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# PLANNING COMMISSION

## Regular Meeting Agenda

Council Chambers- Mercer Island City Hall  
9611 SE 36TH STREET | MERCER ISLAND, WA 98040  
PHONE: 206.275.7605 | [www.mercergov.org](http://www.mercergov.org)



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## Wednesday, June 5, 2019

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### Planning Commissioners

Carolyn Boatsman

Tiffin Goodman, Vice Chair

Daniel Hubbell, Chair

Jennifer Mechem

Lucia Pirzio-Biroli

Craig Reynolds

Ted Weinberg

### CALL TO ORDER & ROLL CALL

6:00 PM

### SPECIAL BUSINESS

#### Agenda Item #1: Election of Chair and Vice-Chair

Election of Planning Commission Chair and Vice-Chair.

### APPEARANCES

6:15 PM

### APPROVAL OF MINUTES

None

6:45 PM

### REGULAR BUSINESS

6:45 PM

#### Agenda Item #2: Community Facilities Code

Review the second draft of the Community Facilities draft code.

Staff Person: Nicole Gaudette

#### Agenda Item #3: Planning Commission Bylaws

Review and adopt amendments to the Planning Commission Bylaws.

Staff Person: Evan Maxim

### OTHER BUSINESS

Directors Report

Planned Absences for Future Meetings

Next Regularly Scheduled Meeting: June 19, 2019

### ADJOURN

10:00 PM

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# CITY OF MERCER ISLAND

## COMMUNITY PLANNING & DEVELOPMENT

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## PLANNING COMMISSION

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**To:** Planning Commission

**From:** Nicole Gaudette

**Date:** June 5, 2019

**RE:** Draft 2 - Community Facilities Zone Code

### SUMMARY

The draft Community Facilities zone code was last discussed by the Planning Commission on January 30, 2019. At that meeting the Planning Commission chose to create a subcommittee. The purpose of the subcommittee was to represent the interests of the Planning Commission while working with staff to revise the initial version of the draft code. The subcommittee met with staff three times. The result is the current draft.

The current draft varies from the first draft in numerous ways. The primary way it has been modified is the new approach to administering dimensional standards. The previous draft provided prescriptive dimensional standards. For example, the height limit was either 30-feet or 43-feet, and lot coverage was either 40%, 50%, or 60%. The new draft approach is to provide a range of flexible dimensional standards. Three bounds are provided for each standard: minimum, baseline, and maximum. An applicant could design to the baseline standards without any discretion. However, to apply a maximum standard, the applicant would need to propose a trade-off by decreasing another standard to the minimum limit. A site or building could be designed to be less than the minimum standard, but once lower than the minimum, it would not earn additional credit towards a maximum standard. A site or building could never exceed the maximum standard. The Design Commission would be charged with administering the flexible dimensional standards during the master planning process.

The code was also reorganized into four subsections, instead of one subsection. You will notice a new chapter number and numbering system.

A number of other changes were made, some of which include the following:

- The definition of small site was modified to state that small sites are development sites that are 350 feet wide and 4 acres, rather than 300-foot wide or 4 acres. The large site definition was also modified to reflect the changes in the small site definition.
- Alcohol is no longer being regulated by the code but will be regulated by state law.
- Special event parking was moved to the "Parking" subsection and as a result the "Special Event" subsection was deleted.
- The prescriptive parking standards were deleted, and the draft code now states that parking will be based on a parking analysis prepared by a traffic engineer.
- Criteria requiring additional attention to the safety of pedestrians and bicyclists was added to the on-site and off-site circulation subsections.
- The perimeter screening subsection was modified to require more dense and taller screening.

A few new items were added for discussion, including temporary athletic facility covers and an exemption for screening requirements. These items were added in response to comments received from the clubs (Shore Club, Beach Club and the Country Club). Temporary athletic facility covers are currently used by some of the clubs and enable their members to enjoy sports by participating and training year-round. The exemption for screening requirements was added because of potential view losses of properties surrounding clubs. Due to time constraints, staff has not provided complete code sections for these ideas. Staff anticipates that the Planning Commission will either express their support, or lack of support, for these new items. If there is support, staff requests the Planning Commission be prepared to provide some draft language.

Staff has concerns with the revised language for perimeter screening. Both staff and applicants may have a difficult time determining what needs to be planted to provide, for example, a 90% screen. Prescriptive standards would be a better fit for this section. A prescriptive standard would be the language that was deleted that says one tree shall be provided for every 10 feet of perimeter length. That type of language is something that can be reviewed on a plan and checked off at a site inspection. To create a 90% screen, code language might state for example, "One tree that will reach a height of 30-feet within 5 years shall be provided for every 10 feet of perimeter length. One shrub that will reach a height of 6 feet within 3 years shall be provided for every 5 feet of perimeter length."

#### **PLANNING COMMISSION RECOMMENDATION**

At the June 5, 2019 meeting, staff anticipates that the Planning Commission will:

1. Discuss the proposed draft code amendment taking into consideration the presentation by staff and all public comments.
2. Identify any possible changes or items that will need to be addressed prior to adoption of the draft code amendment.

#### **ATTACHMENTS**

Attachment A: Draft Community Facilities code

Community Facility Zone

Sections:

19.04.060 Community Facility Zone

Chapter 19.14

COMMUNITY FACILITIES

Sections:

19.14.010 Purpose

19.14.020 Administrative

19.14.030 Master Plan

19.14.040 Dimensional Standards

19.14.050 General Regulations

19.14.010 Community Facility — CF Purpose

A. ~~Purpose.~~ The purpose of the Community Facility (CF) zoning designation is to provide a location for places of worship, educational, and noncommercial recreational areas and facilities in high quality coordinated development compatible with adjacent residential uses. ~~zoning designation for viable and a mix of healthy~~ social, recreational, educational, and religious organizations, ~~which as community assets which~~ are essential for the mental, physical and spiritual health of Mercer Island. Development ~~proposals~~ in the CF ~~zoning designation will be~~ shall be designed consistent with this section and the applicable provisions of Chapter 19.12 MICC, to address the following objectives ~~subject to requirements and design standards that are intended to address the following objectives:~~

1. Non-motorized transportation ~~solutions~~ improvements should be integrated into developments. Development should strive to reduce conflicts between, and congestion caused by, all modes of transportation.

2. All phases of project development design should address public safety.

1 3. Housing should be limited and accessory to the primary facility.

2 4. Public engagement and outreach throughout the master planning process.

3 5. Significant public benefit provided by each facility by way of the master planning process.

4 ~~4. Community facilities should be located on properties of existing community facilities and on~~  
5 ~~properties adjacent to existing community facilities.~~

6 ~~5. Community facilities should be subject to design review. The code official has the option of~~  
7 ~~adopting supplemental design standards.~~

8 ~~64. Major All development of community facilities is subject to master planning. The master~~  
9 ~~planning process will include public engagement and outreach.~~

10  
11  
12 **19.14.020. General Provisions Administrative.**

13 A. The standards contained within this section supplement and are in addition to, and supplement,  
14 the design standards contained within chapter 19.12 MICC. This section is not subject to the following  
15 subsections from 19.12 MICC:

16 1. Landscape design and outdoor spaces, 19.12.040(B)(7) and (8)

17 2. Lighting, 19.12.070(B)

18  
19 ~~2. Significant public benefit will be provided by each facility in the zone consistent with subsection DO,~~  
20 ~~below.~~

21 ~~3. Alcohol use shall be limited to special events.~~

22 ~~4. No more than 2 housing units per facility are allowed. Single family dwellings may be detached,~~  
23 ~~semi-detached or attached. Single family dwellings shall have a maximum GFA of 1,500 square feet.~~

24  
25 **B. Uses Permitted.**

26 **1. Permitted Uses.**

27 a. Places of worship.

28 b. Private schools.

29 c. Noncommercial recreational area or facility.

1 d. Equestrian riding academies.

2 2. Accessory Uses. The following uses are allowed only as an accessory use to a use that is  
3 permitted in subsection (1).

4 a. Daycares or preschools.

5 b. Single family dwellings. No more than 2 housing units per facility are allowed. Single  
6 family dwellings may be detached, semi-detached or attached. Single family dwellings shall  
7 have a maximum GFA of 1,500 square feet.

8 c. Eating and drinking establishments. These establishments shall primarily serve the  
9 members of the facility and shall not be not open to the general public.

10  
11 **19.14.030. Master Plan**

12 A master plan is a dynamic long-term planning document that provides an overall layout to guide future  
13 development of a site and ensure thorough and well-designed site development.

14 A. Purpose. The purpose of the master planning process is to develop a set of documents that  
15 describes the long-term plan and overall layout of the master planned site. The master plan, once  
16 adopted by the Design Commission, will guide future development of the master planned site and  
17 ensure a thorough and well-designed site development. The master plan, once approved, is intended to  
18 provide the following public benefits:

19 1. Predictable land use development and associated site improvements on the master planned  
20 site.

21 2. Predictable long-term site and building programming for land uses and associated activities;

22 3. A site plan showing the layout of site improvements;

23 3. The phasing of the site and the duration of the master plan approval;

24 4. An overall schedule for construction of site improvements that is designed to minimize and  
25 mitigate impacts to adjacent residential areas;

26 5. Manage special event parking; and,

27 6. Safe and well-designed pedestrian and vehicle circulation.

1 B. Applicability. Master planning shall be required for all [development proposals](#) within the  
2 Community Facility zone. Master plan approval will be subject to the process established in MICC  
3 19.15.280, provided the Master Plan shall be approved concurrent with, or prior to, other required land  
4 use review approvals.

5 1. Master plans shall be required when the following thresholds are met:

6 a. The lot coverage of a site would be increased by more than 5 percent or more than 2,000  
7 square feet.

8 b. When more than a 5 percent increase of parking is required for a change of or expansion  
9 of use.

10 c. When the amount of a.m. or p.m. peak hour trips would be increased by ten percent or  
11 more.

12 d. When more than a 10 percent change of landscaping is proposed.

13  
14 ~~*a. Significant public benefit will be provided to the immediate neighbors by providing*~~  
15 ~~*predictability of development, provision of screening, and mitigation of impacts.*~~

16 ~~*Significant public benefit will be provided to greater Mercer Island by preserving*~~  
17 ~~*community facilities on the Island.*~~

18 ~~*b. Any development proposal site or collection of sites with a gross area of more than five*~~  
19 ~~*acres shall obtain a Master Plan approval.*~~

20 ~~*c. Development proposals that include a mix of uses shall obtain a Master Plan approval.*~~

21 ~~*d. Development proposals that do not otherwise require a Master Plan may voluntarily*~~  
22 ~~*apply for a Master Plan approval.*~~

23 C. Components of a Master Plan Site Plan Requirements. [In addition to the requirements of](#)  
24 19.15.060, ~~The~~ master planning site plans must documents shall contain the following:

25 1. Surrounding streets and properties.

26 2. Dimensions of the property and all property lines.

27 3. Existing and proposed structures and uses.

28 4. Topography.

29 5. Critical areas including geologic hazard areas, watercourses, wetlands, wildlife conservation  
30 areas, and critical area recharge areas (CARA's).



