard maintenance equipment and household goods</u>	<u>X</u>	<u>X</u>	<u>X</u>								
<u>Facilities used in ground maintenance</u>			<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>Greenhouses - Noncommercial</u>	<u>X</u>	<u>X</u>	<u>X</u>								
<u>Minor Auto Repair</u>	<u>X</u>	<u>X</u>	<u>X</u>								
<u>Food service facilities for use primarily by employees with no exterior advertisement of the facility</u>			<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>Incidental storage of raw materials and finished products sold or manufactured on site</u>										<u>X</u>	
<u>On-site hazardous waste treatment and storage</u>										<u>X</u>	
<u>Private docks and mooring facilities</u>	<u>X</u>	<u>X</u>									<u>X</u>
<u>Retaining walls, freestanding walls and fences</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	

<u>USE TYPES</u> <u>ACCESSORY</u>	<u>ZONE CLASSIFICATION</u>										
	<u>R1</u>	<u>R2</u>	<u>MF</u>	<u>POS</u>	<u>MU-O</u>	<u>NC</u>	<u>TC</u>	<u>MU</u>	<u>CC</u>	<u>LI-BP</u>	<u>MU-M</u>
<u>Temporary waste piles authorized by a solid waste permit</u>										<u>X</u>	
<u>Small-scale composting facility to handle less than 10 cubic yards</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>							
<u>Solid waste dumpsters.</u>			<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>Level 1 and 2 battery and electric vehicle charging stations in nonresidential zones.</u>				<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>Donation and recycle collection boxes¹</u>					<u>X</u>	<u>X</u>		<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>Yard Sales²</u>	<u>X</u>	<u>X</u>									
<u>Little free libraries</u>	<u>X</u>	<u>X</u>	<u>X</u>								
<u>Notes</u>											
¹ <u>Subject to compliance with applicable design standards for trash and recycling receptacles</u>											
² <u>Subject to temporary use permit and standards in UPMC 19.35.020(C)(1)</u>											

~~A. Residential. The following accessory uses are customarily incidental to residential uses:~~

- ~~1. Carports or garages for the sole use of occupants of premises and their guests (without fee to guests), attached or detached, for storage of motor vehicles, boats, recreational vehicles, and/or planes.~~
- ~~2. Greenhouse, private and noncommercial.~~
- ~~3. Storage buildings for yard maintenance equipment and household goods.~~
- ~~4. Refer to UPMC 19.30.050 for uses applicable in more than one zone.~~
- ~~5. Minor auto repair is permitted for persons residing at the residence and for relatives of those residing at the residence and shall not be performed in a public right-of-way.~~

B. In addition to the accessory use types permitted in (A) above, the following accessory uses are permitted subject to the performance standards listed below:

61. Major auto repair is permitted only subject to the following provisions on any residential premises in any zone district:

- a. Work shall be limited to the repair and maintenance of vehicles currently registered to occupant(s) residing at that residence. This limitation precludes auto repair on residential premises by any commercial entity or for commercial purposes.
- b. Such work shall be conducted on no more than one vehicle at any one time.
- c. Such work shall only be done within an enclosed structure (such as a garage) or in an area which is screened from public view and neighboring properties.
- d. Such work shall be done only between the hours of 7:00 a.m. and 10:00 p.m.
- e. Such work shall not be done in a street or public right-of-way.

f. Storage of parts, equipment, or other supplies needed for the repair of the vehicle on the premises must be kept within an enclosed structure or in an area screened from public view (i.e., public right-of-way) and neighboring properties.

g. Upon completion of any work allowed by this section, the property shall be cleaned of all debris, oil, grease, gasoline, cloths, rags, and equipment or material used in the work, and shall be left in such a condition that no hazard to persons or property shall remain.

72. Parking or storage of inoperable vehicles subject to the following:

a. No person owning, leasing, renting, occupying, being in possession or having charge of any residentially used or zoned property in the City, including vacant lots, shall retain or store outdoors an inoperable vehicle for more than seven consecutive or nonconsecutive days, except as may be permitted by any other City ordinance, subject to and the following:

~~b.~~(1) No more than one unenclosed or unscreened inoperable vehicle may be on a property at any one time.

~~c.~~(2) Storage of inoperable vehicles for any period greater than seven days shall be within an enclosed structure or screened from neighboring properties and the public right-of-way by a solid fence or approved Level III landscaping pursuant to Chapter 19.65 UPMC.

83. Commercial Vehicles. Commercial vehicles licensed to exceed 10,000 pounds gross vehicle weight (GVW) and semi-trucks, semi-cabs, tractor trailers or heavy equipment shall not be parked or stored in a residential area whether on a street, private or public property. This provision does not apply to temporary parking for delivery, pick-up, moving or service activities. Heavy construction/development equipment may only be parked on a site that is in the process of being developed.

94. Recreational Vehicles and Other Equipment. The outdoor storage, or parking of any combination of two (total) currently licensed motorized or nonmotorized boats or motorized or nonmotorized recreation vehicles is permitted; provided, that they do not interfere with the vision of drivers entering a street from a private driveway by causing a safety hazard for vehicular and pedestrian traffic and that they are maintained in a clean, well-kept condition that does not detract from the appearance of the surrounding area. Nonmotorized recreation vehicles include but are not limited to camper trailers, tent trailers, boat and recreation vehicle trailers. Nonmotorized recreation vehicles do not include bicycles and similar nonmotorized sports equipment.

a. Storage of additional boats and/or nonmotorized recreation vehicles shall, where possible, either be within an enclosed structure or screened from neighboring properties and the public right-of-way by a solid fence or approved Level I landscaping pursuant to Chapter 19.65 UPMC. Storage of additional vehicles is prohibited in required front or side yard setbacks.

b. No recreational vehicle or travel trailer may be used for habitation except as follows:

(1) One recreational vehicle or travel trailer may be used as a temporary dwelling on private residential property already containing another dwelling unit when the owner or user of the recreational vehicle or travel trailer is a nonresident visiting a resident of that property.

(2) Habitation of the recreational vehicle or travel trailer may be permitted for up to five days without a permit and for an extended period not to exceed 14 days upon issuance of a recreational vehicle use permit by the City.

(3) No more than one recreational vehicle/travel trailer use permit may be granted within any six-month period.

(4) Habitation of recreational vehicles is not permitted in the public right-of-way.

(5) Exceptions may be made for serious illness in accordance with Chapter [19.35](#) UPMC, Temporary Uses/Temporary Housing Units.

(6) Recreational vehicles/travel trailers meeting the requirements of this section shall:

(A) Be kept in a side or rear yard and screening from abutting properties is encouraged. If the vehicle cannot be stored in a side or rear yard due to site constraints, the vehicle shall be parked off site.

(B) Be on a hard surface.

(C) Not be located in the public right-of-way.

~~10. Level 1 and 2 battery and electric vehicle charging station — restricted. Privately owned and restricted to the noncommercial use by the residents of the dwelling unit where the station is located.~~

~~**19.30.050 Accessory uses applicable to principal uses in more than one zone.**~~

~~A. The following accessory uses are customarily incidental to uses in more than one zone:~~

~~1. Antennas and satellite dishes for private telecommunication services;~~

~~2. Decks and patios;~~

~~3. Facilities used in ground maintenance;~~

~~4. Food service facilities for use primarily by employees with no exterior advertisement of the facility;~~

~~5. Incidental storage of raw materials and finished products sold or manufactured on site;~~

~~6. Noncommercial recreational facilities and areas (indoor or outdoor), including swimming pools, for exclusive use by employees, patrons or residents, depending upon the principal land use;~~

~~7. On-site hazardous waste treatment and storage;~~

~~8. Private docks and mooring facilities;~~

~~9. Retaining walls, freestanding walls and fences;~~

~~10. Temporary waste piles authorized by a solid waste permit;~~

~~11. Small-scale composting facility to handle less than 10 cubic yards;~~

~~12. Solid waste dumpsters.~~

~~13. Level 1 and 2 battery and electric vehicle charging stations in nonresidential zones.~~

~~B. Other Uses and Structures. Uses and associated structures deemed by the Director to be customarily incidental and subordinate to the principal use of the land or building and located on the same lot with the principal use.~~

~~C. Other City Codes. Please refer to shoreline management use regulations for specific specialized accessory use standards.~~

19.35.020 [Temporary and temporary commercial uses.](#)

It is the intent of this ~~section~~[chapter](#) to regulate certain temporary uses of property which are not otherwise regulated by other City ordinances or regulations.

A. Nonresidential temporary Seasonal uses may occur in any nonresidential zone, or on nonresidential property on arterial streets within residential zones for a period not to exceed 45 days in any 12-month period. Examples of temporaryseasonal uses include Christmas tree sales, fireworks stands, flower stands, outdoor sales of general merchandise, promotions, and farmers' markets.

B. Temporary Seasonal uses are subject to the following requirements:

1. Setback requirements of the zone shall be met for any temporary structure or recreational vehicle.
2. The use will not result in significant traffic, off-street parking, drainage, fire protection, or other adverse impacts. In the case of off-street parking, any required off-street parking for an existing use shall not be diminished below minimum standards.
3. Temporary sign permits shall be required for all signs and are subject to the provisions of Chapter 19.75 UPMC.
4. The use must provide sanitary facilities if the Health Department finds it is necessary.
5. The use must not infringe on the public right-of-way.
6. A performance bond, the amount to be determined by the Director, shall be posted upon the Director's determination that it is necessary to guarantee the removal of the use and that the area be restored to the Director's satisfaction.
7. An affidavit signed by the property owner stating that the property is being used for the temporary use with their consent and indicating the number of days the use is permitted to remain on the property.

C. Residential Zone Temporary Uses. The following residential temporary uses are allowed on private property subject to the following requirements:

1. Yard, estate and similar types of sales as an accessory use to a residential property provided sales last no more than four consecutive days and are held no more than three times per calendar year, provided:

a. Merchandise offered for sale is only displayed during the duration of the sale; and

b. Signs are in compliance with UPMC 19.75.090(G).

2. A portable storage unit for a period not to exceed two weeks and no more than four times per calendar year, except such units may be permitted for the duration of a construction permit.

Chapter 19.36 Temporary Tent Encampments

19.36.010 Regulations established.

Regulations concerning the establishment and processing of applications for temporary tent encampments in the City are hereby established. Temporary tent encampments are only permitted to be located on property owned or controlled by a religious organization recognized by the Internal Revenue Service as exempt from Federal income taxes subject to a temporary use permit. Establishing such facilities contrary to the provisions of this chapter is prohibited. With the exception of temporary use permits for tent encampment facilities that are in full compliance with this chapter, applications for temporary use permits, land use approvals, or any other permit or approval, in any way associated with temporary tent encampment facilities, shall not be accepted, processed, issued, granted, or approved. If a temporary tent encampment is established in violation of this chapter or if, after temporary use permit is issued for the same, the Director determines that the permit holder has violated this chapter or any condition of the permit, the temporary tent encampment, its sponsor and managing agency shall be subject to code enforcement in accordance with Chapter [1.20 UPMC](#) and/or Chapter 1.30 UPMC and all activities associated with the temporary tent encampment shall cease, and the site shall be vacated and restored to its pre-encampment conditions.

Chapter 19.45 Density and Dimension

19.45.030 Density standards.

A. All density provisions shall be calculated in dwelling units per acre (du/ac). The density calculation shall be based upon the net acreage, subtracting out land that, by City, State or Federal regulation, is unbuildable, including:

1. Critical areas including, but not limited to, wetlands, floodways, landslide hazard areas, and fish and wildlife habitat areas. On-site density transfer provided for in UPMC 17.35.050 shall be factored into the calculation;

2. Land below the ordinary high water mark; and

3. Land set aside by dedication or easement for public or private streets. Property within City-acquired easements per subsection B of this section, easements for shared driveways serving no more than two units or lots, or easements for alleys is not excluded from density calculations and is counted as buildable acreage.

~~-. This would include any areas such as, but not limited to, wetlands, floodways, steep slopes, and streets (except as provided in Chapter 17.35 UPMC and subsection (B) of this section), lands below the ordinary high water mark, and lands set aside (by dedication or easement) for public or private streets (not including alleys).~~

Land that may be difficult or expensive to build upon, but where development is not prohibited, is included ~~would still count~~ as buildable acreage. (See also Chapter [19.10 UPMC](#), Definitions, "Density.") When calculating density, no rounding is used.

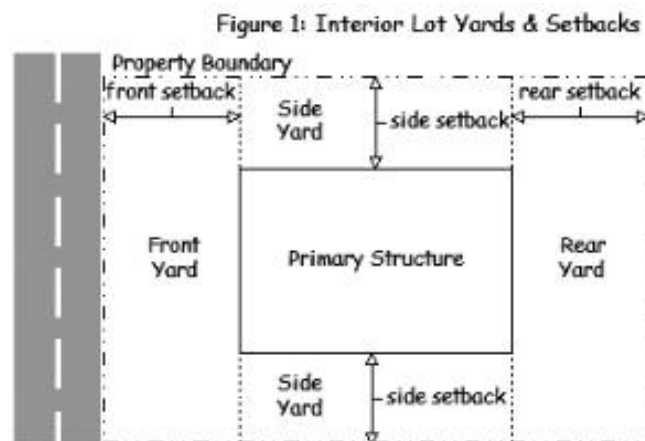
B. Where the City has acquired an easement for street improvements adjoining an existing public street right-of-way, the area of the easement shall be used in density and minimum lot size calculations to determine the number of dwelling units allowed.

C. Base densities are established in UPMC 19.45.100 for each zoning district that allows residential use. Compliance with base density and maximum density standards is required for dwelling units in the MF-L, MF-H, MU-O, MU, MU-M, NC, CC, and TC districts. New lots created through a short plat or conventional subdivision in the R1 and R2 districts shall comply with minimum lot size requirements to achieve a density that is equivalent to the base density.

D. Densities may be increased above the specified base density to the maximum density specified in UPMC 19.45.100 for small lot developments that achieve reduced lot sizes in exchange for the provision of open space and greater amenities. For small lot developments that are not subject to minimum lot size standards, compliance with maximum density standards is required.

19.45.040 Setback standards.

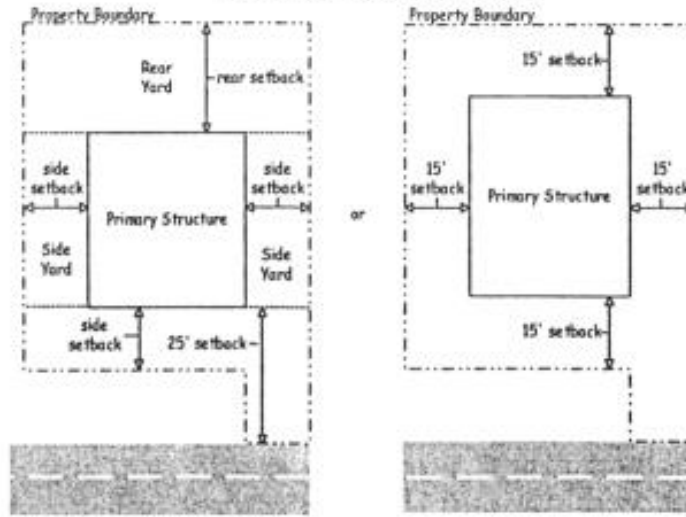
A. A setback is the minimum required distance between any structure and a specified line such as a lot, public right-of-way, private road, easement or buffer line that is required to remain free of structures unless otherwise provided. Setback Measurement. A setback is measured from the edge of a street. Where there is no street, a setback is typically measured from the property line, which may coincide with a public street right-of-way. Where a property line is located within a private street easement, the setback is measured from the edge of the easement. Where the City has acquired an easement for street improvements adjoining an existing public street right-of-way, the setback is measured from the public street right-of-way/property line. A minimum eight-foot setback measured from the edge of a driveway access easement is required. An eight-foot setback is required from portions of hammerhead turnaround easements used only for emergency vehicle access. A setback is measured to the leading edge of a structure or the foundation of a building. Once a determination has been made as to whether a particular yard constitutes a front, side or rear yard, and a structure has been placed on the lot in accordance with applicable setbacks requirements, have been established by the placement of structures on the lot, the established setbacks yard determination shall be maintained. See Figure 1.



B. Pipestem Lots. The owner of a pipestem where the pipestem is either part of the lot or an easement to the lot may select one of the following setbacks:

1. Minimum 15 feet from all property lines for both principal and accessory structures.
2. A 25-foot setback from a line drawn parallel to the street, at the street end of the pipestem, with all other applicable side and rear yard setbacks for the zone. See Figure 2.

Figure 2: Pipestem Lot Yards & Setbacks



C. Where the City has acquired easements for right-of-way purposes, the City may reduce the minimum required setback from the edge of the right-of-way or easement.

D. Designation of Required Setbacks. All lots must contain at least one front yard setback except pipestem lots when the provision of subsection (B)(1) of this section is applied. A front yard setback shall be required abutting each street. Corner lots and through lots may have two or more front yards. All lots must contain one rear yard setback except for through and pipestem lots when the provision of subsection (B)(1) of this section is applied. All other setbacks will be considered side yard setbacks.

1. Corner Lots Exception. If a lot abuts the intersection of two or more streets, the front yard setback on one side of the lot may be reduced to 15 feet, provided the reduced yard does not abut an arterial street, ~~and g~~ Garages and carports shall be designed to ensure a minimum distance of 25 feet from the garage door to the front property line ~~are set back at least 25 feet.~~ See Figure 3a. If a lot abuts a curving street that has no distinct intersection to define two street frontages, the midpoint on the curved front property line shall define the two front yards. See Figure 3b.

Figure 3: Corner Lot Yards & Setbacks

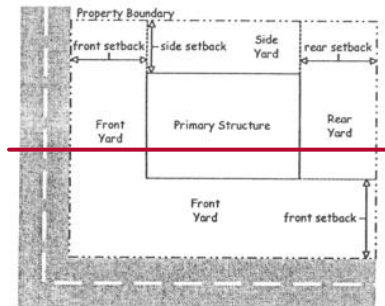


Figure 3a: Corner Lot Yards & Setbacks

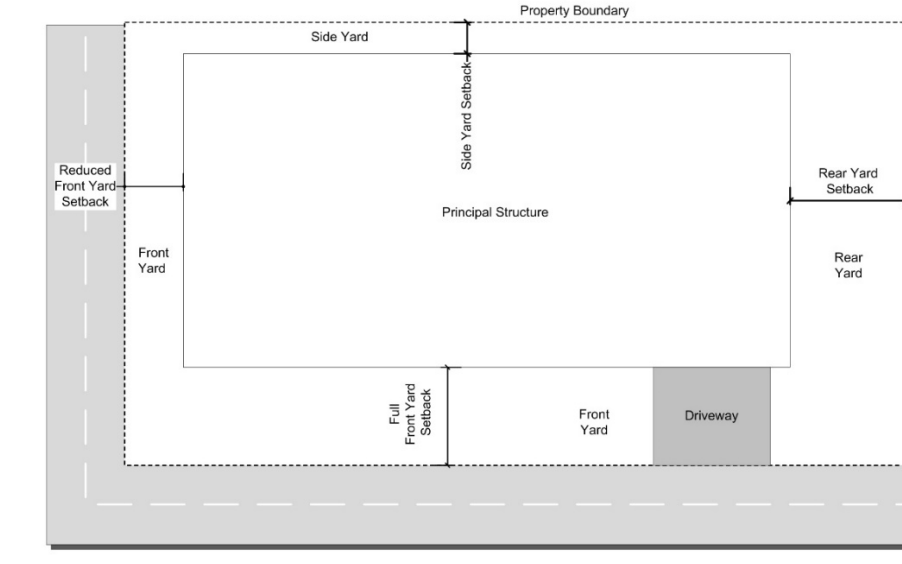
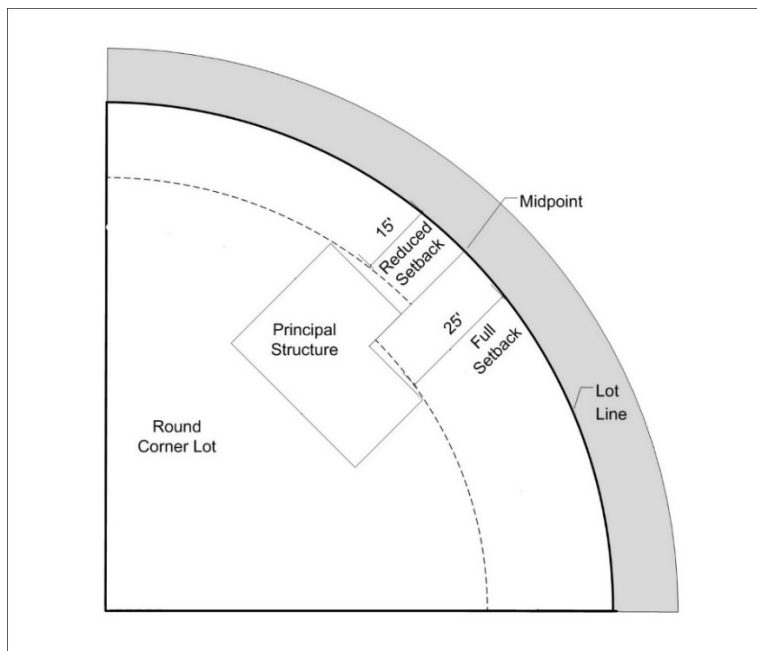
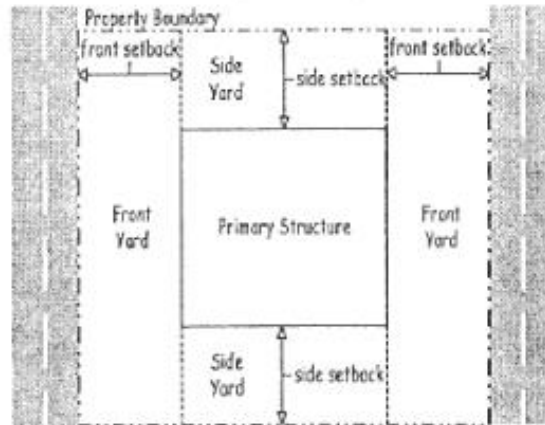


Figure 3b: Curving Street Corner Lot



E. Through Lots. In the case of a through lot, a front yard setback is required abutting each street right-of-way. However, no rear yard setback is required. See Figure 4.

