



**PLANNING COMMISSION MEETING
TUESDAY, MARCH 25, 2025 – 6:30 PM
501 DELTA AVENUE
MARYSVILLE, WA 98270**

AGENDA

The Planning Commission meeting is a hybrid meeting which you are welcome to attend in person or via Teams. Anyone wishing to provide verbal public comment is encouraged to pre-register by contacting the Staff Contact for the agenda item outlined above the day prior to the meeting. Those providing verbal public comment will need to provide their name, address, e-mail and phone number for the public record.

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CALL TO ORDER

1. ROLL CALL

2. APPROVAL OF MINUTES

2.1 Approval of March 11th Planning Commission meeting minutes

Suggested motion: I move to approve the March 11th Planning Commission meeting minutes.

[March 11, 2025 PC minutes](#)

3. AUDIENCE PARTICIPATION *(for topics not on the agenda)*

4. NEW BUSINESS

4.1 Volunteer for Community Development Block Grant (CDBG) Citizen Advisory Committee (CAC) Position

Suggested Action: We are requesting a volunteer to serve on the Citizen Advisory Committee.

5. PUBLIC HEARING

5.1 Forest Practice Applications Code Amendment

Suggested motion: I move to recommend approval of the Forest Practice Applications Code Amendments to City Council for adoption by Ordinance.

[PC Hearing Memo with Draft Amendments](#)

6. OLD BUSINESS

6.1 Middle Housing and Accessory Dwelling Units - Part 1 of Code Amendments Discussion item only.

[Middle Housing and ADU memo and code amendments - part 1](#)

7. DIRECTOR'S COMMENTS

8. ADJOURNMENT

9. NEXT MEETING - April 8, 2025

[CITY COUNCIL AGENDA ITEMS AND MINUTES](#)

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Agenda Bill

PLANNING COMMISSION AGENDA ITEM REPORT

DATE: March 25, 2025

SUBMITTED BY: Angela Gemmer, Community Development

ITEM TYPE: Minutes

AGENDA SECTION: **APPROVAL OF MINUTES**

SUBJECT: Approval of March 11th Planning Commission meeting minutes

SUGGESTED ACTION: Suggested motion: I move to approve the March 11th Planning Commission meeting minutes.

SUMMARY: Review and approval of the attached March 11th Planning Commission meeting minutes.

ATTACHMENTS:
[March 11, 2025 PC minutes](#)

Community
Development



501 Delta Ave
Marysville, WA 98270

**Planning
Commission
March 11, 2025**

CALL TO ORDER

Chair Leifer called the meeting to order at 6:30 p.m.

1) ROLL CALL

Present: Chair Stephen Leifer, Commissioner Gary Kemp, Commissioner Jerry Andes, Vice Chair Brandon Whitaker, Commissioner John Ray

Staff: Principal Planner Angela Gemmer, Planning Tech Emily Tsan, Senior Planner Emily Morgan

Absent: Commissioner Shanon Jordan

Excused: Commissioner Raymond Miller

2) APPROVAL OF MINUTES

2.1 February 11, 2025 Planning Commission Minutes

February 11, 2025 Planning Commission minutes

Motion to approve the February 11, 2025 Planning Commission minutes as presented moved by Commissioner Gary Kemp seconded by Commissioner Jerry Andes.

VOTE: Motion carried 5 – 0

3) AUDIENCE PARTICIPATION

None.

4) OLD BUSINESS

4.1 Public Hearing: Garage Sale Clean-Up Code Amendments

Garage Sale Code Amendment

Planning Tech Emily Tsan reviewed this item.

Chair Leifer asked about the change from six to three days. Principal Planner Gemmer explained this was essentially reconciling the temporary use code with this code.

Commissioner Andes asked if this would apply to commercial properties. Ms. Gemmer explained that an established commercial use could offer their parking lot up for an extended sale of 14 days.

Chair Leifer spoke to the value of garage sales for the purpose of keeping items out of the landfill. Ms. Gemmer acknowledged this and commented on other ways to meet those needs. Chair Leifer asked how often garage sales are a topic of concern by the public. Ms. Gemmer was not aware of any instances of complaints but recalled a couple examples of some problematic properties. Most people have good judgement with regard to this. Chair Leifer wondered why they wanted to limit someone's right to do this if they haven't had problems.

Commissioner Ray concurred, but noted he understood they don't want to have perennial garage sales. He asked if there is a permitting process if someone wants to have more than two garage sales. Ms. Gemmer thought they could use a special event permit. She noted that they could propose an alternate timeline if desired. Commissioner Ray spoke in support of this and asked about penalties. Ms. Gemmer reviewed the code enforcement process. Commissioner Ray thought people should be able to have a garage sale more than twice a year if needed without fear of penalties.

After some debate, there was consensus to allow flexibility by leaving it open to 12 days a year, not to exceed six days in a row. Ms. Gemmer noted they would continue the public hearing until March 25 and bring back an amendment reflecting the discussion.

Motion to table the garage sale clean-up code amendments and continue the public hearing to March 25 moved by Commissioner Gary Kemp seconded by Commissioner Raymond Miller.

VOTE: Motion carried 5 – 0

4.2 Middle Housing Follow-up Discussion

Middle Housing memo - second discussion

Principal Planner Gemmer reviewed this item.

Question 1: Should multiple single family residences be allowed on a lot? - There is some question still about whether a lot with a duplex would also have to allow a single family residence.

Staff wanted to bring this back to the Commission to clarify their intentions. Ms. Gemmer reviewed the requirements and some of the confusing aspects.

Commissioner Kemp noted that if a lot has four housing units on it, they are not really creating affordable housing because the lot would be much more expensive than a lot with a single family house on it. This appears to be in conflict with the goal of creating affordable housing. There was discussion about various ways these could be handled. Several commissioners expressed frustration about the requirements to have such small lots and housing crammed together. Commissioners appeared to be in favor of the conservative approach of allowing just one single-family house and two ADUs.

Ms. Gemmer then summarized previous discussion on questions posed by staff.

Question 4 regarding setbacks for ADUs - There was consensus to allow 10 feet for a single-story ADU and 15 for a two-story ADU.

Question 5 – This refers to setbacks and dimensional standards ranging from statutory compliance only to adopting Commerce's suggested Middle Housing Model Ordinance. Staff is proposing to have the standard subdivision provisions generally applied. If people wanted a more flexible product they could use the Planned Residential Development standards. There was some discussion about developers' preference to maximize flexibility.

Chair Leifer asked about staff's preference. Ms. Gemmer thought they would be more flexible and end up with more housing under Commerce's standards, but citizens might be more concerned about the traffic and the character of the community with those standards.

Commissioner Ray asked about the demographics of who is buying certain types of middle housing. Ms. Gemmer thought they could ask the Alliance for Affordable Housing.

Vice Chair Whitaker thought that a balanced approach sounds good. Having open space is important so kids aren't playing on concrete all the time. He spoke in support of trying to preserve single family homes while also accommodating for growth with more dense housing along the corridors. There was general agreement that a balanced approach makes sense.

Question 7 - Which six of nine middle housing types should be allowed? The Commission was fine with the six middle housing types preferred in the public survey.

5) NEW BUSINESS

5.1 Forest Practice Application Process: an amendment to MMC Chapter 22D.050 Clearing, Grading, Filling, and Erosion Control

PC Intro Memo

DRAFT Proposed Amendment

Senior Planner Emily Morgan reviewed this item to allow for a process where Class IV Forest Practice Applications (FPAs) are reviewed and issued by Community Development, rather than Washington State Department of National Resources (DNR). Chair Leifer spoke in support of handling this locally. Other commissioners agreed. General clarification questions and answers followed.

Motion to set a Public Hearing date for the Forest Practice Application Process for March 25, 2025 moved by Vice Chair Brandon Whitaker seconded by Commissioner Gary Kemp.

VOTE: **Motion carried 5 – 0**

6) DIRECTOR'S COMMENTS

7) ADJOURNMENT

Motion to adjourn the meeting at 8:06 p.m. moved by Commissioner Jerry Andes seconded by Commissioner Gary Kemp.

VOTE: **Motion carried 5 - 0**

8) NEXT MEETING - March 25, 2025



Agenda Bill

PLANNING COMMISSION AGENDA ITEM REPORT

DATE: March 25, 2025

SUBMITTED BY: Angela Gemmer, Community Development

ITEM TYPE: Discussion Item

AGENDA SECTION: **NEW BUSINESS**

SUBJECT: Volunteer for Community Development Block Grant (CDBG) Citizen Advisory Committee (CAC) Position

SUGGESTED ACTION: Suggested Action: We are requesting a volunteer to serve on the Citizen Advisory Committee.

SUMMARY: A volunteer is needed to fill a vacancy on the Community Development Block Grant (CDBG) Citizen Advisory Committee (CAC). Community Development Block Grants are federal funds intended to help local low to moderate income communities provide affordable housing, anti-poverty programs and infrastructure development. The CAC helps decide how federal block grant funds are used locally to help low to moderate income populations. The CAC evaluates proposals, recommends allocation of funding, and reviews program performance within the frameworks of a consolidated plan and annual action plan. The position is for a one-year term ending in July 2025, with the possibility for two additional one-year terms. The committee meets on an as-needed basis, meeting approximately 6 - 8 times per year, with a virtual attendance option. Meetings are typically scheduled at 4 or 4:30 pm.

ATTACHMENTS:



Agenda Bill

PLANNING COMMISSION AGENDA ITEM REPORT

DATE: March 25, 2025

SUBMITTED BY: Emily Morgan, Community Development

ITEM TYPE: Public Hearing

AGENDA SECTION: **PUBLIC HEARING**

SUBJECT: Forest Practice Applications Code Amendment

SUGGESTED ACTION: Suggested motion: I move to recommend approval of the Forest Practice Applications Code Amendments to City Council for adoption by Ordinance.

SUMMARY: See attached Memo and Draft Code Amendment

ATTACHMENTS:
[PC Hearing Memo with Draft Amendments](#)

MEMORANDUM

DATE: March 25, 2025
TO: Planning Commission
FROM: Emily Morgan, Senior Planner
RE: Forest Practices - CA 24-006
ATTACHED: DRAFT Amendment to [*MMC Chapter 22D.050 Clearing, Grading, Filling, and Erosion Control*](#)

SUMMARY OF AMENDMENT

The City of Marysville is looking to adopt a similar process to other cities (Lake Stevens, Arlington, Mukilteo) where Class IV Forest Practice Applications (FPAs) are reviewed and issued by Community Development, rather than Washington State Department of Natural Resources (DNR).

Class IV FPAs are a permit that is required to be issued by DNR where sites are proposed to be cleared of trees. There are varying thresholds as to when these permits are required, but the most common occurrence triggering the need for a FPA permit is selling any harvested timber or harvesting 5,000 board feet or more of timber for personal use (i.e. firewood, fence posts, etc.)

Determining when an FPA is being triggered is often an area of frustration for both staff and the applicant. The confusion often arises because some projects are [*categorically exempt*](#) from SEPA review at the local level, however, SEPA review is required for obtaining certain permits, like the Class IV FPA permit. This is creating permitting delays as “after the fact” SEPA determinations are required to be completed to comply with DNR requirements, even though the project has already been determined as categorically exempt and preliminary approval has been issued.

By adopting the FPA permit process in the Marysville Municipal Code (MMC) would allow City staff to continue to find pathways that would streamline the permitting process. Additionally, offering the FPA permit review in-house would alleviate additional permit reviews/delays from other state agencies.

PROPOSED STAFF RECOMMENDATION

At the Public Hearing on March 25, 2025, Planning Staff will present the draft amendments and respectfully request that the Planning Commission recommend approval of the code amendments to City Council for adoption by Ordinance.

MMC 22D.050.025 Forest Practices

- (1) The purpose of this section is to assume regulatory authority from the Washington Department of Natural Resources over certain forest practices as permitted by Washington State law and pursuant to Chapter 76.09 RCW and Chapter 222-20 WAC. This section ensures that the forest practices described in the following subsections occur in compliance with the Marysville Comprehensive Plan, the Marysville Shoreline Master Program and the regulations of this title.
- (2) The definitions contained in RCW 76.09.020 of the Forest Practices Act and in WAC 222-16-010 and 222-16-050 of the Forest Practices Act's implementing regulations shall apply to all terms used in this chapter; provided, that the definitions contained in MMC Title 22A shall be applicable where not in conflict with the above-referenced Forest Practices Act and the Forest Practices Act's implementing regulations. In the event of any conflict between the definitions, the definitions in Chapter 222-16 WAC shall prevail.
- (3) This chapter shall apply to Class IV - General and special forest practices as defined by WAC 222-16-050 for the purpose of conversion to nonforestry use.
- (4) The following activities are exempt from the requirements of this chapter when located outside of critical areas and their buffers:
 - (a) Class I, II, and III forest practices regulated exclusively by the Washington State Department of Natural Resources pursuant to Chapter 76.09 RCW;
 - (b) The removal of less than 5,000 board feet (about 1 log truck load) of timber (including live, dead, and down material) for personal use in any 12-month period (includes firewood, fence posts, etc.);
 - (c) The removal of trees which have been grown to be sold as Christmas trees or used in landscaping such as trees sold by commercial nurseries;
 - (d) The abatement of an emergency, such as the removal of trees necessary to protect the safety of persons or property from clear and imminent danger;
 - (e) Landscape maintenance or pruning which does not impair the health or survival of trees required to be retained or planted pursuant to this chapter; and
 - (f) The removal of trees in the public right-of-way as required by the City Engineer for the purpose of public safety or for the maintenance of existing public roads and existing facilities, consistent with Chapter 76.09 RCW.
- (5) A Class IV-General Forest Practices permit shall follow the procedures established in Chapter 22G.010.160 Administrative approvals subject to notice process and be required for those forest practices described in WAC 222-16-050 (1) and (2). A forest practices application shall include the following submittal items:
 - (a) A completed State Environmental Policy Act checklist;
 - (b) Written verification from the Washington State Department of Natural Resources that the subject site is not and has not been subject to a notice of conversion to nonforestry use under RCW 76.09.090 during the six-year period prior to submission of the permit application;
 - (c) A title report as proof that the parcel is not currently subject to a six-year development moratorium. If the property is subject to a six-year development moratorium, the

- application will not be accepted until the end of the moratorium or until the moratorium has been lifted;
- (d) A narrative of the project that describes the existing site conditions and development goals of the proposed work by including:
 - (i) Specific work to be accomplished;
 - (ii) A time schedule for land clearing activities;
 - (iii) Type of equipment to be used;
 - (iv) Measures proposed to protect the site and adjacent properties from potential adverse impacts; and
 - (v) The estimated quantities/area of work involved.
 - (e) A critical areas report identifying wetlands, streams and their associated buffers, if applicable;
 - (f) A drainage and stormwater report, if applicable;
 - (g) A geotechnical and soils report, if applicable;
 - (h) A site plan of the subject property that meets the requirements of Section 22G.120.060(3);
 - (i) Any other materials required by the Community Development Director; and
 - (j) Application fee as established in MMC 22G.030.
- (6) To improve the administration of the forest excise tax created by Chapter 84.33 RCW, the City will report permit information to the Department of Revenue for all approved forest practices permits no later than 60 days after the date the permit was approved. Such notification shall include the following information:
- (a) Landowner's legal name, address, and telephone number;
 - (b) Decision date of permit; and
 - (c) Parcel number and legal description (section, township, and range) of the subject site.
- (7) The Hearing Examiner may consider the removal of a six-year development moratorium established pursuant to Chapter 76.09 RCW when the applicant strictly meets the following requirements:
- (a) Any property owner subject to a moratorium may request a release from the six-year moratorium by filing an application with the Community Development Department for a hearing before the Hearing Examiner.
 - (b) Following such request, the Community Development Department shall set a date for an open record public hearing pursuant to the requirements of Chapter 22G.010 for permits before the Hearing Examiner.
 - (c) The Hearing Examiner shall consider the removal of a development moratorium established pursuant to this chapter when the following criteria are strictly met:
 - (i) The proponent submits an application for removal of the moratorium; and

- (ii) The proponent proposes corrective actions to bring the violation into compliance with this chapter and mitigate any existing damage through the submittal of a reforestation plan or mitigation plan, prepared by a qualified professional consistent with Chapter 22E.010.
- (d) Hearing Examiner Authority.
 - (i) The Hearing Examiner shall review requests for removal of a development moratorium, any comments received, and applicable City regulations or policies and may inspect the property before rendering a decision.
 - (ii) The Hearing Examiner may approve the request to remove a development moratorium, approve the request with conditions, require modification of the proposal to strictly comply with specified requirements or local conditions, or deny the request if it fails to comply with requirements of this chapter.
- (e) Required Written Findings and Determinations. The Hearing Examiner will address the following items as written findings and determinations before issuing a decision:
 - (i) The removal of the six-year development moratorium will not be detrimental to public health, safety, and general welfare.
 - (ii) The removal of the six-year development moratorium will not be injurious to the property or improvements adjacent to the proposal.
 - (iii) The removal of the six-year development moratorium will not result in significant adverse environmental impacts.
 - (iv) The removal of the six-year development moratorium is consistent and compatible with the goals, objectives, and policies of the Comprehensive Plan and the provisions of this chapter and other applicable municipal codes.



Agenda Bill

PLANNING COMMISSION AGENDA ITEM REPORT

DATE: March 25, 2025

SUBMITTED BY: Angela Gemmer, Community Development

ITEM TYPE: Discussion Item

AGENDA SECTION: **OLD BUSINESS**

SUBJECT: Middle Housing and Accessory Dwelling Units - Part 1 of Code Amendments

SUGGESTED ACTION: Discussion item only.

SUMMARY: See the attached memo and associated code amendments.

ATTACHMENTS:

[Middle Housing and ADU memo and code amendments - part 1](#)

MEMORANDUM

DATE: March 25, 2025
TO: Planning Commission
FROM: Angela Gemmer, Principal Planner
SUBJECT: Middle Housing – Code Amendments Part 1
ECC: Haylie Miller, Community Development Director
Chris Holland, Planning Manager

Exhibit 1 [Tier 1 and 2 Cities Middle Housing Model Ordinance](#)
Exhibit 2 [Middle Housing User Guide](#)
Exhibit 3 MMC Chapter 22A.020, Definitions
Exhibit 4 MMC Chapter 22C.010, Residential Zones
Exhibit 5 MMC Chapter 22C.130, Parking and Loading
Exhibit 6 MMC Chapter 22C.180, Accessory Structures and Accessory Dwelling Units
Exhibit 7 MMC Chapter 22E.010, Critical Areas Management
Exhibit 8 MMC Chapter 22G.080, Planned Residential Developments

Introduction

At the February 11th and March 11th Planning Commission work sessions, staff reintroduced Washington State's [House Bill \(HB\) 1110](#) (i.e. Middle Housing bill). Staff provided an overview of: what Middle Housing is, what HB 1110 requires, examples of Middle Housing that is currently within the City, and potential benefits of Middle Housing.¹ Staff also obtained direction from the Planning Commission on several Middle Housing topics that allow for local discretion.

Based on Planning Commission's direction and the community survey, staff has prepared the first batch of proposed Middle Housing code amendments, which consist of amendments to:

- Chapter 22A.020, Definitions
- Chapter 22C.010, Residential Zones
- Chapter 22C.130, Parking and Loading
- Chapter 22C.180, Accessory Structures
- Chapter 22E.010, Critical Areas
- Chapter 22G.080, Planned Residential Developments

The second batch of Middle Housing amendments will be presented on April 8th and will address:

- Additional definitions
- Site and architectural design
- Unit lot subdivisions
- Comprehensive Plan amendments (map and text changes)
- Various other minor amendments throughout the code

¹ The materials presented at the February 11th and March 11th Planning Commission work sessions are available in the 'Archived Events' section of the webpage located [here](#).

The following is a summary of the proposed amendments, which are presented by chapter below:

Chapter 22A.020, Definitions (Exhibit 3)

The Middle Housing and accessory dwelling unit statutes require amendments to existing definitions in MMC Chapter 22A.020 as well as the addition of new terms.

New definitions include:

- Administrative design review
- All lots zoned predominantly for residential use
- Courtyard apartment
- Development regulations
- Development standards
- Fiveplex
- Fourplex
- Lot, parent
- Lot, unit
- Net project area (units per lot)
- Single-family zones
- Sixplex
- Stacked flat
- Tier 1 city
- Tier 2 city
- Triplex
- Unit density
- Unit lot subdivision

Amended definitions include:

- Cottage housing
- Major transit stop
- Middle Housing (currently 'Housing, missing middle')
- Net project area (units per acre)
- Townhouse

Chapter 22C.010, Residential Zones (Exhibit 4)

Various amendments are proposed to Chapter 22C.010, Residential Zones to address Middle Housing and accessory dwelling unit statutes as summarized below:

- **MMC 22C.010.020 and 22C.010.030.** Currently there are four single family residential zones within the City (i.e. R-4.5, R-6.5, R-8, and WR-R-4-8). Each of these residential zones permit the same uses (with one exception described in the section on MMC 22C.010.060 below) and have substantially similar dimensional standards as further described in the section on MMC 22C.010.080 below. Given the new way density will be treated in the Middle Housing statute, the differences among these four zones diminish greatly; therefore, these zones are proposed to be consolidated into a single Neighborhood Residential zone. In addition, a reference to Middle Housing is proposed to be added to the City's various multi-family zones.
- **MMC 22C.010.060.** The permitted uses matrices are proposed to be amended to consolidate the four single family residential zones into a new Neighborhood Residential zone. Among the four single family residential zones, the only difference is that the R-4.5 does not currently allow for bed and breakfast guesthouses, while the other zones do. In addition, various types of Middle Housing that have separate entries in the permitted uses matrices are proposed to be consolidated into a Middle Housing category.

· **MMC 22C.010.070.** The permitted uses development conditions are proposed to be amended to include:

- A clarification on when accessory dwelling units are permitted;
- An explanation of what Middle Housing is, and circumstances where Middle Housing is not allowed;
- An amendment to eliminate the Conditional Use Permit (CUP) requirement for senior living facilities (i.e. senior citizen assisted; convalescent, nursing, retirement; and Master Planned Senior Communities) in the multi-family zones;
- A clarification on home occupation signage requirements; and
- Elimination of a reference to the Mixed Use zone in a development condition pertaining to parks as Chapter 22C.010 applies to residential zones only.

· **MMC 22C.010.075.** The code section pertaining to adaptive reuse of nonresidential buildings in residential zones is proposed to be amended to eliminate a reference to allowing density per the underlying zone plus one additional dwelling unit. This code provision will have limited application and it is unclear why an existing property that is being reused should be allowed more density than other properties in the same zone.

· **MMC 22C.010.080 and 22C.010.090.** The density and dimensional standards are proposed to be amended to consolidate the various single family residential zones into a single zone called Neighborhood Residential. The dimensional standards of the R-6.5 zone are proposed to be used for the Neighborhood Residential zone. The R-6.5 standards are proposed as the R-4.5 and R-6.5 zones comprise most of the single family residential zoning within the City, and these zones have nearly identical dimensional standards (i.e. the only difference in the lot width). In addition, the R-8 zone is very limited within the City, and most single family residential development within the East Sunnyside – Whiskey Ridge Subarea uses the Planned Residential Development standards, so this change would be minimally impactful to property with the WR-R-4-8 zoning.

Additional changes to this section include:

- Amending the density allowance for single family residences in the Neighborhood Residential zone from dwelling units per acre to dwelling units per lot;
- Providing an allowance for Middle Housing in both single family and multi-family zones as dwelling units per lot. Dwelling units per acre may also be pursued in the multi-family zones;
- Removal of an obsolete development condition;
- A clarification on the additional height allowance for sloped lots applying to daylight basements and tuck-under garages. Currently the tuck-under clarification is not included, but was the original intent of this provision.

· **MMC 22C.010.110.** This section is amended to provide for two ways to calculate density: dwelling units per lot and dwelling units per acre. With Middle Housing, density is calculated as units per lot. Retaining a units per acre calculation for single family residences in the Neighborhood Residential zone would be needlessly complicated. Consequently, the Neighborhood Residential zone is proposed to have a calculation methodology based on units per lot. For multi-family zones, an option is provided to calculate the density as either units per lot or units per acre, depending on what makes the most sense for the proposed development.