- 1 6. Shoreline areas (areas within 200-feet of Lake Washington).
- 2 7. Trees and vegetated areas.
- 3 8. Landscape plan.
- 4 9. Easements and native growth protection areas (NGPA's).
- 5 10. Existing and proposed circulation information including ingress and egress ways, and internal
- 6 drives, paths, and parking areas. Circulation plans shall include vehicular, bicycle and pedestrian
- 7 circulation information.
- 8 11. Existing and proposed utility information including type of utility, size, material, and
- 9 condition (if known) of each utility.
- 10 12. Existing and proposed lighting including type of light, height, lumens, direction, shielding,
- 11 cut-off, etc.

12 13. If phasing is proposed, and phasing plan and schedule.

13 14. Additional information the code official deems necessary

14 D. Master Plan – Flexible Development Standards.

15 1. Review Procedure. Master plan approval will be subject to the process defined in MICC  
16 19.15.280, provided the Master Plan shall be approved concurrent with, or prior to, other  
17 required land use review approvals.

18 2. ~~Master Plan – Flexible Development Standards.~~ The design commission may modify or grant  
19 ~~exceptions to the requirements of this chapter section~~ where indicated if ~~it~~ the design  
20 commission is ~~determined~~ determines that the ~~exception~~ modification will result in a  
21 development that is more consistent with the purpose in subsection “(D)(1)” of this section or  
22 provides equal or greater protection to the adjacent properties or and nearby community, and  
23 subject to the following: or provide significant public benefit as provided in (4) below, and  
24 further provided as follows: Properties utilizing master plans can consider the entirety of all  
25 properties that are part of the master plan to calculate metrics that are based on lot area (e.g.  
26 lot coverage and gross floor area).

27 a. Dimensional standards are provided in subsections F through I of this section, [MICC](#)  
28 [19.04.060](#). When a standard uses the word “shall”, the standard is mandatory. When a  
29 standard uses the word “should”, the standard is mandatory unless the applicant can  
30 demonstrate, to the satisfaction of the design commission, an equal or better means of  
31 satisfying the standard as provided in those code sections. When a standard uses the word  
32 “may”, the development proposal may [meet](#) the ~~standard~~, to qualify for a modification [as](#)

1 specified below. The design commission may authorize modifications to a standard where  
2 the “should” term is used, subject to the following:

3 i. A “modification” of the dimensional standards of subsection G, H, and I may be  
4 authorized by the design commission when a project offers an “allowance” as provided  
5 in subsection G, H, and I, when altered screening density, width, or height is provided,  
6 or site design is utilized to mitigate impacts to neighboring properties. ~~The design~~  
7 commission may authorize a modification to the dimensional standards, when a project  
8 incorporates one or more of the “allowances” or optional dimensional standards as  
9 provided in subsection G, H, and I, and/or when minimal screening is provided and/or  
10 site design is not utilized to mitigate impacts to neighboring properties.

11 ii. The columns in the Table A below identifies “modifications” that the design commission  
12 may authorize. The rows in the Table A below identify “allowances” or optional  
13 dimensional standards that, when increased as set forth in subsections G through I,  
14 serve as the basis for a design commission “modification”.

15 iii. Mitigation and exceptions shall be proportional to either the increase or reduction of  
16 from the baseline limit.

17 iv. The term “high” means that there is a strong possibility that a [corresponding](#) allowance  
18 could [be approved by](#) the Design Commission. The term “medium” means that there is  
19 a possibility that an allowance could [be approved by](#) the Design Commission. The term  
20 “low” means that it is unlikely that the Design Commission [will approve the modification](#)  
21 [without incorporating additional dimensional standards.](#)

1

Table A. Modifications and Allowances

		<u>Modifications</u>			
<u>Allowances</u>		<u>Height</u> <u>increased</u>	<u>GFA</u> <u>increased</u>	<u>Lot</u> <u>Coverage</u> <u>increased</u>	<u>Decreased</u> <u>screening</u> <u>width,</u> <u>height,</u> <u>and</u> <u>density</u>
	<u>Height reduction</u>	<u>medium</u>	<u>low</u>	<u>low</u>	<u>medium</u>
	<u>GFA reduction</u>	<u>low</u>	<u>low</u>	<u>low</u>	<u>medium</u>
	<u>Lot Coverage</u> <u>reduction</u>	<u>low</u>	<u>medium</u>	<u>low</u>	<u>medium</u>
	<u>Increased screening</u> <u>width, height, and</u> <u>density</u>	<u>high</u>	<u>medium</u>	<u>high</u>	<u>medium</u>
	<u>Site Design resulting</u> <u>in less impacts to</u> <u>neighbors</u>	<u>high</u>	<u>high</u>	<u>medium</u>	<u>medium</u>

17  
18  
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25  
26

\* Like for like standards can be considered for variation across a site. For example, the height of a building on a site may be increased, if the height of a separate building on the same site is decreased.

E. Criteria. An applicant must demonstrate how a master plan meets the following criteria:

1. The applicable requirements of Mercer Island City Code, Title 19
2. The requirements of the Pedestrian and Bicycle Facilities (PBF) Plan.
3. The requirements of parks open space and trails plans.
4. The purpose and public benefit described above.
5. Any proposed modifications to design standards are balanced by increased design standards.

F. Limitation to plan approval. A master plan shall be null and void if:

1           1. ~~A master plan without a~~ There is no phasing plan shall be null and void if and the applicant  
2 fails to file a complete building application(s) for all buildings within three years of the approval  
3 date, or by a date specified by the code official, and fails to have all building permits issued  
4 within four years of the master plan approval date; or

5           2. A master plan approved with a phasing plan shall be null and void if the applicant fails to  
6 meet the conditions and time schedules specified in the approved phasing plan.

7           G. Phasing Plan. The phasing plan is intended to allow for the long term redevelopment of a master  
8 planned site over several phases, while ensuring that necessary improvements are completed with each  
9 phase. A phasing plan approved with a master plan shall include the following at a minimum:

10           1. Identification of each major phase of the project numerically in sequential manner (e.g. phase  
11 1, 2, 3, etc.). For the purposes of this section, the phrase “major phases of the project” is  
12 intended to identify one or more ~~private development~~ site or building improvements that are  
13 physically or geographically related, together with necessary supporting infrastructure and  
14 required site improvements (e.g. landscaping buffers, pedestrian or vehicle improvements, etc.)

15           2. The proposed ~~timing schedule and scope of work to be completed in each phase~~ (e.g. building  
16 construction, utility improvements, required on- and off-site improvements, etc.) for the  
17 initiation of each phase and the anticipated completion date of each phase.

18           3. Identification of known applications for permit or land use approval associated with each  
19 phase.

20           a. ~~The scope of work to be completed in each phase~~ (e.g. building construction, utility  
21 improvements, required on- and off-site improvements, etc.).

22           4. A discussion of contingency planning in the event that any single phase cannot be completed  
23 on time and corrective steps necessary to address otherwise un-addressed resulting impacts.

24           5. Other information related to completion of the proposed master plan, as required by the  
25 Design Commission in their review and approval of the phasing plan.

26           b. ~~Identification of each major phase of the project numerically in sequential manner~~ (e.g.  
27 phase 1, 2, 3, etc.). For the purposes of this section, the phrase “major phases of the project”  
28 is intended to identify one or more private development improvements that are physically or  
29 geographically related, together with necessary supporting infrastructure and required site  
30 improvements (e.g. landscaping buffers, pedestrian or vehicle improvements, etc.)

- e. ~~The proposed timing for the initiation of each phase, identification of known applications for permit or land use approval associated with each phase, and the anticipated completion date of each phase.~~
- d. ~~The scope of work to be completed in each phase (e.g. building construction, utility improvements, required on and off site improvements, etc.).~~
- e. ~~A discussion of contingency planning in the event that any single phase cannot be completed on time and corrective steps necessary to address otherwise un-addressed resulting impacts.~~

6. Phasing plans will expire 20 years after the date of approval.

4.

- e. ~~Properties utilizing master plans can consider the entirety of all properties that are part of the master plan to calculate metrics that are based on lot area (e.g. lot coverage and gross floor area).~~
  - f. ~~Setbacks shall not be reduced more than 50% or 20 feet, whichever is greater.~~
  - g. ~~Lot coverage shall not be increased to more than 80% of the lot area.~~
  - h. ~~Within reduced setbacks, lot coverage shall not exceed 40%.~~
  - i. ~~Gross floor area within reduced setbacks shall not exceed 15% of the lot area within the reduced setback area.~~
2. ~~Public benefits should consider and be appropriate for the site as determined by the design commission. Appropriateness may be determined by factors unique to each site such as the size of the site, the proposed intensity of use, or the proximity of adjacent residential uses. Public benefits may include the following:~~
- a. ~~Underground parking garage;~~
  - b. ~~Screening of parking; or~~
  - c. ~~Mitigating the impacts resulting from development in the Community Facility zone and existing traffic.~~
  - d. ~~Addressing conflicts between off-site motorized and non-motorized transportation.~~

8. Special events

- e. A special event is an event that can reasonably be expected to cause a public gathering that is not part of the normal course of business at the location.

1 ~~f. The site plan shall demonstrate where overflow parking for special event will be~~  
2 ~~provided. If not provided on site, a narrative will be provided that will explain the~~  
3 ~~methodology for providing special event parking.~~

4 ~~g. Special events that involve the serving of alcohol are limited to four times per calendar~~  
5 ~~year.~~

6 9. ~~Criteria for approval. The city will evaluate master plan applications and approve them provided~~  
7 ~~that they meet the following criteria:~~

8 ~~b. The applicable requirements of this code section.~~

9 ~~c. The applicable requirements of chapter 19.12 MICC that have not been exempted pursuant~~  
10 ~~to, or superseded by, this code section.~~

11 ~~d. The applicable design review approval criteria and vision of MICC 19.06.120(B).~~

12 ~~e. The city's tree regulations of chapter 19.10 MICC.~~

13 ~~f. The standards and plans for roadways, stormwater and construction of 19.15, 19.16, and~~  
14 ~~19.17 MICC.~~

15 ~~g. The applicable requirements of the Pedestrian and Bicycle Facilities (PBF) Plan.~~

16 ~~h. The applicable requirements of parks open space and trails plans.~~

17 ~~i. The purpose statement of in subsection (A).~~

18  
19 **19.04.040 Dimensional Standards**

20 DA. ~~Setbacks. The following setbacks shall apply except where specific setbacks are provided in~~  
21 ~~other subsections of this section:~~

22 1. ~~Measurement.~~

23 a. ~~Street setbacks shall be measured from the street property line or edge of vehicle~~  
24 ~~easement.~~

25 b. ~~Residential setbacks shall be measured from the property line of the closest property~~  
26 ~~zoned residential or multifamily.~~

27 c. ~~Non-residential setbacks shall be measured from the property line of the closest non-~~  
28 ~~residentially zoned property.~~

29 2. ~~Allowed Intrusions into Setbacks. Buildings and structures are not allowed within setbacks,~~  
30 ~~except:~~

- 1 a. Fences as provided in 19.04.050(E).
- 2 b. Retaining walls or rockeries, provided the total height of the retaining wall or rockery shall
- 3 not exceed 6 feet.
- 4 c. Hardscape.
- 5 d. Parking lots, but not parking structures except for underground parking.
- 6 e. Structures associated with recreational areas such as ballfields and courts may be allowed
- 7 in setbacks abutting non-residentially zoned properties. Any such structure shall not be
- 8 located within 5-feet of the non-residentially zoned lot line.
- 9 f. Architectural elements, eaves, and other building elements not containing habitable floor
- 10 area shall not project more than 18 inches into setbacks.