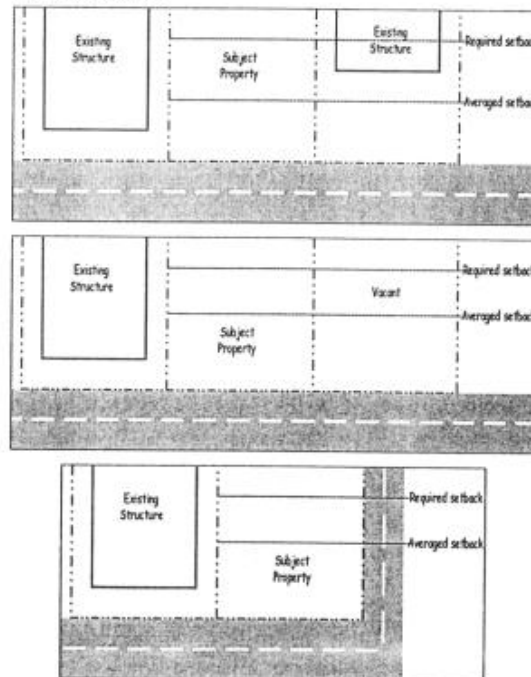
Figure 4: Through Lot Yards & Setbacks



F. Front Yard Setback Averaging. Averaging may be used to reduce a front yard setback requirement when a principal building has been legally established on an abutting lot(s) within the required yard. This provision shall not apply if the abutting lot(s) has received a reduced setback based upon a discretionary land use approval. This exception shall be calculated as follows: See Figure 5.

1. Averaging shall be calculated by adding the existing front yard setbacks of the abutting lots together and dividing that figure by two.
2. In the case of a corner lot or when an abutting lot is vacant, averaging shall be calculated by adding the front yard setback of the abutting developed lot with the minimum front yard setback of the zone in which the construction is proposed and dividing that figure by two.

Figure 5: Setback Averaging



G. Slopes. If the topography of a lot is such that the minimum front yard setback line is eight feet or more above the street grade, and there is no reasonable way to construct a driveway up to the dwelling unit level, a garage/carport may be built into the bank and set at least five feet back from the right-of-way.

H. Detached Accessory Structures – Exceptions.

1. Detached accessory structures including, but not limited to, garages, carports, garden sheds, and other accessory buildings may be placed in the required side and/or rear yard setback or a front yard which abuts an alley or serves as a rear yard where no access is provided (except accessory RV storage gates) from the yard to the street subject to the following requirements. See Figure 6.

a. The total area of structures shall be no larger than 600 square feet in gross floor area;

b. Maintain five-foot minimum side and rear yard setbacks;

c. Have no portion of the structure, such as eaves, closer than three feet from any property line;

d. Be no greater than ~~18~~15 feet in height at top of ridge and 10 feet at the top wall plate where the roof structure connects to the wall; and

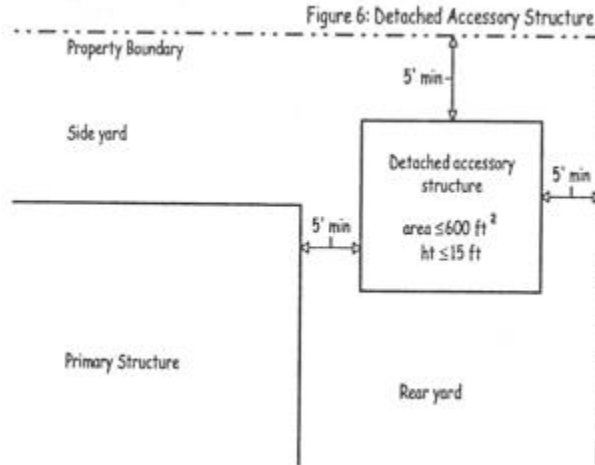
e. Be no closer than five feet to the primary structure.

2. Large children’s play equipment such as swing sets, big toys, and swimming pools (above- and in-ground) shall be set back a minimum of five feet from a side and/or rear property boundary.

3. Children’s play equipment, excluding swimming pools, may be placed in the required front yard; provided, that a minimum 15-foot front yard setback is maintained.

4. Detached accessory structures located within a small lot or multifamily development shall comply with the “Design Standards and Guidelines for Small Lot and Multifamily Development” adopted pursuant to Chapter [19.53](#) UPMC.

5. Detached accessory structures, play equipment, and related improvements located within a shoreline vegetation conservation area shall comply with the requirements in UPMC [18.25.100](#)(E) and [18.30.130](#)(C).



6. Mechanical equipment, including air conditioning units, heat pumps, swamp coolers and other HVAC equipment, shall be set back at least five feet from any side or rear property line and shall not encroach into required front yard setbacks.

I. Bus Shelters. School district or transit authority bus shelters may be located within a front yard setback when located on private property if they do not exceed 50 square feet of floor area and one story in height; provided, all applicable site distance requirements are met.

J. Projection Exception.

1. Projections including, but not limited to, fireplace structures, bay or garden windows, building wall modulations and enclosed stair landings, ~~or covered but unenclosed porches~~ may project into any setback, provided such projections are:

- a. Limited to two per required yard, separated from each other by at least ten feet.
- b. Not wider than 10 feet.
- c. Not more than two feet into an interior side or rear yard setback.
- d. Not more than two feet into ~~or~~ the setback that extends landward from a shoreline vegetation conservation area buffer established per UPMC [18.25.100\(C\)\(3\)](#), except for building wall modulations, which are not allowed to encroach into this setback.
- ~~e.~~ Not more than three feet into a front yard setback.

2. Uncovered decks with floors that ~~which~~ do not exceed 30 inches ~~(not including railings)~~ from average finished ~~lot~~ grade measured at the perimeter of the deck may project into any setback, provided such projections do not extend more than ~~fivesix~~ six feet into a front yard setback, three feet into a side yard setback, and 15 feet into a rear yard setback. In no case shall a deck encroach further into a yard than 50 percent of the setback. Decks located within a shoreline vegetation conservation area buffer shall comply with the standards specified in UPMC [18.25.100\(E\)\(3\)](#).

3. Unenclosed covered porches with floors that do not exceed 30 inches from average finished grade measured at the perimeter of the porch may project six feet into a required front yard setback. Steps providing access to the porch may further encroach into the required setback as needed to meet code.

4. Patio covers and unenclosed covered decks or porches with floors that do not exceed 30 inches from average finished grade measured at the perimeter of the patio cover, deck or porch may project 10 feet into a required rear yard.

53. Wheelchair ramps may project into any required setback.

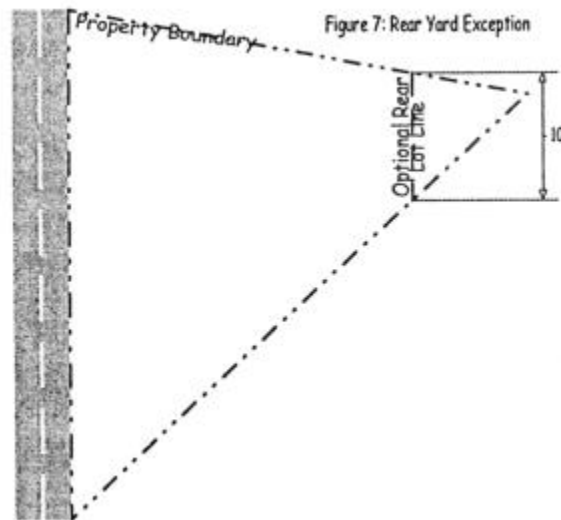
64. Eaves may extend 24 inches into a required setback.

75. Patios, paved walkways and driveways may extend to property lines.

86. Projection exceptions for small lot or multifamily development shall comply with the “Design Standards and Guidelines for Small Lot and Multifamily Development” adopted pursuant to Chapter [19.53](#) UPMC.

97. Projection exceptions for properties located within the City’s shoreline jurisdiction shall comply with the vegetation conservation area requirements in UPMC [18.25.100\(E\)](#), when applicable.

K. Rear Yards Exception. In the case of triangular or otherwise irregularly shaped lots, a line 10 feet in length entirely within the lot, parallel to and at a maximum distance from the front lot line, may be considered the “rear lot line” at the owner’s discretion. See Figure 7.



L. Exemption for Personal Wireless Telecommunication Facilities. Setback exemptions for personal wireless telecommunication facilities are provided in Chapter [23.45](#) UPMC.

M. Variances to Exceptions Not Permitted. An exception is not allowed, except for eaves, when a variance has already been granted for the same purpose. For example, a side yard projection exception may not be used if a side yard variance has been granted to extend the same structural component into the required side yard setback.

19.45.050 Height standards.

A. No residential accessory structure shall exceed the height of the principal structure by more than 5 feet, except barns on property exceeding five acres.

B. Building lots shall not be modified by placement of fill for the purpose of raising the grade level from which building height is measured. Typical modifications necessary to allow development or redevelopment of a site shall be permitted; provided, that the modifications are functionally necessary and represent the minimal intervention required to establish the use on the site. Typical modifications include, but are not limited to, providing access to the structure, ensuring slope stability and/or facilitating on-site stormwater management.

C. Exceptions. Height standards shall not apply to the following:

1. Church spires, belfries, domes, chimneys, antennas, satellite dishes, ventilation stacks, or similar structures; provided, the structure is set back from all property lines a distance equal to the height of the structure.
2. Rooftop Mechanical Equipment. All rooftop mechanical equipment may extend 10 feet above the height limit of the zone; provided, all equipment is set back 10 feet from the edge of the roof.
3. Personal Wireless Telecommunication Antenna. See Chapter [23.45](#) UPMC.

19.45.070 Fences, bulkheads, retaining walls.

A. Fences. Any artificially constructed barrier of any material or combination of materials erected to enclose, screen, or separate areas may be erected within a required yard setbacks subject to compliance with the following height limits and as follows; provided, that all applicable sight site distance requirements in UPMC 13.20.250 are met. Fences located outside of required yards are subject to the height limits specified for the applicable zone See Figure 9.

Yard Location	Maximum Height
<u>Required front yard</u>	<u>4 feet</u>
<u>Required side and rear yards</u>	<u>6 feet</u>
<u>Required front yard of R1 or R2 zoned property separated from a commercially zoned or developed property by an arterial street</u>	<u>6 feet</u>
<u>Required front yard reduced where corner lot exception is applied, per UPMC 19.45.040(D)(1)</u>	<u>6 feet</u>
<u>Required front yard of a through lot where no vehicular access is provided to the abutting street, per UPMC 19.45.040(E).</u>	<u>6 feet</u>
<u>Shoreline jurisdiction yard – varies depending on commercial, industrial, recreational or residential use</u>	<u>See UPMC 18.30</u>

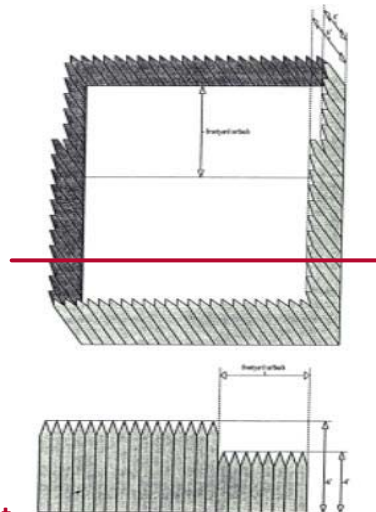


Figure 9: Fence Height

1. Side and rear setbacks to a maximum height of six feet.
2. Front yard setbacks to a maximum height of four feet.
3. Except that in required front yard setbacks for houses fronting on and facing an arterial street, the maximum height shall be six feet.
4. On a corner lot a fence may be constructed to a maximum height of six feet in a front yard where the corner lot exemption (UPMC 19.45.040(D)(1)) is being applied.
5. On through lots a fence may be constructed to a maximum height of six feet in the front yard where no access is provided to the abutting street.
6. Fences located within shoreline jurisdiction shall comply with the requirements in Chapter 18.30 UPMC specified for commercial, industrial, recreational and residential uses.

19.45.090 ~~Compliance with density and m~~Minimum lot size standards.

A. Minimum lot sizes are established in UPMC 19.45.100 for the R1 and R2 districts. These standards apply to new lots created through the short plat or subdivision process. Minimum lot size varies depending on the type of residential use and the zone in which a property is located.

When determining the number of lots that would be permitted within a short plat or conventional preliminary plat while meeting the applicable minimum lot size standard, the calculation shall be based upon the net acreage as defined in UPMC 19.45.030. For example, if a one acre subdivision (43,560 square feet) in the R1 district dedicates 17+/- percent of gross acreage to street right-of-way, approximately 36,000 square feet of lot area (net acreage) would remain for development. This net acreage could be subdivided into four 9,000 square foot lots that meet the R1 minimum lot size standard. This would equate to the R1 base density of four units per gross acre. For a one acre subdivision in the R2 zone, the same 36,000 square feet of lot area (net acreage) could be subdivided into six 6,000 square foot lots that meet the R2 minimum lot size standard. This would equate to the R2 base density of six units per gross acre.

B. For small lot developments that provide additional open space and greater amenities in exchange for design flexibility in the R1 and R2 districts, minimum lot size standards do not apply. Instead, compliance with density standards per UPMC 19.45.030 and 19.45.100 is required.

~~Base densities are established in UPMC 19.45.100 for each zoning district that allows residential use. In R1 and R2 districts, these densities may be achieved outright in short plats and conventionally platted subdivisions when newly established lots meet the specified minimum lot size. R1 and R2 developments that meet minimum lot size standards are assumed to comply with base density requirements.~~

~~For small lot developments that achieve reduced lot sizes in exchange for the provision of open space and greater amenities, densities may be increased above the specified base density to the limit specified in UPMC 19.45.100. For these types of projects, compliance with density standards instead of minimum lot size standards is required.~~

~~Base densities are also provided for residential development in the MF-L, MF-H, MU-O, MU, NG and TC districts. Compliance with density standards instead of minimum lot size standards is required for multifamily units in these districts.~~

19.45.100 Density and Dimensions Tables

A. The following table specifies development standards for each zone classification. Zones are shown across the row heading and development standard categories are shown in the left column.

Density and Dimensions Table

<u>DEVELOPMENT STANDARDS DENSITY AND DIMENSIONS (SETBACKS)</u>	ZONE CLASSIFICATIONS											
	R1	R2	MF-L	MF-H	MU-O	NC	TC	MU (9)	CC	LI-BP	POS¹	MU-M
Base Density (du/ac) (1)	4 SFD; 5 duplex	6	35	55	45/60 (2)(7)	4	20 min (18)	60 (2)	60			30
Maximum Density (du/ac) (3)	6 small lot housing	9 small lot housing	40	60	50/65 (2)(7)	6	none	65 (2)	65			35
Minimum Lot Size (16)	9,000 detached SFD, 6,750 attached SFD, and 13,500 duplex in conventional plat; none specified for small lot housing	6,000 SFD, 12,000 duplex in conventional plat; none specified for small lot housing	4,000	2,500	4,000	4,000		4,000				
Minimum Lot Width (15)	60'	55'										
Maximum Lot Coverage	50% (17)	50% (17)	50%		45%	45%		45%				50 – 65% (22) 75 – 90% (23)

Density and Dimensions Table

DEVELOPMENT STANDARDS DENSITY AND DIMENSIONS (SETBACKS)	ZONE CLASSIFICATIONS											
	R1	R2	MF-L	MF-H	MU-O	NC	TC	MU (9)	CC	LI-BP	POS¹	MU-M
Setback, Arterial Streets	25' (19)	25' (19)	25'		15'/20' min/max (5)	25'	0'/20' (18)	15'/20' min/max (5)	0'/10' min/max (18)	35'	25'	0'
Setback, Other Roads	25' (19)	25' (19)	25'		15'/20' min/max (5)	20'	0'/20' (18)	15'/20' min/max (5)	0'/10' min/max (18)	25'	25'	0'
Setback, Rear (4)	30' (19)	30' (19)	0'/30'		0'/30'	0'/30'	0'/50' (13)	0'/30'	0'/30'	0'/50'	30'	0'/30'
Setback, Side (4)	8' (8) (19)	8' (8) (19)	0'/30' (8)		0'/30' (8)	0'/30' (8)	0'/30' (13)	0'/30' (8)	0'/30'	0'/50'	8'	0'/30'
Maximum Height	35' SFD or duplex, 30' small lot (20)	35' SFD or duplex, 30' small lot (20)	45'		45'	40'	75'/120'/55' (14)	45'	45' (18)	40'	45'	35'/45'/65' (24)
Floor Area Ratio (FAR)	.4240 average and .4745 maximum for small lot housing; .4240 maximum for existing substandard lot (21)	.4240 average and .4745 maximum for small lot housing; and .4240 for existing substandard lot (21)										

1. Code reviser's note: Ord. 589 added the POS column to this table. That amendment was inadvertently left out of Ord. 607. It has been restored to the table per the intent of the city.

B. The following table specifies development standards for each overlay zone classification. Overlay zones are shown across the row heading and development standard categories are shown in the left column.