· **MMC 22C.010.120.** Clarification is provided that critical areas and buffers cannot contribute to a lot created using the Units per Lot density calculation, and cannot be a part of the lot resulting from subdivision.

- **MMC 22C.010.130.** This section provides an exception to subsequent subdivision of a lot below the allowed dimensional standards to allow for Unit Lot Subdivisions.
- **MMC 22C.010.140.** This section is amended to refer to residential zones instead of R zones due to the creation of the Neighborhood Residential zone; to allow for Middle Housing on nonconforming lots; and to clarify some of the expectations for complying with dimensional standards.
- **MMC 22C.010.190.** This section eliminates the term “Planning Area 1” when referencing the Downtown Neighborhood as that term is no longer in the Comprehensive Plan.
- **MMC 22C.010.200.** A provision has been added to have setbacks measured from the edge of a temporary cul-de-sac, rather than a property line, when a lot is adjacent to a temporary cul-de-sac. This is to ensure that the full extent of the cul-de-sac is available for emergency and other large vehicles. The setback would revert to the property line when the temporary cul-de-sac is removed.
- **MMC 22C.010.220.** The term “duplex” is replaced with Middle Housing in the height limit exceptions section.
- **MMC 22C.010.250.** The non-residential uses in residential zones section is proposed to be amended to reference the Neighborhood Residential zone instead of the four existing single family residential zones.
- **MMC 22C.010.255 and 22C.010.260.** MMC 22C.010.255 is proposed to be amended to reference single family in general (rather than the R-8 zone) and to reference Middle Housing. MMC 22C.010.260 is similarly proposed to be amended to reference the Neighborhood Residential (NR) zone instead of the R-8 zone and to reference Middle Housing instead of duplexes.
- **MMC 22C.010.270.** This section, which pertains to zero lot line development, was amended to eliminate the reference to a PRD overlay zone (which is an obsolete reference), and to add a reference to binding site plans, which is the most common form of PRD development.
- **MMC 22C.010.280.** Several cottage housing provisions are proposed to be amended as detailed below:
 - The applicability section for cottage housing has been amended to simply reference the Downtown and Lakewood Neighborhoods, and to reference the Neighborhood Residential zone instead of single family zoned parcels. Further work will occur on this section to streamline it.
 - Subsection 6 is amended to specify that the density is 1 unit/lot and that the minimum lot size is 2,000 SF. This is proposed as density in residential zones will now largely be determined based on units per lot. Where subdivision is not proposed, the density will be calculated in the same manner and 2,000 SF must be allocated per cottage. In addition, the building coverage limitation is proposed to be removed as cottage housing sizes are limited in subsection (7).
 - Subsection (7) is proposed to be amended to clarify what qualifies as floor area and what does not count as floor area.
 - Subsection (8) is proposed to be amended to indicate that 20 percent of the site must be a combination of open spaces as required by State law.
 - Subsection (11) directs the reader to the parking space requirements in MMC Chapter 22C.130.

- **MMC 22C.010.400.** The duplex standards are proposed to be eliminated. A design section pertaining to single family and Middle Housing is being developed and will replace this section. MMC 22C.010.400 will be repurposed for the Middle Housing affordable housing provisions.

Chapter 22C.130, Parking and Loading (Exhibit 5)

- **MMC 22C.130.030.** The minimum required parking spaces are proposed to be amended to comply with the Middle Housing statute, which requires lesser amounts of parking for Middle Housing based on the lot size and whether they are near future bus rapid transit service. Clarifications have also been added for when Middle Housing parking does not apply, and on the necessity for easements when a lot developed with Middle Housing is Unit Lot Subdivided.
- **MMC 22C.130.050.** This section is amended to clarify that:
 - Striping is not required for Middle Housing parking;
 - The dimensional parking requirements for single family also applies to Middle Housing; and
 - Garage parking spaces must be free of obstructions and completely usable for parking.

Chapter 22C.180, Accessory Structures and Accessory Dwelling Units (Exhibit 6)

This chapter is significantly reorganized to separate the requirements for accessory structures and accessory dwelling units. The information has been reorganized into tables making it easier to follow.

Note: the accessory structure and accessory dwelling unit standards may ultimately become separate chapters for further clarity. Some of the key substantive changes are described below:

- **MMC 22C.180.010.** The purpose statement was amended to reference Middle Housing and accessory dwelling units. It was also amended to clarify which section applies to accessory structures versus which applies to accessory dwelling units.
- **MMC 22C.180.020.** The accessory structure section includes the following amendments:
 - Details on the side yard setback adjacent to the public street is provided;
 - Currently accessory structures on properties under one-acre are limited to 15 percent of the lot square footage, or 80 percent of the footprint of the principal structure. The 80 percent limitation has been the limiting factor, so the additional 15 percent provision is proposed to be eliminated to simplify the requirement; and
 - The reader is directed to the standard code or the PRD code for building and impervious surface limitations.
- **MMC 22C.180.030.** The accessory dwelling unit section includes the following amendments:
 - Specifies the accessory dwelling units allowed accessory to a single family residence and those allowed accessory to Middle Housing;
 - Eliminates the owner occupancy requirement for both the principal dwelling and the accessory dwelling units consistent with State law;
 - Indicates the accessory dwelling unit configurations that are allowed;
 - Prohibits the use of an accessory dwelling unit as a short-term rental;
 - Provides a size limitation of 1,000 SF gross floor area, or 50 percent of the total floor area of the house, whichever is greater;

- Directs the reader to the standard code or the PRD code for front yard setbacks and for building and impervious surface coverage;
- Allows for a reduced rear yard setback of 15 feet with an allowed reduction to 10 feet for one-story structures or structures located in a PRD;
- Increases the allowed height to 30 feet per State law;
- Directs the reader to the parking code for the applicable parking;
- Allows for the conversion of existing structures to accessory dwelling units consistent with State law; and
- Allows accessory dwelling units to be built to the lot line if abutting an alley consistent with State law;
- Eliminates the limitation on doors facing the street as required by State law;
- Allows for the conversion of the accessory dwelling unit to a condominium consistent with State law; and
- Amends the discontinuance provisions to indicate that if an accessory dwelling unit is out of compliance, it can be brought into compliance by addressing any deficiencies.

Chapter 22E.010, Critical Areas Management (Exhibit 7)

- **MMC 22E.010.360.** This section covers on-site density transfer when critical areas are on-site. This provision has historically been used when a residential subdivision is proposed; the provision allows the smaller lot sizes and minimum lot width, and greater building and impervious coverages to be used.

Since we're proposing only one single family zone and retaining the multi-family zones, and the multi-family zones have greater setbacks than the single family zone but require use of the Neighborhood Residential zone's minimum lot size for single family development, the main aspects of dimensional standards that will benefit from this provision are building and impervious coverage. Therefore, this provision is proposed to be amended to simply indicate that the building and impervious coverages of the next highest zone may be used. This provision may ultimately be moved to the density and dimensional matrices to ensure that it is not missed.

Chapter 22G.080, Planned Residential Developments (Exhibit 8)

- **MMC 22G.080.010.** The purpose statement in the PRD code indicates that a PRD must be "planned and developed as a unit"; however, this appears to be somewhat inconsistent with the land division expectation in 22G.080.020. It is recommended that the term "unit" is replaced with "cohesive project" as the intent of this statement was that the site have a layout that is well thought out design.
- **MMC 22G.080.040.** This section is proposed to be amended to eliminate the 30 percent limitation for multi-family structures in single family zoned PRDs to align with the Middle Housing statute. Since this limitation is proposed to be removed, the maximum number of units in a building is proposed to be capped at four in the Neighborhood Residential zone to ensure compatibility with the predominantly single family uses in the City's designated single family areas.
- **MMC 22G.080.050.** This section has been amended to provide some clarifying language for different provisions, and to amend language pertaining to compatibility with adjacent development from being mandatory to being encouraged.
- **MMC 22G.080.060.** The PRD site plan required elements are proposed to be amended to eliminate the requirement to provide a calculation for housing unit mix within a 300 foot radius of the project as the requirement to allow Middle Housing in all zones predominantly designated for residential renders this expectation moot. Expectations for calculating

density are amended to align with new density requirements, and the expectation to submit plans for dwellings is expanded to apply to all dwelling types not just attached dwellings or multi-family.

- **MMC 22G.080.070.** The PRD development standards pertaining to alternative accesses (e.g. autocourts, shared driveways, etc.) are proposed to be amended to eliminate the 5,000 square foot threshold for the standards applying as most lots in PRDs are under 5,000 square feet, and this trend is expected to continue with Middle Housing.
- **MMC 22G.080.080.** The modified PRD development regulations in this section are amended as follows:
 - The density calculation is amended to reflect both dwelling units per lot and dwelling units per acre, as applicable.
 - The reader is direction to MMC Chapter 22C.130, Parking and Loading, for the applicable parking requirements.
 - With the change in density going from units per acre to units per lot, the Neighborhood Residential zone will allow for levels of density in historically single family areas that were previously only achieved through the application of Residential Density Incentives (RDI). So that density does not become overheated in existing single family areas, the RDI provisions are proposed to be amended to only apply to multi-family zones and the Mixed Use zone. RDI may even become less important in the multi-family zones given the new density calculation methodology.
 - For minimum lot sizes, the reference to single family zones has been amended to reference the Neighborhood Residential zone. In addition, since the standards for Middle Housing cannot be more restrictive than the standards for single family, the minimum lot size per duplex or townhouse unit has been reduced to 1,750 square feet, which is half the minimum lot size for a single family residence.
 - The reference to attached single family dwellings has changed to townhouses for clarity.
 - The parking standard (footnote 7) has been amended to eliminate the reference to multi-family and attached single family parking since it is already covered in the table above. The remaining clarifications pertaining to single family are proposed to be amended for clarity.
 - In the Street Standards section, the references to small lot developments is removed and replaced with PRD subdivisions and binding site plans as that is a more accurate description of the development types seen in PRDs.
 - The PRD Access Street with Parking is amended to clarify that community parking applies to single family residences.
- **MMC 22G.080.090.** This section pertains to density bonuses. The language is proposed to be amended to indicate that density bonuses apply in the multi-family zones and the Mixed Use zone.
- **MMC 22G.080.100.** The open space requirements have been amended to:
 - Eliminate disc golf and horseshoes from the list of small recreational amenities;
 - Require fencing adjacent to active recreational areas using balls or frisbees to prevent balls or frisbees from entering the street or adjacent yards;
 - Require fencing around tot lots or recreational areas catering to small children; and
 - Require at least one shade tree near benches or picnic tables.

At the March 25th Planning Commission work session, staff will provide an overview of the code amendments described above. Staff anticipates presenting the second package of code amendments to the Planning Commission at the April 8th Planning Commission work session.

Exhibit 3

Chapter 22A.020, Definitions

The following are proposed amendments to MMC Title 22A.020, Definitions.

The following definition is required and is not currently in code. MMC 22A.020.020 "A" definitions is proposed to be amended by adding this definition:

"Administrative design review" means a development permit process whereby an application is reviewed, approved, or denied by the community development director, or designee, based solely on objective design and development standards without a public predecision hearing, unless such review is otherwise required by state or federal law, or the structure is a designated landmark or historic district established under a local preservation ordinance. A city may utilize public meetings, hearings, or voluntary review boards to consider, recommend, or approve requests for variances from locally established design review standards.

The following definition is optional; however, recommend that it be added to MMC 22A.020.020 "A" definitions:

"All lots zoned predominantly for residential use" means all zoning districts in which residential dwellings are the predominant use. This excludes lands zoned primarily for commercial, industrial, and/or public uses, even if those zones allow for the development of detached single-family residences. This also excludes lands zoned primarily for mixed uses, even if those zones allow for the development of detached single-family residences, if the zones permit by-right multifamily use and a variety of commercial uses, including but not limited to retail, services, eating and drinking establishments, entertainment, recreation, and office uses.

Currently MMC 22A.020.040 "C" definitions contains the term "Cottage housing development" which is defined as:

A grouping of small, single-family dwelling units, clustered around a common area and developed with a coherent plan for the site in accordance with MMC [22C.010.280](#), Cottage housing developments.

The Middle Housing guidance indicates that the following definition must be adopted; however, it lacks the ownership options currently in code, so may require further amendment.

"Cottage housing" means residential units on a lot with a common open space that either: (a) Is owned in common; or (b) has units owned as condominium units with property owned in common and a minimum of 20 percent of the lot size as open space.

The following definition is required. MMC 22A.020.040 "C" definitions is proposed to be amended by adding this definition:

"Courtyard apartments" means attached dwelling units arranged on two or three sides of a yard or court."

The following definition is required. MMC 22A.020.050 "D" definitions is proposed to be amended by adding this definition:

"Development regulations" or "regulation" means the controls placed on development or land use activities by a county or city, including, but not limited to, zoning ordinances,

critical areas ordinances, shoreline master programs, official controls, planned unit development ordinances, subdivision ordinances, and binding site plan ordinances together with any amendments thereto. A development regulation does not include a decision to approve a project permit application, as defined in RCW 36.70B.020, even though the decision may be expressed in a resolution or ordinance of the legislative body of the county or city.

However, suggest the following minor revision to the above required definition:

"Development regulations" or "regulation" means the controls placed on development or land use activities by ~~the a county or city~~, including, but not limited to, ordinances relating to zoning ordinances, critical areas ordinances, shoreline master programs, official controls, planned residential unit-development ordinances, subdivision ordinances, and binding site plan ordinances together with any amendments thereto. A development regulation does not include a decision to approve a project permit application, as defined in RCW 36.70B.020, even though the decision may be expressed in a resolution or ordinance of the legislative body of the county or city.

The following definition is optional. It should be noted that, if adopted, there are other definitions (i.e. administrative decision, nonconformance, nonconforming sign) that refer to "development standards" so care should be taken to ensure that all provisions work together properly:

"Development standards" means controls placed by the city on building or site design and development including parking requirements, floor area allowances, density allowances, minimum lot coverage, and other dimensional standards.

The following definition is existing but may require further amendment:

"Duplex" means a building that contains two primary dwelling units. The units must share a common wall with the adjacent unit that extends from foundation to roof, or a common floor/ceiling.

The following definitions are optional. The fourplex definition is needed as that is a preferred Middle Housing type. The fiveplex definition is optional.

"Fiveplex" means a residential building with five attached dwelling units.

"Fourplex" means a residential building with four attached dwelling units.

The following is the current definition of "Major transit stop" which shows the edits needed to align with RCW 36.70A.030(25):

"Major transit stop" means:

- (1) A stop on a high capacity transportation system funded or expanded under the provisions of Chapter [81.104](#) RCW;
- (2) Commuter rail stops;
- (3) Stops on rail or fixed guideway systems~~bus-rapid transit routes or routes that run on high-occupancy vehicle lanes;~~ or
- (4) Stops ~~for a~~ on rapid transit routes, including those stops that are under construction ~~bus or other transit mode providing fixed route service at intervals of at least 15 minutes during the peak hours of operation.~~

The definition of 'housing, missing middle' needs to be repealed and replaced with the definition for 'middle housing' shown below. Please note, this definition will be amended when the preferred Middle Housing types are selected.

~~"Housing, missing middle" means townhomes, duplexes, cottage housing, and small apartments that are compatible in scale and form to detached single-family homes.~~

"Middle housing" means buildings that are compatible in scale, form, and character with single-family houses and contain two or more attached, stacked, or clustered homes including duplexes, triplexes, fourplexes, townhouses (4 units or less per building), courtyard apartments, and cottage housing.

The following are new definitions to accompany Unit Lot Subdivisions. The Unit Lot Subdivision standards will be presented at a future work session.

"Lot, parent" means a lot which is subdivided into unit lots through the Unit Lot Subdivision process.

"Lot, unit" means a lot created from a parent lot and approved through the unit lot subdivision process.

"Unit lot subdivision" means the division of a parent lot into two or more unit lots within a development and approved through the unit lot subdivision process.

The following are two alternatives for "net project area". One is calculated based on units per lot to align with Middle Housing density expectations. The other is calculated based on units per acre, and is proposed to primarily be retained for multi-family projects.

22A.020.150 "N" definitions.

"Net project area ([units per acre](#))" means the gross project area minus:

- (1) Floodplains;
- (2) Nontransferable critical areas (e.g., stream channels) per MMC [22E.010.360](#);
- (3) Utility easements 30 feet wide or greater;
- (4) Publicly owned community facility land;
- (5) Storm water detention facility tracts or easements (unless underground and usable for recreation). If stormwater detention areas are designed and constructed to meet low impact development standards, 50 percent of the area used for detention may be counted as net project area; and
- (6) Right-of-way, private roads, access easements, and panhandles. As an alternative to an itemized deduction, the developer may elect to take a flat 20 percent deduction from the gross project area for right-of-way, private roads, access easements, and panhandles.

"Net project area ([units per lot](#))" means the gross project area minus:

- (1) Floodplains;
 - (2) ~~Nontransferable eCritical~~ areas ~~(e.g., stream channels) and buffers~~ per MMC [22E.010.360](#) ~~except the portion that is averaged or reduced~~;
 - (3) Utility easements 30 feet wide or greater;
 - (4) Publicly owned community facility land;
 - (5) Storm water detention facility tracts or easements ~~(except small facilities that are on an individual lot and serve only the stormwater for said lot) (unless underground and usable for recreation). If stormwater detention areas are designed and constructed to meet low impact development standards, 50 percent of the area used for detention may be counted as net project area~~; and
 - (6) Right-of-way, private roads, access easements, and panhandles. ~~As an alternative to an itemized deduction, the developer may elect to take a flat 20 percent deduction from the gross project area for right-of-way, private roads, access easements, and panhandles.~~
- (7) Common open space areas.

The following definition for single-family zones is required to be adopted and needs to be added to MMC 22A.020.200 "S" definitions:

"Single-family zones" means those zones where single-family detached residences are the predominant land use.

The following definition is optional.

"Sixplex" means a residential building with six attached dwelling units.

The following definition appears to be required; however, is not a preferred housing type. This likely will be added to MMC 22A.020.200 "S" definitions:

"Stacked flat" means dwelling units in a residential building of no more than three stories on a residential zoned lot in which each floor may be separately rented or owned.

The following definitions are not required; however, may be beneficial to add to MMC 22A.020.210 "T" definitions:

"Tier 1 city" means a city with a population of at least 75,000 based on 2020 Office of Financial Management population estimates.

"Tier 2 city" means a city with a population of at least 25,000 but less than 75,000 based on 2020 Office of Financial Management population estimates.

"Triplex" means a residential building with three attached dwelling units.

"Townhouses" means buildings that contain three or more attached single-family dwelling units that extend from foundation to roof and that have a yard or public way on not less than two sides.

"Unit density" means the number of dwelling units allowed on a lot, regardless of lot size.

Exhibit 4

Chapter 22C.010 RESIDENTIAL ZONES

Sections:

- [22C.010.010 Purpose.](#)
- [22C.010.020 List of the residential zones.](#)
- [22C.010.030 Characteristics of residential zones.](#)
- [22C.010.040 Additional zoning standards.](#)
- [22C.010.050 Residential zone primary uses.](#)
- [22C.010.055 Modification of use regulations in residential zones.](#)
- [22C.010.060 Permitted uses.](#)
- [22C.010.070 Permitted uses – Development conditions.](#)
- [22C.010.075 Adaptive reuse of nonresidential buildings in residential zones.](#)
- [22C.010.080 Densities and dimensions.](#)
- [22C.010.090 Densities and dimensions – Development conditions.](#)
- [22C.010.100 Measurement methods.](#)
- [22C.010.110 Calculations – Allowable dwelling units.](#)
- [22C.010.120 Calculations – Site area used for density calculations.](#)
- [22C.010.130 Lot area – Prohibited reduction.](#)
- [22C.010.140 Minimum lot area for construction.](#)
- [22C.010.150 Setbacks – Specific building or use.](#)
- [22C.010.160 Setbacks – Modifications.](#)
- [22C.010.170 Setbacks – From regional utility corridors.](#)
- [22C.010.180 Setbacks – From private roads or access easements.](#)
- [22C.010.190 Setbacks – From alleys.](#)
- [22C.010.200 Setbacks – Adjoining half-street, ~~or~~ designated arterial, or temporary cul-de-sac.](#)
- [22C.010.210 Setbacks – Projections allowed.](#)
- [22C.010.220 Height – Exceptions to limits.](#)
- [22C.010.230 Lot divided by zone boundary.](#)
- [22C.010.240 Sight distance requirements.](#)
- [22C.010.250 Nonresidential land uses in residential zones.](#)
- [22C.010.255 Residential design requirements – Purpose.](#)
- [22C.010.260 Residential design requirements – Applicability and interpretations.](#)
- [22C.010.270 Zero lot line development.](#)
- [22C.010.280 Cottage housing developments.](#)
- [22C.010.290 Site and building design standards.](#)
- [22C.010.300 Commercial, multiple-family, townhome, and group residences – Vehicular access and parking location.](#)
- [22C.010.310 Small lot single-family dwelling development standards.](#)
- [22C.010.320 Open space and recreation space required.](#)
- [22C.010.330 Townhouse open space.](#)
- [22C.010.340 Maintenance or dedication of open space and recreation space.](#)
- [22C.010.350 On-site recreation – Fee in lieu of open space or recreation space.](#)
- [22C.010.360 On-site recreation – Acceptance criteria for fee in lieu of recreation space.](#)

[22C.010.370 Storage space and collection points for recyclables.](#)
[22C.010.380 Fences.](#)
[22C.010.390 Special limitations in the R-12 through R-28 zones.](#)
~~[22C.010.400 Duplex performance and design standards.](#)~~
[22C.010.400 Middle Housing – Affordable Housing Provisions.](#)
[22C.010.410 Nonconforming situations.](#)
[22C.010.420 Parking and loading.](#)
[22C.010.430 Signs.](#)
[22C.010.440 Landscaping and screening.](#)
[22C.010.450 Planned residential developments.](#)

22C.010.010 Purpose.

The residential zones implement the single-family and higher density residential goals and policies and land use plan map designations of the comprehensive plan. They are intended to preserve land for housing and to provide housing opportunities for individual households. The zones are distinguished by the uses allowed and the intensity of development allowed. The differences in the zoning categories reflect the diversity of residential areas in the city. The limits on the intensity of uses and the development standards promote the desired character for the residential area. The standards are intended to provide certainty to property owners, developers and neighbors of what is allowed in the various categories.

22C.010.020 List of the residential zones.

The full names, short names and map symbols of the single-family and higher density residential zones are listed below:

Full Name	Short Name/Map Symbol
Neighborhood Residential	<u>NR</u>
Medium-density single-family	R-4.5
High-density single-family	R-6.5
High-density single-family, small lot	R-8
Whiskey Ridge, high density single-family	WR-R-4-8
Low density multiple-family	R-12
Medium density multiple-family	R-18
High density multiple-family	R-28

Full Name	Short Name/Map Symbol
Whiskey Ridge, medium density multiple-family	WR-R-6-18
Residential mobile home park	R-MHP
Small farms overlay	SF (suffix to zone's map symbol)
Property-specific development standards	P (suffix to zone's map symbol)

22C.010.030 Characteristics of residential zones.

(1) Neighborhood Residential (NR). The NR zone is intended for residential neighborhoods that consist primarily of single family and compatible Middle Housing. The major types of new housing development will be attached and detached single-family residential and Middle Housing as defined in MMC 22A.020.140.