11 23. Small sites. For the purpose of this section, small sites are those sites that are 4 acres or less  
12 and or have a lot width of less than ~~300~~350-feet

13 a. Street Setbacks.

14 ~~i. Street setbacks shall be measured from the existing edge of a street right-of-way.~~

15 ~~iii. 15-foot setback from arterial streets.~~

16 ~~iiii. 50 25-foot setback from non-arterial streets.~~

17 b. Residential Setbacks. ~~A setback of 50 35-feet shall be established from the property line~~  
18 ~~of the closest property zoned R 8.4, R 9.6, R 12, R 15, MF 2, MF 2L, and MF 3 residential or~~  
19 ~~multifamily.~~

20 c. Non-residential Setbacks. 5-feet shall be established from the property line of the closest  
21 non-residentially zoned property.

22 ~~d. Allowed Intrusions into Setbacks. Buildings and structures are not allowed within setbacks,~~  
23 ~~except:~~

24 ~~i. Fences.~~

25 ~~ii. Retaining walls or rockeries, provided the total height of the retaining wall or~~  
26 ~~rockery shall not exceed 6 feet.~~

27 ~~iii. Hardscape.~~

1            24. Large sites. Large sites are those sites that are more than 4 acres and have a lot width of  
2            300350-feet or greater.

3            a. Street Setbacks.

4            ~~i. Street setbacks shall be measured from the existing edge of a street right-of-way.~~

5            ~~ii. The setback shall be 30-feet from an arterial streets.~~

6            ~~iii. 100~~ The setback shall be 45-feet from non-arterial streets.

7            b. Residential Setbacks. ~~A setback of 100-feet shall be measured from the property line of the~~  
8            ~~closest property zoned R 8.4, R 9.6, R 12, R 15, MF 2, MF 2L, and MF 3.~~

9            c. Non-residential Setbacks. ~~A setback of 5-feet shall be established from the property line of~~  
10           ~~the closest non-residentially zoned property.~~

11           ~~d. Allowed Intrusions into Setbacks. Buildings and structures are not allowed within setbacks,~~  
12           ~~except:~~

13           ~~i. Fences.~~

14           ~~ii. Retaining walls or rockeries, provided the total height of the retaining wall or~~  
15           ~~rockery shall not exceed 6 feet.~~

16           ~~iii. Hardscape.~~

17  
18           B. Height

19           1. Height calculation. Height shall be calculated as follows:

20           a. Draw the smallest rectangle that encloses the principal structure.

21           b. Divide one side of the rectangle into sections of 15 feet in length using lines that are  
22           perpendicular to the side of the rectangle.

23           c. The sections delineated in subsection in (b) above are considered to extend vertically  
24           from the ground to the sky.

25           d. The maximum height for each section of the structure is measured from the average  
26           grade level for that section of the structure, which is calculated as the average elevation of  
27           the existing lot grade at the midpoints of the two opposing exterior sides of the rectangle  
28           for each section of the structure.



2. ~~No building shall~~ Buildings should not exceed the following baseline height limits. Height limits shall be measured as described in (2) above. The height may be increased up to the maximum height if the design commission concludes that applicant's proposal mitigates the impact of the increased height compared to that of the baseline height. A modification to the requirements of this section may be granted if the development proposal reduces building height to the optional height limit. Mitigation shall be proportional to either the increase or reduction of height from the baseline height limit. Modifications will be as provided in the Master Planning section.

Table B. Height

<u>Measured from closest property line of:</u>	<u>Optional (Allowance)</u>	<u>Baseline (Should)</u>	<u>Maximum (Modification)</u>
<u>Within 50-feet of non-residential or within 100-feet of residential or right of way</u>	<u>20</u>	<u>30</u>	<u>45</u>
<u>More than 50-feet from non-residential or further than 100-feet from residential or right of way.</u>	<u>30</u>	<u>43</u>	<u>53</u>

a. ~~30~~ feet within 150 feet of a property line adjacent to residential or right of way.

b. ~~43~~ feet adjacent to properties not residentially zoned or more than 150 feet from residential or right of way.

4. The following rooftop appurtenances ~~Rooftop building~~ appurtenances may extend 10-feet above maximum building height: as follows:

a. ~~5 feet above the maximum building height~~ within 150 feet of a property line adjacent to residential or right of way.

1 ~~b. 10 feet above maximum building height adjacent to properties not residentially zoned or~~  
2 ~~more than 150 feet from residential or right of way.~~

3 a. Solar panels

4 b. Antennas

5 c. Lightning rods

6 d. Plumbing stacks

7 e. Flagpoles

8 f. Electrical service leads

9 g. Chimneys and fireplaces

10 h. Mechanical equipment such as HVAC units

11 i. Rooftop recreation areas including trellises where at least 90% of the structure is open and  
12 is unroofed.

13 j. Elevator equipment

14  
15 FC. Lot Coverage. Lot coverage calculations shall include all contiguous lots in the same ownership,  
16 ~~or contiguous lots developed by way of a master plan.~~

17 1. Lot Coverage — ~~Landscaping Required.~~

18 a. Minimum Area Required. ~~Development proposals for community facilities shall comply~~  
19 ~~with the following standards based on the lot area. Lot coverage should not exceed the~~  
20 following baseline lot coverage limits. Lot coverage limits may be increased to the maximum  
21 lot coverage if the applicant's proposal mitigates the impact of the increased lot coverage  
22 compared to that of the baseline lot coverage. If a development proposal reduces lot  
23 coverage to the optional lot coverage limit, the requirements of this subsection may be  
24 modified. Mitigation shall be proportional to either the increase or reduction of lot coverage  
25 from the baseline lot coverage limit. Modifications will be as provided in the Master  
26 Planning section.

27

1

Table C. Lot Coverage

<u>Distance from residential property lines</u>	<u>Optional (Allowance)</u>	<u>Baseline (Should)</u>	<u>Maximum (Modification)</u>
<u>0 to 50-feet</u>	<u>25% of lot area between 0-60 feet from residential property lines.</u>	<u>40% of lot area between 0-60 feet from residential property lines.</u>	
<u>0 to 150-feet</u>	<u>30% of lot area between 0-150 feet from residential property lines.</u>	<u>45% of lot area between 0-150 feet from residential property lines.</u>	<u>60% of lot area between 0-150 feet from residential property lines.</u>
<u>Total lot coverage</u>	<u>40% of lot area</u>	<u>55% of lot area</u>	<u>70% of lot area</u>

2

3

<u>Distance from residential property lines</u>	<u>Maximum Lot Coverage</u>	<u>Required Landscaping Area</u>
<u>0 to 60 feet</u>	<u>40% of lot area between 0-60 feet from residential property lines.</u>	<u>60%</u>
<u>61 to 150 feet</u>	<u>50% of lot area between 61-150 feet from residential property lines.</u>	<u>50%</u>
<u>More than 150 feet</u>	<u>60% of lot area more than 150 feet from residential property lines.</u>	<u>40%</u>

4

5

2. Landscape. Area not used for lot coverage shall be landscaped.

6

a. Hardscape.

7

i. A maximum of nine percent of the lot area may consist of hardscape improvements,

8

located within the required landscaping area, including, but not limited to, pools, turf

9

surfaces, athletic fields, and courts.

1 ii. Hardscape improvements are also permitted in the maximum lot coverage area  
2 established in subsection (FH)(1)(a) of this section.

3 b. Softscape and Driveways.

4 i. The required landscaping area in subsection (FH)(1)(a) of this section shall consist of  
5 softscape improvements, except where used for hardscape improvements pursuant to  
6 section (FH)(1)(b) of this section.

7 ii. Driveways, parking lots, and other driving surfaces are prohibited within the  
8 landscaping area.

9 c. Development proposals shall remove Japanese knotweed (*Polygonum cuspidatum*) and  
10 Regulated Class A, Regulated Class B, and Regulated Class C weeds identified on the King  
11 County Noxious Weed list, as amended, from required landscaping areas established  
12 pursuant to subsection (FH)(21)(a) of this section. New landscaping associated with a new  
13 development proposal shall not incorporate any weeds identified on the King County  
14 Noxious Weed list, as amended. Provided, that removal shall not be required if the removal  
15 will result in increased slope instability or risk of landslide or erosion.

16 GD. Gross Floor Area.  
17

18 1. Gross floor area calculations shall include all contiguous lots in the same ownership, ~~or~~  
19 ~~contiguous lots developed by way of a master plan;~~

20 2. Small sites. For the purpose of this section, small sites are those sites that are 4 acres or less  
21 ~~and~~ or have a lot width of less than ~~300~~350-feet.

22 ~~a. Gross floor area calculations shall include all contiguous lots in the same ownership, or~~  
23 ~~contiguous lots developed by way of a master plan;~~

24 23. Large sites. Large sites are those sites that are more than 4 acres and have a lot width of  
25 ~~300~~350-feet or greater.

26  
27 4. Gross floor area should not exceed the following baseline gross floor area limits. Gross floor  
28 area should not exceed the following baseline gross floor area limits. Gross floor area may be  
29 increased to the maximum gross floor area if the applicant's proposal mitigates the impact to

the increased gross floor area compared to that of the baseline gross floor area. If the development proposal reduces gross floor area to the optional gross floor area limit, the requirements of this subsection may be modified. Mitigation shall be proportional to either the increase or reduction of gross floor area from the baseline gross floor area limit. Modifications will be as provided in the Master Planning section.

Table D. Gross Floor Area

	<u>Distance from property lines</u>	<u>Optional (Allowance)</u>	<u>Baseline (Should)</u>	<u>Maximum (Modification)</u>
<u>Small Sites<sup>1</sup></u>	<u>Between <del>50</del> 15 and 100-40 50 -feet from a property lines adjacent to residential zoning or public right of way</u>	<u>10%</u>	<u>40%</u>	<u>65%</u>
<u>Large Sites<sup>2</sup></u>	<u>Between <del>100</del> 30 and 150-100 -feet from a property lines adjacent to residential zoning or public right of way</u>	<u>10%</u>	<u>30%</u>	<u>50%</u>

1. The gross floor area shall not be limited within those areas more than 50 feet from a property line adjacent to residential zoning or right of way.

2. The gross floor area shall not be limited within those areas more than ~~150~~ 100 feet from a property line adjacent to residential zoning or right of way.