Overlay Zones Density and Dimensions Table(Setbacks)

<u>DEVELOPMENT STANDARDS-</u>	<u>OVERLAY ZONES CLASSIFICATIONS</u>					
	Chambers Creek Properties CCPO	Public Facility PFO (6)	Transition Properties TPO	Day Island DIO	Day Island South Spit DISSO	Sunset Beach SBO
Base Density (du/ac) (1), (2)	0 (27)		(6)	4	4	4
Maximum Density (du/ac)	0 (27)		(6)	6 (3)	6 (3)	6 (3)
Setback, Arterial Streets (10)	25'		(6)	NA	NA	NA
Setback, Other Roads	25'		25'	20' (11)	0'	0'/20' (12)
Setback, Rear (4)	0'		(6)	20'/35' (25)	5' (26)	5' (26)
Setback, Side (4)	0'		(4)	5'	0'	5' Total
Height	45'		(6)	35'	30'	35'

19.45.10019.45.110 Density and dimension table notes.

- (1) Base Density. These densities may be achieved outright by following the applicable development and design standards.
- (2) Mixed Use Development. Multifamily residential development is only permitted in conjunction with a permitted commercial use and subject to applicable design standards.
- (3) Maximum density in R1, R2 or specified overlay districts may only be achieved through approval of a small lot development designed in accordance with the “Design Standards and Guidelines for Small Lot and Multifamily Development” adopted pursuant to Chapter [19.53](#) UPMC. Maximum density in MF-L, MF-H, MU-O, MU-M, CC, NC or MU districts may only be achieved for a multifamily project that receives Washington State Housing Finance Commission approval for a Low Income Housing Tax Credit (LIHTC) and is designed in accordance with the “Design Standards and Guidelines for Small Lot and Multifamily Development” adopted pursuant to Chapter [19.53](#) UPMC.
- (4) Side and Rear Yard Setbacks. A side or rear yard setback is not required in LI-IB, CC, TC, MU, NC, MF-L, MF-H, MU-M and MU-O zones if the parcel does not abut an R1 or R2 zone. If abutting an R1 or R2 zone, a 30-foot setback is required along the abutting lot line(s), unless the subject parcel is in a transition overlay, in which case a 20-foot setback is required along the abutting lot line(s). No setback is required in the MU-M zone where the parcel abuts a railroad right-of-way.
- (5) Fifteen feet is a minimum setback requirement. Maximum setback is 20 feet. However, see also design standards (Chapter [19.50](#) UPMC).
- (6) Refer to underlying zone.
- (7) Within the 27th Street Business District west of Bridgeport Way West, base density is 45 dwelling units per acre and maximum density is 50 units per acre. In other MU areas, base density is 60 dwelling units per acre and maximum density is 65 dwelling units per acre.
- (8) Single-family attached units shall meet all R1 setback requirements except for the common lot line where the side yard setback may be zero feet. The remaining side yard, if not attached, shall be set back eight feet.
- (9) Mixed use (MU) zoned properties on the north side of 27th Street West between Grandview Drive and Crystal Springs Road may increase height and density in accordance with UPMC [19.55.080](#).
- (10) *Repealed by Ord. 636.*
- (11) Detached one-story garages may be set back a minimum of five feet providing sight distance is maintained.
- (12) The front yard setback shall be the distance between the existing house and the railroad right-of-way or 20 feet, whichever is less.
- (13) Town Center Zone Setbacks.
 - (a) Front Yard. No setback is required from streets except at significant corners where a 20-foot setback is required;

(b) Rear Yard. A rear yard setback is not required if the parcel does not abut a parcel in the R1 or R2 zone. If abutting a parcel in the R1 or R2 zone, a 50-foot setback is required along the abutting lot lines;

(c) Side Yard. A side yard setback is not required. If a side yard setback is provided, a minimum of 10 feet is required.

(14) Within the Town Center zone, structures on the west side of Bridgeport Way shall not exceed 75 feet in height. Between Bridgeport Way and Drexler Drive West, height shall not exceed 120 feet. East of Drexler Drive West, height shall not exceed 55 feet. Specific height requirements and exceptions are provided in the Town Center design standards.

(15) Newly created lots shall be of such shape that a circle with a diameter equal to the minimum specified lot width can fit within the boundary of the lot. Minimum lot widths for small lot developments shall be determined through the administrative design review process.

(16) Minimum lot sizes for detached single-family dwelling/duplex dwelling or new lots created through a short plat or conventional preliminary plat/final plat process. Minimum lot size for small lot or multifamily developments shall be determined through the administrative design review process. A legally nonconforming duplex lot existing prior to the effective date of this section may be subdivided into two attached single-family lots, one or both of which may contain less than the required lot area.

(17) Lot coverage refers to the percentage of a lot covered by buildings. For small lot developments, the lot coverage standard applies to buildings, private streets, parking lots, driveways and other impervious surfaces combined.

(18) Review Chapter [19.52](#) UPMC for additional information regarding setbacks, height, density and design standards for the Town Center and Community Commercial zones.

(19) Setbacks for small lot developments shall be in accordance with the “Design Standards and Guidelines for Small Lot and Multifamily Development” adopted pursuant to Chapter [19.53](#) UPMC.

(20) See the “Design Standards and Guidelines for Small Lot and Multifamily Development” adopted pursuant to Chapter [19.53](#) UPMC for additional information regarding height limits for small lot developments.

(21) Floor area ratios for small lot development are based on the average for the entire project; FARs for individual lots may vary. See UPMC [19.45.080](#) for additional information concerning FAR standards.

(22) Impervious area located within 100 feet of the ordinary high water mark; may be increased from 50 to 65 percent by restoring or enhancing the vegetation conservation area in accordance with the provisions of UPMC [18.25.100](#).

(23) Impervious area located more than 100 feet from the ordinary high water mark; may be increased from 75 to 90 percent by restoring or enhancing the vegetation conservation area in accordance with the provisions of UPMC [18.25.100](#).

(24) Maximum height of a building or structure is 35 feet when located within 100 feet of the ordinary high water mark (OHWM). Height may be increased for buildings or structures located more than 100 feet from the OHWM or when located on the upland (easterly) side of 91st Avenue West, up to a range of 45 to 65 feet, when a visual impact assessment is submitted in accordance with UPMC [18.25.110](#)(E) and the decision-maker determines that a proposal will

comply with the purpose and intent of UPMC [18.25.110](#) regarding view protection. The 35-foot, 45-foot and 65-foot limit areas located east of 91st Avenue West are shown in Figure 11.

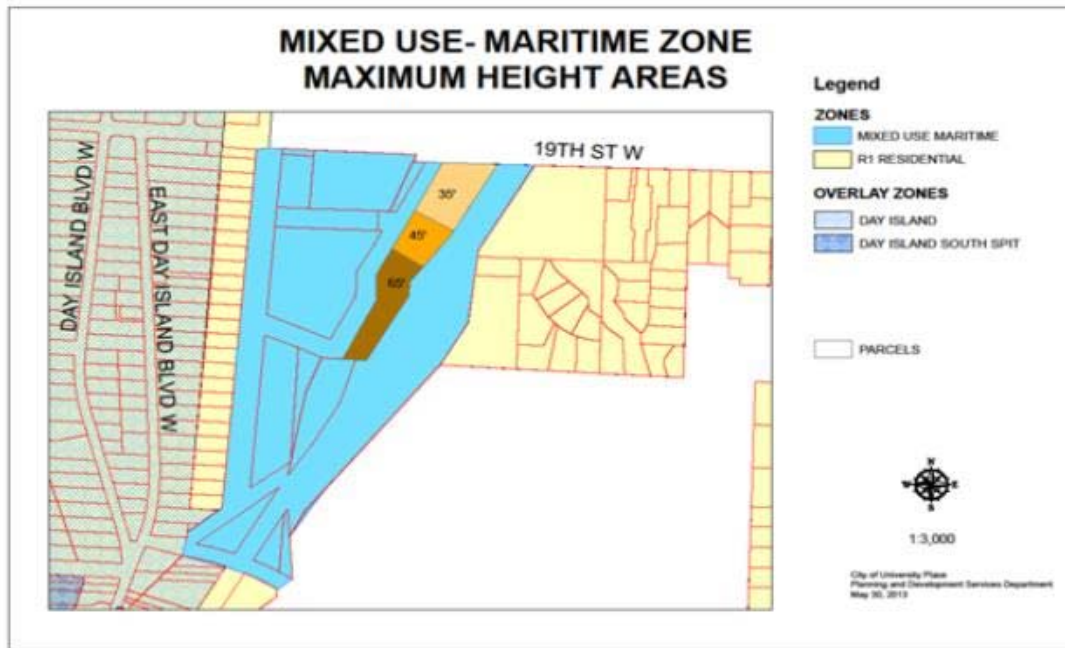


Figure 11

(25) A 35-foot rear setback measured from the ordinary high water mark is required for properties located within shoreline jurisdiction.

(26) Rear setback is measured from the ordinary high water mark.

(27) Only uses included in the Chambers Creek properties master site plan are allowed in the Chambers Creek overlay. Residential uses are not included in the Chambers Creek properties master site plan.

Chapter 19.52 Community Commercial Zone Design Guidelines

19.52.050 Design standards and guidelines adopted.

The "~~Community CommercialTown-Center~~ Zone Design Standards and Guidelines" are adopted by reference and contained in a separate City design manual titled "~~Community CommercialTown-Center~~ Zone Design Standards and Guidelines".

Chapter 19.55 OVERLAY ZONES

Sections:

- 19.55.010 Purpose.
- 19.55.020 Transition properties overlay zone-~~standards~~.
- 19.55.030 Day Island/Day Island South Spit overlay zones.
- 19.55.040 Sunset Beach overlay zone.
- 19.55.060 Chambers Creek ~~p~~Properties overlay zone.
- 19.55.070 Public facilities overlay zone.
- 19.55.080 Mixed use district incentive overlay zonezoning.

19.55.010 Purpose.

The purpose of ~~the overlay/potential~~ zones is to establish special standards for certain areas of the City characterized by unique historical development patterns or which may require special standards due to other unique circumstances applicable to the properties and to implement the goals and policies of the Comprehensive Plan regarding economic development and protection of residential neighborhoods.

19.55.060 Chambers Creek ~~p~~P~~r~~operties overlay zone.

A. Purpose. The purpose of the Chambers Creek ~~p~~P~~r~~operties overlay zone (CCPO) area is to promote the development of the Chambers Creek ~~p~~P~~r~~operties master site plan. The overlay will allow the City and County to manage the development of the Chambers Creek ~~p~~P~~r~~operties in a way that is most beneficial to the County and community.

B. Standards. The City has adopted the Chambers Creek ~~p~~P~~r~~operties master site plan, joint procedural agreement and the Chambers Creek ~~p~~P~~r~~operties design standards in this title to implement the master site plan. These documents are hereby incorporated by reference. Portions of the Chambers Creek ~~p~~P~~r~~operties overlay located within the City's shoreline jurisdiction shall be subject to the Shoreline Master Program requirements in UPMC Title [18](#).

C. Use. The following uses shall be permitted in the Chambers Creek ~~p~~P~~r~~operties overlay:

1. Uses and uses commonly accessory to those uses identified in the Chambers Creek ~~p~~P~~r~~operties master site plan shall be permitted within the overlay ~~zone~~area subject to the Chambers Creek joint procedural agreement and the Chambers Creek ~~p~~P~~r~~operties design standards.
2. Essential public facilities, existing on January 1, 2005, located outside the master site plan area and permitted in accordance with Chapter [19.40](#) UPMC.
3. Administrative government offices.
4. Level 1 public maintenance facilities outside the master site plan area.
5. Level 2 public maintenance facilities outside the master site plan area subject to a conditional use permit.
6. Uses and activities described in the Chambers Creek ~~p~~P~~r~~operties master site plan that are not listed as exemptions in the joint procedural agreement may occur without the requirement to obtain a land use permit (e.g., nonconforming use permit, conditional use permit, or special use permit); however, the requirements for building permits, land development permits, and environmental permits still apply. Uses and activities specifically exempted under the joint procedural agreement will continue to occur within the CCPO and may require modification of existing permits and approvals and/or issuance of new permits and approvals subject to the UMPC.

D. Scope of CCPO. The total acreage subject to the master site plan and CCPO provisions in this title may be increased upon

19.55.070 Public facilities overlay zone.

A. Purpose. The purpose of the public facilities overlay zone is to ensure the impacts associated with public facilities are appropriately mitigated and to provide exceptions to allow public facilities to best serve their clients and community with less cost to the taxpayer.

B. Standards. Unless otherwise specified, all uses and standards of the underlying zone apply.

C. Use. The following land uses shall be permitted in the public facilities overlay:

1. Uses Permitted Outright.

- a. Education Level 1.
- b. Public maintenance facilities (established prior to July 1, 2012).
- c. Public safety services (established prior to July 1, 2012).
- d. Transportation Level I and II (established prior to July 1, 2012).

2. Uses Permitted by Conditional Use Permit.

- a. Public maintenance facilities.
- b. Public safety services.
- c. Public school auxiliary services.
- d. Transportation Level I and II.

D. Signs. Gateway and changing message signs are permitted subject to design and construction standards, general and specific sign requirements, and other requirements of Chapter [19.75](#) UPMC, notwithstanding any restrictions otherwise prohibiting such signs. For the purposes of this provision, gateway sign shall have the same definition as “city gateway sign.” The following restrictions apply to gateway and changing message signs in the public facilities overlay zone:

- 1. Gateway signs existing as of the effective date of this provision may be maintained or reconstructed. No additional gateway signs are permitted.
- 2. Changing message signs shall be programmed so that the transmission of changing messages is limited to 5:30 a.m. to 6:30 p.m. during standard time and 5:30 a.m. to 8:30 p.m. during daylight savings time, except when the transmission of emergency messages is determined to be in the public interest.
- 3. Changing messages shall be limited to text. Messages that include graphics, animation, video clips or other non-text images are prohibited.
- 4. Changing message signs shall be limited in area to 12 square feet. A changing message sign may be incorporated into an identification sign that includes additional area devoted to static (non-changing) messages.

5. Changing message signs shall be programmed to adjust illumination levels to reflect ambient light levels and ensure that illumination levels will not create excessive glare that may result in traffic hazards or other public nuisance.

19.55.080 Mixed use district incentive overlay zone zoning.

A. Purpose. The purpose of the mixed use district incentive overlay zone zoning is to provide incentives for the quality redevelopment of those mixed use zoned properties on the north side of 27th Street West between Grandview Drive West and Crystal Springs Road. The redevelopment of these properties serves to implement the Comprehensive Plan and economic development strategy.

B. Incentives. Those properties in the area described in subsection (A) of this section are permitted a maximum height of 59 feet and maximum density of ~~5030~~ dwelling units per acre subject to this section.

C. Applicability.

1. These standards apply to all new development, exterior alterations and major improvements.
2. All University Place Municipal Code (UPMC) provisions apply unless in conflict with standards in this chapter. The following specific UPMC provisions do not apply:

19.30.040(A)(8)	Commercial Vehicles
19.35.040(D)	Temporary Housing Units – Medical Situations
19.45.040(J)	Projection Exception
19.45.050	Height standards
19.50.020 – 19.50.030	Design Review
19.70.060(F)	Open Space and Parks
19.70.080(B)	Incentives

D. Process.

1. An administrative use permit is required to take advantage of the incentives (Chapter [19.85](#) UPMC). The City shall review the applications in accordance with the process below.
2. Pre-Submittal Concept Review. A pre-design meeting may be scheduled with the City's technical review committee prior to formal project development and application. The applicant may present schematic sketches and a general outline of the proposed project. This meeting will allow City staff to acquaint the applicant with the design standards, submittal requirements and the application procedures, and provide early input on the proposed project.
3. Submittal Requirements. Applicants shall submit a design review application form(s) provided by the City, along with the correct number of documents, plans and support material required in the application checklist.

4. Review Fees. Design review fees must be paid at the time of submittal.

5. Time Frame and Procedure. Design review shall be conducted in accordance with the timelines and procedures set forth in UPMC Title [22](#), Administration of Development Regulations, and shall be considered a Type I permit.

6. Review Criteria. The City shall approve applications when any of the following findings are made:

a. The applicant meets all standards of this chapter, or

b. The application sets forth a proposal that the Director determines is equivalent to or exceeds the standards of this chapter. The Director shall seek a recommendation from the Planning Commission on exceptions in accordance with Chapter [19.50](#) UPMC.

7. Written Decisions. The City shall issue a written decision approving, approving with conditions or denying the permit and include findings of fact and conclusions that support the decision.

8. Exceptions. A standard may be replaced with an equivalent item(s) if the applicant can demonstrate to the satisfaction of the City that the standard is of equal or greater quality or quantity.

9. Expiration of Approvals. If the applicant has not submitted a complete application for a building or site development permit within two years from the date of permit issuance, or if appealed within two years of the final decision, design review approval shall expire. The City may grant an extension for no longer than 12 months, for good cause shown, if a written request is submitted at least 30 days prior to the expiration of the permit.

10. Appeals. Any decision of the City may be appealed to the City Hearings Examiner. Appeals shall be filed as set forth in UPMC Title [22](#).

E. Mixed Use. Mixed use refers to the combining of retail, service or office uses with residential use in the same building or on the same site in one of the following ways:

1. Vertical Mixed Use. A single structure ~~that typically which~~ provides retail, service or ~~commercial and~~ office uses on the ground floor, and residential and/or office uses on the above floors.

2. Horizontal Mixed Use – Attached. A single structure that typically provides retail, service or ~~office commercial~~ uses in the portion fronting the street with attached residential ~~or office~~ uses located toward the rear of in behind the same building.

3. Horizontal Mixed Use – Detached. Two or more structures where retail, service or ~~office commercial~~ uses are is provided in one or more building(s) and residential uses are provided in one or more separate building(s). Horizontal mixed use – detached is only permitted when:

a. ~~When a~~All buildings are located on the same parcel; or b. ~~On~~buildings are located on separate parcels subject to a binding site plan; and

b. A development agreement has been executed in accordance with Chapter 22.30 UPMC, that requires the commercial component to be built within five (5) years of the date of the agreement.

- ~~(1) Requires consistent site and building designs;~~
- ~~(2) Requires the minimum area of retail, office or commercial use is maintained; and~~
- ~~(3) Ensures retail, office and commercial uses are built prior to or concurrently with residential development.~~

F. Design Standards. The Design Standards and Guidelines for the Mixed Use Incentive Zoning Overlay are adopted by reference and contained in a separate City design manual titled “Design Standards and Guidelines for Mixed Use Incentive Zoning Overlay.”

Chapter 19.60 Off-Street Parking Requirements

19.60.050 Off-street parking spaces required for particular uses.

Unless otherwise specified the number of parking spaces required is calculated on a per-square-foot basis. For example, if 200 appears in the table next to the use type, then one parking space is required for every 200 square feet of floor area. In commercial centers, the required parking is calculated for each use separately to determine the total amount of parking required. The minimum number of off-street parking spaces required shall be as set forth in the following table:

	Parking Requirements
RESIDENTIAL USES	
Adult Family Home (6 or Fewer)	1 per employee ¹ + 2
Assisted Living Facility	0.5 per bed
Affordable Senior Multifamily Housing ² (1)	0.6
Bed and Breakfast	0.5 per room
Group Home	0.5 per bed
Mobile/Manufactured Home	1 per unit
Multifamily Housing	
Studio and 1 Bedroom Unit	1 per unit
2 Bedroom Units	1.2 5 per unit
3+ Bedroom Units	1.5 2 per unit
Nursing Home	0.25 per bed
Single-Family Housing (Attached)	2 per unit
Single-Family Housing (Attached) in Small Lot Development	1.5 per unit + 1 guest stall
Single-Family Housing (Detached) in Small Lot Development	2 per unit + 1 guest stall
Single-Family (Detached) and Duplex Housing	2 per unit

	Parking Requirements
CIVIC AND RECREATION USES	
Administrative Government Service	400
Animal Control	400
Cemetery/Mortuary	1 per 5 seats
Community Center	200
Community Club	200
Courthouse	200
Cultural Service (Museum, Library)	250
Day Care Center (Exceeds 12)	1 per employee ¹ + 1 per 10 clients
High School	1 per employee ¹ + 1 per 10 students
Elementary and Intermediate	1 per employee ¹ + 10
Hospital and 24-Hour Medical Clinic	1 per employee ¹ + 1 per bed
Jail	1 per employee ¹ + 0.25 per bed
Postal Service	250 for retail area
Private Club and Lodge	200
Public Safety Service	400
Recreation – Public	2/acre of open space
Recreation – Nonprofit	2/acre of open space
Religious Assembly	1 per 5 seats
Utility and Public Maintenance Facility	400
UTILITIES AND RESOURCE USES	
Utilities Use	
Comm. and Personal Wireless Telecommunication Facility	400*
Essential Public Facilities Use	
Organic Waste Processing Facility	1 per employee ¹ + 10
Sewage Treatment Facility	1 per employee ¹ + 10
Resource Use	
Agricultural Sale	250
*Note: For telecom towers = 1 per tower.	