~~(1) Medium Density Single-Family (R-4.5). The R-4.5 zone is a medium-density single-family residential zone. It allows single-family residences at a density of 4.5 dwelling units per acre. Duplexes are permitted outright as a conditional use with a maximum density of six dwelling units per acre. The major type of new development will be detached single-family residences. The R-4.5 zone is applied to areas that are designated medium-density single-family on the land use plan map of the comprehensive plan.~~

~~(2) High-Density Single-Family (R-6.5). The R-6.5 zone is a high-density single-family residential zone. It allows single-family residences at a density of 6.5 dwelling units per acre. Duplexes are permitted outright on 7,200-square-foot lots with a maximum density of eight dwelling units per acre. The major type of new development will be detached single-family residences. The R-6.5 zone is applied to areas that are designated high-density single-family on the land use plan map of the comprehensive plan.~~

~~(3) High-Density Single-Family, Small Lot (R-8). The R-8 zone is a high-density single-family, small lot residential zone. It allows single-family residences at a density of eight dwelling units per acre. Duplexes are permitted outright on 7,200-square-foot lots with a maximum density of eight dwelling units per acre. The major type of new development will be detached single-family residences. The R-8 zone is applied to areas that are designated high-density single-family—small lot on the land use plan map of the comprehensive plan.~~

~~(4) Whiskey Ridge, High-Density Single-Family (WR-R-4-8). The WR-R-4-8 zone is a high-density single-family residential zone. It allows single-family residences at a density range of 4.5 to eight dwelling units per acre. Duplexes are permitted outright on 7,200-square-foot lots with a maximum density of eight dwelling units per acre. The major type of new development will be detached single-family residences. The WR-R-4-8 zone is applied to areas that are designated Whiskey Ridge, high-density single-family on the land use plan map of the comprehensive plan.~~

~~(2)(5)~~ Low Density Multiple-Family (R-12). The R-12 zone is a low density multiple-family residential zone. The major types of new housing development will be attached and detached single-family residential, ~~duplexes~~, Middle Housing, apartments and condominiums. The density is 12 units per acre; the maximum is limited to 18 units per acre.

~~(3)(6)~~ Medium Density Multiple-Family (R-18). The R-18 zone is a medium density multiple-family residential zone. The major types of new housing development will be attached and detached single-family residential, ~~duplexes~~, Middle Housing, apartments and condominiums. The density is 18 units per acre; the maximum is limited to 27 units per acre.

~~(4)(7)~~ High Density Multiple-Family (R-28). The R-28 zone is a high density multiple-family residential zone. The major types of new housing development will be attached and detached single-family residential, ~~duplexes~~, Middle Housing, apartments and condominiums. The density is 28 units per acre; the maximum is limited to 36 units per acre.

~~(5)(8)~~ Whiskey Ridge, Medium Density Multiple-Family (WR-R-6-18). The WR-R-6-18 zone is a medium density multiple-family residential zone. The major types of new housing development will be attached and detached single-family residential, ~~duplexes~~, Middle Housing, apartments and condominiums. The density is six units per acre for detached single-family and 10 units per acre for attached multiple-family; the maximum is limited to 18 units per acre.

~~(6)(9)~~ Residential Mobile Home Park (R-MHP). The R-MHP zone preserves high density, affordable detached single-family and senior housing. This zone is assigned to existing mobile home parks within residential zones which contain rental pads, as opposed to fee simple owned lots, and as such are more susceptible to future development.

22C.010.040 Additional zoning standards.

The standards in this chapter state the allowed uses and development standards for the base zones. Sites with overlay zones, subarea or master plans are subject to additional standards. The official zoning maps indicate which sites are subject to these additional standards.

22C.010.050 Residential zone primary uses.

(1) Permitted Uses (P). Uses permitted in the residential zones are listed in MMC [22C.010.060](#) with a "P." These uses are allowed if they comply with the development standards and other standards of this chapter.

(2) Conditional Uses (C). Uses that are allowed if approved through the conditional use review process are listed in MMC [22C.010.060](#) with a "C." These uses are allowed provided they comply with the conditional use approval criteria for that use, the development standards and other standards of this chapter. Uses listed with a "C" that also have a footnote number in the table are subject to the standards cited in the footnote. The conditional use review process and approval criteria are stated in Chapter [22G.010](#) MMC.

(3) Uses Not Permitted. If no symbol appears in the box at the intersection of the column and the row, the use is not permitted in that district, except for certain temporary uses.

(4) If a number appears in the box at the intersection of the column and the row, the use may be allowed subject to the appropriate review process indicated above, the general requirements of this code and the specific conditions indicated in the development condition with the corresponding number as listed in MMC [22C.010.070](#).

(5) If more than one letter-number combination appears in the box at the intersection of the column and the row, the use is allowed in that zone subject to different sets of limitation or conditions depending on the review process indicated by the letter, the general requirements of this code and the specific conditions indicated in the development condition with the corresponding number as listed in MMC [22C.010.070](#).

(6) All applicable requirements shall govern a use whether or not they are cross-referenced in a section.

22C.010.055 Modification of use regulations in residential zones.

(1) Use Regulations That May Be Modified. An applicant may propose, and the director may approve, deny or conditionally approve a modification of the special regulations and notes in MMC [22C.010.070](#).

(2) Review Process.

(a) An applicant shall submit a request for modification, providing such information as is required by the director, including application fees.

(b) Notice of the proposed modification shall be provided to contiguous property owners.

(3) Evaluation Criteria. Any proposal to modify use regulations shall not undermine the intent of the standards. The director shall not approve a request for modification unless the proposal provides design elements or other appropriate mitigation equivalent or superior to what would likely result from compliance with the use regulations which are proposed to be modified. The director shall consider the following criteria in making a decision:

(a) The request for modification meets the intent of the standards being modified.

(b) The request for modification does not create any impacts or nuisances that cannot be mitigated, such as access points which are unsafe, noise, dust, odor, glare, visual blight or other undesirable environmental impacts.

(c) The request for modification meets any additional modification criteria for specific uses in this title.

22C.010.060 Permitted uses.

Specific Land Use	R-4.5	R-6.5	R-8	WR R-4-8	NR	R-12	R-18	R-28	WR R-6-18	R-MHP
Residential Land Uses										
Dwelling Units, Types:										
Single detached (14)	P11	P11	P11	P11	<u>P11</u>	P11	P11	P11	P11	P43
Model home	P30	P30	P30	P30	<u>P30</u>	P30	P30	P30	P30	P30
Cottage housing (14)	C6	C6	C6	C6		C6	C6	C6	C6	-
Duplex (14)	P8	P8	P8	P8		P	P	P	P	-
Townhouse (<u>5 units or more per building</u>)	P3	P3	P3	P3		P	P	P	P	-
<u>Middle Housing (3)(6)(14)</u>					<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
Multiple-family						P	P	P	P	
Mobile home	P12	P12	P12	P12	<u>P12</u>	P12	P12	P12	P12	P12
Mobile/manufactured home park	P	P	P	-	<u>P(8)</u>	C	P	P		P45
Senior citizen assisted	C2	C2	C2	C2	<u>C2</u>	<u>PC2</u>	<u>PC2</u>	<u>PC2</u>	<u>PC2</u>	C2
Factory-built	P7	P7	P7	P7	<u>P7</u>	P7	P7	P7	P7	P7, 43
Recreational vehicle (44)	P	P	P	P	<u>P</u>	P	P	P	P	P
Tiny house or tiny house with wheels (51)	P	P	P	P	<u>P</u>	P	P	P	P	P
Group Residences:										
Adult family home	P	P	P	P	<u>P</u>	P	P	P	P	P
Convalescent, nursing, retirement	C2	C2	C2	C2	<u>C2</u>	<u>PC2</u>	<u>PC2</u>	<u>PC2</u>	<u>PC2</u>	
Residential care facility	P	P	P	P	<u>P</u>	P	P	P	P	
Master planned senior community (15)	C	C	C	C	<u>C</u>	<u>PC</u>	<u>PC</u>	<u>PC</u>	<u>PC</u>	C
Transitional housing facilities (53)	P	P	P	P	<u>P</u>	P	P	P	P	P
Permanent supportive housing (53)	P	P	P	P	<u>P</u>	P	P	P	P	P
Emergency housing (54)										
Emergency shelters – Indoor (54)										
Accessory Uses:										
Residential accessory uses (1), (9), (10), (14), (49), (50)	P	P	P	P	<u>P</u>	P	P	P	P	P
Home occupation (5)	P	P	P	P	<u>P</u>	P13	P13	P13	P13	P
Temporary Lodging:										
Hotel/motel										
Bed and breakfast guesthouse (4)		C	C	C	<u>C</u>	P	P	P	P	

Specific Land Use	R-4.5	R-6.5	R-8	WR R-4-8	NR	R-12	R-18	R-28	WR R-6-18	R-MHP
Bed and breakfast inn (4)						P	P	P	P	
Enhanced services facility (52)										
	Recreation/Cultural Land Uses									
	Park/Recreation:									
Park	P16	P16	P16	P16	P16	P16	P16	P16	P16	P16
Community center	C	C	C	C	C	C	C	C	C	C
	Amusement/Entertainment:									
Sports club						C	C	C	C	
Golf facility (17)	C	C	C	C	C	P	P	P	P	
	Cultural:									
Library, museum and art gallery	C	C	C	C	C	C	C	C	C	C
Church, synagogue and temple	C	C	C	C	C	P	P	P	P	C
	General Services Land Uses									
	Personal Services:									
Funeral home/crematory	C18	C18	C18	C18	C18	C18	C18	C18	C18	C18
Cemetery, columbarium or mausoleum	P24 C19	P24 C19	P24 C19	P24 C19	P24 C19	P24 C19	P24 C19	P24 C19	P24 C19	P24 C19
Day care I	P20	P20	P20	P20	P20	P20	P20	P20	P20	P20
Day care II	C25	C25	C25	C25	C25	C	C	C	C	C25
Stable	C	C	C	C	C					
Kennel or cattery, hobby	C	C	C	C	C	C	C	C	C	
Electric vehicle (EV) charging station (38), (39)	P	P	P	P	P	P	P	P	P	
EV rapid charging station (40), (41), (42)						P	P	P	P	
	Health Services:									
Medical/dental clinic						C	C	C	C	
Supervised drug consumption facility										
	Education Services:									
Elementary, middle/junior high, and senior high (including public, private and parochial)	C	C	C	C	C	C	C	C	C	C
Commercial school	C21	C21	C21	C21	C21	C21	C21	C21	C21	
School district support facility	C23	C23	C23	C23	C23	C23	C23	C23	C23	
Interim recycling facility	P22	P22	P22	P22	P22	P22	P22	P22	P22	

Specific Land Use	R-4.5	R-6.5	R-8	WR R-4-8	NR	R-12	R-18	R-28	WR R-6-18	R-MHP
Vocational school										
	Government/Business Service Land Uses									
	Government Services:									
Public safety facilities, including police and fire	C26	C26	C26	C26	C26	C26	C26	C26	C26	C26
Utility facility	P	P	P	P	P	P	P	P	P	P
Private storm water management facility	P	P	P	P	P	P	P	P	P	P
Public storm water management facility	P	P	P	P	P	P	P	P	P	P
	Business Services:									
Self-service storage (31)						C27	C27	C27	C27	
Professional office						C	C	C	C	
Automotive parking	P29	P29	P29	P29	P29	P29	P29	P29	P29	
Model house sales office	P47	P47	P47	P47	P47					
Wireless communication facility (28)	P C	P C	P C	P C	P C	P C	P C	P C	P C	P C
	State-Licensed Marijuana Facilities:									
Marijuana cooperative (48)										
Marijuana processing facility – Indoor only (48)										
Marijuana production facility – Indoor only (48)										
Marijuana retail facility (48)										
	Retail/Wholesale Land Uses									
Forest products sales	P32	P32	P32	P32	P32					
Agricultural crop sales	P32	P32	P32	P32	P32					
	Resource Land Uses									
	Agriculture:									
Growing and harvesting crops	P34	P34	P34	P34	P34					
Raising livestock and small animals	P35	P35	P35	P35	P35					
	Forestry:									
Growing and harvesting forest products	P34	P34	P34	P34	P34					
	Fish and Wildlife Management:									
Hatchery/fish preserve (33)	C	C	C	C	C					
Aquaculture (33)	C	C	C	C	C					

Specific Land Use	R-4.5	R-6.5	R-8	WR R-4-8	NR	R-12	R-18	R-28	WR R-6-18	R-MHP
	Regional Land Uses									
Regional storm water management facility	€	€	€	€	<u>C</u>	C	C	C	C	C
Nonhydroelectric generation facility	€	€	€	€	<u>C</u>	C	C	C	C	C
Transit park and pool lot	P	P	P	P	<u>P</u>	P	P	P	P	
Transit park and ride lot	€	€	€	€	<u>C</u>	C	C	C	C	
School bus base	C36	C36	C36	C36	C36	C36	C36	C36	C36	
Racetrack	C37	C37	C37	C37	C37	C37	C37	C37	C37	
College/university	€	€	€	€	<u>C</u>	C	C	C	C	

22C.010.070 Permitted uses – Development conditions.

(1) Accessory dwelling units:

- (a) ~~m~~Must comply with the development standards in Chapter [22C.180](#) MMC.
- (b) Are only permitted accessory to a detached single family residence or Middle Housing. Note: accessory dwelling units accessory to Middle Housing apply to the total allowed unit density for the lot.
- (c) ~~Accessory dwelling units I~~in the R-MHP zone are only allowed on single lots of record ~~containing one single family detached dwelling.~~

(2) Limited to three residents per the equivalent of each minimum lot size or dwelling units per acre allowed in the zone in which it is located.

~~(3) Only as part of a planned residential development (PRD) proposal, and subject to the same density as the underlying zone. Middle Housing is defined in MMC 22A.020.140 and includes duplexes, triplexes, fourplexes, townhouses (4 units or less per building), courtyard apartments, and cottage housing. Middle Housing building types which contain more than two dwelling units (i.e. types other than duplexes) are allowed only when the lot is within ¼ miles of a major transit stop or when one affordable housing unit is provided. Middle Housing is not allowed in or on:~~

- (a) Portions of a lot, parcel, or tract designated with critical areas pursuant to RCW 36.70A.170 or their buffers as required by RCW 36.70A.170, except for critical aquifer recharge areas where a single-family detached house is an allowed use provided that any requirements to maintain aquifer recharge are met.
- (b) A watershed serving a reservoir for potable water if that watershed is or was listed, as of July 23, 2023, as impaired or threatened under section 303(d) of the federal clean water act (33 U.S.C. Sec. 1313(d)).
- (c) Properties within Shoreline Jurisdiction.
- (d) Lots that have been designated urban separators by countywide planning policies as of July 23, 2023.

- (e) A lot that was created through the splitting of a single residential lot. Lot splitting is currently undefined in State law; however, lot splitting is not intended to refer to lots which have been or will be subdivided.

(4) Bed and breakfast guesthouses and inns are subject to the requirements and standards contained in Chapter [22C.210](#) MMC.

(5) Home occupations are subject to the requirements and standards contained in Chapter [22C.190](#) MMC.

(6) Subject to cottage housing provisions set forth in MMC [22C.010.280](#).

(7) Factory-built dwelling units shall comply with the following standards:

(a) A factory-built house must be inspected at least two times at the factory by the State Building Inspector during the construction process, and must receive an approval certifying that it meets all requirements of the International Building Code. At the building site, the city building official will conduct foundation, plumbing and final inspections.

(b) A factory-built house cannot be attached to a metal frame allowing it to be mobile. All such structures must be placed on a permanent foundation at the building site.

~~(8) Permitted outright in the R-6.5, R-8, and WR-R-4-8 zones on minimum 7,200 square foot lots. A conditional use permit is required for the R-4.5 zone, and the minimum lot size must be 12,500 square feet. Duplexes must comply with the comprehensive plan density requirements for the underlying land use designation.~~

(8) Excluding properties in the East Sunnyside-Whiskey Ridge Master Plan Area.

(9) A garage sale shall comply with the following standards:

(a) Garage sales shall operate not more than three days in the same week and not more than twice in the same calendar year.

(b) Garage sale signs are subject to the standards in MMC [22C.160.260](#).

A garage sale complying with the above conditions is an allowed residential accessory use. A garage sale violating one or more of the above conditions is a commercial use and will be disallowed unless the use is permitted in the zone, and the use complies with all applicable code requirements.

(10) Residential accessory structures must comply with development standards in Chapter [22C.180](#) MMC.

(11) Manufactured homes must:

(a) Be set on a permanent foundation, as specified by the manufacturer, enclosed with an approved concrete product from the bottom of the home to the ground which may be either load-bearing or decorative;

(b) Meet all design standards applicable to all other single-family homes in the neighborhood in which the manufactured home is to be located;

(c) Be no more than five years old, as evidenced by the date of manufacture recorded on the HUD data plate. An administrative variance to the requirement that a manufactured home be no more than five years old may be granted by the community development director only if the applicant demonstrates all of the following:

(i) The strict enforcement of the provisions of this title creates an unnecessary hardship to the property owner;

(ii) The proposed manufactured home is well maintained and does not present any health or safety hazards;

(iii) The variance is necessary or warranted because of the unique size, shape, topography, location, critical areas encumbrance, or other feature of the subject property;

(iv) The proposed manufactured home will be compatible with the neighborhood or area where it will be located;

(v) The subject property is otherwise deprived, by provisions of this title, of rights and privileges enjoyed by other properties in the vicinity and within an identical zone;

(vi) The need for the variance is not the result of deliberate actions of the applicant or property owner; and

(vii) The variance is the minimum necessary to grant relief to the applicant.

(12) Mobile homes are only allowed as a primary residence in existing mobile/manufactured home parks established prior to June 12, 2008, subject to the requirements of Chapter [22C.230](#) MMC, Mobile/Manufactured Home Parks.

(13) Home occupations are limited to home office uses in multifamily dwellings. No signage is permitted in townhouse (5 units or more per building) or multifamily dwellings; provided that, signage may be permitted for home occupations in Middle Housing units.

(14) No more than one single-family detached ~~or duplex~~ dwelling is allowed per lot except in cottage housing developments that are developed with all cottages located on a common lot, and accessory dwelling units through the provisions of Chapter [22C.180](#) MMC.

(15) Subject to Chapter [22C.220](#) MMC, Master Planned Senior Communities.

(16) The following conditions and limitations shall apply, where appropriate:

(a) Parks are permitted in residential ~~and mixed-use~~ zones when reviewed as part of a subdivision, mobile/manufactured home park, or multiple-family development proposal; otherwise, a conditional use permit is required;

(b) Lighting for structures and fields shall be directed away from residential areas; and

(c) Structures or service yards shall maintain a minimum distance of 50 feet from property lines adjoining residential zones.

(17) Golf facilities shall comply with the following:

(a) Structures, driving ranges and lighted areas shall maintain a minimum distance of 50 feet from property lines adjoining residential zones.

(b) Restaurants are permitted as an accessory use to a golf course.

(18) Only as an accessory to a cemetery.

(19) Structures shall maintain a minimum distance of 100 feet from property lines adjoining residential zones.

(20) Only as an accessory to residential use and subject to the criteria set forth in Chapter [22C.200](#) MMC.

(21) Only as an accessory to residential use, provided:

(a) Students are limited to 12 per one-hour session;

(b) All instruction must be within an enclosed structure; and

(c) Structures used for the school shall maintain a distance of 25 feet from property lines adjoining residential zones.

(22) Limited to drop box facilities accessory to a public or community use such as a school, fire station or community center.

(23) Only when adjacent to an existing or proposed school.

(24) Limited to columbariums accessory to a church; provided, that existing required landscaping and parking are not reduced.

(25) Day care IIs must be located on sites larger than one-half acre and are subject to minimum standards identified in Chapter [22C.200](#) MMC for day care I facilities. Parking facilities and loading areas shall be located to the rear of buildings or be constructed in a manner consistent with the surrounding residential character. Evaluation of site suitability shall be reviewed through the conditional use permit process.

(26) Public safety facilities, including police and fire, shall comply with the following:

(a) All buildings and structures shall maintain a minimum distance of 20 feet from property lines adjoining residential zones;

(b) Any buildings from which fire-fighting equipment emerges onto a street shall maintain a distance of 35 feet from such street.

(27) Accessory to an apartment development of at least 12 units, provided:

(a) The gross floor area in self-service storage shall not exceed 50 percent of the total gross floor area of the apartment dwellings on the site;

(b) All outdoor lights shall be deflected, shaded and focused away from all adjoining property;

(c) The use of the facility shall be limited to dead storage of household goods;

(d) No servicing or repair of motor vehicles, boats, trailers, lawn mowers or similar equipment;

(e) No outdoor storage or storage of flammable liquids, highly combustible or explosive materials or hazardous chemicals;

(f) No residential occupancy of the storage units;

(g) No business activity other than the rental of storage units to the apartment dwellings on the site; and

(h) A resident manager shall be required on the site and shall be responsible for maintaining the operation of the facility in conformance with the conditions of approval.

(28) All WCFs and modifications to WCFs are subject to Chapter [22C.250](#) MMC including, but not limited to, the siting hierarchy, MMC [22C.250.060](#). WCFs may be a permitted use or a conditional use subject to MMC [22C.250.040](#).

(29) Limited to commuter parking facilities for users of transit, carpools or ride-share programs, provided:

(a) They are located on existing parking lots for churches, schools, or other permitted nonresidential uses which have excess capacity available during commuting hours; and

(b) The site is adjacent to a designated arterial that has been improved to a standard acceptable to the department.

(30) Model Homes.

(a) The community development director may approve construction of model homes subject to the following conditions:

(i) No model home shall be constructed without the issuance of a building permit;

(ii) In no event shall the total number of model homes in a preliminary subdivision be greater than nine;

(iii) A hard-surfaced roadway to and abutting all model homes shall be constructed to standards determined by the city engineer or designee;

(iv) Operational fire hydrant(s) must be available in accordance with the International Fire Code;

(v) Submittal of a site plan, stamped by a registered civil engineer or licensed surveyor, delineating the location of each structure relative to existing and proposed utilities, lot lines, easements, roadways, topography and critical areas;

(vi) Submittal of building permit applications for each of the proposed structures;

(vii) Approval of water, sewer and storm sewer extension plans to serve the proposed structures; and

(viii) Execution of an agreement with the city saving and holding it harmless from any damages, direct or indirect, as a result of the approval of the construction of model homes on the site.

(b) Prior to occupancy of any model home, the final plat of the subject subdivision shall be approved and recorded.

(31) Any outdoor storage areas are subject to the screening requirements of the landscape code.

(32) Subject to approval of a small farms overlay zone.

(33) May be further subject to the provisions of the Marysville shoreline master program.

(34) Only allowed in conjunction with the small farms overlay zone.

(35) Provided, that the property has received approval of a small farms overlay designation, or is larger than one acre in size.

(36) Only in conjunction with an existing or proposed school.

(37) Except racing of motorized vehicles.

(38) Level 1 and Level 2 charging only.

- (39) Allowed only as an accessory use to a principal outright permitted use or permitted conditional use.
- (40) The term “rapid” is used interchangeably with “Level 3” and “fast charging.”
- (41) Only “electric vehicle charging stations – restricted” as defined in Chapter [22A.020](#) MMC.
- (42) Rapid (Level 3) charging stations are required to be placed within a parking garage.
- (43) One single-family detached dwelling per existing single lot of record. Manufactured homes on single lots must meet the criteria outlined in subsection (11) of this section.
- (44) Recreational vehicles (RVs) are allowed as a primary residence in an established mobile/manufactured home park (MHP) subject to the requirements of Chapter [22C.230](#) MMC, Mobile/Manufactured Home Parks.
- (45) MHPs shall fulfill the requirements of Chapter [22C.230](#) MMC, Mobile/Manufactured Home Parks.
- (46) Reserved.
- (47) Model house sales offices are subject to the requirements of MMC [22C.110.030](#)(12).
- (48) No person or entity may produce, grow, manufacture, process, accept donations for, give away, or sell marijuana concentrates, marijuana-infused products, or usable marijuana within residential zones in the city. Provided, activities in strict compliance with RCW [69.51A.210](#) and [69.51A.260](#) are not a violation of the Marysville Municipal Code.
- (49) Shipping/cargo and similar storage containers are prohibited on lots within a platted subdivision and properties under one acre in size. Shipping/cargo and similar storage containers may be located on properties over one acre in size if located behind the primary residence, observe all setbacks applicable to an accessory structure, and are screened from public view.
- (50) Accessory structures may not be utilized as, or converted to, a dwelling unless the structure complies with the accessory dwelling unit standards outlined in MMC [22C.180.030](#).
- (51) Tiny houses or tiny houses with wheels are allowed as a primary residence in an established mobile/manufactured home park (MHP) subject to the requirements of Chapter [22C.230](#) MMC, Mobile/Manufactured Home Parks.
- (52) Enhanced services facilities are prohibited in all residential zones as such are identified and adopted in this chapter.
- (53) An operations plan, to mitigate potential impacts on the surrounding community, must be provided by the sponsor and/or property owner at the time of application. The operations plan must address the following elements to the satisfaction of the city:

- (a) Name and contact information for key staff;
- (b) Roles and responsibilities of key staff;
- (c) Site/facility management, including a security and emergency plan;
- (d) Site/facility maintenance;
- (e) Occupancy policies, including resident responsibilities and a code of conduct that address, at a minimum, the use or sale of alcohol and illegal drugs, threatening or unsafe behavior, and weapon possession;
- (f) Provision of human and social services, including staffing plan and outcome measures;
- (g) Outreach with surrounding property owners and residents and ongoing good neighbor policy;
- (h) Procedures for maintaining accurate and complete records; and
- (i) Additional information as requested by the community development director to ensure current best practices for permanent supportive housing and transitional housing facilities are used.