~~b. Between 50 and 100 feet of a property line adjacent to a residential zoning designation, or a public right-of-way, the gross floor area shall be limited to 30% of the aforementioned area; and~~

~~c. The gross floor area shall not be limited within those areas more than 50 feet from a property line adjacent to residential zoning or right of way.~~

1 ~~23. Large sites. Large sites are those sites that are more than 4 acres and have a lot width of 300-350-~~  
2 ~~feet or greater.~~

3 a. ~~Gross floor area calculations shall include all contiguous lots in the same ownership, or~~  
4 ~~contiguous lots developed by way of a master plan;~~

5 b. ~~Between 100 and 150 feet of a property line adjacent to a residential zoning designation, or a~~  
6 ~~public right-of-way, the gross floor area shall be limited to 20% of the aforementioned area; and~~

7 c. ~~The gross floor area shall not be limited within those areas more than 150-100 feet from a~~  
8 ~~property line adjacent to residential or right-of-way.~~

9  
10 **19.14.050 General Regulations**

11 A. Screening. In addition to MICC 19.12.040, the following standards shall apply. The standards of  
12 19.12.040(B)(7) and (8) shall not apply. Screening shall be provided between community facilities and  
13 adjacent residential and street uses. Screening shall obscure views at pedestrian eye level. Landscape  
14 screening when mature, shall be tall enough to screen community facilities from the second story of  
15 buildings within 100 feet of the property line.

16 1. Perimeter landscape screens should be consistent with the following definitions of screen  
17 types. Where existing undergrowth will be retained, the shrub and ground cover requirements  
18 for all screen types may be adjusted, provided the objectives of this section are met. Perimeter  
19 screening may include a combination of vegetation and berms.

20  
21 Table E. Screening

<u>Adjacent to</u>	<u>Screen Type and Width</u>	
	<u>Full</u>	<u>Partial</u>
<u>Public Way</u>		<u>20 feet<sup>1</sup></u>
<u>Single-Family Residential</u>	<u>20 feet<sup>1,2,3</sup></u>	
<u>Multifamily Residential</u>	<u>20 feet</u>	

22 <sup>1</sup>Breaks in full or partial screen planting may be allowed to create focal points, preserve views, and highlight the  
23 prominence of important buildings.

1 <sup>2</sup>School bus and student loading and unloading and primary parking areas located 100 feet or less from an abutting  
2 single-family zoned property shall provide a 30-foot-wide full screen. The design commission may modify screening  
3 width, location, and height to avoid casting shadows on adjacent residential properties or to accommodate existing storm  
4 detention systems and utilities.

5 <sup>3</sup>Owners of adjacent single-family zoned property shall be consulted on perimeter screen design and planting materials.

6 a. Full screen. A full screen provides a dense vegetated separation between dissimilar uses  
7 on adjacent properties. A full screen should block views from adjacent properties up to 30-  
8 feet of-height as seen at the or from pedestrian eye level at and adjacent street in all  
9 seasons within three years of installation. The number of trees provided shall be  
10 proportionate to one tree for every 10 feet of landscape perimeter length. A full screen  
11 means at least 90% of structures on a site shall be screened. No more than 10% of outdoor  
12 lighting can penetrate the screen.

13 b. Partial Screen. A partial screen provides a moderate vegetated separation between uses  
14 on adjacent properties and intermittent views to adjacent properties. A partial screen shall  
15 provide the desired screening function as seen at the pedestrian eye level in all seasons  
16 block views from adjacent properties up to 30-feet of height or from pedestrian eye level at  
17 an adjacent street within three years of installation. The number of trees provided shall be  
18 proportionate to one tree for every 20 feet of landscape perimeter length. A partial screen  
19 means at least 60% of structures on a site shall be screened. No more than 20% of outdoor  
20 lighting can penetrate the screen.

21 2. Site design should screen adjacent residential properties from lighting and sound using the  
22 placement of buildings, drive aisles, and sound intensive areas such as parking lots, playground,  
23 and athletic facilities from adjacent residential properties.

24 3. Screening shall be maintained. Vegetative screening that is damaged due to accident or  
25 weather related incident shall be fully restored within 3.5 years to the same level of screening  
26 achieved 3 years after completion of initial construction.

27 4. (This is a placeholder for discussion)Exemption to screening requirements. Owners of adjacent  
28 properties may present a petition to request an exemption to the landscaping requirement  
29 adjacent to their residences....

1 HB. Lighting. In addition to MICC 19.12.070(A), the following standards shall apply (the standards of  
2 19.12.070(B) shall not apply):

- 3 1. All outdoor lighting shall be designed, installed, located, operated and maintained such that  
4 there is no light spillover onto adjacent properties.
- 5 2. Outdoor lighting and accent lighting shall be shielded and aimed downward, or at an angle  
6 not to exceed forty-five degrees and be limited to 2600 lumens (25 LED watts) per fixture, with  
7 no escaping direct light permitted to contribute to light pollution by shining upward into the sky,  
8 or onto adjacent residential properties.
- 9 3. The color of outdoor lighting shall not exceed 3000K (3000 Kelvin). For special lighting  
10 circumstances such as athletic fields, the design commission may approve an appropriate Kelvin  
11 rating.
- 12 4. Metal halide, quartz, neon, and mercury vapor lamps are prohibited.
- 13 5. Lighting shall be sufficient for pedestrian, bicyclist, and vehicular safety within the subject  
14 property. Ingress and egress ways, parking lots, trails, sidewalks, paths, and building entrances  
15 shall be well lit to provide inviting access and safety.
- 16 6. Lighting for athletic fields or other outdoor activity areas should be turned off or dimmed to  
17 comply with (7) below for security when not in use.
- 18 7. All outdoor lighting shall be turned off at 10:00 p.m. and not turned on again until 7:00 a.m.,  
19 except for minimum lighting needed for security. Each fixture used for security lighting shall not  
20 exceed 1,100 lumens (15 LED watts), or the net effect of lighting used for security shall not  
21 exceed 1,100 lumens (15 LED watts) per fixture.

22  
23 HC. Sound. In addition to MICC 8.24.020(R), the following standards apply:

- 24 1. There shall be no outdoor sound amplification between the hours of ~~9~~ 7:00 p.m. and ~~9~~ 7:00  
25 a.m. on Mondays through Fridays, and between the hours of 6:00 p.m. and 9:00 a.m. on  
26 Saturdays. Outdoor amplification shall be prohibited at any time of day on Sundays and legal  
27 holidays. Amplified sound is any sound created or enhanced by the use of sound-amplifying  
28 equipment. Sound amplifying equipment is any machine or device that can be used for the  
29 amplification of the human voice, music or any other sound.
- 30 2. Delivery vehicles and buses shall not idle while on the premises.



1        KD. Signs. In addition to MICC 19.12.080, the following standards shall apply:

- 2            1. Signage shall be located at the entrance drive to each facility to clearly designate the path of
- 3            entry.
- 4            2. Wayfinding signage within the property boundaries shall be provided for developments with
- 5            multiple buildings.
- 6            3. Additional signage may be provided beyond that allowed pursuant to 19.12.080 if determined
- 7            to be necessary to meet the requirements of a. and b. above. The design commission may
- 8            require the location of additional signage to ensure adequate wayfinding.
- 9            4. Signage shall be adequately lit to ensure the visibility of informational and directional signage.
- 10          5. Signage illumination shall be shielded and directed to prevent glare or spillover lighting into
- 11          streets, adjacent properties, or anywhere off site boundaries, and internal paths of travel.

12  
13  
14        LE. Vegetation Management, Fencing, Landscape Design and Outdoor Spaces. In addition to  
15        landscape design standards required by MICC 19.12.040 and tree regulations of chapter 19.10 MICC, the  
16        following standards shall apply:

- 17            1. Fences shall not exceed 6-feet in height within 10-feet of a property line.
- 18            2. Athletic facility fencing may be up to 30-feet in height as long as it is further than 5-feet from
- 19            a non-residentially zoned property line and 20-feet from a residentially zoned property line or a
- 20            street.
- 21            3. Utility and service area fencing may be up to 8-feet in height as long as it is further than 10-
- 22            feet from a property line.
- 23
- 24            4. Fences of solid materials such as wood or masonry type materials shall be screened with
- 25            dense vegetation or other materials, so the fence is not visible from the property line.
- 26            5. All landscape areas shall be provided with an automatic irrigation system designed to provide
- 27            adequate coverage and to minimize overspray onto structures, roads, walks, and windows.
- 28            Water conserving types of irrigation systems shall be used.
- 29            6. Mature existing healthy trees shall be preserved to the maximum extent feasible.
- 30            7. Performance guarantees to ensure maintenance of required landscaping may be required
- 31            pursuant to MICC 19.01.060.

1 8. Screening is required to minimize the visual appearance of community facilities from  
2 residential neighborhoods. Screening may include, but is not be limited to, retention of  
3 vegetation, planting of new vegetation, use of berms, and fencing.

4 9. On-site utilities, including power lines, shall be undergrounded.

5 10. All outdoor storage shall be screened.

6  
7 F. (This is a placeholder for discussion) Temporary Athletic Facility Covers

8 1. Temporary athletic facility covers used to cover tennis courts, swimming pools, and other  
9 similar athletic facilities shall be allowed if they meet the following criteria:

10 a. Temporary athletic facility covers shall not exceed 40-feet in height. No modification to  
11 this height may be allowed; and

12 b. Temporary athletic facility covers shall be located at least 20-feet from residentially zoned  
13 property lines and adjacent to streets and 5-feet from non-residentially zoned property lines;  
14 and

15 c. Temporary athletic facility covers shall be located over existing lot coverage or hardscape;  
16 and.

17 d. Temporary athletic facility covers shall be in use for no more than 6 months per calendar  
18 year.

19  
20  
21 **M.G. Green building.** Any new construction greater than 10,000 square feet, cumulative of all  
22 structures on site, shall meet the LEED Gold standard or equivalent rating.

23 1. The applicant shall provide proof of LEED certification within 180 days of issuance of a final  
24 certificate of occupancy, or such later date as may be allowed by the code official for good  
25 cause, by submitting a report analyzing the extent credits were earned toward such rating.  
26 Failure to submit a timely report regarding LEED ratings by the date required is a violation of this  
27 code.

1 #H. Vehicle and Pedestrian Circulation. In addition to MICC 19.12.050, the following shall apply. New  
2 development proposals shall provide vehicle and pedestrian circulation plan that addresses, at a  
3 minimum, the requirements of this subsection.

4 1. Vehicle Access. Vehicle access shall be designed to comply with the following:

5 a. The primary vehicle access shall be located to minimize impacts to adjacent residential  
6 neighborhoods, using the following order of preference:

7 (i). An existing traffic light-controlled intersection;

8 (ii). Arterial streets; or

9 (iii). Local streets, where a property is not adjacent to an arterial street or where access  
10 onto an arterial street is infeasible or hazardous and the hazard cannot be sufficiently  
11 mitigated.

12 b. Secondary fire access, if required, shall be located to minimize impacts to adjacent  
13 residential neighborhoods using the order of preference in subsection (a).

14 2. On-site circulation.

15 a. Internal circulation for all users including drivers, bicyclists, and pedestrians shall be  
16 designed to move them safely and efficiently. Signage, pavement marking, illumination,  
17 sidewalks/paths, crosswalks, parking lots, and driveways could be used to ensure safe and  
18 efficient on-site circulation.

19 b. Vehicle drop off and pick up facilities shall be provided entirely on-site including vehicle  
20 queues.