	Parking Requirements
COMMERCIAL USES	
Office/Business Uses	
Administrative and Professional Office	400
Veterinary Clinic/Animal Hospital	400
Retail/Services/Entertainment	
Adult Entertainment	200
Amusement and Recreation (Private)	200
Beauty Salon/Barber	400
Building Materials	250
Business Support Service	400
Eating and Drinking Establishment	200
Garden Supply (Nursery)	250
Health Club (a.k.a. Fitness Center)	200
Kennel	1 per employee ¹ + 1 per 10 cages
Limited Accessory Retail (MU-O Only)	250
Lodging – Hotel and Motel (No RV)	1 per room
Marina and Other Boating Facility	1 per slip
Medical and Dental Office	250
Mini Casino	200
Movie Theater (Indoor Only)	1 per 4 seats
Mobile, Manufactured and Modular Home Sales	400
Motor Vehicle and Related Equipment Sales	400
Pawn Shop	250
Personal Service (Other)	250
Rental and Repair Service	400
Sales of General Merchandise	250
Tattoo Parlor	250
Video Rental/Sale	250
Wholesale Trade	250

	Parking Requirements
INDUSTRIAL USES	
Boat Building	400 office, 1,000 other
Bulk Fuel Dealer	400 office, 1,000 other
Buy-Back Recycling	400 office, 1,000 other
Contractor Yard	400 office, 1,000 other
Craft Production Facility	400 office, 1,000 other
Food and Related Products	400 office, 1,000 other
Industrial Service and Repair	400 office, 1,000 other
Limited Manufacturing	400 office, 1,000 other
Microbeverage Production Facility	400 office and tasting room, 1,000 other
Motion Picture, TV and Radio Production Studio	400
Printing, Publishing and Related Industry	400 office, 1,000 other
Salvage Yard	400 office
Storage Unit	250 <u>0</u>
Warehousing, Distr. and Freight Movement	400 office, 2,000 other

¹Employees per largest shift

~~(1)~~² “Affordable” means dwelling units priced, rented or leased only to those households earning 80 percent or less of the median household income for Pierce County, Washington. “Senior” means dwelling units specifically designed for and occupied by elderly persons under a Federal, State or local government program or occupied solely by persons who are 62 or older or houses at least one person who is 55 or older in at least 80 percent of the occupied units, and adheres to a policy that demonstrates intent to house persons who are 55 or older.

19.60.120 ~~Surfacing for d~~Driveways and parking lot designs.

A. Driveway and parking lot designs shall comply with the *Low Impact Development Technical Guidance Manual for Puget Sound, prepared by the Washington State University Extension and Puget Sound Partnership, to the extent practicable.* Required driveways and areas for required loading, parking and maneuvering shall have a paved surface (asphalt, concrete or pervious pavement approved by the City) which is durable and able to withstand all weather conditions, unless modified with approval of the Director.

B. Off-street parking areas and driveways that are not required for the purposes of meeting the minimum off-street parking and loading requirements shall use pervious pavement to the extent practicable.

19.60.130 Maximum number of parking spaces.

~~For nonresidential developments of over 4,000 square feet, t~~he maximum number of parking spaces shall not exceed 15 percent over the minimum standards identified in this chapter. ~~Requests for a variance~~ A request to allow for greater than 15 percent over the minimum parking standards shall be reviewed as a variance in accordance with UPMC [19.85.030](#).

Chapter 19.70 General Development Standards

19.70.010 Accessory dwelling units.

A. Purpose. Accessory dwelling units (ADUs) are intended to increase the supply of affordable and independent housing for a variety of households, increase home and personal security, provide supplemental earnings for people with limited incomes, and increase residential densities. This should occur by utilizing the existing infrastructure and community resources throughout the City while protecting the existing character of single-family neighborhoods.

B. General Requirements. The creation of an ADU shall be subject to the following general requirements:

1. Number. One ADU shall be allowed per lot of record as an accessory use in conjunction with any detached single-family structure.

2. Type of Unit. An ADU may be attached to the principal unit, a separate detached accessory structure (e.g., cottage), or part of a detached accessory structure (e.g., carriage unit above garage).

3. Size. An attached ADU shall not exceed 800 square feet; provided, if the ADU is to be established within an existing multistory structure and located entirely on a single floor, the Director may allow increased size in order to efficiently use all area of this single floor. A detached ADU shall comply with the following building standards:

a. The total area of a detached ADU placed in a side or rear yard in accordance with 19.45.040(H) shall be no larger than 600 square feet in gross floor area; ~~although total building area may exceed this amount if located outside of required side and rear yards;~~

b. Maintain five-foot minimum side and rear yard setbacks;

c. Have no portion of the structure, such as eaves, closer than three feet from any property line;

d. Be no greater than 1845 feet in height at top of ridge and 10 feet at the top wall plate where the roof structure connects to the wall, if located within a required side or rear yard; and

e. Be no closer than five feet to the primary structure.

4. Design. An ADU shall be designed to maintain the appearance of the principal dwelling as a single-family residence.

a. Modifications to the exterior of an existing building intended to accommodate an ADU shall be architecturally consistent with the existing facade, roof pitch, siding, windows, and other exterior design elements and finish materials to the extent practicable. A detached ADU shall be designed to be architecturally compatible with the principal residence.

b. Only one entrance is permitted to be located on the front facade of the principal unit. The entrance to an attached ADU shall not be directed towards any front yard unless utilizing an existing doorway.

5. Parking. No additional off-street parking is required for an ADU. Any additional off-street parking provided in conjunction with an ADU shall, to the extent possible, be located to the side or rear of the principal unit to minimize visual impacts on the streetscape. Such parking must be provided in the rear of the lot when alley access is available. Off-street parking shall be designed to reduce impacts on adjoining properties through the installation of vegetative screening and/or fencing.

6. In order to encourage the development of housing units for people with disabilities, the Director may allow reasonable deviation from the requirements of this section when necessary to install features that facilitate accessibility. These facilities shall conform to Washington State regulations for barrier-free facilities.

C. Procedures. Any owner occupant seeking to establish an ADU shall apply for approval in accordance with the following procedures:

1. Application. The owner occupant shall apply for a building permit for an ADU. A complete application form must demonstrate that all size thresholds and design standards are met.

2. Property Owner. The property owner, which shall include title holders and contract purchasers, or an on-site property manager, must occupy either the principal unit or the ADU as their permanent residence, but not both, ~~for at least six months out of the year~~, and at no time receive rent for the owner-occupied unit. An ADU shall be converted to another permitted use or shall be removed if one of the two dwelling units is not owner-occupied.

3. Affidavit. An affidavit affirming that the owner or an on-site property manager will occupy the principal dwelling or the ADU and agreeing to all the general requirements as provided in this chapter is required.

4. Notice of Title. Prior to issuance of building permits, the owner occupant shall record a notice on the property title acknowledging the existence of the ADU with the Pierce County Auditor. Such notice shall be in a form as specified by the Department.

5. Reports. The Department shall report annually to the City Council on ADU applications, the number of units established and their distribution throughout the City, the average size of the units, and the number and types of complaints and enforcement-related actions.

19.70.030 Agricultural uses and animals.

A. Purpose. The purpose of this section is to regulate agricultural uses and animals and to provide certain limitations for the placement of these uses. Minimum lot sizes, setbacks, and best management practices are used to reduce conflicts between land uses that may not be compatible and to protect environmentally sensitive areas.

B. Exceptions.

1. Hobby Farms. Farm animals, agricultural activities, and associated structures may be established on any lot as a noncommercial use without an associated dwelling unit, provided:

a. The applicant completes a hobby farm agreement provided by the Department. Each hobby farm agreement shall:

(1) Define the type and intensity of all proposed agricultural activities;

(2) Clarify that the use of the site is for private noncommercial use;

(3) Provide time frames for periodic Departmental monitoring; and

(4) Be signed by the property owner and recorded as a title notice with the Pierce County Auditor.

b. Hobby farms must comply with all other requirements of this section.

2. Wildlife Rehabilitation.

a. Those persons licensed through the State Department of Wildlife for wildlife rehabilitation are exempt from the provisions of this code to care for the following categories of wildlife as defined by the Washington Department of Fish and Wildlife:

- (1) Small mammals;
- (2) Medium mammals;
- (3) Lagomorphs (rabbits, hares, pikas); and
- (4) Nonraptor avians.

b. Other categories, including carnivores and raptors, are excluded from this exemption.

C. Standards. Agricultural uses and animals shall be permitted in all zone classifications as an accessory use to a residential dwelling, subject to the following requirements:

1. Animals Accessory to Residential Use. Animals kept shall be permitted subject to the following criteria:

a. Livestock. Livestock shall be permitted as an accessory use to a dwelling unit on any lot, subject to the following provisions:

(1) Area Requirements.

(A) Livestock are not permitted in lots of less than one acre.

(B) On any lot from one acre to less than two acres in size, the number of animals shall not exceed two that are 12 months or more of age.

(C) On any lot exceeding two acres in size, there may be one more livestock animal for each additional acre beyond the initial two acres.

(D) All pens, stables, barns, corrals, or similar concentrated enclosures used for the keeping of livestock shall be set back a minimum of 35 feet from all property lines.

(2) A fence used to enclose pasture lands may be constructed on the property line, provided such pasture is maintained as required in this section.

(3) A fence constructed to permanently keep livestock out of buffers abutting streams, rivers, and wetlands shall be required following wetlands and fish and wildlife habitat areas codes. Such fence shall be constructed before livestock are introduced to a site.

b. Small Animals. Small animals shall be permitted as an accessory use to a dwelling unit on any lot subject to the following provisions:

(1) Poultry, Pigeons, Peacocks, and Rabbits. Poultry, peacocks, pigeons, and similar birds, or rabbits and similar mammals (e.g., ferrets, pot-belly pigs) raised for domestic, noncommercial use shall be permitted, provided:

(A) All animals kept outside shall be cooped or kept in hutches or pens or similar enclosures.

(B) A minimum setback of ~~1535~~ feet from all property lines shall be required for all pens, hutches, coops, or similar enclosures.

(C) No more than 12 poultry, peacocks, or rabbits or similar mammals shall be permitted per acre. This requirement shall be calculated on a fractional basis. The allowed number of animals shall be rounded down to the nearest whole number.

(D) Aviaries or lofts shall provide for one square foot for each pigeon or similar bird, and shall not exceed 600 square feet.

(2) Dogs and Cats. Any combination of five dogs or cats that individually exceed seven months of age are permitted. Kennels for six or more dogs or cats are prohibited.

c. Wild Animals and Reptiles. No person shall have, maintain, or possess any wolf, fox, chimpanzee, emu, ostrich, or other exotic, vicious, or poisonous animal or reptile.

2. Crop Production Accessory to Residential Use. Agricultural activities such as noncommercial gardens and orchards shall be permitted and shall not be limited in any zone classification.

D. Additional Standards for Critical Areas. In addition to the other requirements of this section, the following standards shall apply to all commercial and noncommercial agricultural uses in critical areas:

1. Livestock shall be limited to one animal per acre of fenced usable pasture.

2. Small animals shall be limited as follows: poultry, pigeons, peacocks, and rabbits are limited to eight animals per acre.

E. Commercial Agricultural Activities. See UPMC [19.25.090](#), Resource use category – Descriptions, for commercial agricultural uses, and UPMC [19.70.050](#), Home occupations, for same.

19.70.060 Improvements.

A. Purpose. The purpose of this section is to provide standards for the minimum improvements to meet the goals of the Comprehensive Plan.

B. Sanitary Sewers.

1. All new subdivisions creating 5 or more lots shall hook up to sanitary sewers.

2. Sanitary sewer hookups shall be required for all other new development, if sewer lines are located within 300 feet of the development. In those cases where sewer lines are not located within 300 feet of the development, the City may permit such development to use interim septic on-site systems and dry sewer facilities.

5. Upon application by the property owner, the Director shall approve an exception to the requirement to connect to the sanitary sewer system only if all the following criteria are met:

a. The cost of extending the sewer system to serve the property would be an economic hardship to the owner; an economic hardship exists if the estimated cost of the extension is greater than 200 percent of the cost of the septic or other private disposal system; and

b. The proposed septic system will not have an adverse environmental impact on potable water wells, ground water, streams or other surface bodies of water; and

c. The proposed septic system is in compliance with all applicable Federal, State, and local health and environmental regulations.

d. This exception does not allow a new subdivision of more than 4 lots to be developed without sanitary sewer hookups.

19.70.070 Mobile and manufactured home parks.

A. Purpose. The purpose of this section is to provide regulations for the development of mobile and manufactured home parks.

B. Design Criteria. The following criteria shall govern the design of a mobile or manufactured home park:

1. A mobile or manufactured home park shall contain not less than two spaces and shall not exceed the densities established in UPMC [19.45.030](#), Density standards.

2. A mobile or manufactured home park shall not be established on any site providing less than a 30-foot-wide access to a public street.

3. Only one mobile home ~~park~~ or manufactured home dwelling unit shall occupy any given space in the park.

4. No building, structure, or land within the boundaries of a mobile or manufactured home park shall be used for any purpose other than the following:

a. Mobile or manufactured home used as single-family residence only;

b. A patio, carport, or garage as an accessory use for a mobile or manufactured home;

c. Recreation buildings and structures including facilities such as swimming pools for the exclusive use of park residents and their guests;

d. One residence for the use of the owner, manager, or caretaker responsible for maintaining or operating the property, which may be either a mobile or manufactured home or a site-built structure; or

e. Public or private utilities where related exclusively to serving the mobile or manufactured home park.

5. Setbacks. No mobile or manufactured home, building or other structure shall be located closer to a park boundary property line than is specified by the zone district in which the park is located. A mobile or manufactured home or accessory structure shall not be located closer than 15 feet from any other mobile or manufactured home, or closer than five feet from the interior park roadway. Attached structures shall be considered a part of the mobile or manufactured home for setback purposes. Swimming pools shall be located not closer than 50 feet from a park boundary property line in residentially zoned areas and shall be suitably fenced.

6. Two off-street parking stalls shall be provided for each mobile or manufactured home space with a minimum 10 feet access to a park street. All required off-street parking spaces shall be not less than eight by 20 feet and shall be paved or a crushed rock surface and maintained in a dust-free surface. On-street or curbside parking shall not be counted as part or all of the required parking for a mobile or manufactured home park where moving traffic lanes are used for this purpose.

7. All interior park roads shall be privately owned and shall be paved with asphalt or concrete to a width to safely accommodate the movement of a mobile or manufactured home and emergency vehicles. Dead-end streets shall be provided with a 70-foot minimum diameter roadway surface turnaround, exclusive of parking lanes.
8. Storage areas comprising not more than 10 percent of the total mobile or manufactured home park area for recreational vehicles, boats, and trailers may be provided. Such areas shall be enclosed by a sight-obscuring fence or hedgerow.
9. There shall be Level IV landscaping and groundcover within open areas of the mobile or manufactured home park not otherwise used for park purposes. Such open areas and landscaping shall be continually and properly maintained.
10. Mobile or manufactured homes may be maintained with or without mobility gear but in either event shall be secured to the ground in a manner approved by the City building official. Each mobile or manufactured home shall be skirted with weather-resistant, noncombustible material compatible with the exterior finish of the mobile or manufactured home.

Chapter 19.75 Signs

19.75.130 Enforcement.

A. Penalty for Violations.

2. Any person, firm or corporation violating any of the provisions of this code shall be subject to a civil violation as defined in Chapter [1.20 UPMC](#), and/or a civil infraction as defined in Chapter 1.30 UPMC.

~~**Chapter 19.90 Amendments**~~

~~**19.90.010 Purpose.**~~

~~This title and the official zoning map may be amended whenever required by public necessity, convenience or welfare. The purpose of this chapter is to establish authority and procedure for such amendments.~~

~~**19.90.020 Development regulation and zoning map amendments.**~~

~~A. Amendments. This chapter provides the method for amending the text and tables of the City's development regulations and the zoning map. Amendments to development regulation text and tables are legislative amendments. In addition, changes to the zoning map that are Citywide, area-wide, or have area-wide significance are legislative amendments. All other site-specific map amendments (or "rezones") are quasi-judicial amendments. Legislative and quasi-judicial amendments shall be processed as provided in this chapter. Quasi-judicial map rezones shall be consistent with the land use designations in the City's Comprehensive Plan;~~

~~B. Rezones Versus Reclassifications. A rezone shall mean the change of a zone designation on the City's zoning map and is subject to the provisions of this chapter. A reclassification is a change of a Comprehensive Plan land use designation and is subject to the provisions contained in UPMC Title [16](#). When a proposal requires both a reclassification and a rezone, the following shall apply:~~

- ~~1. A reclassification and a legislative rezone may be conducted concurrently.~~
- ~~2. A reclassification and a quasi-judicial rezone shall be conducted in phases, with the reclassification occurring first in time.~~

~~C. Any interested person, including applicants, citizens, City Council, Planning Commission, Hearings Examiners, City staff, or staff of other agencies, may request amendments to the zoning code, other development regulations or zoning map.~~

~~D. Application Required. For the purpose of advising and informing an applicant of the procedural requirements and to ensure that an application is in satisfactory form, the department may require a prefilling conference.~~

~~1. The department shall provide the application forms and submittal requirements for amendments.~~

~~2. No amendment shall be processed until the Director determines that the information necessary to review and decide upon the amendment is complete.~~

~~3. An application fee may be required, adopted by separate resolution.~~

~~19.90.030 Legislative amendments.~~

~~A. Amendments. Amendments to development regulation text and tables and rezones of area-wide significance are legislative actions and shall be considered by the City Council following review and recommendation by the Planning Commission.~~

~~B. Requests Docket. Requested legislative amendments shall be docketed and considered by the Planning Commission and City Council at least on a biannual basis, consistent with the provisions of Chapter 36.70A RCW.~~

~~C. Staff Report. The Director shall prepare a written report on each legislative amendment pending before the Planning Commission. The report shall be provided to the Planning Commission and any parties of record before the public hearing. Each report shall contain:~~

~~1. Any proposed factual findings of the City department proposing the amendment;~~

~~2. Any comments from City departments, agencies, districts and other interested parties;~~

~~3. The environmental assessment or copy of any environmental determination or final environmental impact statement; and~~

~~4. The department's recommendations on the amendment.~~

~~D. Public Hearing Required by Planning Commission. The Planning Commission shall give notice and hold at least one public hearing prior to a recommendation for adoption or amendment of any amendment. Alternatively, the Planning Commission may hold a joint public hearing with the City Council.~~

~~E. Recommendation by Planning Commission. Each determination recommending a legislative amendment shall be supported by written findings and conclusions showing the following:~~

~~1. That the proposed amendment is consistent with the goals, objectives and policies of the Comprehensive Plan;~~

~~2. That the proposed amendment is in the best interest of the citizens and property owners of the City;~~

~~3. That the proposed amendment enhances the public health, safety, comfort, convenience or general welfare;~~

~~4. For rezone requests, that the proposed amendment to the zoning map is consistent with the scope and purpose of this title and the description and purpose of the zone classification applied for;~~

~~5. For rezone requests, that there are sufficient changed conditions since the previous zoning became effective to warrant the proposed amendment to the zoning map;~~

~~6. For rezone requests, that the proposed amendment to the zoning map will not be materially detrimental to uses in the vicinity in which the subject property is located.~~

~~F. Adoption by the City Council. Following receipt of the Planning Commission's recommendation, the City Council may hold additional public hearings at its discretion.~~

~~G. Should the City Council agree to an amendment to the development regulations and/or zoning map, such amendments shall be adopted by ordinance.~~

~~19.90.040 Quasi-judicial rezones.~~

~~A. A quasi judicial rezone application shall require a specific development proposal for the subject property with sufficient detail to enable the City to evaluate the applicant's proposal for conformance with the applicable criteria and to adequately condition the rezone request to protect the public interest if appropriate. In addition, the Director may require the applicant to participate in a meeting to inform citizens about the proposal.~~

~~B. An application for a quasi-judicial rezone shall be processed in accordance with UPMC Title 22, Administration of Development Regulations, except that the decision of the Hearings Examiner shall not be final, but shall be a recommendation to the City Council.~~

~~C. Public Hearing. The Hearings Examiner shall hold an open record public hearing on each application. Any person may participate in the hearing by submitting written comments or making oral comments at the hearing.~~

~~D. Decision Criteria.~~

~~1. The Hearings Examiner shall recommend approval or approval with conditions or modifications if the applicant has demonstrated that the proposal complies with the decision criteria set forth in this section.~~

~~2. The applicant carries the burden of proof and must demonstrate that the criteria are met by a preponderance of the evidence.~~

~~3. If the criteria are not met, the Hearings Examiner shall recommend denial of the application.~~

~~4. Criteria. All criteria must be met in order for an application to be approved. The applicant must demonstrate the following:~~

~~a. The proposed rezone is in the best interest of the residents of the City;~~

~~b. The proposed rezone is appropriate because either:~~

~~i. Conditions in the immediate vicinity of the subject property have so significantly changed since the property was given its present zoning that, under those changed conditions, a rezone is within the public interest; or~~

~~ii. The rezone will correct a zone classification or zone boundary that was inappropriate when established;~~