(54) Emergency housing and emergency shelters – indoor are prohibited in all residential zones as such are identified and adopted in this chapter.

22C.010.075 Adaptive reuse of nonresidential buildings in residential zones.

(1) Purpose. The purpose of this section is to allow for adaptive reuse of nonresidential buildings in residential zones that are functionally obsolete in order to improve the economic feasibility of a property by considering uses that are not otherwise permitted, but which, if properly designed and managed, would not create unacceptable impacts on surrounding properties or the immediate vicinity in general. This process differs from the unlisted use process listed in MMC [22A.010.070](#) in that uses that are not specifically authorized in the residential zone may be considered using the process described herein.

(2) Procedures. Any request for adaptive reuse of nonresidential buildings shall be reviewed as a conditional use.

(3) Circumstances. The city may allow a use in a residential zone that is not specifically allowed in that zone if it is necessary to encourage adaptive reuse of a building under the following circumstances:

- (a) It is unlikely that the primary building on the subject property could be preserved if only uses permitted in the underlying zone were allowed.
- (b) Allowing a different use would enhance the character of the building and immediate vicinity.

(c) The use would not have a detrimental effect upon surrounding properties or the immediate vicinity.

(4) Uses That May Be Allowed. The following uses may be considered for adaptive reuse of an existing building in a residential zone; provided, that where a use listed below is allowed as either a permitted or conditional use in MMC [22C.010.060](#), it shall be reviewed in accordance with said section:

(a) Dwelling units. Density based on underlying zoning ~~plus one additional dwelling unit~~;

(b) Assisted living facilities;

(c) Libraries;

(d) Museums and art galleries;

(e) Social service facilities;

(f) Public services;

(g) Artist studios;

(h) Music venues;

(i) Cafes and bistros;

(j) Live-work units;

(k) Bed and breakfast inn;

(l) Other uses not listed above if determined through the review process to be compatible with surrounding properties and the immediate vicinity.

(5) Review Criteria. The following criteria shall be used as the basis for determining compatibility with surrounding uses and approving, denying, or conditionally approving a request to allow the adaptive reuse of a nonresidential building in a residential zone:

(a) The adaptive reuse would promote or aid in the preservation or rehabilitation of the primary building.

(b) No significant impacts to public safety.

(c) Compliance with noise, building and fire codes.

(d) Hours of the day of proposed use or activity are compatible with surrounding uses.

(e) Proposed management and operational procedures to minimize and mitigate potential impacts.

(f) Other factors not specified herein that would create a conflict with the surrounding uses, or uses that are permitted in the zone.

(g) Expansions to the primary building shall not exceed 10 percent of the existing footprint or 500 square feet, whichever is greater, and will not detrimentally affect the outside character of the building. Expansions shall comply with the bulk and dimensional standards of the underlying zone.

(6) Actions Authorized.

(a) Approval. The city may approve a proposal that is found to be compatible with surrounding land uses.

(b) Denial. Any proposal that would be incompatible with or adversely affect properties in the immediate vicinity shall be denied.

(c) Revocation. The city shall retain the right to revoke an approval issued under this section that fails to comply with any conditions of said approval, or which operates in a manner inconsistent with representations made in the application. (Ord. 3207 § 5, 2022).

22C.010.080 Densities and dimensions.

(1) Interpretation of Table.

(a) Subsection (2) of this section contains general density and dimension standards for the various zones and limitations specific to a particular zone(s). Additional rules and exceptions, and methodology, are set forth in MMC [22C.010.100](#) through [22C.010.250](#).

(b) The density and dimension table is arranged in a matrix format and is delineated into ~~different dimensional the residential use~~ categories.

(c) Development standards are listed down the left side of the table, and the zones are listed at the top. The matrix cells contain the minimum dimensional requirements of the zone. The parenthetical numbers in the matrix identify specific requirements applicable either to a specific use or zone set forth in MMC [22C.010.090](#). A blank box indicates that there are no specific requirements. If more than one standard appears in a cell, each standard will be subject to any applicable parenthetical footnote following the standard.

(2) General Densities and Dimension Standards.

	R-4.5	R-6.5	R-8	WR-R-4-8 (16)(17)	NR	R-12 (13)	R-18 (13)	R-28 (13)	WR-R-6-18 (13)(16)(17)
Single family detached density: Dwelling unit/lot (1)					<u>1 du/lot</u>	<u>1 du/lot</u>	<u>1 du/lot</u>	<u>1 du/lot</u>	<u>1 du/lot</u>
Middle Housing Density: Dwelling unit/lot (1)					<u>2 du/lot</u>	<u>2 du/lot</u>	<u>2 du/lot</u>	<u>2 du/lot</u>	<u>2 du/lot</u>
Middle Housing Density for lots within ¼ mile walking distance of a major transit stop: Dwelling unit/lot (1)					<u>4 du/lot</u>	<u>4 du/lot</u>	<u>4 du/lot</u>	<u>4 du/lot</u>	<u>4 du/lot</u>
Middle Housing Density for lots with one affordable housing unit: Dwelling unit/lot (1)					<u>4 du/lot</u>	<u>4 du/lot</u>	<u>4 du/lot</u>	<u>4 du/lot</u>	<u>4 du/lot</u>
Multi-family and townhouse (5 units or more per building) Density: Dwelling unit/acre (6)	<u>4.5 du/ac</u>	<u>6.5 du/ac</u>	<u>8 du/ac</u>	<u>4.5 du/ac</u>	<u>6.5 du/acre</u>	12 du/ac	18 du/ac	28 du/ac	<u>6 du/ac (detached sf) 10 du/ac (attached multifamily or townhouses with 5 or more units)</u>
Maximum density: Dwelling unit/acre (1)(6)	-	-	-	<u>8 du/ac</u>	-	18 du/ac	27 du/ac	36 du/ac	18 du/ac
Minimum street setback (3) (15)	20 ft (8)	20 ft (8)	20 ft (8)	20 ft (8)	<u>20 ft (8)</u>	20 ft	25 ft	25 ft	20 ft
Minimum side yard setback (3)	5 ft (10)	5 ft (10)	5 ft (10)	5 ft (10, 11, 12)	<u>5 ft (10, 11, 12)</u>	10 ft (10, 11, 12)	10 ft (10, 11, 12)	10 ft (10)	10 ft (10, 11, 12)
Minimum rear yard setback (3)	20 ft	20 ft	20 ft	20 ft	<u>20 ft</u>	25 ft	25 ft	25 ft	25 ft
Base height	<u>30 ft (18)</u>	<u>30 ft (18)</u>	<u>30 ft (18)</u>	<u>30 ft (18)</u>	<u>30 ft (18)</u>	35 ft (4)	45 ft (4)	45 ft (4)	35 ft (4)

	R-4.5	R-6.5	R-8	WR-R-4-8 (16)(17)	NR	R-12 (13)	R-18 (13)	R-28 (13)	WR-R-6-18 (13)(16)(17)
Maximum building coverage: Percentage (5)	40%	40%	50%	50%	40%	50%	50%	50%	40%
Maximum impervious surface: Percentage (5)	45%; 50%	45%; 50%	50%; 65%	50%; 65%	45%; 50%	70%	70%	75%	70%
Minimum lot area	5,000 sq-ft	5,000 sq-ft	4,000 sq-ft	5,000-sq ft	5,000 sq ft	-	-	-	-
Minimum lot area for duplexes (2)	12,500 sq-ft	7,200 sq-ft	7,200 sq-ft	7,200-sq ft		-	-	-	-
Minimum lot width (3)	60-ft	50-ft	40-ft	40-ft	50 ft	70 ft	70 ft	70 ft	70 ft
Minimum lot frontage on cul-de-sac, sharp curve, or panhandle (14)	20-ft	20-ft	20-ft	20-ft	20 ft	-	-	-	-

22C.010.090 Densities and dimensions – Development conditions.

(1) The density outlined in this table for single family detached and Middle Housing is expressed in dwelling unit per lot as further described below.

(a) Single family detached dwelling unit/lot. The dwelling unit per lot figure indicates the number of detached single family dwelling units that are allowed on each lot meeting the specified minimum lot size.

(i) A maximum of two accessory dwelling units are allowed per lot accessory to a detached single family residence pursuant to MMC 22C.180.030, Table 2.

(b) Middle Housing dwelling unit/lot. The Middle Housing dwelling unit/lot indicates the number of Middle Housing units, as defined in MMC 22A.020.140, that are allowed per parent lot prior to any unit lot subdivision.

(i) Multiple Middle Housing structures may be allowed per lot up to the allowed unit density specified in the table above. For example, two duplexes (4 total units) may be allowed per lot that either is located within ¼ mile of a major transit stop or when one affordable housing unit is provided.

- (ii) Accessory dwelling units apply to the total allowed unit density for the lot (i.e. are not allowed in addition to the specified units per lot).
 - (iii) Major transit stop is defined in MMC 22A.020.140.
 - (iv) To qualify as affordable housing, the provisions in MMC 22C.010.400 must be met.
 - (v) The units per lot detailed in this table for proximity to transit and provision of affordable housing are discrete options. If a lot has both proximity to transit and provides affordable housing, the total units per lot remains at four (4) unless otherwise allowed by code.
 - (vi) Unless zoning permitting higher densities or intensities applies.
 - (vii) Currently the City of Marysville is a Tier 2 City pursuant to RCW 36.70A.635(1)(a). The City will need to comply with the Tier 1 standards in RCW 36.70A.635(1)(b) one year after the City's Comprehensive Plan implementation progress report is due pursuant to RCW 36.70A.130(9)(a).
- c) The absence of sewer service may limit redevelopment or additional development until such time sewer infrastructure improvements are made.

~~(1) Maximum Density—Dwelling Unit/Acre:~~

~~(a) The maximum density for R-12, R-18, R-28, WR-R-4-8 and WR-R-6-18 zones may be achieved only through the application of residential density incentive provisions outlined in Chapter 22C.090 MMC.~~

~~(b) The maximum net density for the single-family zones is the same as the base density; provided, that for PRD developments the maximum density may be increased by up to 20 percent through the application of residential density incentive provisions outlined in Chapter 22C.090 MMC.~~

~~(2) Reserved. The minimum lot sizes for duplexes apply to lots or parcels which existed on or before the effective date of the ordinance codified in this chapter. All new duplex lots created through the subdivision or short subdivision process shall be a minimum of 12,500 square feet in size in the R-4.5 zone, and 7,200 square feet in size in the R-6.5, R-8 and WR-R-4-8 zones. Additionally, all new duplex lots must include a "duplex disclosure" on the plat map, and must comply with the density requirements of the comprehensive plan (six units per acre for the R-4.5 zone and eight units per acre for the R-6.5, R-8, and WR-R-4-8 zones).~~

(3) (a) These standards may be modified under the provisions for zero lot line and townhome developments.

(b) If there is no lot line between homes:

(i) The minimum side yard separation is 10 feet; and

(ii) The minimum rear yard separation is 20 feet.

(4) Base Height.

(a) Height limits may be increased when portions of the structure which exceed the base height limit provide one additional foot of street and interior setback beyond the required setback for each foot above the base height limit; provided, that the maximum height may not exceed 60 feet.

(b) Multiple-family developments, located outside of Planning Area 1, abutting or adjacent to areas zoned as single-family, or areas identified in the comprehensive plan as single-family, may have no more floors than the adjacent single-family dwellings, when single-family is the predominant adjacent land use.

(5) Applies to Each Individual Lot.

(a) The ~~higher 50% percentages of~~ impervious surface coverage ~~apply~~ applies to complete land use applications for subdivisions submitted on or after the effective date of Ordinance 3057, adopted May 8, 2017; provided, however, in the case of approved development applications that have not yet started construction, an applicant may file for a minor revision to the approved land use application in accordance with MMC [22G.010.260](#).

~~(b)~~ Building coverage and impervious surface area standards for:

(i) Regional uses shall be established at the time of permit review; or

(ii) Nonresidential uses in residential zones shall comply with MMC [22C.010.250](#).

~~(6) Density—Dwelling Unit/Acre. The density outlined in this table for multi-family, townhouses (5 units or more per building), and mobile home parks is expressed in dwelling unit per acre as further described below:~~

~~(a) The densities listed for the single-family zones (R-4.5, R-6.5, R-8) and single-family development in the Whiskey Ridge zones (WR-R-4-8, WR-R-6-18) are maximum net densities.~~

~~(b) Mobile home parks shall be allowed a maximum density of eight dwelling units per acre, unless located in the R-4.5 or R-6.5 zones, in which case they are limited to the density of the underlying zone.~~

~~(a) Dwelling unit/acre. The dwelling unit per acre figure indicates the number of multi-family or townhouse dwelling units (5 units or more per building) that are allowed per acre; provided that, in the multi-family zones, projects proposing a mix of housing units that include Middle Housing, multi-family, and/or townhouses (5 units or more per building) may elect to use either the Dwelling Unit per Lot or Dwelling Unit per Acre density calculation methodology for the project.~~

~~(b) Maximum density. The maximum density for the R-12, R-18, R-28, and WR-R-6-18 zones may be achieved only through the application of residential density incentive~~

provisions outlined in Chapter 22C.090 MMC. Exception: Middle Housing is calculated as units per lot as specified in the table above.

- (c) Mobile home parks shall comply with the density and dimensional standards set forth in Chapter 22C.230.

(7) The standards of the R-4.5 zone shall apply if a lot is less than 15,000 square feet in area. Reserved.

(8) On a case-by-case basis, the street setback may be reduced to 10 feet; provided, that at least 20 linear feet of driveway are provided between any garage, carport, or other fenced parking area and the street property line, or the lot takes access from an alley. The linear distance shall be measured in a straight line from the nearest point of the garage, carport or fenced area to the access point at the street property line. In the case of platted lots, no more than two consecutive lots may be reduced to 10 feet.

(9) Residences shall have a setback of at least 50 feet from any property line if adjoining an agricultural zone either within or outside the city limits.

(10) For townhomes (5 units or more per building) or apartment developments, the setback shall be the greater of:

(a) Twenty feet along any property line abutting the Neighborhood Residential zone R-4.5 through R-8, and WR-R-4-8 zones; or

(b) The average setback of the Neighborhood Residential R-4.5 through R-8 zoned and platted single-family detached dwelling units from the common property line separating said dwelling units from the adjacent townhome or apartment development, provided the required setback applied to said development shall not exceed 60 feet. The setback shall be measured from said property line to the closest point of each single-family detached dwelling unit, excluding projections allowed per MMC 22C.010.210 and accessory structures existing at the time the townhome or apartment development receives approval by the city.

(11) Townhome setbacks are reduced to zero on an interior side yard setback where the units have a common wall for zero lot line developments.

(12) Townhome setbacks are reduced to five feet on side yard setbacks provided the buildings meet a 10-foot separation between structures.

(13) Single-family detached units and Middle Housing duplexes on individual lots within the R-12 through R-28, and WR-R-6-18 zones shall utilize the dimensional requirements of the Neighborhood Residential R-8 zone, except the base density.

(14) Provided that the front yard setback shall be established as the point at which the lot meets the minimum width requirements. On a case-by-case basis, the street setback may be reduced to the minimum of 20 feet; provided, that the portion of the structure closest to the street is part of the "living area," to avoid having the garage become the predominant feature on the lot.

(15) Subject to MMC [22A.020.130](#), subsection (1)(a) of the definition of "lot lines."

(16) Required landscaping setbacks for developments on the north side of Soper Hill Road are 25 feet from the edge of sidewalk.

(17) Projects with split zoning (two or more distinct land use zones) may propose a master site plan to density average at the zone edge or modify the zone boundaries using topography, access, critical areas, or other site characteristics in order to provide a more effective transition between land uses and zones. Approval is at the discretion of the community development director.

(18) In order to accommodate a daylight basement or tuck-under garage, the base height for the principal dwelling may be increased to 35 feet on lots with a 10 percent or greater slope within the building's footprint.

22C.010.100 Measurement methods.

The following provisions shall be used to determine compliance with this title:

(1) Street setbacks shall be measured from the existing edge of a street right-of-way or temporary turnaround or, in the case of a substandard street, the setbacks shall be measured from the edge of the ultimate right-of-way section planned for the street, except as provided by MMC [22C.010.200](#);

(2) Impervious surface calculations shall not include areas of turf, landscaping, natural vegetation, five-foot (or less) wide pedestrian walkways or surface water retention/detention facilities.

22C.010.110 Calculations – Allowable dwelling units.

Permitted number of dwelling units shall be determined as follows:

- (1) Dwelling Units per Lot Method. The following steps apply when calculating density using the Dwelling Units per Lot Method:
 - (a) Step 1: The net acreage is determined by using the "net project area – units per lot" definition set forth in MMC 22A.020.150 "N" definitions.
 - (b) Step 2: The resulting net acreage is then divided by the minimum standard lot size or PRD lot size which is proposed to be used.
 - (c) Step 3: The number of lots allowed is rounded down to the nearest whole number. Sample Calculation: If there is one net acre and the minimum lot size is 5,000 SF, the allowed lots is calculated as follows: 43,560 SF/5,000 SF = 8.7, which rounds down to 8 lots. The number of lots is rounded down as a subdivided lot is only buildable if it meets the designated minimum lot size.
 - (d) Step 4: The allowed number of units which may be built on the lot is specified in MMC 22C.010.080.

Note: The provisions noted above apply to lots which will be subdivided. Existing, legal lots under MMC 22C.010.140 and reasonable use lots under MMC 22E.010.410 are not subject to the above provisions.

(1)(2) Dwelling Units per Acre Method. The following steps apply when calculating density using the Dwelling Units per Acre Method:

(a) Step 1: The net acreage is determined by using the "net project area – units per acre" definition set forth in MMC 22A.020.150 "N" definitions.

(b) Step 2: The resulting net acreage is then multiplied maximum allowed number of dwelling units shall be computed by multiplying the net project area (in acres) by the applicable allowed residential density in the zone.

(2) Step 3: When calculations result in a fraction, the fraction shall be rounded to the nearest whole number as follows:

(a) Fractions of 0.50 or above shall be rounded up; and

(b) Fractions below 0.50 shall be rounded down

Sample Calculation: If there is one (1) net acre and 12 units are allowed per net acre, the allowed number of units is calculated as follows: 1 acre x 12 units/acre = 12 units.

22C.010.120 Calculations – Site area used for density calculations.

(1) Critical areas and their buffers may be used for calculation of allowed residential density whenever two or more residential lots or dwelling units are created subject to the on-site density transfer provisions outlined in MMC [22E.010.360](#) and density is calculated with the Dwelling Units per Acre methodology; provided that, critical areas and buffers cannot be part of a lot resulting from a subdivision.

(2) The net project area of a multiple-family or single-family site may be used in the calculation of allowed residential density.

22C.010.130 Lot area – Prohibited reduction.

Any portion of a lot that was required to calculate and ensure compliance with the standards and regulations of this title shall not be subsequently subdivided or segregated from such lot except as allowed under the Unit Lot Subdivision provisions set forth in MMC [\[insert future code section\]](#).

22C.010.140 Minimum lot area for construction.

Except as provided for in Chapter [22G.080](#) MMC:

(1) In ~~residential the R~~ zones, a single-family dwelling or Middle Housing may be established on an existing vacant lot, which cannot satisfy the minimum lot size or width ~~bulk or dimensional~~ requirements of this chapter, provided the following criteria are met:

(a) The lot was established by conveyance of record prior to August 10, 1969, and its dimensions have not been modified since said conveyance, or the lot was created by an approved plat and satisfied the bulk and dimensional requirements applicable at the time of its creation; and

(b) The lot is not less than 4,000 square feet in size, or such greater size as may be required by the Snohomish ~~H~~health ~~D~~istrict if an on-site sewage disposal system is involved; and

(c) Development of the lot will comply with all bulk and dimensional regulations in this chapter, with the exception of minimum lot size and width, relating to setbacks, maximum lot coverage and along with off-street parking, as such regulations exist on the date of application for development permits.

22C.010.150 Setbacks – Specific building or use.

When a building or use is required to maintain a specific setback from a property line or other building, such setback shall apply only to the specified building or use.

22C.010.160 Setbacks – Modifications.

The following setback modifications are permitted:

(1) When the common property line of two lots is covered by a building(s), the setbacks required by this chapter shall not apply along the common property line.

(2) When a lot is located between lots having nonconforming street setbacks, the required street setback for such lot may be the average of the two nonconforming setbacks or 60 percent of the required street setback, whichever results in the greater street setback.

(3) When a base station or WCF equipment is proposed for placement on private property abutting ROW, the setback may be administratively reduced, provided the application demonstrates good cause for such reduction and adequate area for screening and landscaping is provided. (Ord. 2852 § 10 (Exh. A), 2011).

22C.010.170 Setbacks – From regional utility corridors.

(1) In subdivisions and short subdivisions, areas used as regional utility corridors shall be contained in separate tracts.

(2) In other types of land development permits, easements shall be used to delineate such corridors.

(3) All buildings and structures shall maintain a minimum distance of five feet from property or easement lines delineating the boundary of regional utility corridors, except for utility structures necessary ~~for to~~ the operation of the utility corridor.

22C.010.180 Setbacks – From private roads or access easements.

Structures may be built to five feet of the property line on lots adjacent to a private road or access easement.

22C.010.190 Setbacks – From alleys.

(1) Structures may be built to five feet of the property line abutting an alley, except as provided in subsection (2) of this section.

(2) Vehicle access points from garages, carports or fenced parking areas shall be set back a minimum of 10 feet from the lot line abutting an alley, except where the access point faces an alley with a right-of-way width of 10 feet, in which case the garage, carport, or fenced parking area shall not be located within 20 feet from the rear lot line. No portion of the garage or the door in motion may cross the property line.

(3) Rear setbacks for detached accessory structures located in ~~the Planning Area 1~~ Downtown Neighborhood may be reduced as set forth in MMC [22C.180.020](#)(2).

22C.010.200 Setbacks – Adjoining half-street, ~~or~~ designated arterial, or temporary cul-de-sac.

(1) In addition to providing the standard street setback, a lot adjoining a half-street or designated arterial shall provide an additional width of street setback sufficient to accommodate construction of the planned half-street or arterial.

(2) The front, side, or street setback abutting a temporary cul-de-sac shall be measured from the edge of the temporary cul-de-sac as constructed. When the temporary cul-de-sac is removed, the setbacks for the structure may be measured from the property line.

22C.010.210 Setbacks – Projections allowed.

Projections may extend into required setbacks as follows:

(1) Fireplace structures including eaves and factory-built garden or bay windows may project into any setback, provided such projections are:

- (a) Limited to two per facade;
- (b) Not wider than 10 feet; and
- (c) Not more than 24 inches into a side setback or 30 inches into a front or rear setback;

(2) Uncovered porches and decks, including stairs, which exceed 30 inches above the finished grade may project:

- (a) Eighteen inches into side setbacks; and
- (b) Five feet into the front or rear setback;

(3) Uncovered porches and decks not exceeding 30 inches above the finished grade, and uncovered accessory structures such as mechanical equipment, play structures, and tennis courts, may project to the property line; provided, that with the exception of uncovered porches and decks, the front property line setback for the zone shall be observed;

(4) Eaves may not project more than:

- (a) Twenty-four inches into a side setback;
- (b) Thirty-four inches into a front or rear setback; or
- (c) Eighteen inches across a lot line in a zero-lot line development.

(5) Accessory structures such as flagpoles and lampposts shall be set back a minimum of five feet from all property lines, provided:

- (a) They are not located within a utility or access easement; and
- (b) Flags are not displayed in a manner that would cause the flag to encroach onto a neighboring property.