21 c. All developments shall provide for pedestrian access including pedestrian walkways,  
22 sidewalks, and/or paths. Pedestrian improvements should be separated from vehicular  
23 areas by physical barriers such as curbs or landscaping.

24 d. Proposed development should be linked to existing and planned walkways and trails.  
25 Entrances of all buildings should be linked to each other and to public ways and parking lots.  
26 Where possible and feasible, the pedestrian system shall connect to public paths or

1 sidewalks on neighboring properties. The pedestrian system shall minimize the need for  
2 pedestrians to cross vehicle traffic, leveraging paths to sidewalks on neighboring streets.

3 e. Internal walkways shall minimize use of driving areas as walking routes.

4 3. Off-site circulation.

5 a. When Community Facilities are bisected by right-of-way or private property, the facilities  
6 shall include safe and efficient connections for motorized and non-motorized vehicles and  
7 pedestrians. Public street, intersection, bike lane and/or sidewalk improvements ~~could be~~  
8 used shall be considered and used when appropriate to ensure safe and efficient off-site  
9 circulation.

10 b. When Community Facilities and/or associated parking facilities result in pedestrians or  
11 non-motorized vehicles crossing public or private streets, bicycle lanes, crosswalk  
12 improvements, and/or enhancements to existing crosswalks must be provided if determined  
13 to be necessary by the city engineer.

14 c. Minimize the impacts of traffic, parking, and queuing through implementation of  
15 transportation demand management.

16 d. Off-site improvements shall be coordinated as required with local, state and federal  
17 agencies.

18  
19 **NI. Parking**

20 1. The following parking requirements apply to all uses in the CF zones.

21 2. General Requirements.

22 a. Surfacing and Grading. All off-street parking areas shall be graded and surfaced ~~to a~~  
23 ~~standard comparable~~ to provide an all-weather approach to from the street which serves  
24 the parking area. Gravel is prohibited within the approach area. The parking area shall be  
25 developed and completed to the required standards before an occupancy permit for the  
26 building to be served is issued.

27 b. Traffic Control Devices. All traffic control devices such as parking strips designating car  
28 stalls, directional arrows or signs, bull rails, curbs and other structures shall be installed and

1 completed as shown on the approved plans. Hard surfaced parking area shall use paint or  
2 similar devices to delineate parking stalls and directional arrows.

3 c. Design. Parking lot design should conform to the diagrams set out in Appendix A of this  
4 development code, unless alternative design standards are approved by the design  
5 commission and city engineer.

6 d. Location. Off-street parking shall be located on the same lot or on an adjoining lot or lots  
7 to the building to be served; except, that off-street parking may be located in an area  
8 beginning within 500 feet of the front entrance of the building to be served; provided, there  
9 are no intersecting streets between the parking area and building to be served.

10 e. Ingress and Egress. The city engineer shall have the authority to fix the location and  
11 width of vehicular ingress or egress to and from property, and to alter existing ingress and  
12 egress as may be required to control street traffic in the interest of public safety and general  
13 welfare.

14 f. Handicapped Standards. Off-street parking shall meet the relevant state design standards  
15 for the physically disabled.

16 g. Compact Vehicles. Up to ~~50~~ 25 percent of the required off-street parking spaces may be  
17 designed for accommodating compact vehicles. Such parking spaces must be clearly  
18 designated as compact stalls. The design commission may increase the percentage of  
19 compact stalls permitted if the applicant can demonstrate that no adverse impacts will  
20 occur.

21 h. Loading Space. An off-street loading space, having access to a public street, shall be  
22 required adjacent to each building, hereafter erected or enlarged. Such loading space shall  
23 be of adequate size to accommodate the maximum number and size of vehicles  
24 simultaneously loaded or unloaded, in connection with the business or businesses  
25 conducted in such building. No part of the truck or van using the loading space may project  
26 into the public right-of-way. For example, if a school requires the service of 10 buses,  
27 “adequate size” would result in enough space for 10 buses to park on the site at the same  
28 time.

29 ~~i. Variances. Notwithstanding any of the minimum parking requirements set out in subsection C~~  
30 ~~of this section, the code official may grant variances from the minimum parking requirements~~

1 with the approval of the city engineer and the design commission for projects reviewable by the  
2 design commission.

3 3. ~~Minimum Parking Requirements for Specific Uses~~ Parking Required. A use which is similar to  
4 any of the below referenced uses shall adhere to the minimum parking requirements for the  
5 referenced use or uses. The design commission shall determine the minimum parking  
6 requirements for a use in a community facility zone that is not referenced in this section. The  
7 applicant shall provide on-site parking and a parking management plan based upon a detailed  
8 parking analysis prepared by a professional traffic engineer, which shall establish required  
9 parking based on:

10 a. The forecast daily parking demand and occupancy of the master planned site;

11 b. A Parking Demand Management Plan that addresses the mix of uses on-site, shared  
12 parking, and programmed parking demand management.

13 c. The proposed on-site parking and parking demand management plan must accommodate  
14 all planned activities including special events and include measures that ensure parking  
15 capacity will not be exceeded.

16 a. ~~Day care and preschool facilities shall provide two parking spaces, plus one parking space for~~  
17 ~~each employee and shall provide adequate off-street loading and unloading facilities taking into~~  
18 ~~consideration the expected number of children or adults being cared for, the location of the~~  
19 ~~facility, and the traffic on adjacent streets.~~

20 b. ~~Equestrian riding academies in CF zones shall provide a minimum ratio of one parking pace per~~  
21 ~~employee plus one parking space per 1,000 square feet of riding arena. The parking plan must~~  
22 ~~delineate trailer parking areas and an emergency access route.~~

23 c. ~~Places of worship shall provide one parking space for every five seats in the chapel, nave,~~  
24 ~~sanctuary, or similar worship area. Bicycle parking should be provided at a rate of 1 bike stall per~~  
25 ~~every 30 seats in the chapel, nave, sanctuary, or similar worship area.~~

26 d. ~~Private schools shall provide at a minimum three off-street parking spaces per classroom plus~~  
27 ~~one parking space per 50 square feet of gathering room such as an auditorium or gymnasium.~~  
28 ~~High schools shall provide an additional one parking space per 10 high school students.~~

29 ~~Additional parking spaces may be required if deemed necessary by design commission review or~~

1 ~~SEPA review. Adequate off-street loading and unloading facilities shall be provided as~~  
2 ~~determined by the city engineer. Bicycle parking shall be provided at a rate of 1 bike stall per~~  
3 ~~every 10 students.~~

4 e. Special Event Parking. Parking shall be provided for special events to prevent the spill-  
5 over of vehicles onto adjacent streets. Parking may be provided on-site or may be provided  
6 at an off-site location when using a parking shuttle or when the off-site location is within a  
7 two block radius and the facility is connected to the off-site parking by a walking path.  
8 Special event parking may be allowed on athletic facilities or other hardened surfaces if  
9 approved by the design commission.

10 f. Determination for development with multiple uses. For sites containing one or more  
11 uses, ~~the code official shall have the final authority to determine the number of parking~~  
12 ~~stalls required to accommodate shall be based on the typical daily peak parking demand~~  
13 ~~based upon the applicant's submittal of a described in the detailed parking analysis and~~  
14 supporting documentation.

#### 15 54. Shared Parking

16 a. The amount of off-street parking required in subsection (P)(3) of this section may be  
17 reduced by no more than 25 percent per the approved detailed parking analysis, when  
18 shared off-street parking facilities for two or more uses are proposed. ~~A Parking Demand~~  
19 ~~Management Plan shall be prepared by a professional traffic engineer and submitted by the~~  
20 ~~applicant that documents parking demand for all land uses and supports the parking~~  
21 ~~reduction.~~

22 b. The determination whether shared parking will be allowed shall occur at the time the  
23 shared parking is proposed and when a change of use occurs. When a change of use occurs,  
24 the parking requirements shall be met.

25 c. If shared parking is requested, the parking facilities for the multiple uses shall be  
26 designed and developed as a single on-site common parking facility, or as a system of on-  
27 site and off-site facilities. If off-site facilities are used, all facilities shall be connected with  
28 improved pedestrian facilities that will be adequately lit and no building or use should be  
29 more than 300 feet walking distance from the most remote shared parking facility.

1 d. If the shared parking is on one or more properties, a covenant or other contract for  
2 shared parking between the cooperating property owners must be approved by the code  
3 official. This covenant or contract shall be recorded with the King County as a deed  
4 restriction on all properties and cannot be modified or revoked without the consent of the  
5 code official.

6 e. If requirements for shared parking are violated, or the parking demand for shared  
7 parking exceeds the shared parking supply, the parties shall provide a remedy satisfactory to  
8 the code official or provide the full amount of required off-street parking for each use, in  
9 accordance with the requirements of this chapter.

10 6. Electric Vehicle Parking. At least 5% of all parking stalls required by this section shall be  
11 designated for and provide the infrastructure for electric vehicles.

12 7. Review of Parking. If the required amount of parking required by this section is found to be  
13 inadequate due to overflow of parking onto adjacent streets occurring once a month or more  
14 often, additional review of parking shall be required. The facility shall ~~provide additional parking~~  
15 be required to implement a plan in accordance with a parking study to prevent frequent  
16 overflow of parking.

17  
18 ~~0. Master Plan~~

19 ~~A master plan is a dynamic long-term planning document that provides an overall layout to guide future~~  
20 ~~development of a site and ensure thorough and well-designed site development.~~

21 ~~1. Applicability.~~

22 ~~a. Any development proposal site or collection of sites with a gross area of more than five~~  
23 ~~acres shall obtain a Master Plan approval.~~

24 ~~b. Development proposals that include a mix of uses shall obtain a Master Plan approval.~~

25 ~~c. Development proposals that do not otherwise require a Master Plan may voluntarily~~  
26 ~~apply for a Master Plan approval.~~

27 ~~2. Review Procedure. Master plan approval will be subject to the process defined in MICC~~  
28 ~~19.15.280, provided the Master Plan shall be approved concurrent with, or prior to, other~~  
29 ~~required land use review approvals.~~

30 ~~3. Master Plan – Flexible Development Standards. The design commission may modify or grant~~  
31 ~~exceptions to the requirements of this chapter if it is determined that the exception will result in~~



1 a development that is more consistent with the purpose of this section, or provide equal or  
2 greater protection to the adjacent properties or nearby community or provide significant public  
3 benefit as provided in (4) below, and further provided as follows:

4 a. Properties utilizing master plans can consider the entirety of all properties that are part  
5 of the master plan to calculate metrics that are based on lot area (e.g. lot coverage and  
6 gross floor area).

7 b. Setbacks shall not be reduced more than 50% or 20 feet, whichever is greater.

8 c. Lot coverage shall not be increased to more than 80% of the lot area.

9 d. Within reduced setbacks, lot coverage shall not exceed 40%.

10 e. Gross floor area within reduced setbacks shall not exceed 15% of the lot area within the  
11 reduced setback area.

12 4. Public benefits should consider and be appropriate for the site as determined by the design  
13 commission. Appropriateness may be determined by factors unique to each site such as the size  
14 of the site, the proposed intensity of use, or the proximity of adjacent residential uses. Public  
15 benefits may include the following:

16 a. Underground parking garage;

17 b. Screening of parking; or

18 c. Mitigating the impacts resulting from development in the Community Facility zone and  
19 existing traffic.