- ~~c. The proposed rezone is consistent with the Comprehensive Plan;~~
- ~~d. The proposed rezone is consistent with all applicable provisions of UPMC Title 19, including any specific design criteria;~~
- ~~e. The proposed rezone bears a substantial relation to the public health, safety, and welfare;~~
- ~~f. The site plan of the proposed project is designed to minimize all significant adverse impacts on other properties;~~
- ~~g. The site plan is designed to minimize impacts upon the public facilities, services and utilities;~~
- ~~h. The proposal is not inconsistent with the surrounding area;~~
- ~~i. If applicable, that there is a means of developing, preserving, and maintaining open space;~~
- ~~j. That all conditions necessary to lessen any impacts of the proposed use can be monitored and enforced.~~

~~E. Recommendation by the Hearings Examiner. After considering all of the information submitted on the matter, the Hearings Examiner shall issue a written recommendation to the City Council setting forth the Examiner's findings, conclusions and recommendation. The recommendation shall include the following:~~

- ~~1. A statement of facts presented to the Hearings Examiner that supports his or her recommendation, including facts supporting any conditions and restrictions that are recommended.~~
- ~~2. A statement of the Hearings Examiner's conclusions based on those facts.~~
- ~~3. A statement of the criteria used by the Hearings Examiner in making the recommendation.~~
- ~~4. Any conditions, restrictions, and modifications that the Examiner determines are reasonably necessary to eliminate or minimize any undesirable effects of granting the requested rezone.~~

~~F. Distribution of Written Recommendation. The Director shall distribute copies of the recommendation of the Hearings Examiner to the applicant, each person who submitted written or oral testimony at the public hearing, and the City Council. The Director shall include a draft resolution or ordinance that embodies the Hearings Examiner's recommendation with the copy of the recommendation sent to each City Council member.~~

~~G. City Council Action.~~

- ~~1. Time for Consideration. The City Council shall consider and take final action on the application at a public meeting within 90 calendar days of the date of issuance of the Hearings Examiner's recommendation. This time period may be extended upon written agreement of the Director and the applicant. Calculation of this time period shall not include any time necessary for reopening the hearing before the Hearings Examiner or further action by the Examiner in the event of remand from the City Council.~~
- ~~2. Closed Record Hearing. The City Council review and consideration of the rezone application shall be conducted as a closed record hearing and shall be limited to the record of the hearing before the Hearings Examiner, the Hearings Examiner's written recommendation, and comments received during the closed record hearing. No new evidence or information may be presented at the closed record hearing.~~

~~3. Argument. Persons entitled to participate in the closed record hearing are limited to parties of record in the open record hearing. Arguments made at the hearing must be limited to the information contained in the record developed by the Hearings Examiner and must specify the specific findings or conclusions disputed, if any, and the relief requested from the City Council.~~

~~4. Burden of Proof. The applicant carries the burden of proof and must demonstrate to the City Council that the decision criteria are met by a preponderance of the evidence. If the criteria are not met, the City Council shall deny the application.~~

~~5. City Council Decision. The City Council shall review the Hearings Examiner's recommendation for compliance with the review criteria set forth in this chapter. After consideration the City Council may remand the application to the Hearings Examiner to reopen the hearing for additional evidence and supplementary findings and conclusions, or further actions as directed. If not remanded or after remand, the City Council shall, by ordinance approved by a majority of the total membership, take one of the following actions:~~

~~a. Approve the application;~~

~~b. Approve the application with modifications or conditions; or~~

~~c. Deny the application.~~

~~6. Conditions and Restrictions. The City Council shall include in an ordinance granting the rezone any conditions and restrictions it determines are necessary to meet the decision criteria or to eliminate or minimize any undesirable effects of granting a rezone. Any conditions, modifications and restrictions that are imposed shall become part of the decision.~~

~~7. Findings of Fact and Conclusions. The City Council may adopt by reference some or all of the findings and conclusions of the Hearings Examiner. The City Council shall include in the ordinance:~~

~~a. A statement of the facts that support the decision, including the facts that support any new conditions, restrictions, or modifications that are imposed;~~

~~b. The City may require that the applicant enter into a concomitant agreement with the City as a condition of the rezone. Such agreement may impose development conditions designed to mitigate potential impacts of the rezone and the development;~~

~~c. The City Council's conclusions based on its finding of facts.~~

~~8. Effect. The decision of the City Council on an application is the final decision of the City.~~

~~H. Minor Modifications. Subsequent to the adoption of the ordinance, the applicant may apply for a minor modification to a site plan approved as part of that ordinance. The Director shall review applications for a minor modification. The Director may approve a minor modification only if the Director finds that:~~

~~1. The change will not result in reducing the landscaped area, buffer areas, or the amount of open space on the project by more than five percent;~~

~~2. The change will not result in increasing the residential density;~~

~~3. The change will not result in increasing gross floor area of the project by more than five percent;~~

~~4. The change will not result in any structure, or vehicular circulation or parking area being moved more than 10 feet in any direction and will not reduce any required yard;~~

- ~~5. The change will not result in any increase in height of any structure;~~
- ~~6. The change will not result in a change in the location of any access point to the project;~~
- ~~7. The change will not increase any adverse impacts or undesirable effects of the project and that the change in no way significantly alters the project; and~~
- ~~8. The change will not modify the intent of any condition.~~

~~I. Major Modifications. If the applicant seeks a modification to the approved site plan that does not meet the requirements of a minor modification, the applicant may propose a major modification by submitting an application for a quasi-judicial project-related rezone. The City will process such application in the same manner as an application for a new quasi-judicial project-related rezone.~~

~~J. Expiration.~~

~~1. The applicant must begin construction, or submit to the City a complete building permit application for the development activity, use of land, or other actions approved under this chapter, within two years after the final City decision on the matter is issued. Failure to do so shall render the City approval of the applicant's proposal void, and the zoning of the subject property shall revert to its original zoning; provided, however, the City Council, upon a showing of good cause, may extend the time limits contained herein.~~

~~2. The applicant must substantially complete construction of the development activity, or use of land, or other actions approved under this section and complete all applicable conditions of approval within five years after the final City decision on the matter is issued. Failure to do so shall render the City approval void.~~

~~3. If litigation is initiated, the time limits of this section shall be automatically extended by the length of time between the commencement and final termination of that litigation. If the development activity, use of land, or other action approved under this chapter includes phased construction, the time limits of this subsection may also be extended at the discretion of the Director.~~

~~K. Time Extension. At least 30 days prior to the lapse of approval for a project-related rezone, the applicant may submit an application in the form of a letter with supporting documentation to the Department of Development Services requesting a one-time extension of the time limits set forth in subsection (J) of this section of up to one year. The request must demonstrate:~~

~~1. The applicant is making substantial progress on the development activity, use of land, or other actions approved under this chapter; and~~

~~2. That circumstances beyond the applicant's control prevent compliance with the time limits.~~

~~L. Judicial Review. The action of the City in granting or denying an application under this chapter may be reviewed pursuant to UPMC Title 22.~~

~~**19.90.060 Revocation and expiration.**~~

Amendments to Design Standards and Guidelines

The following design standards and guidelines, adopted by reference in UPMC 19.52.050 and contained in a separate City design manual titled “Community Commercial Zone Design Standards and Guidelines,” are hereby amended to read as follows:

Chapter 19.52

TOWN CENTER COMMUNITY COMMERCIAL ZONE DESIGN STANDARDS AND GUIDELINES

- CC1 —Purpose.
- CC2 —Authority and applications.
- CC3 —General requirements.
- CC3 —Review process.
- CC5 —Use and density.
- CC6 —Accessory structures and uses.
- CC7 —Temporary uses, seasonal uses, and special events.
- ~~19.52.080 —Prohibited uses.~~
- CC8 —Crime prevention through environmental design.
- CC9 —Setbacks.
- CC10 —Height.
- CC11 —Walkways.
- CC12 —Gateways.
- CC13 —Courtyards.
- CC14 —Plazas.
- CC15 —Primary building facades.
- CC16 —Secondary building facades.
- CC17 —Significant corners.
- CC18 —Architectural features.
- CC19 —Projections.
- CC20 —Awnings and canopies.
- CC21 —Building materials.
- CC22 —Colors.
- CC23 —Roof design and materials.
- CC24 —Materials to avoid.
- CC25 —Storefronts.
- CC26 —Windows.
- CC27 —Doors and entryways.
- CC28 —Parking – General.
- CC29 —On-street parking.
- CC30 —Structured parking.
- CC31 —Loading spaces.
- CC32 —Streetscapes.
- CC33 —Street paving.
- CC34 —Sidewalks and curbs.
- CC35 —Street lighting.
- CC36 —Special effects lighting.
- CC37 —Street trees and landscaping.
- CC38 —Street furniture.
- CC39 —Artwork.
- CC40 —Water features.
- CC41 —Transit facilities.

- CC42 —Outdoor kiosks.
- CC43 —Trash and recycling receptacles.
- CC44 —Newspaper racks.
- CC45 —Utility accessories.
- CC46 —Handrails and fencing.
- CC47 —Bollards.
- CC48 —Bicycle racks.
- CC49 —Outdoor pay phones and emergency phones.
- CC50 —Mailboxes and other miscellaneous features.
- CC51 —Major arterial – Bridgeport Way.
- CC52 —Other arterials – 35th Street, 40th Street, and 44th Street.
- CC53 —Connector streets – Drexler Drive, Larson Lane and 42nd Street.
- CC54 —Signs in general.
- CC55 —Sign lighting.
- CC56 —Freestanding signs.
- CC57 —Wall signs.
- CC58 —Projecting signs.
- CC59 —Temporary signs.
- CC60 —Directional and incidental signs.

CC1 9.52.010 Purpose.

The following ~~special~~ design standards and guidelines apply to the ~~Town-Center~~Community Commercial zone and are intended to promote integrated development with pedestrian-oriented design. The ~~y~~ design standards are intended to implement the City’s Comprehensive Plan and Economic Strategic Action Plan. The design standards and guidelines help guide architects, developers and property owners in designing proposals that are consistent with the City’s vision for to know what is expected of their future development within this area projects.

CC2 9.52.020 Authority and applications.

~~A~~ These design standards and guidelines ~~zoning controls~~ apply to ~~all~~ new development, exterior alterations and major redevelopment or major improvements in the Community Commercial zone. Renovation of an existing single-family structure for residential use is exempt from the following sections. Town-Center zone outside the Town-Center overlay zone. Standards are mandatory while guidelines are discretionary. For additional authority and applications, see UPMC 19.52.020.

~~B. Renovation of an existing single-family structure for residential use is exempt from the following sections, provided no expansion of the structure occurs.~~

~~C. A standard may be replaced with an equivalent item(s) if the applicant can demonstrate to the satisfaction of the Director that the standard is of equal or greater quality or quantity.~~

~~D. Any exterior alterations shall comply with these standards. When expanding the footprint of an existing building that is nonconforming with regard to its distance from the edge of a sidewalk, the building footprint shall be expanded in the direction of the sidewalk to decrease the nonconforming setback, unless it can be demonstrated this is not structurally possible.~~

~~E. A design review administrative use permit is required to develop in the Town-Center zone. Provisions regarding the administrative design review use permit are found in this chapter and in Chapter 19.85 UPMC.~~

~~F. All University Place Municipal Code provisions apply unless preempted by a specific standard in this title.~~

G. The following UPMC provisions do not apply:

19.30.040(A)(8), Commercial Vehicles	19.65.120, Perimeter landscape buffer*
19.35.040(D), Temporary Housing Units— Medical Situations	19.65.270—19.65.320, Tree Preservation
19.45.040(J), Projection Exception	19.70.060(F), Open Space and Parks
19.50.020—19.50.030, Design Review	19.75.090(D), Signs on Marquee, Canopy and Awnings
19.65.100, Street frontage landscaping	

~~*Except adjacent to R1 and R2 Zones.~~

~~H. Each section includes a boxed definition or intent statement.~~

~~I. When reference is made to required or recommended use, streetscape amenity landscaping or parking in the zone, refer to specific standards and/or guidelines regarding those items. For example, if landscaping is required in parking areas, refer to the landscaping section in streetscapes for specific plant and irrigation standards and guidelines.~~

~~J. The Town Center is divided into areas by streets. Each street has different characteristics, including traffic volumes, width of right-of-way and proximity to single family residential uses. These differences require standards and guidelines to achieve the Town Center vision and implement the City’s Comprehensive Plan. Building height, building mass, buffering, landscaping, parking standards and signs vary by area.~~

CC3 19.52.030 General requirements.

A. Purpose. The purpose of the design review process is to ensure that development within the Community Commercial Town Center zone complies with these standards and guidelines and the overall vision established for this zone in this title.

B. Scope. The design standards and guidelines provisions of this chapter shall apply to all development applications that is subject to for administrative design review administrative use permit within the Town Center Community Commercial zone.

C. Review Authority. The Planning and Development Services Director of Community Development shall review the applications in accordance with the process below.

D. Review Criteria. The Planning and Development Services Director of Community Development shall approve applications when any of the following findings are made:

1. The applicant meets all applicable design standards and guidelines of this title; or
2. The application sets forth a proposal that the Director determines is equivalent to or exceeds the standards and guidelines of this title.

CC4 19.52.040 Review process.

The design review process applicable to development in the Community Commercial zone is provided in UPMC 19.52.040.

~~A. Time Frame and Procedure. Design review shall be conducted in accordance with the timelines and procedures set forth in UPMC Title 22, Administration of Development Regulations. Town Center design review shall be considered a Type I permit.~~

~~B. Pre-Submittal Concept Review. A pre-design meeting may be scheduled with the City's Technical Review Committee prior to formal project development and application. The applicant may present schematic sketches and a general outline of the proposed project. This meeting will allow City staff to acquaint the applicant with the design standards, submittal requirements and the application procedures, and provide early input on the proposed project.~~

~~C. Submittal Requirements. Applicants shall submit the design review application form(s) provided by the Community Development Department, along with the correct number of documents, plans and support material required in the application checklist.~~

~~D. Review Fees. Design review fees must be paid at the time of submittal.~~

~~E. Written Decisions. The Director shall issue a written decision approving, approving with conditions or denying the permit and include findings of fact and conclusions that support the decision.~~

~~F. Expiration of Approvals. If the applicant has not submitted a complete application for a building or site development permit within two years from the date of permit issuance, or if appealed within two years from the decision on appeal from the final design review decision, design review approval shall expire. The Director may grant an extension for no longer than 12 months, for good cause shown, if a written request is submitted at least 30 days prior to the expiration of the permit.~~

~~G. Exceptions. The Director is authorized to make exceptions to the standards when the applicant can demonstrate to the satisfaction of the Director that the exception meets the intent of these standards and is of equal or greater quality or quantity.~~

CC5 19.52.050 Use and density.

A. ~~Standards.1.~~ Land uses allowed in the ~~Town Center~~Community Commercial zone are listed in Chapters 19.25, 19.30 and 19.35 UPMC unless otherwise specified herein.

~~2. If a development has a residential component it shall be combined with one or more nonresidential, nonparking use(s).~~

~~3B.~~ The ~~following standards apply to minimum requirements for mixed use~~ development within the ~~Town Center~~Community Commercial zone:

~~1a.~~ A minimum of 50 percent of a project site's building floor area at the ground floor level shall be devoted to ~~in commercial or other~~ non-residential or, non-parking use.

~~2b.~~ The commercial or non-residential component shall be built first or concurrent with the residential portion of the project.

~~3c.~~ No residential use (except entrances and lobbies) is allowed on a ground floor fronting an arterial street. ~~Projects are encouraged to provide access to businesses from the residential ground floor entrances.~~

4. If a development has a residential component it shall be combined with one or more non-residential, non-parking use(s).

~~4. A maximum residential density of 12 dwelling units per acre is permitted in the Town Center zone subject to these standards. For residential density within the Town Center overlay refer to the Town Center design standards and guidelines, UPMC Ordinances 409 and 469.B. Guidelines. The City Hall, Library and Public Safety Building (Police and Fire) are already located in the Town Center zone. To promote an economically viable Town Center with an increased level of activity the following uses are encouraged to locate in the Town Center overlay:~~

~~1. National, regional and local specialty retail uses including apparel, book and music stores, electronics and computer sales, eyewear and optical stores, jewelry, home furnishings, shoes and accessories, and specialty foods;~~

~~2. Residential uses, including leased units, condominiums, live/work units and lodging;~~

~~3. Large and small restaurants, including formal sit-down restaurants, ethnic cuisine, brew pubs, walk-up and take-out restaurants, delis, and vending kiosks;~~

~~4. Entertainment uses, including movie and performance theaters;~~

~~5. Professional services, including company headquarters, banks, investment firms, consulting firms, accounting, insurance, real estate, law, medical and dental offices and similar professional offices; and~~

~~6. Personal services, including hair and beauty salons and health clubs.~~

CC6 19.52.060 Accessory structures and uses.

Accessory uses include kiosks, band shells, telecommunication uses and solid waste facilities.

A. Standards.

1. Accessory structures shall not exceed two stories or a height of 28 feet.

2. Wireless telecommunication facilities, including commercial and private facilities, shall be camouflaged by integrating antenna and satellite dishes into building architecture.

3. No new freestanding wireless cell towers are permitted in the Community Commercial Town Center zone.

4. Home occupations are permitted in accordance with Chapter 19.70 UPMC.

5. Solid waste and recycling dumpsters shall be screened and integrated into the design of the principal use.

B. Guidelines.

1. Accessory structures should be architecturally similar in design to their principal structures.

2. Accessory uses such as kiosks should be appropriately spaced so that areas do not appear cluttered or unduly interfere with pedestrian movement.

CC7 19.52.070 Temporary uses, seasonal uses, and special events.

Temporary and seasonal uses and special events that enliven public spaces, build community, and enrich the lives of University Place citizens~~add variety and do not detract from the Town Center experience~~ are encouraged and shall meet the following standards.

A. Standards.

~~1. Temporary and seasonal uses in the Town Center zone are permitted in accordance with Chapter 19.35 UPMC.~~

~~21.~~ Outdoor temporary sales, except farmer's markets, Christmas tree and firework stands, shall be conducted within portable kiosks ~~meeting these design standards and guidelines~~.

3. Signs advertising temporary and seasonal uses shall be limited to window signs or kiosks within five feet of where the sales are taking place.

4. Facilities such as electrical outlets and water bibs shall be available for temporary and seasonal uses and special events but such electrical cords or water hoses shall not extend across walkways, sidewalks or plazas.

19.52.080 Prohibited uses.

~~To mitigate impacts of incompatible uses or to maintain a competitive atmosphere, certain uses are specifically prohibited.~~

~~A. Standards. The following uses are prohibited:~~

~~1. Any commercial use that encourages patrons to remain in their cars while receiving goods or services.~~

~~2. Motor vehicle rental and repair uses are not allowed as a principal or accessory use.~~

~~3. Small engine repair.~~

~~4. Bars and nightclubs along Larson Lane or Drexler Drive.~~

~~5. The storage or repair of inoperable vehicles (except vehicles owned by residents of a development where the storage or repair is taking place and only then within residential garages).~~

~~6. Retail establishments primarily selling used goods including pawn shops and secondhand stores.~~

~~7. Dollar and factory second stores.~~

CC8 19.52.090 Crime prevention through environmental design.

Crime prevention through environmental design (CPTED) is situational crime prevention based on changing and managing the physical environment to produce behavioral effects that will

reduce the incidence and fear of crime, thereby improving the quality of life and enhancing profitability for business.

A. Guidelines.

1. Create territories that clearly delineate private space from semi-public and public spaces, and develop a sense of ownership. Ownership creates an environment where appearances of strangers and intruders stand out and are more easily identified.

2. Design spaces to allow for continued use and intended purposes.

3. Use pavement treatments, landscaping, art, signage, screening and fences to define and outline ownership of space.

4. Promote natural surveillance by creating environments where there is plenty of opportunity for people engaged in their normal behavior to observe the space around them. Areas can be designed so they are more easily observed through:

a. Design and placement of physical features to maximize visibility, including building orientation, windows, entrances and exits, parking lots, refuse containers, walkways, landscape trees and shrubs, use of wrought iron fences or walls, signage and other physical obstructions.

b. Placement of persons or activities to maximize surveillance possibilities.

5. Maintain lighting that provides for nighttime illumination of parking lots, walkways, entrances, exits and related areas to promote a safe environment.

6. Provide access control, to limit access and increase natural surveillance, especially into areas where people are not easily to be observed. When present, intruders are more readily recognized through:

a. The use of sidewalks, pavement, gates, lighting and landscaping to clearly guide the public to and from entrances and exits.

b. The use of gates, fences, walls, landscaping and lighting to prevent or discourage public access to or from dark or unmonitored areas.

c. Maintain landscaping, lighting treatment and other features to reinforce territories, natural surveillance and access control.