22C.010.220 Height – Exceptions to limits.

(1) Flagpoles may be up to 25 feet tall in all single-family zones, and up to 35 feet tall in all multifamily zones; provided, that flagpoles on multifamily zoned properties developed with single-family residences or Middle Housing duplexes shall be limited to 25 feet tall. Exception: flagpoles on single-family and multifamily zoned properties that are 40,000 square feet or greater in size and developed with single-family residences or Middle Housing duplexes may be up to 35 feet tall; provided, that setbacks that are equivalent to the height of the flagpole are maintained from all property lines.

(2) The following structures may be erected above the height limits of MMC [22C.010.080](#):

- (a) Roof structures housing or screening elevators, stairways, tanks, ventilating fans or similar equipment required for building operation and maintenance; and
- (b) Fire or parapet walls, skylights, chimneys, smokestacks, church steeples, and utility line towers and poles.

22C.010.230 Lot divided by zone boundary.

When a lot is divided by a zone boundary, the following rules shall apply:

(1) When a lot contains both residential and nonresidential zoning, the zone boundary between the zones shall be considered a lot line for determining permitted building height and required setbacks on the site;

(2) When a lot contains residential zones of varying density, any residential density transfer within the lot shall only be allowed from the portion with the lesser residential density to that of the greater residential density; and

(3) Uses on each portion of the lot shall only be those permitted in each zone pursuant to this chapter and Chapter [22C.020](#) MMC.

22C.010.240 Sight distance requirements.

Except for traffic control signs, the following sight distance provisions shall apply to all intersections and site access points:

(1) A sight distance triangle area per city standards shall contain no fence, berm, vegetation, on-site vehicle parking area, signs or other physical obstruction between 30 inches and eight feet above the existing street grade.

Note: The area of a sight distance triangle between 30 inches and eight feet above the existing street grade shall remain open.

(2) The community development director or city engineer may require modification or removal of structures or landscaping located in required street setbacks, if:

(a) Such improvements prevent adequate sight distance to drivers entering or leaving a driveway; and

(b) No reasonable driveway relocation alternative for an adjoining lot is feasible.

22C.010.250 Nonresidential land uses in residential zones.

Except for utility facilities and regional land uses listed in MMC [22C.010.060](#), all nonresidential uses located in residential zones shall be subject to the following requirements:

(1) Building coverage shall not exceed:

(a) Fifty percent of the site in the ~~Neighborhood Residential~~~~R-4.5, R-6.5, R-8 and WR-R-4-8~~ zones.

(b) Sixty percent of the site in the R-12, R-18, R-28 and WR-R-6-18 zones.

(2) Impervious surface coverage shall not exceed:

(a) Seventy percent of the site in the ~~Neighborhood Residential~~~~R-4.5, R-6.5, R-8 and WR-R-4-8~~ zones.

(b) Eighty percent of the site in the R-12, R-18, R-28 and WR-R-6-18 zones.

(3) Buildings and structures, except fences and wire or mesh backstops, shall not be closer than 30 feet to any property line, except as provided in subsection (4) of this section.

(4) A single detached dwelling unit allowed as accessory to a church or school shall conform to the setback requirements of the zone.

(5) Parking areas are permitted within the required setback area from property lines, provided such parking areas are located outside of the required landscape area.

(6) Sites shall abut or be accessible from at least one public street functioning at a level consistent with city of Marysville street design standards. New high school sites shall abut or be accessible from a public street functioning as an arterial per the city of Marysville design standards.

(7) The base height shall conform to height limitation of the zone in which the use is located.

22C.010.255 Residential design requirements – Purpose.

MMC [22C.010.255](#) through [22C.010.400](#) apply to new single family, Middle Housing, and multifamily residential ~~and high-density (eight-plus-du/acre) single-family~~ development as applicable. The purpose of these sections is to:

(1) Encourage the realization and creation of a desirable and aesthetic environment in the city of Marysville;

(2) Encourage and promote development which features amenities and excellence in site planning, streetscape, building design and contribution to community charm;

(3) Encourage creative approaches to the use of land and related physical developments;

(4) Minimize incompatible and unsightly surroundings and visual blight which prevent orderly community development;

(5) Reinforce streets as public places that encourage pedestrian and bicycle travel;

(6) Reduce opportunities for crimes against persons and property;

(7) Minimize land use conflicts and adverse impacts;

(8) Provide roadway and pedestrian connections between residential and commercial areas;

(9) Provide public places and open space networks to create gateways, gathering places, and recreational opportunities that enhance the natural and built environment;

(10) Minimize the rate of crime associated with persons and property and provide for the highest standards of public safety through the implementation of crime prevention through environmental design (CPTED) principles in design review.

22C.010.260 Residential design requirements – Applicability and interpretations.

(1) Applicability.

(a) These design standards apply to all new planned residential developments (PRD) in any zone, multifamily structures in any zone and residential

development within the following zones: high density multiple-family (R-28), medium density multiple-family (R-18), low density multiple-family (R-12), ~~and Neighborhood Residential (NR) high density single family, and small lot (R-8).~~ Nonresidential development in residential zones (e.g., churches, schools, offices, etc.) shall be subject to the design standards set forth in MMC [22C.020.250](#).

(b) The standards specified in the following sections shall be applied by the city to individual building permits for single-family residences ~~and Middle Housing, MMC 22C.010.310; duplexes, MMC 22C.010.400;~~ and accessory uses, Chapter [22C.180](#) MMC; provided, that the applicable standards shall be those in effect on the date that the city approves the preliminary subdivision, short subdivision, or binding site plan, whichever is applicable, unless the applicant opts to have the city apply the standards that may have been revised by the city after such date.

(c) The following activities shall be exempt from these standards:

- (i) Construction activities which do not require a building permit;
- (ii) Interior remodels of existing structures;
- (iii) Modifications or additions to existing multifamily and public properties when the modification or addition:
 - (A) Constitutes less than 10 percent of the existing horizontal square footage of the use or structure; and
 - (B) Constitutes less than 10 percent of the existing building's exterior facade.

(2) Interpreting and Applying the Design Standards.

(a) These standards capture the community visions and values as reflected in the comprehensive plan's neighborhood planning areas. The city's community development director (hereinafter referred to as director) retains full authority to determine whether a proposal meets these standards. The director is authorized to promulgate guidelines, graphic representations, and examples of designs and methods of construction that do or do not satisfy the intent of these standards.

(b) Within these standards, certain words are used to indicate the relative importance and priority the city places upon a particular standard.

- (i) The words "shall," "must," and "is/are required" mean that the development proposal must comply with the standard unless the director finds that:
 - (A) The standard is not applicable in the particular instance; or
 - (B) The development proposal meets the intent of the standards in some other manner.

(ii) The word “should” means that the development proposal will comply with the standard unless the director finds that:

(A) The standard is not applicable in the particular instance;

(B) The development proposal meets the intent of the standards in some other manner; or

(C) There is convincing evidence that applying the standard would not be in the public interest.

(iii) The words “is/are encouraged,” “can,” “consider,” “help,” and “allow” mean that the action or characteristic is allowed and will usually be viewed as a positive element in the city’s review.

(c) The project proponent may submit proposals that he/she feels meet the intent of the standards but not necessarily the specifics of one or more standards. In this case, the director will determine if the intent of the standard has been met. (Ord. 3245 § 1 (Exh. A), 2022; Ord. 2852 § 10 (Exh. A), 2011).

22C.010.270 Zero lot line development.

In any PRD ~~overlay zone~~, interior setbacks may be modified during subdivision, ~~or~~ short subdivision, or binding site plan review as follows:

If a building is proposed to be located within a normally required interior setback:

(1) An easement shall be provided on the abutting lot of the subdivision that is wide enough to ensure a 10-foot separation between the walls of structures on adjoining lots, except as provided for common wall construction;

(2) The easement area shall be free of structures and other obstructions that would prevent normal repair and maintenance of the structure’s exterior;

(3) Buildings utilizing reduced setbacks shall not have doors that open directly onto the private yard areas of abutting property. Windows in such buildings shall not be oriented toward such private yard areas unless they consist of materials such as glass block, textured glass, or other opaque materials, and shall not be capable of being opened, except for clerestory-style windows or skylights; and

(4) The final plat, ~~or~~ short plat, or binding site plan map shall show the approximate location of buildings proposed to be placed in a standard setback area. (Ord. 2852 § 10 (Exh. A), 2011).

22C.010.280 Cottage housing developments.

(1) Purpose. The purpose of this section is to:

(a) Provide a housing type that responds to changing household sizes and ages (e.g., retirees, small families, single-person households);

- (b) Provide opportunities for ownership of small, detached units within a single-family neighborhood;
- (c) Encourage creation of more usable space for residents of the development through flexibility in density and lot standards;
- (d) Support the growth management goal of more efficient use of urban residential land; and
- (e) Provide guidelines to ensure compatibility with surrounding uses.

(2) Applicability. Cottage housing developments are allowed, as follows:

- (a) Within residentially zoned properties in ~~the Downtown Neighborhood planning area 1~~ and the Lakewood Neighborhood;
- (b) Within ~~the Neighborhood Residential zone single-family zones~~ where properties are encumbered by at least 35 percent critical areas and associated buffers;
- (c) On ~~Neighborhood Residential single-family~~ zoned parcels adjacent to multifamily, commercial and industrial zoned parcels, as a transition to multifamily, commercial and industrial uses, including across the street on a case-by-case basis, if approved by the director;
- ~~(d) Within residentially zoned properties in the Lakewood neighborhood planning area 11;~~
- ~~(d)(e)~~ Within ~~the Neighborhood Residential zone single-family zones~~ where two or more unique site circumstances exist. Unique site circumstances may include shared common boundary with a city-owned park or nature preserve; close proximity to multifamily, commercial or industrial zoned properties as a complementary use; or other unique site circumstances as determined by the director; and
- ~~(e)(f)~~ Within multifamily zoned properties.

(3) Review Process.

- (a) Cottage housing developments that are developed with all cottages located on a common lot shall be processed in accordance with Chapter [22G.120](#) MMC, Site Plan Review; and
- (b) Cottage housing developments that are developed with cottages on individual lots shall be processed in accordance with Chapter [22G.090](#) MMC, Subdivisions and Short Subdivisions.

(4) Accessory Uses. The following accessory uses are permitted within cottage housing developments:

(a) Community Buildings. Commonly owned community building(s) for the use of the residents of the cottage housing development are allowed but not required. Where provided, common buildings must be centrally located; clearly incidental in use and size to the rest of the development; and similar in design (i.e., roof pitch, architecture, materials and colors) to the cottage units. Common buildings may include meeting space, recreational facilities, a food preparation area, sinks, and toilets, but shall not include commercial uses, sleeping quarters, or bathing facilities (unless the bathing facility is clearly incidental to a recreational facility located within the common building).

(b) Garages or carports as outlined in subsection (11) of this section.

(c) Community gardens, play structures, and similar amenities for use of the occupants of the cottage housing development.

(5) Accessory Dwelling Units. Accessory dwelling units and/or extended-family dwelling units are not allowed in cottage housing developments.

(6) Density and Dimensions.

Density (units/lot dwelling unit/ acre)	1 unit/lot (a) 2 times the base density of the underlying zone (a)
Minimum lot size, or minimum land area allocation per cottage	2,000 SF (b)
Development size	Minimum 4 cottage units. Maximum 12 cottage unit per grouping. Development may contain multiple groupings.
Minimum lot size	Beyond density and dimensional restrictions, there is no required minimum lot size for subdivided cottage lots.
Minimum front setback or yard	10 feet ^{(b)(c)}
Minimum side setback or yard	5 feet ^(e) ; (d), (e)
Minimum rear setback or yard	10 feet ^(b) ; (c)(d)
Minimum setback from critical area buffers, or critical areas, if no buffer is required	15 feet
Maximum building coverage: percentage	40 percent ^(e)
Maximum impervious coverage: percentage	60 percent ^{(e)(f)}

(a) ~~Density shall be calculated pursuant to MMC 22C.010.110(1) Net Project Area (Units per Lot), whether subdivision is proposed or not.~~

(b) Existing detached single-family residences, which may be nonconforming with respect to the standards of this section, shall be permitted to remain; provided, that the extent of the nonconformity may not be increased. Said residences shall

~~be included in the maximum permitted cottage density~~, and must meet the applicable density and dimensional requirements of the underlying zone.

~~(b)~~ (c) The front and rear yard setbacks for cottages and two-story accessory structures shall be increased to 20 feet along the perimeter of cottage housing developments that abut existing single-family residential development or single-family zoned properties; provided, that this requirement shall not apply along perimeter boundaries abutting public right-of-way, or for infill lots located within the Downtown Neighborhood~~downtown planning area 1~~.

~~(e)~~ (d) The side or rear yard setback adjacent to a public street or private drive aisle shall be 10 feet except when the side or rear yard abuts a designated arterial, in which case the setback shall be increased to 15 feet.

~~(d)~~ (e) There shall be a minimum separation of six feet between principal structures; provided, that:

(i) Where cottages will be subdivided onto individual lots, a five-foot side yard setback from the property line and 10 feet of structure separation shall be provided;

(ii) When there is a principal entrance on an interior facade of either or both of the facing facades, the minimum separation shall be 10 feet; and

(iii) When there is a principal entrance along a side facade, the side yard shall be no less than 10 feet.

~~(e)~~ (f) The ~~building and~~ impervious surface coverage allowances apply to the overall development site (when subdivision is not proposed), or to the individual lots.

(7) Cottage Size, Height, and Porch Dimensional Standards.

Maximum cottage main floor area	800 square feet ^(a)
Maximum cottage total floor area	1 1/2 times the area of the main floor or 1,200 square feet, whichever is less.
Height	18 feet 23 feet (to ridge of pitched roof with minimum slope of 4:12) 28 feet (to ridge of pitched roof with minimum slope of 6:12) All parts of roof above 18 feet must be pitched.
Porch (primary)	Primary entry: 60 square feet Minimum dimension: 6 feet
Porch (secondary)	Secondary entry: 36 square feet Minimum dimension: 6 feet

(a) Cottage floor area shall be subject to the following standards:

(i) Floor area shall be the sum of the gross horizontal areas of the floors of the cottage, measured from the exterior faces of exterior walls and from the centerline of division walls. Enclosed space in a cottage located either above the main floor and more than 12 feet above finished grade, or below the main floor, shall be limited to no more than 50 percent of the enclosed space of the main floor, or 400 square feet, whichever is less. This restriction applies regardless of whether a floor is proposed in the enclosed space, but shall not apply to attic or crawl spaces (less than six feet in height).

(ii) Attached garages shall be included in the calculation of total floor area.

(iii) Areas that do not count as total floor area are:

(A) Unheated storage space located under the main floor of the cottage.

(B) Attached roofed porches and uncovered attached porches, decks, and balconies.

(C) Detached garages or carports.

(D) Spaces with ceiling height of six feet or less measured to the exterior walls, such as a second floor area under the slope of a roof.

(iv) The total square foot area of a cottage dwelling unit may not be increased. A note shall be placed on the title to the property for the purpose of notifying future property owners that any increase in the total square footage of a cottage is prohibited for the life of the cottage or the duration of city cottage regulations.

(8) Cottage Orientation and Open Space Standards. Cottages shall meet the following orientation and open space standards:

(a) Open space shall be provided equal to a minimum of 20 percent of the development site. This may include common open space, private open space, setbacks, critical areas, and other open space.

~~(a)~~ (b) Cottages shall be oriented around and have their main entry from the common open space.

~~(b)~~ (c) Each cottage shall abut the common open space, and the common open space shall have cottages abutting at least two sides.

~~(e)~~ (d) Four hundred square feet of open space shall be provided (200 square feet of private open space and 200 square feet of common open space).

(i) Private and common open space must be calculated separately (i.e., private open space does not count towards common open space, and common open space does not count towards private open space);

(ii) All open space must be usable and located at ground level. Critical areas and buffers shall not count towards open space;

(iii) Setbacks shall not be counted as either private or common open space unless the setback abuts a designated common open space area, in which case the setback area may meet both setback and private open space requirements.

~~(d)~~(e) Private open space shall:

- (i) Be located in a contiguous area and abut the cottage it serves;
- (ii) Be oriented towards the common open space as much as possible;
- (iii) Have no horizontal dimension less than 10 feet; and
- (iv) A fence or hedge not to exceed three and one-half feet high may separate private open space from common open space.

~~(e)~~(f) Common open space shall:

- (i) Be provided in a contiguous area to the extent feasible;
- (ii) Be allocated so that at least 50 percent of the common open space for a grouping of cottages is located centrally among the grouping of cottages; and
- (iii) Have no horizontal dimension less than 15 feet.

(9) Building Design Standards – Including Garages/Parking Structures. The purpose of the design standards is to: encourage variety and visual interest in new residential development in a manner that is compatible with the neighborhood character; ensure the scale of the cottages is proportional to their lot and parcel size, provide landscaping between new and existing development to buffer and provide a transition, enhance the building and site appearance, and maintain the quality of the neighborhood.

(a) Inviting Facade. Each cottage unit shall have an inviting facade for any facades abutting common open space areas, public rights-of-way, and private roads or accesses serving the cottage housing development. If a cottage unit abuts more than one public right-of-way or private road or access, the director shall determine which access the inviting facade shall be oriented towards.

(b) Building Character Proportionality and Massing. Size and height reductions of cottage housing, design techniques and perimeter buffer landscaping shall be used to promote compatibility with the surrounding neighborhood and proportionality and massing of new cottage development adjacent to existing single-family neighborhoods.

(c) Variety in Buildings and Visual Interest With Consistency in Architectural Style. The building designs and layout shall prevent the repetitive use of the same

combination of building features, building layout, and site design elements within any cottage development, grouping of cottages, and adjacent dwellings.

(i) Varied and Interesting Rooflines. Varied and interesting rooflines must be provided which include use of varied pitched roof styles, gables, or dormers. Roof breaks or step-downs are encouraged and can be used to reduce required setbacks adjacent to parcel boundaries.

(ii) Separation of Identical Buildings and Elevations. Units of identical elevation types must be separated by at least two different elevations. This will result in at least three different building elevation plans per cluster. No two adjacent structures shall be built with the same building elevation (reverse elevations do not count as a different building elevation), facade materials, or colors.

(iii) Different Roof, Window Design and Entries. Provide differing roof forms, gables or dormers. Roof overhangs a minimum of six inches are required. Different window design, entry treatments and base treatments shall be utilized to help achieve variety.

(iv) Corner Lot Cottages. Cottages on corner lots shall be architecturally designed to provide modulation and detail on both frontages. Examples of modulation include use of bay windows, wrapped porches, and dormers.

(v) Open and Closed Cottages Along Private Side Yards. Private side yards are an important element in cottage development. The side yard is typically designated to a particular cottage (like zero lot line homes) and this cottage should be open to the side yard using doors, windows or a wrapped porch. The adjacent cottage having a closed side and window placement is an essential part of the design to achieve this relationship.

(d) Variety in Building Design. Provide variety and visual interest by using a combination of building elements, features and treatments in cottages as well as garages. Structures must include building articulation, change in materials or textures, windows, or other architectural features. A minimum of at least one side articulation or roof break shall occur for side elevations facing public streets or common open spaces or walkways to the common open spaces. No blank walls are allowed. The following building elements, features, and treatments that provide variety and visual interest shall be used in combination to create variety in building design, but are not limited to:

(i) Variation in building type and plans.

(ii) Variation in layout and orientation.

(iii) Variation in building materials, mixture and texture.

(A) Vertical Changes. Changes in materials in a vertical wall shall occur at an internal corner or a logical transition such as aligning with a window edge or chimney.

(B) Horizontal Changes. Transition in materials on a wall surface, such as shingle or lap siding, shall be required to have a material separation, such as a trim band board.

(C) Acceptable Exterior Wall Material. Wood, cement fiberboard, stucco, standard sized brick and stone may be used. Simulated stone, wood, ~~stone~~ or brick may be used to detail homes.

(D) Trim. Trim may be wood, cement fiberboard, stucco, or stone materials. Trim is required around all doors and windows. The trim must be three and one-half inches minimum and be used on all elevations.

(iv) Building modulation.

(v) Building intervals and articulation.

(vi) Varying roof shapes, pitches and gables.

(vii) Varied roof heights and roof breaks or roof extensions.

(viii) Dormers.

(ix) Window trim and mullions.

(x) Bay windows or bump outs.

(xi) Entry enhancement.

(xii) Porches and patios. (Porches with railings preferred.)

(xiii) Use of varied siding, trim and base colors.

(xiv) At a minimum, use bottom and top material treatment and if recommended use tripartite architecture.

(xv) Chimney or tower.

(xvi) Trellis.

(xvii) Belly bands, brackets/braces.

(xviii) Other building elements and the combined use of the above shall be approved by the planning director.

(10) Site Access Standards. Access to the cottage housing development shall be provided as follows:

(a) Access to parking shall be from the alley when the cottage housing development abuts a platted alley improved to the city's engineering design and development standards, or when the director determines that alley access is feasible and desirable to mitigate parking access impacts.

(b) For cottage housing developments where all of the cottages are located on a common lot and alley access is not available, the private drive aisle standards outlined in MMC [22C.130.050](#), Table 2, shall apply.

(c) For cottage housing developments where the cottages will be subdivided onto individual lots, the city's PRD and cottage housing street standards as set forth in the engineering development and design standards ("EDDS") shall apply. The "PRD and Cottage Housing Access Street" standard shall apply where fewer than 20 dwelling units are proposed, and the "PRD and Cottage Housing Access Street with Parking" standard shall apply where 20 or more dwelling units are proposed. Modifications to the "PRD and Cottage Housing Access Street" and the "PRD and Cottage Housing Access Street with Parking" standards may be requested for sidewalks, planter strips, and on-street parking. The burden to clearly demonstrate the proposed modification meets the requirements of this section is the applicant's. (Note: it is not likely multiple reductions will be allowed along a single section of road.) If requesting a modification, the applicant shall submit an integrated pedestrian travel, landscape and parking plan as well as other information to demonstrate:

(i) Safe, aesthetically pleasing pedestrian travel is provided throughout the development.

(ii) Pedestrian travel within the development shall be tied to pedestrian travel routes outside the development, actual and/or planned.

(iii) Reduction of planter strips shall require additional equivalent or greater landscaping to benefit the development.

(iv) Any proposed modifications shall allow for efficient flow and movement of automobiles and pedestrians without negatively altering or constraining their movement.

(d) Five-foot-wide pedestrian pathways (sidewalks) must be included to provide for movement of residents and guests from parking areas to homes and other amenities.

(11) Parking Standards. Parking shall meet the following standards:

(a) ~~The number of off~~Off-street parking spaces shall be provided as ~~follows: set forth in MMC 22C.130.030, Table 1 and shall meet the dimensions set forth in MMC 22C.130.050, Table 2.~~

~~(i) One space for cottages 700 square feet or less;~~

~~(ii) One and one-half spaces for cottages 701 to 1,000 square feet; and~~

~~(iii) Two spaces for cottages 1,001 to 1,200 square feet.~~

(b) Parking stalls, garages and carports must be screened from public streets or abutting residential properties.

(c) Parking stalls, garages and carports shall be located in the following preferential order:

(i) To the rear of the units accessed off an alley;

(ii) To the side of the units accessed by a private driveway; or

(iii) A garage, landscaping, and/or fencing shall screen parking next to a side street.

(d) Parking stalls, garages and carports must meet the front yard setback requirements outlined in subsection (6) of this section.

(e) Parking areas must be located in clusters of not more than six adjoining spaces. Landscaping or other architectural features shall separate clusters of parking, and clusters of parking from common areas.

(f) The parking area should not be the major view from the public right-of-way or street. Landscaping, cottages, or the common area should provide the view into the cottage development.

(g) Garages and carports shall be located so their visual presence is minimized, and associated noise or other impacts do not intrude into public spaces.

(h) The architectural design of all garages and carports must be similar and compatible to that of the cottage dwelling units within the development.

(i) Garage and carport rear and side elevations facing the public street or adjacent existing development shall have architectural details to minimize the impact of the facade.

(j) A six-single-vehicle-stall garage or carport is the maximum number allowed in any garage or carport.