20 d. Addressing conflicts between off-site motorized and non-motorized transportation.

21 5. Site plan requirements. The master planning site plans must contain the following elements:

22 a. Surrounding streets and properties.

23 b. Dimensions of the property and all property lines.

24 c. Existing and proposed structures and uses.

25 d. Topography.

26 e. Critical areas including geologic hazard areas, watercourses, wetlands, wildlife conservation  
27 areas, and critical area recharge areas (CARA's).

28 f. Shoreline areas (areas within 200 feet of Lake Washington).

29 g. Trees and vegetated areas.

30 h. Landscape plan.

31 i. Easements and native growth protection areas (NGPA's).

1 j.—Existing and proposed circulation information including ingress and egress ways, and internal  
2 drives, paths, and parking areas. Circulation plans shall include vehicular, bicycle and  
3 pedestrian circulation information.

4 k.—Existing and proposed utility information including type of utility, size, material, and condition  
5 (if known) of each utility.

6 l.—Existing and proposed lighting including type of light, height, lumens, direction, shielding, cut-  
7 off, etc.

8 6.—Criteria for approval. The city will evaluate master plan applications and approve them provided  
9 that they meet the following criteria:

10 j.—The applicable requirements of this code section

11 k.—The applicable requirements of chapter 19.12 MICC that have not been exempted pursuant  
12 to, or superseded by, this code section.

13 l.—The applicable design review approval criteria and vision of MICC 19.06.120(B).

14 m.—The city's tree regulations of chapter 19.10 MICC.

15 n.—The standards and plans for roadways, stormwater and construction of 19.15, 19.16, and  
16 19.17 MICC.

17 o.—The applicable requirements of the Pedestrian and Bicycle Facilities (PBF) Plan.

18 p.—The applicable requirements of parks open space and trails plans.

19 q.—The purpose statement of in subsection (A).

20 7.—Limitation to plan approval.

21 a.—A master plan without a phasing plan shall be null and void if the applicant fails to file a  
22 complete building application(s) for all buildings within three years of the approval date, or  
23 by a date specified by the code official, and fails to have all building permits issued within  
24 four years of the master plan approval date; or

25 b.—A master plan approved with a phasing plan shall be null and void if the applicant fails to  
26 meet the conditions and time schedules specified in the approved phasing plan.

27 8.—Phasing Plan. The phasing plan is intended to allow for the long term redevelopment of a master  
28 planned site over several phases, while ensuring that necessary improvements are completed  
29 with each phase. A phasing plan approved with a master plan shall include the following at a  
30 minimum:

31 f.—Identification of each major phase of the project numerically in sequential manner (e.g. phase  
32 1, 2, 3, etc.). For the purposes of this section, the phrase "major phases of the project" is

- 1 intended to identify one or more private development improvements that are physically or  
2 geographically related, together with necessary supporting infrastructure and required site  
3 improvements (e.g. landscaping buffers, pedestrian or vehicle improvements, etc.)
- 4 ~~g. The proposed timing for the initiation of each phase, identification of known applications for~~  
5 ~~permit or land use approval associated with each phase, and the anticipated completion date~~  
6 ~~of each phase.~~
- 7 ~~h. The scope of work to be completed in each phase (e.g. building construction, utility~~  
8 ~~improvements, required on and off site improvements, etc).~~
- 9 ~~i. A discussion of contingency planning in the event that any single phase cannot be completed~~  
10 ~~on time and corrective steps necessary to address otherwise un-addressed resulting impacts.~~
- 11 ~~j. Other information related to completion of the proposed master plan, as required by the~~  
12 ~~Design Commission in their review and approval of the phasing plan.~~

## 13 **Revisions to other code sections:**

14 Deleted language is ~~crossed out~~. New language is underlined. New language added since the first draft is  
15 *italicized* and underlined.

### 16 **7.04.250 Equestrian Riding Academies**

#### 17 **A. Dimensional requirements and number of horses allowed.**

- 18 1. The minimum land area for equestrian riding academies shall be no less than four acres.  
19 2. There shall be not less than ten thousand square feet of animal harboring area for  
20 maintaining and pasturing the first horse on any property, and an additional five thousand  
21 square feet for each additional horse. The harboring area may contain accessory buildings for  
22 the sheltering and maintaining of horses and associated equipment.

#### 23 **B. General. Any property owner or occupant of property (hereafter in this section referred to as** 24 **“person”) in which horses are harbored shall comply with the following requirements:**

- 25 1. The animals shall be supplied with sufficiently good wholesome food, clean water, and proper  
26 shelter from the weather.  
27 2. The property shall be kept in a sanitary and neat condition including, but not limited to,  
28 disposal of manure or other waste material from the animals. The animal control authority shall  
29

1 determine whether the property is maintained in a sanitary and neat condition. An  
2 unreasonable accumulation of flies or other insects or pests within the property, noxious or  
3 offensive odors, or unreasonable accumulation of flies, insects or other pests transcending into  
4 neighboring or vicinal property shall be presumed to be an inadequate sanitary and neat  
5 condition.

6 3. Sheds or shelters shall be kept free from rodents and shall be bedded daily with a fresh  
7 covering of straw, wood shavings, corn cobs, or other approved material.

8 4. Spillage and leftovers from feedings shall be removed and disposed of to prevent flies,  
9 rodents, and odors.

10 5. No animal sheds, shelters, pens or enclosures shall be kept within a one-hundred-foot radius  
11 of a well, nor shall they be located over a septic drainfield.

12 6. Drinking facilities shall have adequate overflow drainage to prevent saturation of surrounding  
13 soil.

14 7. In order to prevent insect and odor problems, manure must be collected on a regular basis (at  
15 least once per week), placed in concrete or metal fly-proof containers, and removed from the  
16 property at least once a week.

17 8. Pen fences, corral fences or similar enclosures must be of sufficient height and strength to  
18 retain horses.

19 9. The harboring of horses within the vicinity of any stream, water body, wetland, or  
20 environmentally critical area must comply with applicable requirements of MICC Chapter 19.07,  
21 and fencing shall be provided to prohibit access by the animals to these areas. The portion of  
22 the property within a "critical area" as defined in MICC 19.07 shall not be included in the  
23 calculation of the minimum area for the number of horses allowed on the property.

24 10. Sanitary surfacing, such as wood chips, sand or gravel shall be placed on wet or muddy  
25 portions of the premises used by horses. Runoff from overgrazed soil is prohibited.

26 11. Untreated runoff from the property is prohibited and shall be mitigated pursuant to MICC  
27 15.09.

28 12. The harboring of horses must comply with applicable requirements of MICC Chapter 15.14  
29 to protect the public water system from the risk of contamination due to backflow through  
30 cross-connections.

31 13. The harboring of horses shall conform to all regulations of local and state health authorities.

1 14. After reasonable request by the city or other local and state health authorities, properties  
2 housing horses shall be subject to inspection by the city or other local and state health  
3 authorities.

4 15. The harboring of horses at the time of adoption of this chapter that does not meet the  
5 dimensional requirements of this chapter may continue, unless the city or the animal control  
6 authority determines that the harboring of animals is a nuisance or is not in the interest of the  
7 public health, safety and welfare of either persons or the horses. The burden of proof shall be  
8 on the property owner or occupier to show that the horses were housed on the property prior  
9 to adoption of this chapter, and that the horses are harbored consistent with the city and  
10 applicable local and state regulations then in effect.

11 16. Existing land owners, tenants or occupants who are found to be harboring horses prior to  
12 the adoption of this title must prepare and obtain approval from the city of a pasture/waste  
13 management plan if the city or the animal control authority finds areas of concentrated use,  
14 erosion or adverse impact on water quality due to the harboring.

15  
16 C. Pasture/Waste Management Plan

17 1. A pasture/waste management plan shall be submitted to and approved by the city for code official  
18 review wherever an owner, tenant or occupant plans to establish or expand an equestrian riding  
19 academy. An expansion would be removal of vegetation to create more pasture or riding area or  
20 expansion of or construction of new structures such as new riding arenas or barns, totaling 1,000 square  
21 feet or more.

22 a. The plan shall be prepared by, or reviewed and approved by, a qualified professional.

23 b. The plan shall regulate the maximum animals supportable on the property, set forth  
24 minimum agricultural practices for each property and follow guidelines set forth by the King  
25 Conservation District.

26 c. The plan shall be effective for a period of up to five years, subject to mandatory  
27 modification and reissue where the areas of concentrated use are found to be developing.

28 d. The plan should consider and address at a minimum the following factors: soil fertility, type  
29 of forage, seasonal growth rate of the vegetation, type of animal and animal needs, amount of  
30 supplemental feed, pasture rotation, use of confined areas in winter to reduce compaction  
31 and stress on poorer grasses and use of buffer zones and restricted accesses around water  
32 courses.

1 e. The owner, tenant or occupant shall submit a proposed modification to the plan for a  
2 change in the number or size of animals or any evidence of areas of concentrated use, for  
3 review and approval by the city.

4 f. Fees for the pasture/waste management review and for any plan modification review shall  
5 be established by city council resolution. The fees shall be in addition to any applicable license,  
6 plan, or permit fees under this title.

7 g. It shall be a condition of any pasture/waste management plan that the property shall be  
8 subject to follow-up inspections.

9 h. If the city determines that the terms and conditions of an approved pasture/waste  
10 management plan have been violated, the city may revoke the pasture/waste management  
11 plan and the owner, tenant or occupant shall be deemed to have violated this title.

12 i. Any person whose pasture/waste management plan approval is revoked shall within ten  
13 days thereafter humanely dispose of all horses by removing them from the property for which  
14 a pasture/waste management plan is required. No part of the plan review fees shall be  
15 refunded.

16  
17 D. Structures.

18 1. Shelter buildings shall comply with the height and lot coverage criteria in MICC 19.04.060(G)  
19 and (H) and the building code requirements of MICC Title 17. A shelter building shall consist at a  
20 minimum of a roof and three walls, shall prevent the intrusion of wind and rain, shall provide  
21 adequate protection from heat and cold, and shall be adequately sized to permit animals to  
22 move about freely. Shelters shall be located at least twenty-five feet from front property lines  
23 and at least fifteen feet from side and rear property lines.

24  
25 2. Covered riding areas shall comply with the height and lot coverage criteria in MICC  
26 19.04.060(G) and (H) and the building code requirements of MICC Title 17. Covered riding areas  
27 shall be located at least fifteen feet from all property lines.

28  
29 3. Other structures. Other structures shall meet the requirements of this MICC 19.04.060(F)  
30 through (H) and the building code requirements of MICC Title 17.

1 **17.07.010 Adoption.**

2 This section is included in your selections.

3 The 2015 Edition of the International Fire Code (IFC), as adopted and amended by the State Building  
4 Code Council in Chapter 51-51 WAC, as published by the International Code Council, is adopted by  
5 reference, together with the amendments and additions set forth below. The codes, appendices, and  
6 standards set forth in this chapter shall be filed with the city clerk and a copy made available for use and  
7 examination by the public, pursuant to RCW 35A.12.140.