CC9 19.52.100 Setbacks.

Building to the back of the sidewalk, a courtyard or plaza facilitates easy pedestrian access. Varying building setback and projection provides horizontal articulation and architectural interest.

A. Standards.

1. All site plan layouts shall give first consideration to pedestrians.

2. All buildings shall be oriented and built at the edge of the sidewalk except:

- a. Where a plaza or courtyard lies between the building and sidewalk, in which case the building shall be built to the edge of the plaza or courtyard.
 - b. At significant corners a minimum setback of 20 feet is required between the building and sidewalk, to accommodate a plaza or courtyard.
 - c. When a minimum of 60 percent of a lot's street frontage is occupied by buildings, additional buildings ~~may~~ be built in the interior of the project site.
3. No side setbacks are required; however, if a building is set back, then a minimum of 10 feet is required, to provide access between buildings.
 4. At least 40 percent of the street facade of a building shall be set back a maximum of 10 feet ~~from the wall plane established at the sidewalk~~, to provide horizontal articulation of the building facade.
 5. A minimum 30-foot setback is required from R1 and R2 zones.

~~CC10 19.52.110~~ Height.

A. Standards.

1. The maximum building height shall be ~~4540~~ feet with additional height permitted for the below-listed exceptions listed in (3) and (4) below.
2. Buildings throughout the ~~Town-Center~~Community Commercial zone shall be at least two stories in height. One-story buildings may be permitted by exception.
3. Architectural embellishments that are not intended for human occupancy and are integral to the architectural style of the building, including spires, belfries, towers, cupolas, domes and roof forms whose area in plan is no greater than 25 percent of the first story plan area, may exceed building height up to 25 percent of the maximum permitted building height.
4. Mechanical penthouses over elevator shafts, ventilator shafts, antennas, chimneys, fire sprinkler tanks or other mechanical equipment may extend up to 10 feet above the permitted building height; provided, that they shall be set back from the exterior wall of the building at least a distance that is equal to their height, or they shall be treated architecturally or located within enclosures with an architectural treatment so as to be consistent or compatible with the exterior design of the building facade.

~~CC11 19.52.120~~ Walkways.

Walkways are connections that give pedestrians access to plazas, courtyards, streets or parking areas.

A. Standards.

1. Walkways shall be a minimum of seven feet wide unless located between buildings that are 20 feet or less apart. In such cases, then the walkways shall be a minimum of 10 feet in width.
2. Provide decorative paving, lighting, landscaping and at least one discovery element such as artwork, potted plants, or murals within walkways.

3. The design of buildings and structures adjacent to walkways shall allow ample sunlight to light the walkway during daylight hours and walkways shall be well lit at night to enhance safety.
4. Where there are setbacks between buildings, walkways shall be provided to provide better pedestrian circulation.

B. Guidelines.

1. Walkways should have storefronts facing them; if possible, storefront entries should open to walkways. Windows should face walkways. Windows facing walkways allow people to see out into the walkway, enhancing safety.
2. Where appropriate, accommodate cafe seating.
3. Provide a distinct character to help with orientation, such as a name or unique decorative paving treatment.
4. Curve walkways around landscaping and other streetscape features to provide interest.

CC12 19.52.130 Gateways.

Gateways are elements that provide a sense of arrival for pedestrians and/or vehicles.

A. Standards.

1. Provide a gateway to at least one principal entrance to a plaza or building.
2. Gateways shall have qualities that make them distinct from the surroundings including but not limited to decorative paving, landscaping and signage.
3. A minimum of 25 percent of the gateway area shall be finished with decorative pavers, stamped concrete or a similar feature.

B. Guidelines.

1. Gateways ~~may~~ can be freestanding elements or be designated by a change in pavement or landscaping design.
2. Gateways should incorporate elements unique to the South Puget Sound, reflecting local heritage.
3. Where an arch or other overhead feature provides a gateway, consider hanging elements such as flower pots or decorations to provide interest.

CC13 19.52.140 Courtyards.

Courtyards are smaller improved open space areas that allow pedestrians to relax and enjoy the outdoors.

A. Standards.

1. The size of the courtyard(s) shall be 2.5 percent of the building footprint or footprints of all the buildings within a multiple building development.

2. The maximum size of a courtyard shall be 500 square feet. Multiple courtyards may be used or required to meet this requirement.

3. Install seating in courtyards to provide an inviting place to sit back and relax.

a. A minimum of 25 percent of the courtyard area shall be landscaped with trees, shrubs and groundcover. Landscaping should reflect a respect for and sustainability of the environment.

b. A minimum of 25 percent of the courtyard area shall be finished with decorative pavers or stamped concrete.

B. Guidelines.

1. Use decorative pavement in courtyards.

2. Provide art or a water feature accessible to the public, encouraging discovery.

3. Provide landscaping treatments or gardens that allow interaction.

4. Provide courtyards on ground level, along a walkway, on mid-level patios, or as part of a rooftop garden.

CC14 19.52.150 Plazas.

Plazas are gathering places with room and facilities to host special events, or to allow pedestrians to sit and enjoy the outdoors.

A. Standards.

1. Commercial or mixed use developments shall provide at least one plaza.

2. The size of the plaza shall be at least 10 percent of the building footprint or footprints of all the buildings within a multiple building development.

3. Plazas shall provide areas suitable for events such as concerts, art shows or outdoor sales. Areas suitable for events shall be flexible so that they ~~may~~ be changed to fit an event or season.

4. Provide in-ground electrical facilities and water bibs to facilitate temporary and seasonal uses.

5. Movable planters, bollards, outdoor seating, accessible artwork and other streetscape amenities shall be used to configure plaza uses.

6. Plazas shall include a water feature or artwork.

7. Plazas shall use decorative paving or distinctive surface treatments to distinguish active from passive areas.

8. Include unreserved outdoor seating for relaxation or eating by providing amenities, benches, tables and trash receptacles.

9. A minimum of 25 percent of the plaza area shall be landscaped with trees, shrubs and groundcover.

10. A minimum of 25 percent of the plaza area shall be finished with decorative pavers, stamped concrete or a similar feature.

11. Use special effects lighting to highlight significant features such as a water feature, artwork or a building facade adjacent to the plaza.

B. Guidelines.

1. Bollards, outdoor seating and planters should be used rather than curbs where a plaza abuts a street to allow the plaza to expand for certain large events.

2. Use decorative pavers or distinctive surface treatments to distinguish active and passive areas within plazas. Active areas should be vibrant; passive areas should be relaxing.

3. Create places for individuals and groups.

4. Provide piped-in music with inconspicuous speakers to provide acoustic atmosphere during events or to highlight a season.

5. Choreographed or recreational fountains are encouraged.

6. To facilitate special events, a temporary bandstand, stage or in-ground electrical facilities for which a stage could be erected may be appropriate in some plazas.

CC15 19.52.160 Primary building facades.

A building's primary facade is the elevation that faces pedestrian-intensive streets and/or public open spaces.

A. Standards.

1. Use only high quality materials on primary facades.

2. Divide horizontal facades into vertical segments not greater than 50 feet in width to provide differentiation and the appearance that the street was developed over time.

3. To articulate the horizontal primary building facade, vertical segments shall be different in color and shall include two or more of the following architectural elements:

a. Columns.

b. Mullions.

c. Projections.

d. Setbacks.

e. Style.

f. Material.

4. Provide vertical facade articulation by including a cornice, lintel or header separating the first floor and upper floors.

5. Integrate top to bottom building architecture.

6. Blank walls, including walls distinguished only by changes in color, are prohibited.

7. Primary facades shall have a higher level of architectural detail at street level and on storefront designs.

8. Provide a cornice or eaves to create distinctive rooflines.

B. Guidelines.

1. Although a change in the horizontal building facade is required at least every 50 feet, shorter segments of 15 to 30 feet are recommended.

2. Balconies, trellises, railings, and similar architectural elements should be added to upper floors.

3. At corners, the roof design should emphasize the corner.

CC1619.52.170 Secondary building facades.

Secondary facades are oriented toward pedestrian-only corridors.

A. Standards.

1. Maintain high quality materials on secondary facades.

2. Blank walls, including walls distinguished only by changes in color, are prohibited.

3. Secondary facade design shall be a simplified expression of the primary facade, with fewer vertical segment changes along the length of the facade.

B. Guidelines.

1. Provide a streetscape treatment that is complementary to the primary elevations, but that is executed in a simplified scheme.

2. Provide surprise elements, such as murals, portals, artwork or landscaping.

CC17 19.52.180 Significant corners.

Significant corners are located at street intersections on Bridgeport Way West at 40th Street West and 42nd Street West. Significant corners shall include a distinctive architectural element.

A. Standards.

1. Significant corners shall have a standout architectural design. Standout architectural design shall be achieved by one of the following methods or approved equivalent:

- a. An element such as a tower that projects higher than the surrounding buildings.
- b. A concave facade.
- c. A rounded facade.
- d. An angled facade.

2. Provide the highest level of architectural detail and high quality material at significant corners.

3. A plaza or courtyard shall be located between the building facade and the sidewalk. This plaza or courtyard area may be used to meet plaza or courtyard area requirements.

B. Guidelines.

1. Significant corners may have entrances at street level while others may only be distinguished architecturally.

2. Building corners should have distinctive character from block to block to help with orientation throughout the ~~Town Center~~Community Commercial zone.

CC18 19-52-190 Architectural features.

Architectural features, including columns, cornices, mullions, balconies, railings and window boxes, add interest to a building.

A. Standards.

1. On buildings where an upper story setback is provided, the setback should be improved with an upper story courtyard, balcony or roof garden.

B. Guidelines.

1. Traditional elements found around windows, such as shutters, lintels and windowsills, should be used to provide character and detail to facades.

2. Incorporate trestles on upper floors to add interest.

3. Developers, tenants and residents should be encouraged to provide plants on upper story balconies.

CC19 19-52-200 Projections.

Projections include awnings, canopies, signs and architectural features.

A. Standards.

1. Only projections that can be removed within 30 days are permitted to project into the right-of-way including, by way of example, canopies, window displays, signs, planters and stoops.
2. Projections into a public right-of-way require a right-of-way permit.
3. Projections less than eight feet above the ground elevation may extend a maximum of 48 inches beyond the face of the building.
4. Projections shall not interfere with trees, utilities, transit shelters or other street furnishings.
5. Individual AC units and fire escape ladders shall not be permitted on the exterior of buildings.
6. The minimum pedestrian zone width shall be maintained unobstructed.

B. Guidelines.

1. Roof eaves may project up to 36 inches beyond the building face or architectural projection.
2. Satellite dishes should not be allowed on primary facades, secondary facades and significant corners.

CC20 19.52.210 Awnings and canopies.

Awnings and canopies provide protection from the elements and add dimension to a building facade.

A. Standards.

1. Design and placement of canopies or awnings shall be proportional to the size of the building facade.
2. On buildings with canopies, canopies shall be designed as an integral part of the building.
3. Ground-mounted canopy or awning supports shall not be placed closer than two feet from the back edge of the curb.
4. Canopies shall not extend along the full length of a facade creating an arcade.
5. Individual awnings shall not exceed 30 feet in length.
6. Canopies shall extend a minimum of five feet over sidewalks to provide protection from inclement weather.
7. Awnings shall be made of a durable material such as woven fabric or canvas. Vinyl awnings are prohibited.
8. Canopies shall be made of permanent materials such as wood, metal and/or glass.
9. Canopies shall not be internally lit.

B. Guidelines.

1. Provide awnings in strategic locations to provide pedestrians shelter from weather.
2. Collective placement of awnings along a street should maintain overall design integrity and avoid a uniform awning layout.
3. Awnings should accommodate comfortable pedestrian access and sight lines.
4. Retractable or open side awnings are preferred. Awning and canopy colors should complement building color.
5. Close-ended canopies are discouraged.

CC21 19.52.220 Building materials.

Building materials native to the Northwest provide a character in keeping with the ~~Town~~ Centercommunity vision.

A. Standards.

1. Use high quality materials that enhance the building and convey a sense of permanence. Durable materials are especially critical at street level where pedestrian contact will be considerable.
2. Opaque, smoked and reflective glass shall be used for accents only.

B. Guidelines.

1. On primary facades and significant corners materials native to the Northwest should be used whenever possible, including:
 - a. Smooth exterior grade woods, such as oak, maple, fir and hemlock.
 - b. Cobbles, river rock, slate and granite.
2. Desirable facade materials for new or renovated facades also include:
 - a. Brick, tile and stone, including marble.
 - b. Decorative fiber-reinforced cement.
 - c. Glass.
 - d. Other woods.
3. Nonnative materials, such as those listed below, may be used for architectural trim and accent applications, including, but not limited to, cornices and decorative brackets, frieze panels, decorative lintels, shutters and porch and balcony railings.
 - a. Cast iron, bronze, brass, copper (including terne coated).
 - b. Glazed ceramic and porcelain tile.

c. Glass, brick and metal.

d. Fiber-reinforced plastic (not including plastic or vinyl siding products).

4. Building materials and construction methods should be “green” to the greatest extent possible, to emphasize the core value of a sustainable environment and conservation of natural resources including energy.

5. Developers should use the New Buildings Institute Energy Benchmark for High Performance Buildings to improve indoor environmental quality and energy efficiency.

CC22 19.52.230 Colors.

Colors common in nature around the South Puget Sound help provide a cohesive appearance town-center that fits in the region.

A. Standards.

1. Colors natural to the South Puget Sound, such as beige, light brown, tan, forest green and sea blue, are to be used as primary colors. Bright, highly contrasting colors shall only be used as accents.

CC23 19.52.240 Roof design and materials.

Varied rooflines and materials are important elements to articulate building facades both vertically and horizontally.

A. Standards.

1. Roofing materials visible from streets, plazas or courtyards shall be finished with an attractive non-reflective material, including, but not limited to, wood shingles, copper (including terne coated), factory-finished painted metal, slate, synthetic slate, terra cotta and cement tile and glass fiber shingles.

2. Adjacent buildings with roofs visible from streets and plazas or courtyards shall use a different slope, design, type or color of roof material to break up building mass and provide variety.

3. Articulate roof form and material to break up building mass.

4. Where rooftop mechanical equipment will be visible from rights-of-way and existing buildings' roofs, mechanical equipment shall be hidden by an attractive screen and/or a roof garden or rooftop courtyard provided.

5. Roof flashing shall not be visible from streets, plazas or courtyards.

B. Guidelines.

1. Rooftop courtyards and gardens are encouraged.

CC24 19.52.250 Materials to avoid.

Inexpensive materials detract from the quality the community envisions for the ~~Town Center~~Community Commercial zone. ~~Glass curtain walls convey a modern rather than a Northwestern architectural style.~~

A. Standards.

1. Multi-floor glass curtain walls are prohibited. Integrate glass with other materials.
2. Vinyl, painted steel, metal or aluminum siding may only be used above 20 feet or a second story, whichever is greater.
3. Synthetic stucco is prohibited.
4. Unfinished concrete block is prohibited.
5. Chain link fencing and unfinished wood fencing are prohibited.
6. Decorative metal gates or fences are allowed.
7. Roll-up metal security doors in front of storefronts and exterior applied metal security bars are prohibited. Roll-up metal doors are allowed at service entrances.

B. Guidelines.

1. Avoid large expanses and non-detailed stucco. Integrate stucco with other materials.
2. Painted steel, metal and aluminum siding should be avoided.

CC25 19-52.260 Storefronts.

Quality storefront design is welcoming and improves safety.

A. Standards.

1. Storefront design shall include at least one of the following elements:
 - a. A large display window or windows of clear glass.
 - b. A large header.
 - c. A canopy or awning.
 - d. A recessed entry.
 - e. A projected entry.
2. Vacant storefronts shall be attractively screened using a painted screen rather than boarded up. The painted screen should display a mural or advertise the coming use. Advertising shall be considered a sign. The owner should contact UP for Art for design ideas.

3. Window displays shall display merchandise or services sold by the tenant or an adjacent tenant, or artwork. Storefront display windows shall not be blocked off to prevent views into or out of the store.

~~4. Tenants shall avoid cookie-cutter representations of their identity and create an expression that is complementary to the Town Center architecture.~~

~~45.~~ Storefronts shall be predominantly glass to provide views into the store, but glass shall not be the exclusive material.

~~56.~~ A sidewalk merchandising zone for the temporary display of merchandise extends two feet from the building facade. A right-of-way permit is required to utilize this merchandising zone in the public right-of-way.

B. Lighting.

1. Storefront facades, recessed doorways, outdoor spaces and passageways shall be lit.

2. Fixtures shall be located and angled to ensure that they spotlight the tenant's merchandise and do not point toward the window or cause distracting reflections. Use down lighting or cut-off lenses to avoid excessive glare.

~~3.~~ Include "after hours" lighting within the fronts of stores to contribute to pedestrian lighting and provide for a comfortable nighttime strolling experience.

4. Lighting fixtures shall not extend more than three feet from the facade or hang below eight feet.

C. Guidelines.

1. Storefront designs should express their individual character or brand identity so that a varied texture and experience can be achieved along the length of the street.

2. Modern and creative design solutions may be employed as long as the traditional storefront proportions are maintained.

3. Display window designs should allow a visual connection between the interior and exterior.

4. Landscaping and potted or hanging plants should be used to provide accents and depth.

5. Limit the number of light fixtures to prevent a cluttered look.

CC26 19.52.270 Windows.

Ground floor window displays add interest for shoppers and pedestrians. Upper story windows help put eyes on the street, creating a safer and more welcoming atmosphere.

A. Standards.

1. Upper story windows shall be designed to create shadow lines or to break up flat surfaces by recessing, projecting or trimming windows.

2. Fake and masked-off windows are prohibited.

3. A minimum of 50 percent of the ground floor facade shall be in non-reflective transparent glazing.

B. Guidelines.

1. Windows should comprise 25 to 50 percent of upper facades visible from public rights-of-way and should reflect a rhythm, scale and proportion compatible with the overall building design.

CC27 19.52.280 Doors and entryways.

Doors and entryways provide a welcoming sense of arrival and attract people to enter.

A. Standards.

1. Primary building and store entrances shall be oriented toward the principal street.
2. Recessed or projecting entrances shall be designed so that they do not exceed 50 percent of the width of the storefront, nor 10 feet in depth/projection.
3. Placement and design of doors shall provide a direct connection to the sidewalks and streets.
4. Provide a diversity of entrance types including recessed, projecting and traditional entrances.

B. Guidelines.

1. Tenants should create a unique and identifiable entryway that distinguishes their brand identity.
2. Additional entrances may be on a walkway, plaza or courtyard.
3. Restaurants are encouraged to provide a clear throughway and a visual connection to exterior seating areas.

CC28 19.52.290 Parking – General.

On-street, structured and surface parking provide a choice of parking opportunities.

A. Standards.

1. With the following exceptions, parking shall be provided pursuant to Chapter [19.60](#) UPMC:
 - a. Entries and exits to and from parking areas shall be clearly marked for both vehicles and pedestrians by changes in material, lighting, and signage.
 - b. Provide raised or clearly marked walkways in surface and structured parking lots.
 - c. Abutting on-street parking and shared parking in the ~~Town Center~~ Community Commercial zone may be counted toward the off-street parking requirement.

- d. Compact spaces shall not be allowed on-street and shall be limited to off-street parking locations.
- e. Parking lots shall be located in the rear, in the interior of a block or in structured parking in the interior of a block, below a structure or hidden by the structure.
- f. Surface parking lots must be located to the side or rear of buildings.
- g. Delineate parking for residential uses from parking for other uses.
- h. A maximum of two levels of structured parking is allowed abutting an R1 and R2 zone, except that a third level may be added provided the third level is set back an additional 30 feet and the perimeter buffer is increased to 30 feet wide and a third row of evergreen trees is planted 15 feet on center in accordance with Chapter [19.65](#) UPMC.
- i. Surface parking lots and parking structures adjacent to Homestead Park shall install a Level II buffer between parking and the park. Parking structures shall also provide planter boxes and vegetation to screen at least 50 percent of the building.