(k) Shared detached garage structures shall be reserved for the parking of vehicles owned by the residents of the development. Storage of items which precludes the use of the parking spaces for vehicles is prohibited.

(12) Screening Standards.

(a) Boundaries between cottage dwellings and neighboring properties shall be screened with landscaping to reduce the appearance of bulk or intrusion onto adjacent properties, or otherwise treated (i.e., through setbacks or architectural techniques) to meet the intent of this section.

(b) Yard and open space fencing within the cottage housing development shall not exceed three and one-half feet tall.

(c) Trash and Recycling Container Enclosure and Landscape Screening. All dumpster containers, individual refuse containers, and trash compactors shall be enclosed per the following standards:

(i) All loading, trash, recycling and storage areas shall be located so they are not visible from streets and will be concealed.

(ii) An architectural screen shall surround all sides except the access entry. Building walls of adjacent structures may be used to partially satisfy this requirement. Screen walls shall be a solid visual screen constructed out of metal, concrete, and/or masonry units; or other materials similar to the cottages and garage structures. Required gates and trellises, and other architectural screening elements, shall be designed so that they complement the surrounding buildings unless there is some overriding fire access issue.

(iii) A concrete slab shall be installed as the base material within the enclosure.

(13) Homeowners' Association. A homeowners' association and covenants are required for the maintenance of the common areas and buildings.

(14) Requests for Modifications to Standards. The community development director may approve minor modifications to the general parameters and design standards set forth in this chapter, provided the site is constrained due to unusual shape, topography, easements or sensitive areas.

(a) The modification is consistent with the objectives of this chapter.

(b) The modification will not result in a development that is less compatible with neighboring land uses. (Ord. 3265 § 4 (Exh. B), 2023; Ord. 3130 § 4 (Exh. B), 2019).

22C.010.290 Site and building design standards.

(1) Applicability.

(a) Prior to submitting a building permit application, all development to which these standards apply shall be required to submit a site plan and elevations addressing the standards in this section for administrative review and approval by the community development director.

(b) The site and building design standards of this section apply to multifamily developments, whereas only subsections (2) and (4) of this section apply to single-family and condominium developments.

(c) The crime prevention through environmental design (CPTED) provisions of this section apply to all new multifamily developments of 10 or more units and planned residential developments.

(2) Relationship of Buildings to Site and Street Front.

(a) The site shall be oriented and designed to create an attractive street edge and accommodate pedestrian access. The following provisions apply:

(i) The street edge shall be defined with buildings, landscaping or other features.

(ii) Primary building entrance(s) shall face the street unless it is not feasible due to parcel size, topography, environmental conditions, or other factors as determined by the director, and alternate design elements are incorporated into the facade which enliven the streetscape. Alternatively, for multifamily projects, building entries that face onto a courtyard which is oriented towards the street are acceptable.

(iii) Buildings with individual ground floor entries should face the street to the extent possible. Alternatively, for multifamily projects, configurations where entries face onto a courtyard or open space that is oriented to the street are acceptable.

(iv) Buildings shall provide windows that face the street to provide "eyes on the street" for safety. To meet this requirement, at least 15 percent of the facade facing the street shall be occupied by transparent windows or doors.

(v) Provide for a sidewalk at least five feet wide if there is not space in the public right-of-way.

(vi) Provide building entries that are accessed from the sidewalk; preferably these access ways should be separated from the parking and drive aisles. If access traverses the parking lot, then it should be raised and clearly marked.

(b) The development shall provide site development features that are visible and pedestrian-accessible from the street. These features could include plazas, open space areas, recreational areas, architectural focal points, and access lighting.

(c) The development shall create a well-defined streetscape to allow for the safe movement of pedestrians.

(d) For multifamily residences, no more than 50 percent of the total parking spaces may be located between the building and the primary public street (street from which primary access is obtained) unless it is not feasible due to parcel size, topography, environmental conditions, or other facts as determined by the director. Where the property fronts on more than one public street, this provision applies to only one street frontage.

(e) For multifamily residences, parking lots shall not be located at the intersection of public streets unless no feasible alternative location exists.

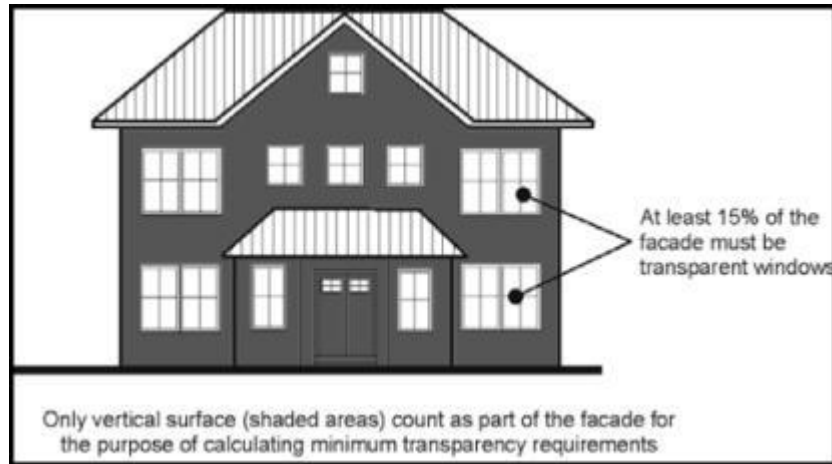


Figure 1 – Illustration of facade transparency requirements which enhance safety and the relationship to the street front.

(3) Relationship of Buildings and Site to Adjoining Area.

(a) Where adjacent buildings and neighborhoods are consistent with the comprehensive plan and desired community character, new buildings and structures should consider the visual continuity between the proposed and existing development with respect to building setbacks, placement of structures, location of pedestrian/vehicular facilities and spacing from adjoining buildings. Solar access of the subject and adjacent properties should be considered in building design and location.

(b) Harmony in texture, lines and masses is encouraged.

(c) Attractive landscape transition to adjoining properties shall be provided.

(d) Public and quasi-public buildings and structures shall be consistent with the established neighborhood character.

(4) Landscape and Site Treatment.

(a) Parking lot screening and interior landscaping shall be provided consistent with Chapter [22C.120](#) MMC. The following criteria shall guide review of plans and administration of the landscaping standards in the zoning code:

(i) The landscape plan shall demonstrate visual relief from large expanses of parking areas.

(ii) The landscape plan shall provide some physical separation between vehicular and pedestrian traffic.

(iii) The landscape plan shall provide decorative landscaping as a focal setting for signs, special site elements, and/or pedestrian areas.

(iv) In locations where plants will be susceptible to injury by pedestrian or motor traffic, they shall be protected by appropriate curbs, tree guards or other devices.

(v) Where building sites limit planting, the placement of trees or shrubs in parkways or paved areas is encouraged.

(vi) Screening of outdoor service yards and other places which tend to be unsightly shall be accomplished by use of walls, fencing, planting, berms or combinations of these.

(vii) Landscaping should be designed to create definition between public and private spaces.

(viii) Where feasible, the landscape plan shall coordinate the selection of plant material to provide a succession of blooms, seasonal color, and a variety of textures.

(ix) The landscape plan shall provide a transition in landscaping design between adjacent sites, within a site, and from native vegetation areas in order to achieve greater continuity.

(x) The landscape plan shall use plantings to highlight significant site features and to define the function of the site, including parking, circulation, entries, and open spaces.

(xi) Where feasible, the landscape plan shall integrate natural approaches to storm water management, including featured low impact development techniques.

(b) Street Landscaping. Where the site plan includes streetscape plantings, the following guidelines apply:

(i) Sidewalks and pathways should be separated from the roadway by planting strips with street trees wherever possible.

(ii) Planting strips should generally be at least five feet in width. They should include ever-

green shrubs no more than four feet in height and/or ground cover in accordance with the city of Marysville landscape standards (Chapter [22C.120](#) MMC) and Marysville administrative landscaping guidelines.

(iii) Street trees placed in tree grates may be more desirable than planting strips in key pedestrian areas.

(iv) Use of trees and other plantings with special qualities (e.g., spring flowers and/or good fall color) are strongly encouraged to unify development.

(c) Exterior lighting shall be part of the architectural concept. Lighting shall enhance the building design and adjoining landscaping. Appropriate lighting levels shall be provided in all areas used by pedestrians or automobiles, including building entries, walkways, parking areas, circulation areas, and other open space areas, in order to ensure safety and security; enhance and encourage evening activities; and provide a distinctive character to the area. New developments shall provide a lighting site plan which identifies lighting equipment, locations and standards, and implements the following design standards:

(i) All public areas shall be lighted with average minimum and maximum levels as follows:

(A) Minimum (for low or nonpedestrian and vehicular traffic areas) of one-half foot candle;

(B) Moderate (for moderate or high volume pedestrian areas) of one to two foot candles; and

(C) Maximum (for high volume pedestrian areas and building entries) of four foot candles.

(ii) Lighting shall be provided at consistent levels, with gradual transitions between maximum and minimum levels of lighting and between lit areas and unlit areas. Highly contrasting pools of light and dark areas shall be avoided.

(iii) Parking lot lighting shall be subject to the provisions set forth in MMC [22C.130.050\(3\)\(d\)](#).

(iv) Pedestrian-scale lighting (light fixtures no taller than 15 feet) is encouraged in areas with high anticipated pedestrian activity. All fixtures over 15 feet in height shall be fitted with a full cut-off shield, be dark sky rated, and mounted no more than 25 feet above the ground with lower fixtures preferable so as to maintain a human scale. Lighting shall enable pedestrians to identify a face 45 feet away in order to promote safety.

(v) Light levels at the property line should not exceed 0.1 foot candles (fc) adjacent to business properties, and 0.05 foot candles adjacent to residential properties. All building lights shall be directed onto the building itself and/or the ground immediately adjacent to it. The light emissions should not be visible above the roofline of the building. Light fixtures other than traditional cobra heads are encouraged.

(vi) Uplighting on trees and provisions for seasonal lighting are encouraged.

(vii) Accent lighting on architectural and landscape features is encouraged to add interest and focal points.

(5) Site Design Utilizing Crime Prevention through Environmental Design (CPTED) Principles. Development that is subject to this section shall incorporate the following CPTED strategies into building design and site layout:

(a) Access Control. Guidance of people coming and going from a building or site by placement of real and perceived barriers. Provision of natural access control limits access and increases natural surveillance to restrict criminal intrusion, especially into areas that are not readily observable.

(b) Surveillance. Placement of features, uses, activities, and people to maximize visibility. Provision of natural surveillance helps to create environments where there is plenty of opportunity for people engaged in their normal behavior to observe the space around them.

(c) Territoriality/Ownership. Delineation of private space from semi-public and public spaces that creates a sense of ownership. Techniques that reduce the perception of areas as "ownerless" and, therefore, available for undesirable uses.

Examples of ways in which a proposal can comply with CPTED principles are outlined in the CPTED Guidelines for Project Design and Review, prepared by the city.

(6) Building Design – Human-Scale Standards. The human-scale standards are intended to encourage the use of building components that relate to the size of the human body, and to add visual interest to buildings. "Human scale" addresses the relationship between a building and the human body. Generally, buildings attain a good human scale when they feature elements or characteristics that are sized to fit human activities, such as doors, porches, and balconies. A minimum of three of the following human-scale building elements shall be incorporated into the new development:

(a) Balconies or decks in upper stories, at least one balcony or deck per upper floor on the facades facing streets, provided they are integrated into the architecture of the building;

(b) Bay windows or other window treatments that extend out from the building face;

(c) At least 150 square feet of pedestrian-oriented space for each 100 lineal feet of building facade;

(d) First floor individual windows, generally less than 32 square feet per pane and separated from the windows by at least a six-inch molding;

(e) A porch or covered entry;

(f) Spatially defining building elements, such as a trellis, overhang, canopy, or other element, that defines space that can be occupied by people;

(g) Upper story setbacks, provided one or more of the upper stories are set back from the face of the building at least six feet;

(h) Composing smaller building elements near the entry of pedestrian-oriented street fronts of large buildings;

(i) Landscaping components that meet the intent of these standards; and/or

(j) The director may consider other methods to provide human-scale elements not specifically listed here. The proposed methods must satisfy the intent of these standards.



Figure 2 – An example of balconies that have been integrated into the architecture of the building.

(7) Building Design – Architectural Scale. The architectural scale standards are intended to encourage compatibility of structures with nearby structures, to help the building fit in with its context, and to add visual interest to buildings.

(a) Vertical Facade Modulation. All new residential buildings shall provide modulation (measured and proportioned inflexion or setback in a building's facade) on facades facing a street, common open space, public area, or common parking area as follows:

(i) Buildings with facades that are 30 feet or longer shall provide vertical modulation of the exterior wall that extends through all floors; provided, that where horizontal modulation is used different stories may be modulated at different depths.

(ii) The minimum modulation depth shall be five feet and the minimum modulation width for each modulation shall be 10 feet. On facades that are 100 feet or longer, the minimum depth of modulation shall be 10 feet and the minimum width for each modulation shall be 20 feet.

(iii) The minimum modulation depth identified in subsection (7)(a)(ii) of this section may be reduced to two feet if tied to a change in color or building materials, and/or roofline modulation as defined in subsection (7)(c) of this section.

(iv) The director may consider departures from these standards, provided the proposed treatment meets or exceeds the intent of these standards.

(b) Facade Articulation. All new residential buildings shall include two of the following articulation features at intervals of no more than 30 feet along all facade facing a street, common open space, public area, and common parking areas:

(i) Repeating distinctive window patterns at intervals of no more than 30 feet (see Figure 3 below for an example).

(ii) Horizontal modulation (upper level step-backs) (see Figure 4). To qualify for this measure, the minimum horizontal modulation shall be five feet.

(iii) Balconies that are recessed or projected from the facade at least 18 inches and integrated with the building's architecture as determined by the director.

(iv) Change of building materials.

(v) Articulation of the building's top, middle, and bottom. This typically includes a distinctive ground floor or lower floor design, consistent articulation of middle floors, and a distinctive roofline (see Figures 3 and 4.)

(c) Roofline Modulation. Roofline modulation can be used in order to articulate the structure:

(i) In order to qualify as an articulation element in subsection (7)(b) of this section or in this subsection, the roofline shall meet the following modulation requirement (see Figure 5):

(A) For flat roofs or facades with horizontal eave, fascia, or parapet, the minimum vertical dimension of roofline modulation is the greater of two feet or 0.1 multiplied by the wall height (finish grade to top of the wall) when combined with vertical building modulation techniques described in subsection (7)(a) of this section. Otherwise, the minimum vertical dimension of roofline modulation is the greater of four feet or 0.2 multiplied by the wall height.

(B) Buildings with pitched roofs must include a minimum slope of 5:12 and feature modulated roofline components at the interval required per the applicable standard above.



Figure 3 – Note the repeating distinctive window patterns and the articulation of the building's top, middle and bottom.



Figure 4 – An example of articulating a building's top, middle, and bottom by utilizing brick on the ground floor, defined window patterns and articulation treatments on upper floors, and a distinctive roofline.

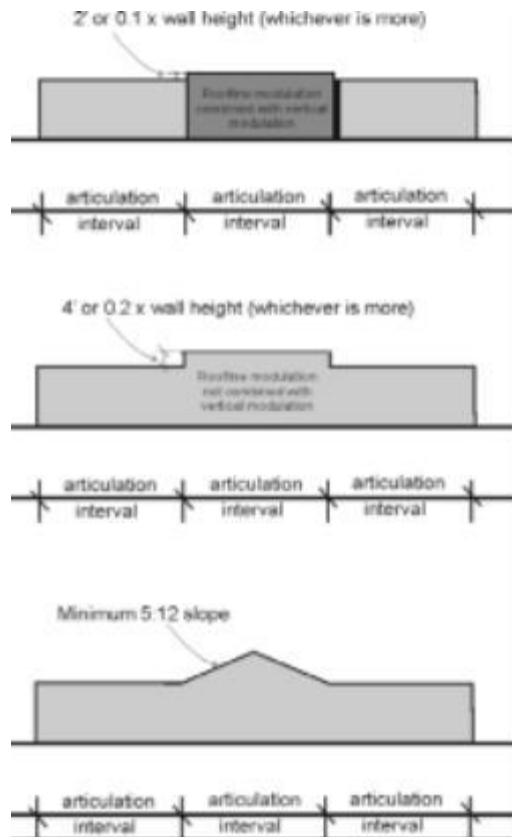


Figure 5 – Roofline modulation standards.

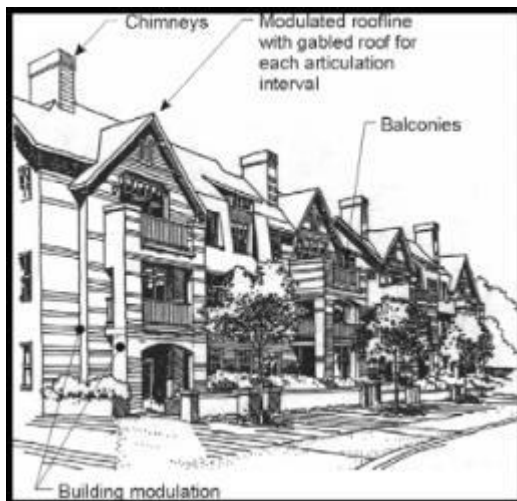


Figure 6 – Example of good articulation for a multifamily building.

(8) Building Design – Entrances. The intent of the building entrances standards is to ensure that buildings are inviting and accessible, and to encourage pedestrian activity. The principal building entrances of all buildings shall feature the following improvements, unless the director determines an alternate technique better addresses the intent of these standards:

(a) A distinct entry feature that provides weather cover that is at least three feet deep must be provided for the primary entrance(s) to residential units. Figures 7 and 8 demonstrate this requirement.

(b) Access to Residential Units. Ground floor residential units facing a street or common open space shall be directly accessible from the applicable street or open space.

(c) Townhouse Entrances. Townhomes and all other multifamily dwelling units with private exterior ground floor entries shall provide at least 20 square feet of landscaping adjacent to the entry. This is particularly important for units where the primary entrance is next to private garages off an interior access road. Such landscaping areas soften the appearance of the building and highlight individual entries. See Figure 8 for an example of what is desired and Figure 9 for an example of what is unacceptable.



Figure 7 – Weather protection that articulates the front facade is provided.



Figure 8 – Ground floor residential units directly accessible to the street with landscaping defining the entry.



Figure 9 – An example of unacceptable townhouse design where there is no landscaping adjacent to the entries.

(9) Building Design – Details. The building design details standards are intended to ensure that buildings have design interest at all observable distances and to enhance the architecture of multifamily buildings. At closer distances, the most important aspects of a building are its design details, texture of materials, quality of its finishes, and small, decorative elements. Multifamily building facades shall incorporate four architectural details, except that if option e below is used, only three architectural details must be used. Chosen details shall be compatible with the chosen architectural character of the building. Detail options include:

- (a) Decorative porch design with distinct design and use of materials.
- (b) Decorative treatment of windows and doors such as decorative molding/framing details around all ground floor windows and doors, bay windows, decorative glazing, or door designs and/or unique window designs.
- (c) Landscaped trellises or other decorative element that incorporates landscaping near the building entry or entries.
- (d) Decorative light fixtures with a diffuse visible light source, such as a globe or “acorn” that is nonglaring or a decorative shade or mounting for each building entry on the facade.
- (e) Brick or stonework covering more than 10 percent of the facade.
- (f) Decorative building materials that add visual interest, including:
 - (i) Individualized patterns or continuous wood details.
 - (ii) Decorative moldings, brackets, wave trim or lattice work.

(iii) Decorative brick or stonework (may be in addition to the brick or stonework credits noted above if they are arranged in a decorative manner that adds visual interest to the facade).

(iv) Other materials with decorative or textural qualities as approved by the director. The applicant must submit architectural drawings and material samples for approval.

(g) Decorative roofline design, including multiple gables and/or dormers or other design that adds distinct visual interest.

(h) Decorative railings, grill work, or terraced landscape beds integrated along the facade of the building.

(i) Decorative balcony design, such as distinctive railings.

(j) Other details that meet the intent of the standards as approved by the director.



Figure 10 – This building uses brick for more than 10 percent of the facade, a decorative mix of materials and colors, decorative entries, and decorative windows to add visual interest.

(10) Window Design for Residential Uses. Building facades shall employ techniques to recess or project individual windows above the ground floor at least two inches from the facade, or incorporate window trim at least four inches in width that features color that contrasts with the base building color. Exceptions will be considered by the director where buildings employ other distinctive windows or facade treatments that add visual interest to the building.



Figure 11 – Acceptable and unacceptable window treatments.

(11) Building Materials. The building materials standards are intended to encourage the use of a variety of high-quality, durable materials that will enhance the visual image of the city; provide visual interest and distinct design qualities; and promote compatibility and improvement within surrounding neighborhoods through effective architectural detailing and the use of traditional building techniques and materials. The following standards apply:

(a) Building exteriors shall be constructed from high-quality, durable materials. Building materials such as masonry, stone, lap-siding, and wood are encouraged.

(b) The following materials are prohibited in visible locations unless an exception is granted by the director based on the integration of the material into the overall design of the structure:

(i) Plywood siding (including T-111 or similar plywood). Board and batten is an exception.

(ii) Corrugated fiberglass.

(iii) Noncorrugated and highly reflective sheet metal.

(iv) Chain link fencing; provided, that the director may approve chain link fencing when it is integrated into the overall site design (chain link fencing is also allowed for temporary purposes such as a construction site, or as a gate for a refuse enclosure).

(12) Blank Walls. The blank wall standards are intended to: reduce the visual impact of large, undifferentiated walls; reduce the apparent size of large walls through the use of various architectural and landscaping treatments; enhance the character and identity of the city; and ensure that all visible sides of buildings provide visual interest. Blank walls visible from a public street, sidewalk, trail, interior pathway, or parking lot are prohibited.

(a) A wall (including building facades and other exterior building walls, retaining walls, and fences) is defined as a blank wall if:

(i) A ground floor wall or portion of a ground floor wall over four feet in height has a horizontal length greater than 15 feet and does not include a transparent window or door; or

(ii) Any portion of a ground floor wall having a surface area of 400 square feet or greater does not include a transparent window or door.

(b) All blank walls visible from a public street, sidewalk, trail, interior pathway, or parking lot shall be treated in one or more of the following measures:

(i) Incorporate transparent windows or doors;

(ii) Install a vertical trellis in front of the wall with climbing vines or plant materials sufficient to obscure or screen at least 60 percent of the wall's surface within three years. For large blank wall areas, the trellis must be used in conjunction with other treatments described below;

(iii) Provide a landscaped planting bed at least five feet wide, or a raised planter bed at least two feet high and three feet wide in front of the wall. Plant materials must be able to obscure or screen at least 60 percent of the wall's surface within three years;

(iv) Provide artwork (mosaic, mural, sculpture, relief, etc.) over at least 50 percent of the blank wall surface; and/or

(v) Other method as approved by the director. For example, landscaping or other treatments may not be necessary on a wall that employs high-quality building materials (such as brick) and provides desirable visual interest.

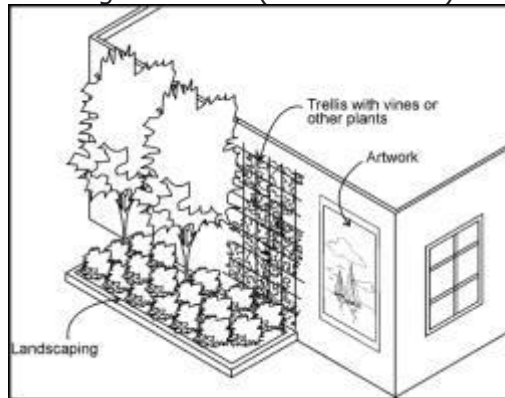


Figure 12 – Blank wall treatments.



Figure 13 – Terraced planting beds effectively screen a large blank wall.

22C.010.300 Commercial, multiple-family, townhome, and group residences – Vehicular access and parking location.

(1) On sites abutting an alley, commercial, apartment, townhome and all group residence developments shall have parking areas placed to the rear of buildings with primary vehicular access via the alley, except when waived by the planning director due to physical site limitations.