8 The following appendices of the 2015 Edition of the International Fire Code are also adopted by  
9 reference: Appendix B – Fire-Flow Requirements for Buildings; Appendix C – Fire Hydrant Locations and  
10 Distribution; Appendix D – Fire Apparatus Access Roads; and Appendix J – Building Information Sign.

11 The geographic limits referred to in certain sections of the 2015 International Fire Code are hereby  
12 established as follows:

13 Section 6104.2 (geographic limits in which the storage of liquefied petroleum gas is restricted for the  
14 protection of heavily populated or congested areas): Zones TC, MF-2, MF-3, ~~and~~ PI and CF as defined in  
15 MICCC Title 19, Unified Land Development Code.

16 The 2015 International Wildland Urban Interface Code is included in this code as Section 8100 with  
17 amendments found in Appendix Chapter K.

18 Exceptions. The provisions of this code do not apply to temporary growing structures used solely for the  
19 commercial production of horticultural plants including ornamental plants, flowers, vegetables, and  
20 fruits. “Temporary growing structure” means a structure that has the sides and roof covered with  
21 polyethylene, polyvinyl, or similar flexible synthetic material and is used to provide plants with either  
22 frost protection or increased heat retention. A temporary growing structure is not considered a building  
23 for purposes of this code.

24 The provisions of this code do not apply to the construction, alteration, or repair of temporary worker  
25 housing except as provided by rule adopted under Chapter 70.114A RCW or Chapter 37, Laws of 1998  
26 (2SSB 6168). “Temporary worker housing” means a place, area, or piece of land where sleeping places or  
27 housing sites are provided by an employer for his or her employees or by another person, including a

1 temporary worker housing operator, who is providing such accommodations for employees, for  
2 temporary, seasonal occupancy, and includes “labor camps” under RCW 70.54.110. The manufacture,  
3 storage, handling, sale and use of fireworks shall be governed by Chapter 70.77 RCW and by Chapter  
4 212-17 WAC and local ordinances consistent with Chapter 212-17 WAC. (Ord. 18C-05 § 1 (Att. A); Ord.  
5 16C-04 § 7; Ord. 13C-06 § 7; Ord. 10C-03 § 7; Ord. 07C-04 § 8; Ord. 04C-12 § 4).

6  
7  
8 **17.14.010 Adoption.**

9 105.6 Construction management plan and construction schedule.

10 1. Every permit issued for the construction of a new single family home or development in the  
11 community facility zone with a gross floor area of more than 6,000 square feet, or as required for a  
12 permit renewal under section 105, shall provide a construction management plan and a construction  
13 schedule for approval by the building official.

14 2. Every permit issued for the remodel or addition to a single family home or development in the  
15 community facility zone that will result in the modification of more than 6,000 square feet gross floor  
16 area, or the addition of more than 3,000 square feet gross floor area, or as required for a permit  
17 renewal under section 105, shall provide a construction management plan and a construction schedule  
18 for approval by the building official.

19 3. The construction management plan shall include measures to mitigate impacts resulting from  
20 construction noise, deliveries and trucking, dust / dirt, use of the street for construction related staging  
21 and parking, off-site parking, and haul routes. The building official may require additional information as  
22 needed to identify and establish appropriate mitigation measures for construction related impacts.

23 4. The construction schedule shall identify major milestones, anticipated future phases, and anticipated  
24 completion dates. The construction schedule shall establish a timeline for completion of exterior and  
25 interior building related construction activity and site work. The construction schedule shall incorporate  
26 appropriate measures to address unforeseeable delays and shall provide for contingencies. The building  
27 official may require additional information or revisions to the construction schedule.

28 5. The building official is authorized to take corrective measures as needed to ensure adherence to the  
29 approved construction management plan and construction schedule.



1 6. The following requirements apply to development occurring in the CF zone in addition to the  
2 requirements above:

3 a. Security shall be provided for construction sites during idle hours. Security may include any  
4 combination of the following: fencing, lighting, security personnel, or signage that restricts entry.

5 b. At least one week prior to the beginning of construction, neighbors within a radius of 300 feet  
6 shall be provided notice that construction will begin and that an approved construction  
7 management plan along with a communication plan is available by request. For this requirement,  
8 construction means any work that requires a permit including but not limited to grading, vegetation  
9 removal, or the demolition, alteration, or new construction of a structure or flatwork.

10  
11 **19.01.040 Zone establishment.**

12 <b>A. <u>Zone</u></b>	<b><u>Symbol</u></b>
13 Single-Family	R-8.4
14 Single-Family	R-8.4
15 Single-Family	R-8.4
16 Single-Family	R-8.4
17 Multiple-Family	MF-2L
18 Multiple-Family	MF-2L
19 Multiple-Family	MF-2L
20 Business	B
21 Planned Business	PBZ
22 Commercial Offices	C-O
23 Public Institution	PI
24 Town Center	TC
25 <u>Community Facility</u>	<u>CF</u>

26  
27 **Chapter 19.04**

1 **COMMERCIAL AND COMMUNITY FACILITIES**

2 Sections:

3 19.04.010 Planned Business Zone – PBZ.

4 19.04.020 Commercial Offices.

5 *19.04.030 Repealed.*

6 19.04.040 Parking Requirements.

7 19.04.050 Business – B

8 19.04.060 Community Facility - CF

9

10 **19.10.060 Tree removal – Associated with a development proposal**

11 **B. Commercial or Multifamily Zoning Designations – Tree Removal**

12 1. In the PI, B, C-O, PBZ, TC, MF-2, MF-2L, and MF-3, and CF zoning designations a tree permit is  
 13 required and will be granted if it meets any of the following criteria:

14

15 ~~19.12.040(B)(4)(a)(vi)~~

16 Community Facilities (CF). In Community facilities zones, a minimum of 35 percent of the gross lot area  
 17 shall be landscaped.

18

19 ~~19.12.040(B)(7)(a)~~

20 Required Screen Types and Widths. The following screen types and widths should be used:

Use	Adjacent to	Screen Type and Width		
		Full	Partial	Filtered
Institutional Use, or Public Facility, <u>or uses inside a CF zone</u>	Public Way		20 feet <sup>1-2</sup>	
Public Schools	Public Way		20 feet <sup>1</sup>	

Use	Adjacent to	Screen Type and Width		
		Full	Partial	Filtered
Public Schools <u>or uses inside a CF zone</u>	Single-Family Residential	20 feet <sup>1,3,4</sup>		
Utility Development	Public Way		10 feet	
Commercial or Multifamily outside of C-O Zone	Public Way			10 feet
All uses inside of C-O Zone	Public Way		20 feet	
Commercial, Institutional, Utility or Public	Residential (Single or Multifamily)	20 feet <sup>1</sup>		
	Institutional, Commercial, Utility, Public Facility		10 feet	
	Public Park	20 feet		
Multifamily Development	Single-Family Residential		20 feet	
	Multifamily Residential		10 feet	
	Institutional, Commercial, Utility, or Public Facility		10 feet	
	Public Park	20 feet		
All other private uses	Public Park	20 feet		
<u>Uses inside a CF zone</u>	<u>Multifamily Residential</u>	<u>20 feet</u>		

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<sup>1</sup>Breaks in full or partial screen planting may be allowed for institutional and public facilities to create focal points, preserve views, and highlight the prominence of important buildings.

<sup>2</sup>Perimeter landscape requirements may be modified if necessary to enable an existing public facility to make safety-related improvements to a legally nonconforming parking lot.

<sup>3</sup>School bus and student loading and unloading and primary parking areas located 100 feet or less from an abutting single-family zoned property shall provide a 30-foot-wide full screen. The number of trees required in the 30-foot-wide full screen area shall be 1.25 times the number otherwise required for a full screen. The design commission may modify screening width, location, height and number of trees to

1 ~~avoid casting shadows on adjacent residential properties or to accommodate existing storm detention~~  
2 ~~systems and utilities.~~

3 ~~Owners of adjacent single family zoned property shall be consulted on perimeter screen design and~~  
4 ~~planting materials.~~

## 7 **19.15.200 Revisions**

### 8 D. Revision to master plans are as follows:

- 9 1. The code official will determine whether a subsequent development permit is consistent with  
10 the applicable master plan by determining if the scope of work in the application is consistent  
11 with the master plan. If the application proposal meets, or exceeds, the master plan's  
12 conformance to the criteria of the code section that are applicable to the master plan and  
13 supports coordinated infrastructure construction and compatible development, the  
14 application will be considered to be in conformance with the master plan.
- 15 2. In addition, the code official will review the application to ensure that the application does  
16 not trigger any of the following:
  - 17 a. Increase the total lot coverage identified in the master plan.
  - 18 b. Result in an amount of parking not in compliance with the master plan.
  - 19 c. Increase the a.m. or p.m. peak hour trips by ten percent or more.
  - 20 d. Increase the quantity of imported or exported materials by ten percent or  
21 more, or more than 500 cubic yards, or increase the area of excavation or  
22 vegetation removal.
- 23 3. Modifications that exceed the thresholds as set forth in this section, require a new review or  
24 revised master plan for the entire site. The new application shall be reviewed according to the laws  
25 and rules in effect at the time of application.

## 26 **19.15.280 Master Planning**

27  
28  
29 A. In addition to the steps required by the Type IV permit process, the following actions shall be taken:

1 1. After the public comment period and prior to the design commission meeting, the applicant shall  
2 conduct community outreach. The purpose of the community outreach is to obtain input from the  
3 surrounding community. The applicant shall make provision for written comments and provide a  
4 copy to the Design Commission for consideration in reviewing the Master Plan application.

5 2. Community outreach meeting notices shall be provided a minimum of thirty days prior to each  
6 meeting.

7 3. Community outreach meeting notices shall be provided in the weekly DSG bulletin and mailed to  
8 all property owners within 300 feet of the property.

9 4. At least two public outreach meetings will be conducted by the applicant.

10 5. At least one meeting shall occur with a starting time between 7:00 p.m. and 8:00 p.m. on a  
11 weekday or shall occur on a non-holiday weekend.

12 4.6. The format of the meetings shall be decided by the code official and should be appropriate for  
13 the type of proposed community facility and the expected number of attendees.

14  
15  
16 **19.16**

17 **Appurtenance:**

18 1. ~~Town Center, and Multifamily, and Community Facility~~ Zones: A subordinate element added to a  
19 structure which is necessarily connected to its use and is not intended for human habitation or for  
20 any commercial purpose, other than the mechanical needs of the building, such as areas for  
21 mechanical and elevator equipment, chimneys, antennas, communication facilities, smoke and  
22 ventilation stacks.

23  
24 Community facility: A facility such as a private school, place of worship, , not for profit cultural or  
25 recreational facility, noncommercial recreational area, and equestrian facility. Community facilities  
26 should support the physical, mental, spiritual, social, or cultural health of the Mercer Island community.

27  
28 Equestrian Riding Academy: A school focused on horsemanship and equine riding styles and theory.

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Lot Coverage, Maximum: The maximum area of a residentially or community facility zoned lot that may be covered by a combination of buildings and vehicular driving surfaces.