[j. Design landscaping in surface parking lots to accommodate storm water runoff and infiltration in accordance with the *Low Impact Development Technical Guidance Manual for Puget Sound*.](#)

B. Guidelines.

- 1. Meeting parking requirements with off-street surface parking is discouraged.
- ~~2. Design landscaping in surface parking lots to handle storm water runoff.~~
- ~~3. Use~~ Consider durable pervious surfaces to reduce storm water runoff.
- ~~4. Use~~ native plants in parking lot landscaping.
- ~~5. Consider using~~ Use pavers, colored concrete and landscaping to delineate walkways through parking lots.

~~CC29 19.52.300~~ On-street parking.

On-street parking in the ~~Town Center~~Community Commercial zone provides easy access to shops and provides a separation between vehicles and pedestrians. On-street parking can be attractive and flexible.

A. Standards.

- 1. Only parallel parking is permitted on Bridgeport Way.
- 2. Parallel or angled parking is allowed on Drexler Drive and Larson Lane.
- ~~3.~~ No on-street parking is permitted on 37th Street east of Bridgeport Way.
- 4. Where on-street angled parking is permitted, both 45-degree and 60-degree angled parking are permitted.

5. No on-street parking shall be permitted within 30 feet of an intersection.
6. Provide bump-outs to delineate the end of parking from an intersection or crosswalk.
7. Use colored or decorative pavement, bollards and/or planters to delineate on-street parking areas.

CC30 19.52.310 Structured parking.

Structured parking that takes advantage of the topography is preferred in the ~~Town Center~~Community Commercial zone.

A. Standards.

1. Structured parking shall not be visible, except at entrances.
2. Entrances to structured parking shall be the minimum size to permit reasonable entry and shall be consistent with the building facade design.
3. Any elevation of a parking structure visible from an adjacent street or a residential zone shall have a solid decorative parapet wall of not less than 46 inches high and shall utilize materials and colors consistent with the surrounding buildings.
4. On walls facing a residential zone, planter boxes supporting vines and other vegetative screening materials shall be attached to the exterior of the structure.
5. At least 75 percent of the area occupied along the street level facade of any parking structure that is immediately adjacent to a sidewalk or street right-of-way shall be developed for active office or retail uses.
6. If not abutting a street, structured parking facilities shall be provided with adequate access from public streets via a private drive and/or access easements.
7. Provide high ceilings and ample lighting at pedestrian entrances to elevate safety and comfort.

B. Guidelines.

1. Provide enough clearance and appropriate curve radius in structured parking to facilitate delivery, maintenance and emergency vehicle routes.

CC31 19.52.320 Loading spaces.

A. Standards.

1. The minimum dimensions of loading spaces shall be as follows:
 - a. Regular size space: 10 feet by 25 feet.
 - b. Large space: 10 feet by 50 feet.

2. The calculation of the minimum number of off-street loading spaces shall be in conformance with the following schedule:

a. Office uses or portion of building devoted to office uses:

- i. Zero to 49,999 square feet (sf): zero spaces.
- ii. Fifty thousand to 149,999 sf: one regular space.
- iii. One hundred fifty thousand to 249,999 sf: two regular spaces.
- iv. Two hundred fifty thousand sf and up: three regular spaces.

b. Retail uses with the following tenant size:

- i. Zero to 9,999 sf: zero spaces.
- ii. Ten thousand to 49,999 sf: one regular space.
- iii. Fifty thousand to 99,999 sf: one regular space and one large space.
- iv. One hundred thousand sf and up: two large spaces.

c. Restaurant uses with the following tenant size:

- i. Zero to 9,999 sf: zero spaces.
- ii. Ten thousand sf and up: one regular space.

3. Loading spaces that are adjacent and accessible to several buildings or tenant spaces, including buildings and tenant spaces on separate lots, may be used to meet the loading requirements for the individual buildings or tenants; provided, that: (a) the number of spaces satisfies the requirements for the combined square footages for the buildings or tenants in question, and (b) an agreement evidencing the right of tenants to share the loading spaces shall be provided to the City.

4. Loading and service areas shall be located and designed to minimize visibility from streets, public spaces and semi-public spaces. Loading areas shall be underground or recessed to hide them from view.

5. Use walls and/or landscaping to screen views of loading areas.

6. Install attractive loading dock doors so that when not in use loading docks do not present an eyesore.

CC32 19-52.330 Streetscapes.

A. General Requirements. The purpose of this section is to provide for the coordinated provision of functional and aesthetically pleasing transportation and related facilities within the ~~Town~~ CenterCommunity Commercial zone. The streetscape is comprised of streets, sidewalks and all features located within the street, sidewalk or right-of-way.

B. Standards.

1. Streetscapes shall be designed at a pedestrian scale to promote a feeling of comfort and security.

2. Streets shall be designed to promote multiple modes of transportation.

3. Pedestrian circulation shall be facilitated via wide sidewalks, walkways, well-defined crossings and utilization of on-street parking.

4. Streetscapes shall be designed to encourage visual interest.
5. Sidewalks shall include a pedestrian zone directly adjacent to storefronts and an amenity zone for roadside features, located adjacent to the street edge.
6. All roadside features, except as otherwise noted, shall be located in the sidewalk amenity zone.
7. Building and site features shall not project into the pedestrian zone within the vertical area eight feet above sidewalk grade, except as specifically allowed by these standards. In no case shall projections reduce the width of the pedestrian zone to less than the minimum required.
8. Roadside features located adjacent to parallel parking lanes shall be set back a minimum of 30 inches from face of curb/edge of street.
9. Roadside features shall be designed and placed to minimize visual obstruction of adjacent building signage, windows and entries.

C. Guidelines.

1. Unique elements of the streetscape should catch people's attention as they move down the street.

CC33 19.52.340 Street paving.

The intent of this section is to provide for decorative pavers, stamped and/or colored concrete or asphalt to designate special use areas along streets including gateways, crosswalks and key intersections.

A. Standards.

1. Streets shall be paved with asphalt concrete, except at key intersections, gateways and crosswalks.
2. Key intersections, gateways and crosswalks, as specifically identified in other sections of this title, shall be constructed of stamped concrete or asphalt, or brick or asphalt pavers.
3. Painted stop bars are required at all crossings and intersections.

CC34 19.52.350 Sidewalks and curbs.

The intent of this section is to provide for safe and attractive sidewalks and curbs on streets in the ~~Town Center~~Community Commercial zone. Wide, attractive sidewalks provide ample room for pedestrians to stroll, pass, linger and enjoy streetscape amenities.

A. Standards.

1. Sidewalks shall be comprised of a pedestrian zone and an amenity zone.
2. Vertical curb and gutter shall be installed on all streets unless curbless parking is specifically required or allowed.

3. Except as otherwise allowed, sidewalks shall be constructed of a simple, uniform style of concrete.

4. Significant corners, gateways and other amenity areas as specifically identified in other sections of this title shall be constructed of subtle colored, patterned, scored, sandblasted or stamped concrete, pavers, bricks or similar materials. When significant corners are redeveloped they should use similar materials to the other redeveloped corners. The intent is to ensure a similar theme to the entire intersection.

B. Guidelines.

1. A subtle color, material or pattern change should be incorporated into the amenity zone to distinguish the separation from the pedestrian zone.

2. Complicated patterns, sharp color contrasts and bright colors should be avoided except when used in artwork or for accents.

CC35 19.52.360 Street lighting.

The intent of this section is to provide for aesthetically pleasing and adequate lighting for both pedestrians and drivers. Streetlights create ambiance and a safe and welcoming environment.

A. Standards.

1. Streetlights shall provide both vehicular and pedestrian lighting. The model and level of illumination shall be as specified in UPMC Title [13](#).

2. Streetlights shall be designed with the capability to turn off selected lights during energy shortages.

3. Streetlights shall be located at the same distance from the street edge along the length of the entire street.

4. Luminaires shall be translucent or glare-free.

5. Diffusers and refractors shall be installed to reduce glare and light pollution, particularly adjacent to residential areas.

CC36 19.52.370 Special effects lighting.

The intent of this section is to provide for special effects lighting that helps create an inviting and safe environment. Special effects lighting provides emphasis on architectural features, highlights vegetation and celebrates seasons.

A. Standards.

1. Special effects lighting shall be utilized in plazas to highlight required art or water features.

2. Effect lighting shall be used to highlight trees and other roadside features, buildings and site features as specifically identified in other sections of ~~this~~ [these standards-guidelines](#) ~~title~~.

3. Lighting shall be shielded, as necessary, to avoid glare to pedestrians, vehicles and adjacent sites.
4. Outlets or fixtures for effect lighting shall be installed in tree grates or otherwise integrated in an unobtrusive manner.

CC37 19.52.380 Street trees and landscaping.

The intent of this section is to provide for ample vegetation within the streetscape and plaza areas.

A. Standards.

1. Street trees shall be provided in accordance with UPMC [19.52.520](#) through [19.52.540](#), ~~Town Center streets.~~
2. Street trees shall include only those species specified in UPMC Title [13](#).
3. Street trees shall have a minimum diameter of that specified in UPMC Title [13](#).
4. Landscaping in courtyards and plazas shall include:
 - a. Canopy-type deciduous trees or spreading evergreen trees planted in clumps or strips with a mix of living evergreen and deciduous ground covers and low shrubs. Up to 100 percent of the trees may be deciduous. There shall be at least one tree per 100 square feet of required landscaping area within courtyard and plaza areas.
 - b. The area that is not planted with trees shall be planted with shrubs and living ground cover chosen and planted to attain coverage of 90 percent within three years of planting. Shrubs shall be planted at a density of five shrubs per 100 square feet of that portion of the landscape area that is not planted in groundcover. Lawn may be used for up to 75 percent of the required ground cover.
5. Landscaping located within public rights-of-way shall be approved by the Development Services Department, prior to planting, as part of the review of landscape plans required by UPMC [19.65.200](#). Landscaping in the public right-of-way shall be in accordance with UPMC [13.20.870](#).
6. Particular care shall be used in tree selection and placement to avoid visual obstruction of adjacent retail signage, windows and entries.
7. If mixing species, different species shall be alternated in a regular pattern. Regular spacing is encouraged, but spacing may be altered where necessary to minimize visual obstruction of adjacent retail uses.
8. Trees shall be planted a uniform distance from the curb/edge of street.
9. Street trees shall be placed in tree grates, large planters or pots or planter strip sections.
10. Planter strips shall be permanently irrigated per Chapter [13.20](#) UPMC.

11. Landscaped area shall include shrubs and groundcover sized and irrigated in accordance with Chapter [19.65](#) UPMC.
12. A maximum of 50 percent of required landscaping in plazas and courtyards may be potted.
13. Potted plants shall not be placed anywhere that impedes pedestrian or vehicular traffic, but may function as a separation between pedestrians and vehicles.
14. Pots shall be of a uniform type.
15. Tree grates shall be designed to reflect local art, history or wildlife.
16. Tree grates shall allow for tree growth.
17. Tree grates shall be ADA approved.
18. Electrical outlets shall be provided within the tree grate area to allow for lighting opportunities.

B. Guidelines.

1. Potted plants may be used in addition to landscape planting areas to complement the surrounding streetscape by adding color and variety.
2. Large pots are preferred to fixed boxes to allow for maintenance or service access.
3. Larger trees are preferred and may be used to reduce the number of trees required provided the overall diameter of required trees added together is not reduced.

CC38 ~~19.52.390~~ Street furniture.

The intent of this section is to provide for functional and attractive street furnishings. Street furnishings, including benches, chairs and tables, are an important element of the streetscape providing pedestrian comfort and convenience.

A. Standards.

1. Street furniture shall be provided in accordance with UPMC [19.52.520](#) through [19.52.540](#); ~~Town Center streets.~~
2. Benches shall be Victor Stanley, Classic Style, SC 138 in VS New Teal. Other street furniture shall be complementary to the above style. When an exception is granted all furniture shall be a common model unless a unique type is integral to storefront design.
3. Street furniture shall be comfortable, durable, easy to clean and vandalism/graffiti resistant to the greatest extent possible.
4. Up to 25 percent of required seating may be provided by incorporating a bench into a planter box by widening planter and wall edges to provide seating.
5. Furniture other than cafe seating shall be permanently attached to the ground.
6. Cafe and restaurant seating if located on a public sidewalk shall meet the following:

- a. A right-of-way permit shall be required.
- b. The minimum pedestrian zone shall be maintained.
- c. The seating shall not visually obstruct adjacent retail uses.
- d. The seating does not displace other publicly beneficial amenities.

B. Guidelines.

- 1. Seating should be grouped together as much as possible and should be placed at busier pedestrian nodes and gathering points.
- 2. Seating should be oriented to take advantage of attractive views.
- 3. Street furniture should be oriented to maximize the feeling of comfort and security for both users and passing pedestrians.

CC39 19-52.400 Artwork.

The intent of this section is to provide for artwork that reflects the values, culture and history of the Northwest and the City of University Place, complements building design and adds to ~~our~~ sense of place.

A. Standards.

- 1. Artwork in publicly owned places shall be consistent with the City public art policy. The applicant shall contact UP for Art and use the group as a resource for any proposed artwork.
- 2. Artwork shall be located within the ~~Town Center~~Community Commercial zone area as specifically identified in other sections of this title.
- 3. Permanent art pieces shall not be located in areas designated for performing arts functions.
- 4. Artwork shall:
 - a. Be made of durable, weatherproof materials; and
 - b. Not interfere with pedestrian circulation or cause a traffic hazard; and
 - c. Be designed to avoid physical hazards to the public who come in contact with it.

B. Guidelines.

- 1. Art should reflect the values, culture and history of the Northwest and the City of University Place. Themes to consider include orchards, timber, mining, Vikings, canoe making, and wildlife such as bears, deer, salmon and waterfowl.
- 2. Appropriately scaled art pieces or sculptures should be located in the streetscape and in plazas and courtyards where they do not visually obscure adjacent retail uses.

3. Art pieces should be accessible physically and intellectually.
4. Local sources of art should be considered.
5. Artwork may be part of a collection or a single piece.
6. Artwork may include water, seating, planting, decorative architectural elements or plaza space as part of the design.

CC40 19.52.410 Water features.

The intent of this section is to provide for water features with designs that reflect the community's values or heritage, allow interaction with water and serve as focal points in plazas and courtyards.

A. Standards.

1. Water features shall be located within the ~~Town Center~~Community Commercial zone area as specifically identified in other sections of ~~these standards~~guidelines~~this title~~.
2. Where required, water features shall allow people to interact with the display ~~providing~~using at least one of the following:
 - a. ~~Allow for a~~A ample pedestrian circulation on all sides.
 - b. ~~Provide s~~S seating as part of the water feature design, using a low wall.
 - c. ~~Promote p~~Physical contact with water.
3. Where required, water features shall be a minimum of 25 square feet and maintain a minimum constant or intermittent recirculating flow of 300 gallons per hour.

B. Guidelines.

1. Water features should be designed to reflect the community's core values and an appreciation of nature, education and the arts.
2. Design water features that are attractive as art objects when water flow must be discontinued during times of drought.

CC41 19.52.420 Transit facilities.

The intent of this section is to promote multi-modal transportation options through public transit opportunities within the ~~Town Center~~Community Commercial zone. Public transit is a key component of sustainable mixed use type development.

A. Standards.

1. Placement and design of transit facilities shall be coordinated with Pierce Transit. Non-Pierce Transit financing is required.

2. Transit facilities shall be designed and constructed to represent a common style throughout the ~~Town Center~~Community Commercial zone unless an exception is granted.

3. Streets where transit is expected to operate shall be built to arterial street standards, in order to withstand continuing transit vehicle use.

B. Guidelines.

1. Transit facilities should be located in close proximity to pedestrian crossings.

2. Transit patron waiting facilities should be covered for weather protection.

3. Transit stops should be convenient for pedestrians to facilitate their use and placed to be safely and efficiently served by transit vehicles.

CC42 19.52.430 Outdoor kiosks.

The intent of this section is to provide for functional and attractive kiosks. Kiosks serve to provide information, or direction, or are used for the sale of retail goods or food.

A. Standards.

1. Kiosks from which merchandise or food is sold shall be attended when open for business.

2. Kiosks shall be constructed of similar materials or given a similar finish as adjacent buildings.

3. Kiosks shall be well illuminated.

4. All sides of a kiosk shall have a finished look.

B. Guidelines.

1. Kiosks that provide information or directory assistance may be attended or unattended.

2. Kiosks that provide information or directory assistance and do not provide merchandise for sale should be accessible from all sides.

3. Kiosks should be located in areas of high pedestrian traffic.

4. Kiosks should be positioned to complement and respect other street furnishings such as benches and lighting.

5. Kiosks are not required to be fixed and may be mobile to allow for flexibility in public areas.

CC43 19.52.440 Trash and recycling receptacles.

The intent of this section is to provide for functional and attractive trash and recycling receptacles. Trash and recycling receptacles include both streetscape and large facilities. Streetscape receptacles are attractively designed, matching other street furnishings, whereas large facilities are screened from view.

A. Standards.

1. Streetscape receptacles shall be Victory Stanley, Ironsites Series, SD-42, with side gate in VS New Teal. When an exception is granted all receptacles shall be the same model unless integral to storefront design.
2. Ash urns shall be Victory Stanley, Ironsites Series, S-20, in VS New Teal. When an exception is granted all urns shall be the same model unless integral to storefront design.
3. Recycling receptacles shall be of a similar style as the above-referenced trash receptacles. Design of recycling receptacles shall be acceptable to the local refuse service provider.
4. Streetscape receptacles shall be located at convenient locations especially at intersections and in the proximity of kiosks or restaurants where take-out food is sold or consumed.
5. Streetscape waste and recycling receptacles shall be permanently attached, have sealed bottoms and tops sufficient to keep contents dry and concealed from view and be designed for easy collection and service.
6. Streetscape trash and recycling receptacles shall be durable, easy to clean and vandalism/graffiti resistant to the greatest extent possible.
7. Location of trash and recycling facilities shall be coordinated with the local refuse service provider.
8. Recycling receptacles shall be located in conjunction with at least 50 percent of all trash receptacles. Recycling receptacles shall accept glass and metal (aluminum) recyclable materials.
9. Large-scale trash and recycling collection sites, including dumpsters, shall be screened by a fence or wall at least as high as the receptacle and constructed of the same materials or given a similar finish as the buildings they serve.
10. The color of any screening fences or walls shall be consistent with adjacent buildings.
11. Trash and recycling receptacles shall be maintained in a sanitary condition, and shall be emptied when full.

B. Guidelines.

1. Trash and recycling receptacles should blend with surroundings and be visually unobtrusive.
2. Restaurants with outdoor seating should provide additional streetscape trash receptacles near seating.

~~CC44 19.52.450~~ Newspaper racks.

The intent of this section is to allow newspaper racks that are functional and attractive. Newspaper racks provide a convenient way to purchase a newspaper or collect advertisements. However, they can interfere with pedestrians and cause litter.

A. Standards.

1. Newspaper racks' color and design shall be compatible with and aesthetically complement other streetscape amenities such as benches and waste receptacles.
2. Newspaper racks shall accommodate more than one newsprint selection.
3. Newspaper racks shall be placed to minimize the physical and visual impact on the streetscape.
4. Newspaper racks shall be secured by bolting to the ground or a building.

CC45 19.52.460 Utility accessories.

The intent of this section is to provide for functional and visually attractive utility accessories, including utility boxes, meters, manhole covers and fire hydrants.

A. Standards.

1. New utility systems shall be underground.
2. Utility accessories shall be uniform in design and color throughout a development and shall:
 - a. Blend in with surroundings to minimize visual and physical impact;
 - b. Be readily accessible and placed so as not to obstruct pedestrian movement; and
 - c. Be coordinated with other streetscape accessories.
3. Utility accessory design and construction must be approved by the Development Services Department.

CC46 19.52.470 Handrails and fencing.

The intent of this section is to provide for functional and attractive handrails and fencing.

A. Standards.

1. Handrails shall be installed where necessary for safety or where desired for aesthetics.
2. Low fencing or rails (36 inches or lower) shall be permitted where they provide a sense of enclosure in a larger open area, where they separate distinct areas and where they do not obstruct pedestrian mobility.
3. Handrails and fencing shall be designed to complement the architectural style of adjacent buildings.
4. Solid, slat and plastic fences are prohibited.
5. Chain link fences are prohibited, except when approved for public safety applications.

B. Guideline.

1. Metal is the preferred material.

~~CC4719.52.480~~ Bollards.

The intent of this section is to provide for functional and attractive bollards. Use of bollards is an attractive way to provide semi-permanent separation of uses.