(2) When alley access is available, and provides adequate access for the site, its use will be required unless determined to be infeasible or undesirable as determined by the community development director.

(3) When common parking facilities for attached dwellings and group residences exceed 30 spaces, no more than 50 percent of the required parking shall be permitted between the street property line and any building, except when authorized by the planning director due to physical site limitations.

(4) Direct parking space access to an alley may be used for parking lots with five or fewer spaces.

22C.010.310 Small lot single-family dwelling development standards.

The provisions of this section apply to building permits for single-family dwellings on lots having an area less than 5,000 square feet and single-family dwellings when multiple single-family dwellings are on a single lot, excluding accessory dwelling units; review will be done through the building permit process.

(1) It is the intent of these development standards that single-family dwellings on small lots be compatible with neighboring properties, friendly to the streetscape, and in scale with the lots upon which they are to be constructed. The director is authorized to promulgate guidelines, graphic representations, and examples of housing designs and methods of construction that do or do not satisfy the intent of these standards.

(2) Entry. Where lots front on a public street, the house shall have doors and windows which face the street. Houses should have a distinct entry feature such as a porch or weather-covered entryway with an entry feature that is at least 60 square feet with no dimension less than six feet.

The director may approve a street orientation or entryway with dimensions different than specified herein; provided, the entry visually articulates the front facade of the dwelling so as to create a distinct entryway, meets setback requirements, provides weather cover, has a minimum dimension of four feet, and is attached to the home.

(3) Alleys.

(a) If the lot abuts an alley, the garage or off-street parking area shall take access from the alley, unless precluded by steep topography. No curb cuts shall be permitted unless access from the alley is precluded by steep topography.

(b) The minimum driveway length may be reduced to between six and zero feet for garages when the following conditions are met:

(i) An alley is provided for access;

(ii) At least one off-street parking space, in addition to any provided in the garage, is provided to serve that dwelling unit and the stall(s) is conveniently located for that particular dwelling; and

(iii) The applicable total parking stall requirement is met.

(c) The rear yard setback may be reduced to zero feet to accommodate the garage.

(d) If the garage does not extend to the property line or alley, the dwelling unit above the garage may be extended to the property line or alley.

(e) Dwellings with a wall facing an alley must provide at least one window facing the alley to allow observation of the alley.

(4) Auto Courts.

(a) Auto courts are only allowed in a PRD.

(b) Auto courts provide ingress and egress to a cluster of no more than six dwellings and access from a nonarterial street. Auto court design must be consistent with the city's design guidelines for auto courts.

(c) Auto courts shall be no less than 20 feet in width; provided, that if emergency services access is required, the driving surface dimensions will comply with emergency vehicle access requirements.

(d) Auto courts shall be no greater than 150 feet in length, unless acceptable emergency vehicle turnaround is provided and designed so vehicles will not back onto public streets.

(e) Driveway length may be reduced to between three feet and six feet for garages when at least two parking spaces are provided for the unit in addition to the garage. The additional parking must be conveniently located to the dwelling.

(5) Facade and Driveway Cuts. If there is no alley access and the lot fronts on a public or private street, living space equal to at least 50 percent of the garage facade shall be flush with or projected forward of the garage, and the dwelling shall have entry, window and/or roofline design treatment which emphasizes the house more than the garage. Where materials and/or methods such as modulation, articulation, or other architectural elements such as porches, dormers, gables, or varied roofline heights are utilized, the director or designee may waive or reduce the 50 percent standard. Driveway cuts shall be no more than 80 percent of the lot frontage; provided, that the director or designee may waive the 80 percent maximum if materials and/or methods to de-emphasize the driveway, such as ribbon driveways, grasscrete surface, or accent paving, are utilized.

(6) Privacy. Dwellings built on lots without direct frontage on the public street should be situated to respect the privacy of abutting homes and to create usable yard space for the dwelling(s). The review authority shall have the discretion to establish setback requirements that are different than may otherwise be required in order to accomplish these objectives.

(7) Individual Identity. Home individuality will be achieved by the following:

(a) Avoiding the appearance of a long row of homes by means such as angling houses, varied street setbacks, and varied architectural design features.

(b) Each dwelling unit shall have horizontal or vertical variation within each unit's front building face and between the front building faces of all adjacent units/structures to provide visual diversity and individual identity to each unit. Upon building permit application, a plot plan of the entire structure shall be provided by the builder to show compliance with this requirement. The director or designee shall review and approve or deny the building design, which may incorporate variations in rooflines, setbacks between adjacent buildings, and other structural variations.

(c) The same building plans cannot be utilized on consecutive lots. "Flip-flopping" of plans is not permitted; provided, that upon demonstration to the director that the alteration of building facades would provide comparable visual diversity and individual identity to the dwelling units as different building plans, this provision shall not apply. Materials and/or methods which may be utilized to achieve visual diversity include, but are not limited to, use of differing siding material, building modulations and roofline variations.

(8) Landscaping. Landscaping of a size and type consistent with the development will be provided to enhance the streetscape. Landscaping will enhance privacy for dwellings on abutting lots and provide separation and buffering on easement access drives.

(9) Duplexes. Duplexes must be designed to architecturally blend with the surrounding single-family dwellings and not be readily discernible as a duplex but appear to be a single-family dwelling.

22C.010.320 Open space and recreation space required.

The on-site open space and recreation space standards are intended to provide usable, accessible, and inviting open space for residents that enhances residential areas. Multifamily residential uses shall provide open space equivalent to at least 20 percent of the building's gross floor area. The required area may be satisfied with one or more of the elements listed below:

(1) Common open space accessible to all residents shall count for up to 100 percent of the required open space. This includes landscaped courtyards or decks, gardens with pathways, children's play areas, or other multipurpose recreational and/or green spaces. Special requirements and recommendations for common spaces include the following:

- (a) Space shall be large enough to provide functional leisure or recreational activity area per the director. For example, long narrow spaces less than 20 feet wide rarely, if ever, can function as usable common open space.
- (b) Consider space as a focal point of development.
- (c) Open space, particularly children's play areas, shall be visible from dwelling units, positioned near pedestrian activity, and be accessible to all units.
- (d) Space shall feature paths, plantings, seating, lighting and other pedestrian amenities to make the area more functional and enjoyable.
- (e) Individual entries shall be provided onto common open space from adjacent ground floor residential units. Small, semiprivate open spaces for adjacent ground floor units that maintain visual access to the common area are strongly encouraged to enliven the space.
- (f) Separate common space from ground floor windows, streets, service areas and parking lots with landscaping and/or low-level fencing, where desirable.
- (g) Space shall be oriented to receive sunlight, facing east, west, or (preferably) south, when possible.
- (h) Required setbacks, landscaping, driveways, parking, or other vehicular use areas shall not be counted toward the common open space requirement; provided, that side and rear setbacks may contribute to open space on infill lots when the director determines that the setback area provides functional leisure or recreational area.
- (i) Rooftops or rooftop decks shall not be considered as common open space for the purpose of calculating minimum open space area; provided, that the director may consider rooftops or rooftop decks as common open space where usable open space amenities are provided and available to all residents.
- (j) Outdoor open space shall not include areas devoted to parking or vehicular access.

(2) The following amenities may be used to satisfy up to 50 percent of the open space requirement. A combination of these amenities may be provided in different ratios; provided, that (i) the total credit for any combination of the following amenities may not exceed 50 percent of the open space requirement, and (ii) the amount of the amenity provided is sufficient to achieve the purpose of the amenity as determined by the director:

(a) Individual balconies that provide a space usable for human activity. To qualify, the balconies shall be at least 36 square feet and have no dimension less than six feet.

(b) Natural areas that function as an amenity to the development, subject to the following requirements and recommendations:

(i) The natural area shall be accessible to all residents. For example, safe and attractive trails provided along or through the natural area where they could serve as a major amenity to the development.

(ii) Steep slopes, wetlands, or similar unbuildable areas shall not be counted in the calculations for required open space unless they provide a visual amenity for all units, as determined by the director.

(c) Storm water retention areas if the facility has natural-looking edges, natural vegetation, and no fencing except along the property line. The design of such areas shall go well beyond functional storm water requirements per the director in terms of the area involved and the quality of landscaping and resident amenities. The side slope of the storm water facilities shall not exceed a grade of 1:3 (one vertical to three horizontal) unless slopes are existing, natural, and covered with vegetation.

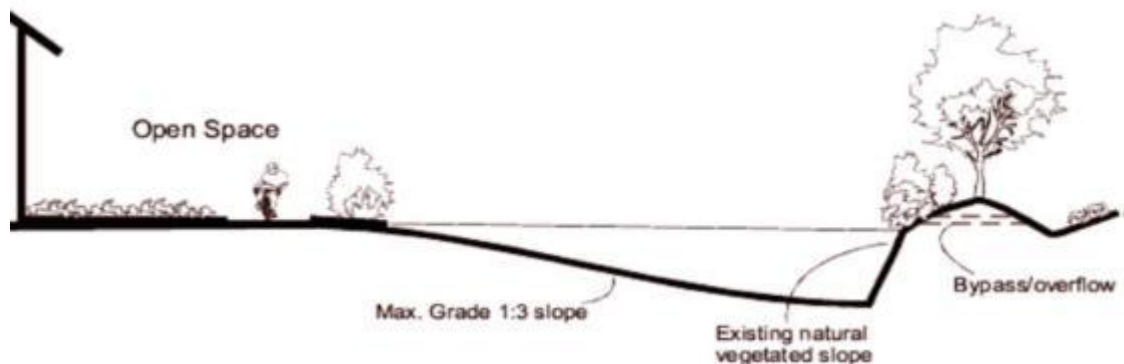


Figure 14 – Conditions for storm water to be counted as an amenity

(3) Children's play equipment and recreational activity space for children and/or teens that include parent seating areas are required in residential complexes with 20 or more units.

Exceptions: age-restricted senior citizen housing; mixed use developments; developments reserved for student housing; and developments located within a quarter mile of safe walking distance to a public park that features a play area.

(4) Active recreation facilities may be provided instead of common open space, subject to the following:

(a) Active recreation facilities may include, but are not limited to, exercise rooms, sports courts, swimming pools, tennis courts, game rooms, or community centers; and

(b) Indoor recreation areas may be credited towards the total recreation space requirement, when the director determines that such areas are located, designed and improved in a manner which provides recreational opportunities functionally equivalent to those recreational opportunities available outdoors.



Figure 15 – A residential courtyard providing semiprivate patio spaces adjacent to individual units.



Figure 16 – Balconies provide private, usable open space for residents.



Figure 17 – Children’s play area incorporated into a multifamily development.

22C.010.330 Townhouse open space.

Townhouses and other ground based multifamily residential units with individual exterior entries must provide at least 200 square feet of private open space per dwelling unit adjacent to, and directly accessible from, each dwelling unit. This may include private balconies, individual rear yards, landscaped front yards, and covered front porch areas.

Exception: Common open space designed in accordance with MMC [22C.010.320](#)(1) may substitute for up to 50 percent of each unit’s required private or semiprivate open space on



a square foot per square foot basis.

Figure 18 – Common open space for a townhouse development.



Figure 19 – These townhouses provide balconies and semi-private yard space.



Figure 20 – Example townhouse configuration with a combination of private open spaces adjacent to units and larger common open space accessible to all units.

22C.010.340 Maintenance or dedication of open space and recreation space.

(1) Unless the open space or recreation space is dedicated to the city pursuant to subsection (2) of this section, maintenance of any open space or recreation space retained in private ownership shall be the responsibility of the owner or other separate entity capable of long-term maintenance and operation in a manner acceptable to the city.

(2) Open space or recreation space may be dedicated as a public park when the following criteria are met:

(a) The dedicated area is at least one and one-half acres in size, except when adjacent to an existing or planned public park;

(b) The dedicated land provides one or more of the following:

(i) Shoreline access;

(ii) Regional trail linkages;

(iii) Habitat linkages;

(iv) Recreation facilities; or

(v) Heritage sites;

(c) The entire dedicated area is located less than one mile from the project site.

22C.010.350 On-site recreation – Fee in lieu of open space or recreation space.

Nothing herein shall prohibit voluntary agreements with the city that allow a payment in lieu of providing on-site open space or recreation space when a proposed development is located within one-quarter mile of an existing or proposed recreational facility; and, in the discretion of the director, the proposed recreation facility will be of greater benefit to the prospective residents of the development.

22C.010.360 On-site recreation – Acceptance criteria for fee in lieu of recreation space.

City acceptance of this payment is discretionary, and may be permitted if:

(1) The proposed on-site recreation space does not meet the criteria of MMC [22C.010.340](#)(2); or

(2) The recreation space provided within a public park in the vicinity will be of greater benefit to the prospective residents of the development.

22C.010.370 Storage space and collection points for recyclables.

Developments shall provide storage space for the collection of recyclables as follows:

(1) The storage space shall be provided at the rate of:

(a) One and one-half square feet per dwelling unit in multiple-dwelling developments except where the development is participating in a public agency-sponsored or approved direct collection program in which individual recycling bins are used for curbside collection;

(b) Two square feet per every 1,000 square feet of building gross floor area in office, educational and institutional developments.

(2) The storage space for residential developments shall be apportioned and located in collection points as follows:

(a) The required storage area shall be dispersed in collection points throughout the site when a residential development comprises more than one building.

(b) There shall be one collection point for every 30 dwelling units.

(c) Collection points may be located within residential buildings, in separate buildings/structures without dwelling units, or outdoors.

(d) Collection points located in separate buildings/structures or outdoors shall be no more than 200 feet from a common entrance of a residential building.

(e) Collection points shall be located in a manner so that hauling trucks do not obstruct pedestrian or vehicle traffic on-site or project into any public right-of-way.

(3) The storage space for nonresidential development shall be apportioned and located in collection points as follows:

(a) Storage space may be allocated to a centralized collection point.

(b) Outdoor collection points shall not be located in any required setback areas.

(c) Collection points shall be located in a manner so that hauling trucks do not obstruct pedestrian or vehicle traffic on site or project into any public right-of-way.

(d) Access to collection points may be limited, except during regular business hours and/or specified collection hours.

(4) The collection points shall be designed as follows:

(a) Dimensions of the collection points shall be of sufficient width and depth to enclose containers for recyclables.

(b) Architectural design of any structure enclosing an outdoor collection point or any building primarily used to contain a collection point shall be consistent with the design of the primary structure(s) on the site.

(c) Collection points shall be identified by signs not exceeding two square feet.

(d) A six-foot wall or fence shall enclose any outdoor collection point.

(e) Enclosures for outdoor collection points and buildings used primarily to contain a collection point shall have gate openings at least 12 feet wide for haulers. In addition, the gate opening for any building or other roofed structure used primarily as a collection point shall have a vertical clearance of at least 12 feet.

(f) Weather protection of recyclables shall be ensured by using weather-proof containers or by providing a roof over the storage area.

(5) Only recyclable materials generated on site shall be collected and stored at such collection points. Except for initial sorting of recyclables by users, all other processing of such materials shall be conducted off site.

22C.010.380 Fences.

(1) Purpose. The fence standards promote the positive benefits of fences without negatively affecting the community or endangering public or vehicle safety. Fences can create a sense of privacy, protect children and pets, provide separation from busy streets, and enhance the appearance of property by providing attractive landscape materials. The negative effects of fences can include the creation of street walls that inhibit police and community surveillance, decrease the sense of community, hinder emergency access and the safe movement of pedestrians and vehicles, and create an unattractive appearance.

(2) Types of Fences.

(a) The standards apply to walls, fences, trellises, arbors and screens of all types whether open, solid, wood, metal, wire, masonry or other material.

(b) No barbed or razor-wire fence shall be permitted, except for the following:

(i) Confinement of livestock.

(ii) Public facilities, transmitter and transformer sites.

(iii) Government installations where security or public safety is required.

(3) Height.

(a) Access Streets.

(i) Front lot line: Four feet solid or six feet if entirely open-work fence.

(ii) Side lot line: Six feet.

(iii) Rear lot line: Six feet.

(b) Arterial Streets.

(i) Front lot line: Six feet; provided, that the top two feet are constructed as an open-work fence.

(ii) Side lot line: Six feet.

(iii) Rear lot line: Six feet.

(c) When a protective fence is located on top of a rockery, any portion of the fence above a height of six feet shall be an open-work fence.

(d) Open wire mesh or similar type fences may be erected in excess of the maximum heights permitted in this code on the periphery of playgrounds associated with private and public schools and parks, public facilities, transmitter and transformer sites, and government installations where security or public safety is required.

(e) The height of a fence or freestanding wall, retaining wall or combination of the same shall be measured from its top surface, board, rail, or wire to the natural elevation of the ground on which it stands.

(f) Where the finished grade is a different elevation on either side of a fence, the height may be measured from the side having the highest elevation.

(4) Setbacks.

(a) Front Lot Line.

(i) Solid fences greater than four feet in height shall be set back at least 20 feet from the street right-of-way, except in the following circumstances:

(A) For a corner lot the 20-foot setback shall only apply to the street which provides primary access to the lot.

(B) This setback requirement may be waived or modified by the city engineer or his designee if a fence is designed and constructed so that it does not cause a public safety hazard by obstructing visibility of pedestrians or motorists using streets, driveways or sidewalks.

(ii) A four-foot fence, or six-foot fence with the top two feet constructed as an open-work fence, may be constructed on the front property line, provided the fence is designed and constructed so that it does not cause a public safety hazard by obstructing visibility of pedestrians or motorists using streets, driveways or sidewalks.

(b) Side lot line: No setback requirement.

(c) Rear lot line: No setback requirement.

(d) For special rules relating to fences and walls near fire hydrants, see MMC [14.03.050](#)(2) and the International Fire Code.

(5) Fence Variances.

(a) The community development director shall have authority to administratively grant a variance to the fence requirements outlined in this section. The community development director is authorized to issue variances in cases of special hardships, unique circumstances and practical difficulties. No variance shall be granted which would be detrimental to the public health, welfare or environment.

(b) Variance requests shall be submitted in writing on a form provided by the city. At the time the applicant submits the variance request to the city, the applicant shall also provide written notification of the variance request to immediately adjoining property owners by first class mail or personal service. Said notice shall include an adequate description of the height and location of the proposed fence.

(c) In considering a request for a modification of the fence requirements outlined in subsections (1) through (4) of this section, the community development director shall consider the following factors:

(i) If the proposed fence is designed and constructed so that it does not cause a public safety hazard by obstructing visibility of pedestrians or motorists using streets, driveways or sidewalks;

(ii) The proposed fence will not infringe upon or interfere with utility and/or access easements or covenant rights or responsibilities;

(iii) The increased fence height will not adversely affect adjacent property owners;

(iv) Fences greater than six feet in height are required to obtain a city building permit;

(v) Other information which is relevant and necessary to make a determination as to the validity of the request for variation. Such additional information may include site plans, elevation drawings, and information concerning the surrounding properties and uses.

(d) Each variance request shall be considered on a case-by-case basis, and the resulting decision shall not be construed as setting precedent for any subsequent application.

(e) The decision of the community development director on a variance application shall be final, subject to appeal to the city hearing examiner pursuant to the procedures in Chapter [22G.010](#) MMC, Article VIII, Appeals. Appeals shall be filed within 14 calendar days of the written decision of the community development director.

22C.010.390 Special limitations in the R-12 through R-28 zones.

Where a single lot or a combination of lots under single ownership is developed with more than one multiple-family residential building, such property shall not be subsequently subdivided except when each division thereof complies with all requirements of applicable city codes and ordinances.

~~22C.010.400 Duplex performance and design standards.~~

~~All new duplexes located within any residential zone shall meet the following standards and regulations:~~

~~(1) Bulk and Setback Variation. Each duplex structure shall have horizontal or vertical variation within each dwelling unit's front building face and between the front building faces of all adjacent units/structures to provide visual diversity to the duplex structures and individual identity to duplex units. Upon building permit or conditional use permit (if required) application, a plot plan of the entire structure in which each unit is located shall be provided by the builder to show compliance with this requirement. The planning director shall review and approve or deny the building design which may incorporate variations in rooflines, setbacks between adjacent buildings or lots, and other structural variations. Where the applicant and the community development director are not able to reach agreement on the provisions of the final building design, the dispute shall be submitted to the hearing examiner in accordance with the procedures established in Chapter 22G.010 MMC, Land Use Application Procedures.~~

~~(2) Building Plans. The same building plan cannot be utilized on consecutive lots. "Flip-flopping" of plans is not permitted; provided, that upon demonstration to the planning director that the alteration of building facades would provide comparable visual diversity and individual identity to the duplexes as different building plans, this provision shall not apply. Materials and/or methods which may be utilized to achieve visual diversity include, but are not limited to, use of differing siding material, building modulations and roofline variations.~~

~~(3) Landscaping. At the time of application for a building permit or conditional use permit (if required), the developer shall submit landscaping plans for, at a minimum, all front and side setbacks and common open space areas associated with the building for which permit application is made. Landscaping shall consist of two native trees per unit, planted in the front yard, which are at least one and one-half inches in caliper for deciduous or six feet in height for evergreen trees, plus a mixture of trees, shrubs and ground cover as appropriate to the site. All required landscaping shall be installed in accordance with the plans prior to issuance of an occupancy permit. Where applicable, street frontage landscaping shall comply with the city's streetscape plan.~~

~~(4) Orientation. Building orientation should be utilized as a method to provide visual diversity and individual identity to the duplex structures; provided, that where physical or economic considerations make such orientation impractical, this provision shall not apply.~~

22C.010.400 Middle Housing – Affordable Housing Provisions.

(1) To qualify for additional units under the affordable housing provisions of 22C.015.050(1)(c), an applicant shall commit to renting or selling the required number

of units as affordable housing and meeting the standards of subsections (2) through (6) below.

- (2) Dwelling units that qualify as affordable housing shall have costs, including utilities other than telephone, that do not exceed 30 percent of the monthly income of a household whose income does not exceed the following percentages of median household income adjusted for household size, for the county where the household is located, as reported by the United States Department of Housing and Urban Development:
 - (a) Rental housing: 60 percent.
 - (b) Owner-occupied housing: 80 percent.
- (3) The units shall be maintained as affordable for a term of at least 50 years, and the property shall satisfy that commitment and all required affordability and income eligibility conditions.
- (4) The applicant shall record a covenant or deed restriction that ensures the continuing rental or ownership of units subject to these affordability requirements consistent with the conditions in chapter 84.14 RCW for a period of no less than 50 years.
- (5) The covenant or deed restriction shall address criteria and policies to maintain public benefit if the property is converted to a use other than that which continues to provide for permanently affordable housing.
- (6) The units dedicated as affordable housing shall:
 - (a) Be provided in a range of sizes comparable to other units in the development.
 - (b) The number of bedrooms in affordable units shall be in the same proportion as the number of bedrooms in units within the entire development.
 - (c) Generally, be distributed throughout the development and have substantially the same functionality as the other units in the development.

22C.010.410 Nonconforming situations.

Existing developments that do not conform to the development standards of this chapter are subject to the standards of Chapter [22C.100](#) MMC, Nonconforming Situations.

22C.010.420 Parking and loading.

The standards pertaining to the required number of auto parking spaces, bicycle parking spaces, parking lot placement, parking lot setbacks and internal parking lot pedestrian connections are stated in Chapter [22C.130](#) MMC, Parking and Loading.

22C.010.430 Signs.

The sign standards are stated in Chapter [22C.160](#) MMC, Signs.

22C.010.440 Landscaping and screening.

The landscaping and screening standards are stated in Chapter [22C.120](#) MMC, Landscaping and Screening.

22C.010.450 Planned residential developments.

See Chapter [22G.080](#) MMC, Planned Residential Developments.

Exhibit 5

PARKING AND LOADING

Sections:

- [22C.130.010 Introduction.](#)
- [22C.130.020 General standards.](#)
- [22C.130.030 Minimum required parking spaces.](#)
- [22C.130.040 Site plan required.](#)
- [22C.130.050 Development standards.](#)
- [22C.130.060 Bicycle parking.](#)
- [22C.130.070 Exterior design of parking structures.](#)
- [22C.130.080 Loading areas.](#)
- [22C.130.090 Variance requests to this chapter.](#)

22C.130.010 Introduction.