Noncommercial recreational area or facility: A recreational area or facility maintained and operated by a nonprofit club or organization ~~with specified limitations upon the number of members or limited to residents of a block, subdivision, neighborhood, community or other specific area of residence~~ for the exclusive use of members and their guests. A noncommercial recreational area or facility may provide recreational opportunities or cultural activities such as classes, lectures, and arts.

Non-motorized vehicle: A vehicle not equipped with a motor. Non-motorized vehicles exclude electric bikes, scooters, hoverboards, and other types of small vehicles.

Private school: A school that is established, conducted, and primarily supported by a nongovernmental agency and that is accredited or approved by the state for compulsory school attendance.

Qualified professional (equestrian): An employee of the King Conservation District whose job title allows them to develop a pasture/waste management plan, or a veterinarian specializing in the care of horses who has a current license to practice veterinary medicine in the state of Washington.

Setback: Space that is required to be left open and unoccupied between the nearest projection of a structure and the property line of the lot on which the structure is located, and that is required to remain unobstructed from the ground to the sky except where specifically provided by this code. Except as otherwise specified, the edge of the setback is measured from a fixed point or line on the lot such as the edge of an easement that affords or could be capable of affording vehicular access, or from a property line.

Mercer Island Planning Commission Bylaws  
(Rules of Procedure)  
Adopted: \_\_\_\_\_

**ARTICLE I      GENERAL PROVISIONS**

Section 1.1      Relationship to Other Regulations. These bylaws are supplementary to chapter 3.46 Mercer Island City Code (“MICC”) and chapter 35A.63 Revised Code of Washington (“RCW”).

Section 1.2      Purpose and Responsibilities of Commission. The Planning Commission's role is to advise the City Council on growth management issues, land use policies, and development regulations. The Planning Commission (hereinafter “Commission”) is also responsible for making recommendations to the City Council on proposed street vacations and rezones. The members of the Commission accept the responsibility of the office and declare their intention to execute the duties defined under state law and city code to the best of their ability and to respect and observe the requirements established by the City Council.

**ARTICLE II      POWERS OF COMMISSION, MEMBERS, AND OFFICERS**

Section 2.1      Powers of Commission. The Commission shall undertake the duties and responsibilities defined in chapters 3.46 and 19.15 MICC, including acting as a research agency, and serving in an advisory capacity to the City Council.

Section 2.2      Members. The Commission shall consist of 7 members appointed by the Mayor and confirmed by the City Council. Membership on the Commission shall be limited to residents of Mercer Island. The term of each member is 4 years, unless removed earlier by the process set forth in Section 2.5 of these bylaws. No member may serve longer than two consecutive terms. Vacancies occurring other than through the expiration of terms shall be filled by the Mayor and Deputy Mayor confirmed by the City Council for the unexpired term.

Section 2.3      Officers and Duties. The officers of the Commission shall consist of a Chair and a Vice-Chair. Chair / Vice-Chair duties are to:

1. Run / Facilitate Commission meetings in a fair, efficient, productive, and informative manner;
2. Act as a spokesperson to City Council and, when necessary, to the public and/or media; and
3. Work with ~~Development Services Group~~ Community Planning and Development staff on schedule / calendar and meeting agendas.

Section 2.4 Officer Election and Vacancies. Officers shall be elected for a term of 1 calendar year at the first regular meeting on or after June 1 and annually thereafter. To elect a new Chair, Commissioners shall nominate members of the Commission for a given office. Nominations do not require a second. When it appears that no one else wishes to make any further nomination, the current Chair will ask again for further nominations and if there are none, the Chair will declare the nominations closed. A motion to close the nominations is not necessary.

After nominations have been closed, voting for the Chair takes place in the order nominations were made. A tie vote results in a failed nomination, and the Chair will call for a vote on the next nominee. As soon as one of the nominees receives a majority vote of the Commissioners present, the Chair will declare him/her elected. No votes may be taken on any remaining nominees. Upon election, the newly-appointed Chair conducts the election for Vice Chair following the same process.

In the event of an officer vacancy, a replacement Chair and/or Vice-Chair shall be elected following the same process as above to serve the unexpired term of the vacant office(s). In the absence of the Chair and Vice-Chair, members shall elect a Chair *pro tem* following the same process as above to serve only for the meeting at which he/she is elected.

Section 2.5 Removal. Members may be removed by the Mayor, after public hearing and with the approval of City Council, for inefficiency, neglect of duty, or malfeasance in office.

### **ARTICLE III MEETINGS**

Section 3.1 Regular Meetings. Regular meetings of the Commission shall be held on the first and third Wednesday of each month at 6:00 P.M., or such other day and time as determined by the Commission, in the Mercer Island City Hall or such other place as the Commission may determine. Any regular meeting may be canceled or re-scheduled by the Chair, or in his/her absence, by the Vice Chair. If a regular meeting falls on a legal holiday, the Commission shall have the discretion to hold the meeting on the next business day which is not a holiday.

Section 3.2 Special Meetings. Special meetings of the Commission may be called by any of the following: the Chair, or in his/her absence, by the Vice Chair, the City Manager, Community Planning and Development Director, or the Mayor.



Section 3.3 Quorum. A majority of the Commission membership shall constitute a quorum. For the conduct of business, a majority vote of the members in attendance at a meeting, provided a quorum is present, shall be sufficient to act.

Section 3.4 Open to the Public. All regular and special meetings of the Commission are open to the public. The scheduling and holding of all Commission meetings is to be done in accordance with these bylaws and Washington state law.

Section 3.5 Legislative Public Hearings. The Commission is responsible for conducting public hearings. The Commission recognizes that public hearings are intended to obtain public input on legislative recommendations on matters of policy. Public hearings are required when the city addresses such matters as comprehensive land use plans, street vacations, or development regulations.

Section 3.6 Ad Hoc Subcommittee Meetings. The Commission may form an ad hoc subcommittee. The ad hoc subcommittee shall consist of three or fewer Planning Commissioners appointed by the Chair. The ad hoc subcommittee shall be formed and may meet as necessary to assist in the furtherance of the Commission's work. City staff will provide support for the work of the ad hoc subcommittee. The ad hoc subcommittee shall not take action or make final decisions and shall not receive public comment or conduct public hearings.

#### **ARTICLE IV CONDUCT OF MEETINGS**

Section 4.1 Conduct. All meetings of the Commission shall be conducted in accordance with these bylaws and Washington state law. Where these bylaws fail to provide otherwise, the meetings shall be conducted in accordance with parliamentary rules and procedures in the most current edition of the Robert's Rules of Order.

Section 4.2 Chair. The Chair shall preside at all Commission meetings and has the powers generally assigned such office in conducting the meetings. It shall be the Chair's duty to see that the transaction of Commission business is in accord with these bylaws and Washington state law. The Chair of the meeting shall be a full voting member but shall not initiate or second a motion.

Section 4.3 Agenda Setting. An agenda for every regular meeting shall be prepared and distributed by the ~~Development Services Group~~ Community Planning and Development department to each member not less than 5 calendar days prior to the date of the meeting at which such agenda is to be considered. The agenda shall be accompanied with a complete copy of the unapproved minutes of the previous meeting, staff reports, and other materials as may pertain to the agenda.

Section 4.4 Agenda Modification. All meetings shall be conducted in accordance with the agenda. To the extent it does not violate public notice requirements, the printed agenda of a regular meeting may be modified, supplemented, or revised at the beginning of the meeting by the affirmative vote of the majority of Commission members present.

Section 4.5 Minutes. A staff liaison shall be provided by the ~~Development Services Group~~ Community Planning and Development department to prepare minutes of meetings and keep such record, attend to correspondence of the Commission, and perform such other duties as may be deemed necessary. Minutes of all regular meetings shall be kept and made part of a permanent public record. All actions of the Commission shall be considered conclusive as to general import as of the date of such action. Details of phraseology, conditions, etc., shall be subject to correction at the time of consideration and approval of the meeting minutes.

## **ARTICLE V PUBLIC INVOLVEMENT**

Section 5.1. Purpose. High quality public input is desired by the Commission and is needed to help inform the Commission's analysis, recommendations, and decisions. The Commission goals for public involvement are to:

1. Undertake a fair, meaningful, and effective outreach to affected parties for each work item, with opportunities for all interested parties to participate in a comfortable setting.
2. Use a consistent and adaptable process that allocates limited time efficiently and encourages input that is relevant, clear, and specific.

Section 5.2 Time Limits. Time limits on public input should be established to allow for the efficient use of the Commission's time. Generally, the Commission will establish time limits as follows:

1. For public comment related to legislative matters such as the adoption of amendments to development regulations or the Mercer Island Comprehensive Plan, each speaker is limited to 3 minutes speaking time.
2. The Commission shall have the discretion to increase speaking times if necessary.

Section 5.3 Conduct. The public may address the Commission only after being recognized by the Chair of the meeting. All speakers must give their names and address. If audience dialogue becomes disruptive, the Chair may recess the meeting or request that the meeting be adjourned.

Section 5.4 Alternative Communication. To communicate with the Commission on a matter not scheduled for public hearing, the public may communicate with the

Commission in writing and/or speak during an optional portion of each meeting entitled "Appearances" near the beginning of the agenda. The Commission shall have the discretion to omit "Appearances" from the agenda. The Chair of the meeting shall endeavor to minimize the amount of cumulative redundant testimony by the public.

**ARTICLE VI CONFLICT OF INTEREST, EX-PARTE CONTACT, AND APPEARANCE OF FAIRNESS DOCTRINE**

Section 6.1 Conflict of Interest. Chapter 42.23 RCW prohibits commissioners from using their positions to secure special privileges or special exemptions for themselves or others. If an actual or perceived conflict of interest exists that affects the work of the Commission, it is each commissioner's responsibility to refrain from any prior discussion of such matter with other members of the Commission, to openly describe the issue, and then recuse him/herself from the meeting during the period of discussion and action thereon.

**ARTICLE VII DECISION-MAKING AND RECOMMENDATIONS**

Section 7.1 Recommendations on Legislative Matters. The Commission's goal is to provide a consensus recommendation to the City Council on legislative matters; in all cases, however, a majority vote is taken. To document the recommendations of the Commission, the ~~Development Services Group~~Community Planning and Development department staff shall prepare a written statement or memorandum, including the facts and rationale for the final recommendations. This statement is then approved by the Chair whose responsibility it is to present the recommendations to the City Council on behalf of the Commission when requested by either the City Council or City staff.

**ARTICLE VIII ATTENDANCE**

Section 8.1 Regular and Special Meetings. Attendance at regular and special meetings is expected of all Commission members.

Section 8.2 Absence. Any member anticipating absence from a meeting should notify the Chair and staff liaison from the ~~Development Services Group~~Community Planning and Development department.

Section 8.3 Chronic Absences. Chronic absences of any member may be referred by the Commission to the Mayor for a public hearing pursuant to Section 2.5 of these bylaws. "Chronic," for the purposes of this section, means 6 or more absences in a 12-month period.

**ARTICLE IX    AMENDMENTS TO BYLAWS**

These bylaws may be amended by a majority vote (4 votes) of the entire membership of the Commission.

Date Approved: \_\_\_\_\_

Planning Commission Chair: \_\_\_\_\_