A. Standards.

1. Bollards shall be uniform in design and color throughout a development unless integral to a specific storefront or restaurant design.
2. Bollards shall be set back from parking lanes to allow movement of car doors.
3. Bollards shall be utilized where necessary to physically separate vehicles from pedestrians.
4. Bollard color and design shall be similar to and aesthetically complement other streetscape elements including but not limited to street furniture and streetscape waste receptacles.

B. Guidelines.

1. Removable bollards may be utilized where service vehicles need periodic access and for street closures in the event of festivals or community events.
2. Bollards may be chained together to ensure pedestrian safety or define areas for public functions.

~~CC48 19.52.490~~ Bicycle racks.

The intent of this section is to provide for functional and interesting bicycle racks.

A. Standards.

1. Bicycle racks shall be Dero's Bike Rack or Mad Biker Bike Rack. An exception ~~may~~ be granted by the Director when all bike racks in a development are uniform in design or theme and consistent with the development's design or function.
2. Bicycle racks shall be permanently mounted and located adjacent to areas with potential high bicycle traffic volumes.
3. Bicycle racks shall allow the frame and at least one wheel to be locked.
4. Bike racks shall be integrated into overall streetscape design.

~~CC49 19.52.500~~ Outdoor pay phones and emergency phones.

The intent of this section is to provide for safe and attractive pay and emergency phones. Most pay phones are located inside to reduce the chance of vandalism. Phones located outside should complement the streetscape.

A. Standards.

1. Outdoor pay and emergency phones shall be uniform in design and color throughout a development unless integral to a specific storefront or restaurant design.
2. Ample lighting shall be provided around exterior pay and emergency phones to discourage vandalism.
3. Outdoor phones shall be designed to complement the architectural style of adjacent buildings.

B. Guidelines.

1. Phone booths should be attached to building frontages rather than freestanding.

CC50 19.52.510 Mailboxes and other miscellaneous features.

The intent of this section is to provide direction for mailbox location, reduce street clutter and allow for the inclusion of miscellaneous street features.

A. Standards.

1. Mailboxes shall be located in coordination with the U.S. Postal Service.
2. All mailboxes shall be located inside buildings unless otherwise required by the U.S. Postal Service.
3. When located outside a building, mailboxes shall be designed and integrated with building design.
4. Other miscellaneous features typical to the streetscape environment shall be permitted subject to approval of the director. Examples include cash machines, street speakers and parking meters.

B. Guidelines.

1. Mailboxes should be located in lobbies or common rooms.
2. Mailboxes should be grouped to the greatest extent possible.

CC5119.52.520 Major arterial – Bridgeport Way.

Bridgeport Way carries the highest volume of vehicular traffic through the ~~Town~~ Center Community Commercial zone. The envisioned streetscape is a pedestrian-friendly and highly visible retail street. Wide sidewalks and on-street parking provide a secure shopping environment separated from vehicular traffic. Streetscape amenities are designed to allow high visibility to passing motorists who are provided parallel parking opportunities on both sides of the street.

Bridgeport Way West shall be improved consistent with the cross-sections shown in UPMC 19.52.540, Figures 1 and 2. The location of the street shall be as depicted on the adopted

master plan, unless modified by the Director. Minor modifications may be made where such changes are consistent with the overall vision of the ~~Town Center~~ Community Commercial zone.

A. Standards.

1. The 16-foot sidewalk on Bridgeport Way shall be comprised of an eight- to 11-foot pedestrian zone and a 5.5- to eight-foot amenity zone.
2. Street trees shall be spaced at 45 feet on center.
3. Each development on Bridgeport Way north of 40th Street shall install a minimum of one street furniture feature, excluding cafe seating, within the right-of-way or street. Street furniture features shall provide seating for a minimum of three people. If a development occupies both sides of the street this requirement applies to both sides.
4. A maximum of 50 percent of the amenity zone ~~may~~ be in planter strip sections.
5. Roadside features such as streetlights, bike racks, trash and recycling receptacles, drinking fountains, phone booths and newspaper racks shall be of a consistent color and design along the street.

B. Guidelines.

1. Art features may be located within the amenity zone.
2. Raised planter sections two to three feet high should be considered to further buffer pedestrians from Bridgeport Way.

CC52 19.52.530 Other arterials – 35th Street, 40th Street, and 44th Street.

35th Street, 40th Street, and 44th Street shall be improved consistent with the cross-section shown in UPMC [19.52.540](#), Figure 3. The location of the street shall be as depicted on the adopted master plan, unless modified by the Director. Minor modifications may be made where such changes are consistent with the overall vision of the ~~Town Center~~ Community Commercial zone.

A. Standards.

1. Twelve and one-half foot sidewalks shall be comprised of a seven-foot pedestrian zone and a 5.5-foot amenity zone.
2. Street trees shall be spaced at 38 feet on center.
3. Each development located at an intersection shall install a minimum of one street furniture feature, excluding cafe seating, within the right-of-way or street. Street furniture features shall provide seating for a minimum of three people. If a development occupies both sides of the street this requirement applies to both sides.
4. Roadside features such as streetlights, bike racks, trash and recycling receptacles, drinking fountains, phone booths and newspaper racks shall be of a consistent type along the street.

CC53 19.52.540 Connector streets – Drexler Drive, Larson Lane and 42nd Street.

Drexler Drive, Larson Lane and 42nd Streets shall be improved consistent with the cross-section shown in Figure 4 of this section. The location of the street shall be as depicted on the adopted master plan, unless modified by the Director. Minor modifications may be made where such changes are consistent with the overall vision of the ~~Town-Center~~Community Commercial zone.

A. Standards.

1. Eleven-and-one-half-foot sidewalks shall be comprised of a six-foot pedestrian zone and a 5.5-foot amenity zone.
2. Street trees shall be spaced at 38 feet on center.
3. Each development located at an intersection shall install a minimum of one street furniture feature, excluding cafe seating, within the right-of-way or street. Street furniture features shall provide seating for a minimum of three people. If a development occupies both sides of the street this requirement applies to both sides.
4. Roadside features such as streetlights, bike racks, trash and recycling receptacles, drinking fountains, phone booths and newspaper racks shall be of a consistent type along the street.

Figure 1

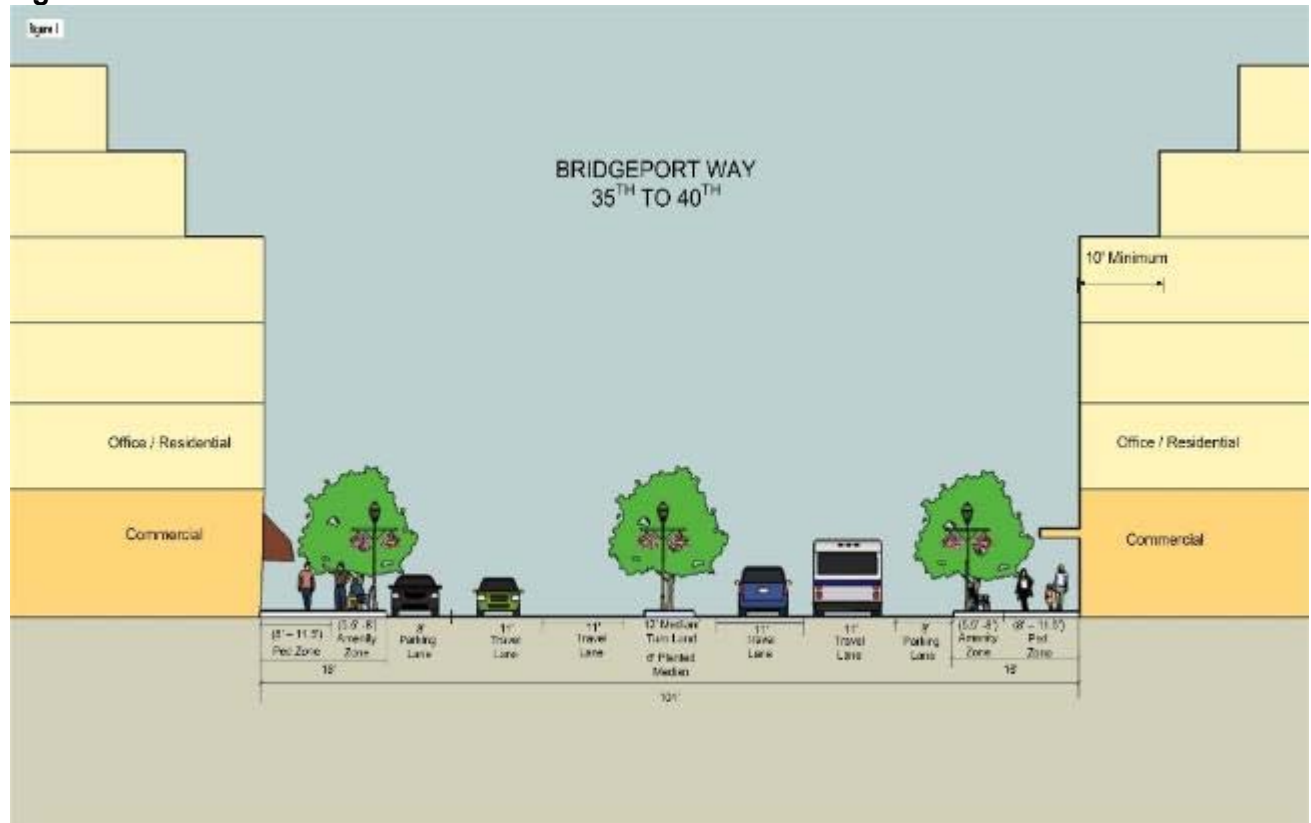


Figure 2

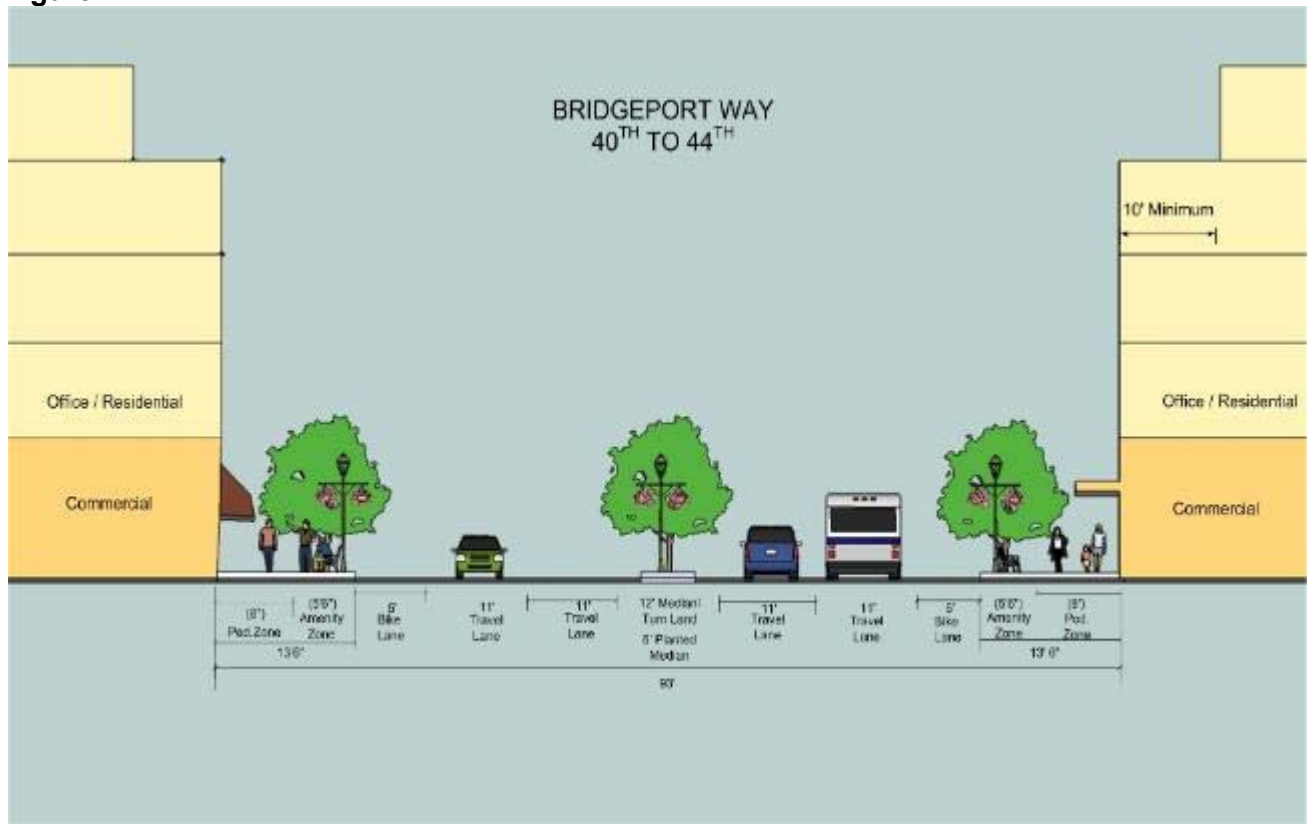
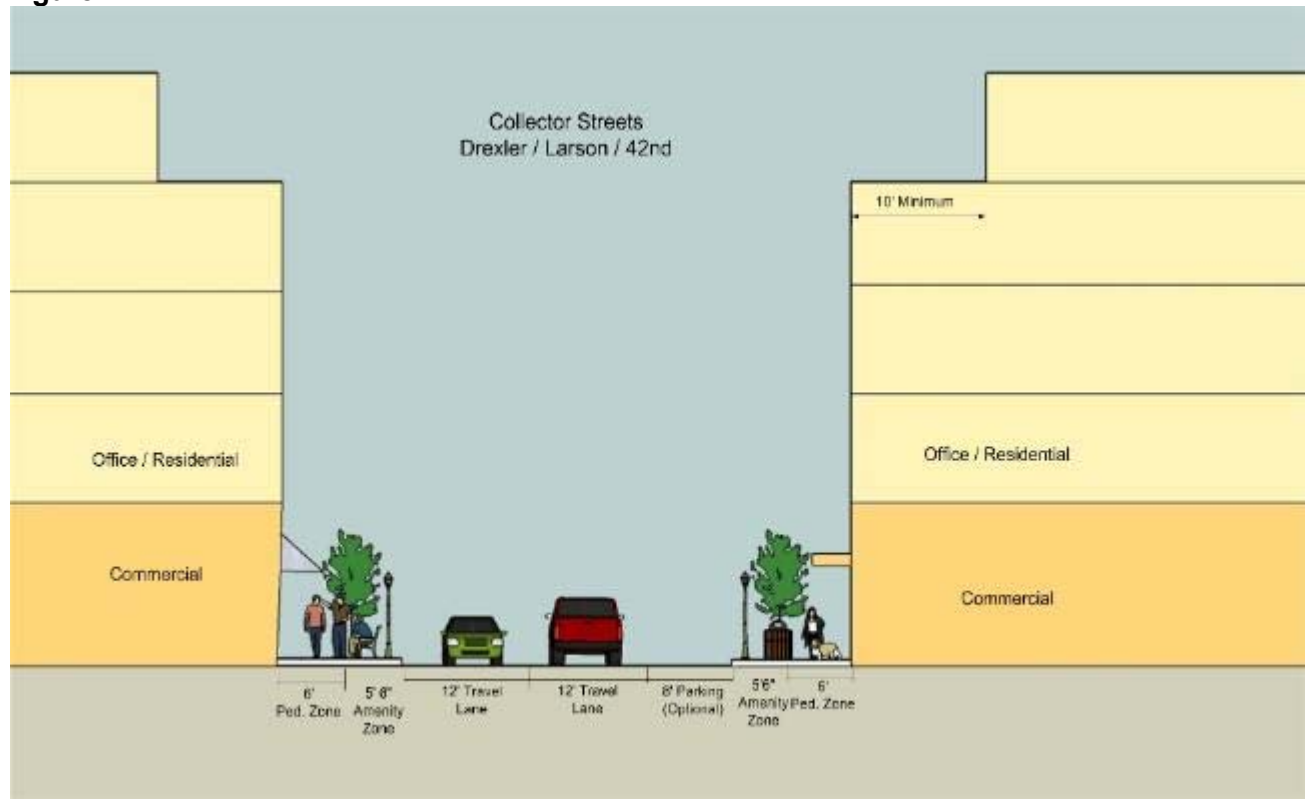


Figure 3



Figure 4



CC54 19.52.550 Signs in general.

Distinctive, finely crafted signs enhance the aesthetics of the ~~Town Center~~Community Commercial zone and improve pedestrian and motorist safety.

A. Standards.

1. All signs shall be installed and constructed per the City sign code (Chapter [19.75](#) UPMC) except as provided here.
2. Signs shall not obscure any significant architectural detail of individual buildings.
3. All signs shall be pedestrian in scale and integrated into the building and storefront design.
4. Use of durable high quality materials is required.
5. Temporary sale window paint is not permitted.

B. Guidelines.

1. Signs should be compelling, informative and consistent in order to create a sense of place.
2. Signs should distinctly identify the tenant.
3. Sign design should be creative.

4. Consider floor signs at store entrances.

CC55 19.52.560 Sign lighting.

Lighting adds a significant impact to a sign's message. Sign lighting can make an area attractive or uninviting.

A. Standards.

1. Backlit letters, channel letters and external up or down lighting are allowed.
2. Exposed neon is not permitted.
3. Raceways shall be hidden.
4. Signs or graphics identifying a tenant on glass are permitted.

CC56 19.52.570 Freestanding signs.

A freestanding sign is supported on a structure used exclusively for the support of the sign or for a group of signs, including pedestal, pylon, pole and monument signs.

A. Standard.

1. Freestanding signs are allowed provided the commercial use occupies the same parcel of land where the sign is located. The sign must be sufficiently set back to not interfere with pedestrian movement or sight distance. Design and size requirements are provided in Chapter [19.75](#) UPMC.

CC57 19.52.580 Wall signs.

Wall signs are erected against the wall of a building or other structure with the sign face parallel to the plane of the wall. Examples of wall signs include a marquee, a painted sign or a sign supported by a fence.

A. Standards.

1. The area of all wall signs shall be less than or equal to 15 percent of the facade occupied by the use.
2. When a wall sign is located on a building, it shall be located only on a wall where public access is provided.
3. Signs on awnings or on windows are considered wall signs.
4. Signage is prohibited on the awning head sheet.
5. Signs on awnings may be no greater than 66 percent of the valance (the vertical awning face).

B. Guideline.

1. Signage be should be used judiciously to avoid cluttering the streetscape.

CC58 19.52.590 Projecting signs.

Projecting signs are signs aligned perpendicular to the building facade.

A. Standards.

1. Projecting signs shall clear the sidewalk by a minimum of eight feet.
2. A projecting sign shall not be larger than 20 square feet, except when located on the ground floor over the right-of-way, where it shall not be larger than six square feet.
3. Projecting signs shall not project over four feet from the building.
4. Projecting signs shall not exceed the height of the tenant space occupied in the building.

B. Guideline.

1. Projecting signs should be creative and incorporate merchandise into the sign structure.

CC59 19.52.600 Temporary signs.

A temporary sign is any sign, banner, pennant, valance or advertising display constructed of cloth, canvas, light fabric, cardboard, wallboard or other similar materials, with or without a frame, intended to be displayed for a limited time only. Holiday decorations and other special events are considered temporary.

A. Standards.

1. One real estate sign is permitted per building street frontage.
2. Real estate signs shall be located on the ground floor near the entrance.
3. Real estate signs are not permitted in the window of a residential unit.
4. Except political signs, temporary signs shall not be freestanding.
5. One new residential development wall sign is permitted per street frontage.
6. Inflatable dirigibles are not permitted.
7. A-board signs are prohibited.

CC60 19.52.610 Directional and incidental signs.

Develop a distinctive style for directional signs in the ~~Town Center~~Community Commercial zone and to specific destinations, including government offices, the library, public parks, parking structures, transit facilities, residential areas and businesses.

A. Standards.

1. All directory signs shall be of a uniform design consistent with the ~~Town Center~~Community Commercial vision, the architecture of buildings and other streetscape elements.

2. Signs intended to direct motorists toward ~~Town Center~~Community Commercial facilities shall be located at gateways.

B. Guidelines.

1. Directional and incidental signs need to be understood by the vast majority of the population, including non-English-speaking people. The use of internationally recognized symbols should be considered as an effective way to identify features to all pedestrians.

2. Signs ~~may~~can be flat with a single-face surface or be multi-dimensional.

3. To avoid a cluttered appearance and increase effectiveness, minimal signage should be provided.