This chapter establishes the standards for the amount, location and development of off-street motor vehicle parking, standards for bicycle parking and standards for on-site loading areas. Other titles of the city code may regulate other aspects of parking and loading. (Ord. 2852 § 10 (Exh. A), 2011).

22C.130.020 General standards.

(1) Where the Standards Apply. Every building hereafter constructed, reconstructed, expanded or occupied, or use of property hereafter established or modified, shall be provided with off-street parking as provided in this chapter, and such parking areas shall be made permanently available and maintained for parking purposes. No building permit shall be issued until plans showing provisions for the required off-street parking have been submitted and approved as conforming to the standards of this chapter.

(2) Occupancy. All required parking areas must be completed and landscaped prior to occupancy of any structure.

(3) Calculations of Amounts of Required and Allowed Parking.

(a) When computing parking spaces based on floor area, floor area dedicated for parking is not counted.

(b) The number of parking spaces is computed based on the uses on the site. When there is more than one use on a site, the required or allowed parking for the site is the sum of the required or allowed parking for the individual uses. Parking for shopping centers shall be calculated in accordance with MMC [22C.130.030](#), Table 1: Minimum Required Parking Spaces. For joint parking, see MMC [22C.130.030](#)(2)(d).

(4) Use of Required Parking Spaces. Required parking spaces must be available for the use of residents, customers or employees for the use. Required parking spaces may not

be assigned in any way to a use on another site, except for joint parking situations. Required parking spaces must be made available to employees; they cannot be restricted only to customers. Also, required parking spaces may not be used for the parking of equipment or storage of goods or inoperable vehicles.

(5) Proximity of Parking to Use.

(a) Parking for one- and two-family dwellings shall be provided on the same lot as the dwelling unit it is required to serve.

(b) Parking for multiple-family dwellings shall be not over 100 feet from the building it serves.

(c) Parking for uses not specified above shall not be over 500 feet from the building it serves.

(d) All off-street parking spaces for nonresidential uses shall be located on land zoned in a manner which would allow the particular use the parking will serve.

(e) If the parking for a building or use is located on a lot other than the lot upon which the use for which the parking is required is located, the owner of the lot containing the parking shall execute a covenant in a form acceptable to the city attorney, stating that the lot is devoted in whole or in part to required parking for the use on another lot. The owner of the property upon which the main use is located shall record this covenant with the Snohomish County auditor's office to run with the properties on which both the principal use and the off-street parking are located. The owner shall provide a copy of the recorded covenant to the community development department.

(6) Stacked Parking. Stacked or valet parking is allowed if an attendant is present to move vehicles. If stacked parking is used for required parking spaces, some form of guarantee must be filed with the city ensuring that an attendant will always be present when the lot is in operation. All parking and loading area development standards continue to apply for stacked parking.

(7) Ingress and Egress Provisions. Curb cuts and access restrictions are regulated by the Marysville engineering design and development standards (EDDS). Access driveways for parking areas shall be located so as to cause the least possible conflict with vehicular and pedestrian traffic on public rights-of-way. The public works director shall have authority to fix the location, width and manner of approach of vehicular ingress or egress from a building or parking area to a public street and to alter existing ingress and egress as may be required to control traffic in the interest of public safety and general welfare. The city engineer may require joint use of driveways by more than one property. (Ord. 2852 § 10 (Exh. A), 2011).

22C.130.030 Minimum required parking spaces.

(1) Purpose. The purpose of required parking spaces is to provide enough parking to accommodate the majority of traffic generated by the range of uses which might locate at the site over time. As provided in subsection (2)(e) of this section, bicycle parking may be substituted for some required parking on a site to encourage transit use and bicycling by employees and visitors to the site. The required parking numbers correspond to specific land use categories. Provision of carpool parking, and locating it closest to the building entrance, will encourage carpool use.

(2) Minimum Number of Parking Spaces Required.

(a) The minimum number of parking spaces for all zones and use categories is stated in Table 1.

(b) If the parking formula used to determine parking requirements results in a fractional number greater than or equal to one-half, the proponent shall provide parking equal to the next highest whole number.

(c) Changes in Occupancy. Whenever the occupancy classification of a building is changed, the minimum standards for off-street parking for the new occupancy classification shall be applicable; provided, that if the existing occupancy had established a legal nonconforming status with respect to off-street parking requirements, no additional off-street parking shall be required for the new occupancy unless said new occupancy is in a classification requiring more parking than that which would have been required for the existing occupancy if it had been subject to the provisions of this chapter. If strict application of this section is not feasible due to existing site conditions such as building or parcel size, shape or layout, a variance may be granted by the community development director.

(d) Joint Use Parking. Joint use of required parking spaces may occur where two or more uses on the same or separate sites are able to share the same parking spaces because their parking demands occur at different times. Joint use of required nonresidential parking spaces is allowed if the following documentation is submitted in writing to the community development department as part of a building or land use permit application, and approved by the community development director:

(i) The names and addresses of the uses and of the owners or tenants that are sharing the parking;

(ii) The location and number of parking spaces that are being shared;

(iii) An analysis showing that the peak parking times for the uses occur at different times and that the parking area will be large enough for the anticipated demands of both uses; and

(iv) A legal instrument such as an easement or deed restriction that guarantees access to the parking for both uses.

The building or use for which application is being made to utilize the off-street parking facilities provided by another building or use shall be located within 500 feet of such parking facilities.

(e) Bicycle parking may substitute for up to 10 percent of required parking. For every five nonrequired bicycle parking spaces that meet the bicycle parking standards in MMC [22C.130.060](#), the motor vehicle parking requirement is reduced by one space. Existing parking may be converted to take advantage of this provision.

(f) The off-street parking and loading requirements of this chapter do not apply retroactively to established uses; however:

(i) The site to which a building is relocated must provide the required spaces; and

(ii) A person increasing the floor area, or other measure of off-street parking and loading requirements, by addition or alteration, must provide spaces as required for the increase, unless the requirement under this subsection is five spaces or fewer.

(g) Reduction of Required Spaces When Effective Alternatives to Automobile Access Are Proposed. Upon demonstration to the hearing examiner that effective alternatives to automobile access are proposed to be implemented, the examiner may reduce by not more than 40 percent the parking requirements otherwise prescribed for any use or combination of uses on the same or adjoining sites, to an extent commensurate with the permanence, effectiveness, and demonstrated reduction in off-street parking demand achieved by such alternative programs. Alternative programs which may be considered by the examiner under this provision include, but are not limited to, the following:

- (i) Private vanpool operation;
- (ii) Transit/vanpool fare subsidy;
- (iii) Imposition of a charge for parking;
- (iv) Provision of subscription bus services;
- (v) Flexible work-hour schedule;
- (vi) Capital improvement for transit services;
- (vii) Preferential parking for carpools/vanpools;
- (viii) Participation in the ride-matching program;

- (ix) Reduction of parking fees for carpools and vanpools;
- (x) Establishment of a transportation coordinator position to implement carpool, vanpool, and transit programs; or
- (xi) Bicycle parking facilities.

(h) Uses Not Mentioned. In the case of a use not specifically mentioned in Table 1: Minimum Required Parking Spaces, the requirements for off-street parking shall be determined by the community development director. If there are comparable uses, the community development director's determination shall be based on the requirements for the most comparable use(s). Where, in the judgment of the community development director, none of the uses in Table 1: Minimum Required Parking Spaces are comparable, the community development director may base his or her determination as to the amount of parking required for the proposed use on detailed information provided by the applicant. The information required may include, but not be limited to, a description of the physical structure(s), identification of potential users, and analysis of likely parking demand.

(3) Carpool Parking. For office, industrial, and institutional uses where there are more than 20 parking spaces on the site, the following standards must be met:

- (a) Five spaces or five percent of the parking spaces on site, whichever is less, must be reserved for carpool use before 9:00 a.m. on weekdays. More spaces may be reserved, but they are not required.
- (b) The spaces will be those closest to the building entrance or elevator, but not closer than the spaces for disabled parking and those signed for exclusive customer use.
- (c) Signs must be posted indicating these spaces are reserved for carpool use before 9:00 a.m. on weekdays.

(4) Electric Vehicle Parking. Electric vehicle charging capability is required for all new buildings that provide on-site parking in accordance with RCW [19.27.540](#).

Table 1: Minimum Required Parking Spaces

LAND USE	MINIMUM REQUIRED SPACES
RESIDENTIAL USES	
Single-family dwellings, duplexes, townhouses, and mobile homes	2 per dwelling unit for residents plus 1 additional guest parking space per dwelling unit.
<u>Middle Housing (including accessory dwelling units) within</u>	<u>0 per dwelling unit (before any zero lot line subdivisions or lot splits)</u>

Table 1: Minimum Required Parking Spaces

LAND USE	MINIMUM REQUIRED SPACES
<u>1/2 mile walking distance of a major transit stop</u>	
<u>Middle Housing (including accessory dwelling units) on lots equal to or under 6,000 square feet</u>	1 per dwelling unit (before any zero lot line subdivisions or lot splits). Easements or deed restrictions must be provided, as necessary, to ensure continued use of the parking space(s) for the respective unit after any lot splits.
<u>Middle Housing (excluding accessory dwelling units) on lots over 6,000 square feet</u>	2 per dwelling unit (before any zero lot line subdivisions or lot splits). Easements or deed restrictions must be provided, as necessary, to ensure continued use of the parking space(s) for the respective unit after any lot splits.
Accessory dwelling units	No additional parking required if located within 1/4 mile of a major transit stop; otherwise, 1 per accessory dwelling unit
Studio apartments	1.25 per dwelling unit
Multiple-family dwellings, 1 bedroom (does not apply to Middle Housing)	1.5 per dwelling unit
Multiple-family dwellings, 2 or more bedrooms (does not apply to Middle Housing)	1.75 per dwelling unit
Retirement housing and apartments	1 per dwelling
Mobile home parks	2 per unit, plus guest parking at 1 per 4 lots
Rooming houses, similar uses	1 per dwelling
Bed and breakfast accommodations	1 space for each room for rent, plus 2 spaces for the principal residential use
Emergency housing, emergency shelters – indoor, transitional housing facilities and permanent supportive housing	As determined by the community development director with no less than a minimum of 1 per 2 employees plus 1 per 5 residents (3 spaces minimum)
Housing located within 1/4 mile of a transit stop	As specified in RCW 36.70A.620 ; <u>provided that, Middle Housing is subject to the alternate standards noted above.</u>
RECREATIONAL/CULTURAL USES	

Table 1: Minimum Required Parking Spaces

LAND USE	MINIMUM REQUIRED SPACES
Movie theaters	1 per 4 seats
Stadiums, sports arenas and similar open assemblies	1 per 8 seats or 1 per 100 SF of assembly space without fixed seats
Dance halls and places of assembly without fixed seats	1 per 75 SF of gross floor area
Bowling alleys	5 per lane
Skating rinks	1 per 75 SF of gross floor area
Tennis courts, racquet clubs, handball courts and other similar commercial recreation	1 space per 40 SF of gross floor area used for assembly, plus 2 per court
Swimming pools (indoor and outdoor)	1 per 10 swimmers, based on pool capacity as defined by the Washington State Department of Health
Golf courses	4 spaces for each green, plus 50% of spaces otherwise required for any accessory uses (e.g., bars, restaurants)
Gymnasiums, health clubs	1 space per each 200 SF of gross floor area
Churches, auditoriums and similar enclosed places of assembly	1 per 4 seats or 60 lineal inches of pew or 40 SF gross floor area used for assembly
Art galleries and museums	1 per 250 SF of gross floor area
COMMERCIAL/OFFICE USES	
Banks, business and professional offices (other than medical and dental) with on-site customer service	1 per 400 SF gross floor area
Retail stores and personal service shops unless otherwise provided herein	If < 5,000 SF floor area, 1 per 600 SF gross floor area; if > 5,000 SF floor area, 8 plus 1 per each 300 SF gross floor area over 5,000 SF
Grocery stores	1 space per 200 SF of customer service area
Barber and beauty shops	1 space per 200 SF
Motor vehicle sales and service	2 per service bay plus 1 per 1,000 SF of outdoor display
Motor vehicle or machinery repair, without sales	2 plus 2 per service bay

Table 1: Minimum Required Parking Spaces

LAND USE	MINIMUM REQUIRED SPACES
Mobile home and recreational vehicle sales	1 per 3,000 SF of outdoor display area
Motels and hotels	1 per unit or room
Restaurants, taverns, bars with on-premises consumption	If < 4,000 SF, 1 per 200 SF gross floor area; if > 4,000 SF, 20 plus 1 per 100 SF gross floor area over 4,000 SF
Drive-in restaurants and similar establishments, primarily for autoboarne customers	1 per 75 SF of gross floor area. Stacking spaces shall be provided in accordance with Chapter 22C.140 MMC, Drive-Through Facilities.
Shopping centers	If < 15,000 SF, 1 per 200 SF of gross floor area; if > 15,000 SF, 1 per 250 SF of gross floor area
Day care centers	1 space per staff member and 1 space per 10 clients. A paved unobstructed pick-up area shall be set aside for dropping off and picking up children in a safe manner that will not cause the children to cross the parking area or lines of traffic.
Funeral parlors, mortuaries or cemeteries	1 per 4 seats or 8 feet of bench or pew or 1 per 40 SF of assembly room used for services if no fixed seating is provided
Gasoline/service stations with grocery	1 per employee plus 1 per 200 SF gross floor area
Adult facilities as defined by MMC 22A.020.020	1 per 75 SF of gross floor area or, in the case of an adult drive-in theater, 1 per viewing space
HEALTH SERVICES USES	
Nursing homes, convalescent homes for the aged	1 per 5 beds plus 1 space per employee and medical staff
Medical and dental clinics	1 per 200 SF gross floor area
Hospitals	1 per 2 beds, excluding bassinets
EDUCATIONAL USES	
Elementary, junior high schools (public and private)	5 plus 1 per each employee and faculty member
Senior high schools (public and private)	1 per each 10 students plus 1 per each employee or faculty member
Commercial/vocational schools	1 per each employee plus 1 per each 2 students

Table 1: Minimum Required Parking Spaces

LAND USE	MINIMUM REQUIRED SPACES
PUBLIC/GOVERNMENT USES	
Public utility and governmental buildings	1 per 400 SF of gross floor area
Libraries	1 per 250 SF of gross floor area
MANUFACTURING/WAREHOUSE USES	
Manufacturing and industrial uses of all types, except a building used exclusively for warehouse purposes	1 per 750 SF of gross floor area plus office space requirements
Warehouses, storage and wholesale businesses	1 per 2,000 SF of gross floor area plus office space requirements
Mini self-storage	1 per each 50 storage cubicles equally distributed and proximate to storage buildings. In addition, 1 space for each 50 storage cubicles to be located at the project office

(Ord. 3318 § 1 (Exh. A), 2024; Ord. 3205 § 8, 2022; Ord. 3203 § 9, 2022; Ord. 3193 § 22, 2021; Ord. 3156 § 2, 2020; Ord. 3115 § 3, 2018; Ord. 3054 § 15, 2017; Ord. 2898 § 13, 2012; Ord. 2852 § 10 (Exh. A), 2011).

22C.130.040 Site plan required.

A site plan for every new or enlarged off-street parking lot or motor vehicle sales area shall be approved by the community development department prior to construction. The site plan shall be drawn utilizing a common engineering scale (e.g., one inch equals 20 feet, one inch equals 30 feet, one inch equals 40 feet) and shall depict the following elements:

- (1) The proposed/existing buildings and appurtenances;
- (2) Locations, size, shape and design of the parking spaces;
- (3) Existing/proposed curb cuts or access locations;
- (4) Existing/proposed illumination;
- (5) Landscaping and method of irrigation;
- (6) Parking lot circulation (i.e., drive aisles, turning radii, etc.);
- (7) Drainage facilities;

(8) Other features as deemed necessary by the director. (Ord. 2852 § 10 (Exh. A), 2011).

22C.130.050 Development standards.

(1) Purpose. The parking area layout standards are intended to promote safe circulation within the parking area and provide for convenient entry and exit of vehicles.

(2) Where These Standards Apply. The standards of this section apply to all vehicle areas whether required or excess parking.

(3) Improvements.

(a) Paving.

(i) In order to control dust and mud, all vehicle areas must be surfaced with a minimum all-weather surface. Such surface shall be specified by the city engineer. Alternatives to the specified all-weather surface, including grass block pavers, may be provided, subject to approval by the city engineer. Gravel surfacing is not considered an all-weather surface; however, legal nonconforming gravel surfacing in existing designated parking areas is allowed to remain for a maximum of six parking spaces.

(ii) The applicant shall be required to prove that the alternative surfacing provides results equivalent to paving. If, after construction, the city determines that the alternative is not providing the results equivalent to paving or is not complying with the standards of approval, paving shall be required.

(iii) Parks, agricultural and similar uses, and developments providing surplus parking are exempt from the all-weather surface requirement, provided, all surfacing must provide for the following minimum standards of approval:

(A) Gravel parking facilities shall be surfaced with no less than three inches of crushed gravel.

(B) Dust is controlled.

(C) Storm water is treated to city standards.

(D) Rock and other debris is not tracked off site.

(E) Driveway and approaches shall be paved with an all-weather surface, specified by the city engineer, from at least 20 feet back from the property line to the street.

(iv) Houses, Attached Houses and Duplexes. All driveways and parking areas must be covered in a minimum all-weather surface, specified by the city engineer. Gravel surfacing is not considered an all-weather surface.

(b) Striping. All parking spaces, except for stacked parking, must be striped in conformance with the minimum parking and aisle dimensions outlined in Table 2, except parking for single-family residences, Middle Housing~~duplexes~~ and accessory dwelling units.

(c) Protective Curbs Around Landscaping. All perimeter and interior landscaped areas must have cast in place or extruded protective curbs along the edges. Curbs separating landscaped areas from parking areas may allow storm water runoff to pass through them. Tire stops, bollards or other protective barriers may be used at the front ends of parking spaces. Curbs may be perforated or have gaps or breaks. Trees must have adequate protection from car doors as well as car bumpers. This provision does not apply to single-family residences, duplexes and accessory dwelling units.

(d) Illumination. Parking lot illumination shall be provided for all parking lots containing 15 or more parking spaces, and shall comply with the following design standards:

(i) Parking lot lighting fixtures shall be full cut-off, dark sky rated and mounted no more than 25 feet above the ground, with lower fixtures preferable so as to maintain a human scale;

(ii) All fixtures over 15 feet in height shall be fitted with a full cut-off shield;

(iii) Pedestrian scale lighting (light fixtures no taller than 15 feet) is encouraged in areas of pedestrian activity. Lighting shall enable pedestrians to identify a face 45 feet away in order to promote safety;

(iv) Parking lot lighting shall be designed to provide security lighting to all parking spaces;

(v) Lighting shall be shielded in a manner that does not disturb residential uses or pose a hazard to passing traffic. Lighting should not be permitted to trespass onto adjacent private parcels nor shall light source (luminaire) be visible at the property line.

(4) Storm Water Management. Storm water runoff from parking lots is regulated by MMC Title [14](#), Water and Sewers.

(5) Parking Area Layout.

(a) Access to Parking Spaces.

(i) All parking areas, except stacked parking areas, must be designed so that a vehicle may enter or exit without having to move another vehicle.

(ii) Parking shall be designed so that automobiles do not back out into public streets.

(b) Parking Space and Aisle Dimensions.

(i) Parking spaces and aisles must meet the minimum dimensions contained in Table 2: Minimum Parking Space and Aisle Dimensions. Parking at any angle other than those shown is permitted, providing the width of the stalls and aisle are adjusted by interpolation between the specified standards.

(ii) Turning Radii. The minimum allowable inside vehicle turning radius in parking and driveway areas shall be 20 feet unless fire or solid waste apparatus access is necessary, in which case the minimum inside radius shall be 30.5 feet and the outside radius shall be 46 feet or as required by the fire district or solid waste division. Turning radii are not necessarily the radii or curbs around islands and other improvements.

(iii) On dead-end aisles, aisles shall extend five feet beyond the last stall to provide adequate turnaround.

(iv) The community development director may grant a deviation from the parking space and aisle dimensions outlined in Table 2: Minimum Parking Space and Aisle Dimensions, whenever (A) there exists a lot with one or more structures on it constructed before the effective date of this title, and (B) a change in use that does not involve any enlargement of a structure is proposed for such lot, and (C) the parking space and aisle dimensions that would be applicable as a result of the proposed change cannot be satisfied on such lot because there is not sufficient area available on the lot that can practicably be used for parking dimensional standards. To grant a deviation, the community development director must make the following findings:

(A) That the granting of the deviation will not create a safety hazard or loading of vehicles on public streets in such a manner as to interfere with the free flow of vehicular and pedestrian traffic within the public right-of-way.

(B) That the granting of the deviation will not create a safety hazard or any other condition inconsistent with the objectives of this title.

Table 2: Minimum Parking Space and Aisle Dimensions

Angle	Width	Curb Length	1-Way Aisle Width	2-Way Aisle Width	Stall Depth
0 degrees (parallel)	8 feet	21 feet	12 feet	22 feet	8 feet
30 degrees	8 feet, 6 inches	17 feet	12 feet	22 feet	15 feet
45 degrees	8 feet, 6 inches	12 feet	12 feet	22 feet	17 feet
60 degrees	8 feet, 6 inches	9 feet, 9 inches	16 feet	22 feet	18 feet
90 degrees (commercial and industrial)	8 feet, 6 inches	8 feet, 6 inches	22 feet	22 feet	18 feet
90 degrees (multifamily)	8 feet	8 feet	22 feet	22 feet	18 feet
90 degrees (attached and detached single-family <u>and Middle Housing</u>)	8 feet	8 feet	22 feet	22 feet	20 feet
Tandem (residential)	8 feet	N/A	N/A	N/A	20 feet
<u>Notes: 1) In garage parking spaces must meet the applicable dimensional standards noted in the table above. In garage parking spaces must be completely usable for parking and free of any obstructions (e.g. bollards, water heaters, electrical equipment, etc.). 2) Dimensions of parking spaces for the disabled are regulated by the building code. See MMC 22C.130.050(5)(e).</u>					

~~Note: Dimensions of parking spaces for the disabled are regulated by the building code. See MMC 22C.130.050(5)(e).~~

(c) Pedestrian Access and Circulation. Developments must provide specially marked or paved walkways through parking lots, as depicted in Figures 1 through 4. Parking lot walkways shall allow for access so pedestrians and wheelchairs can easily gain access from public sidewalks and bus stops to building entrances through the use of raised concrete, stamped concrete, colored concrete, or pervious pavement sidewalks, or pedestrian paths which are physically separated from vehicle traffic and maneuvering areas. The director may allow pedestrian pathways to be striped if it can be demonstrated that the pathways are not used by, or accessible to, the public (e.g., pathways located behind a commercial or industrial building where the general public does not have access). Generally, walkways should be provided every four rows and a maximum distance of 180 feet shall be maintained between paths. Where possible, align the pathways to connect with major building entries or other sidewalks, pathways, and destinations. The pathways must be a minimum of five feet wide, universally accessible and ADA compliant. On narrow infill lots, the director may authorize a pathway that is less than five feet wide; provided, that the minimum ADA width is met.

Figure 1 Figure 2

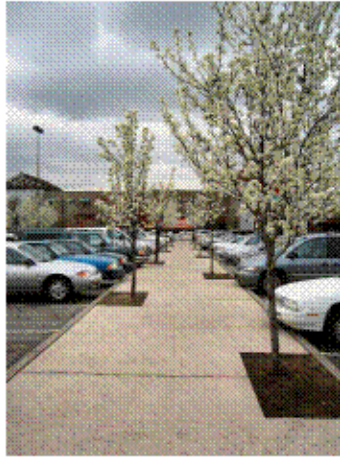
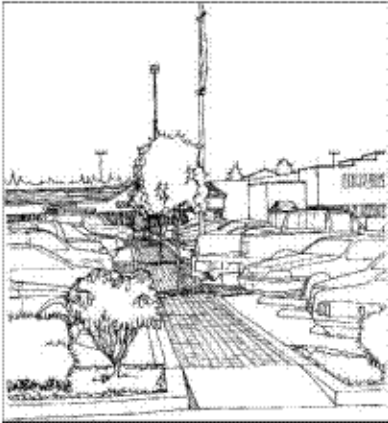
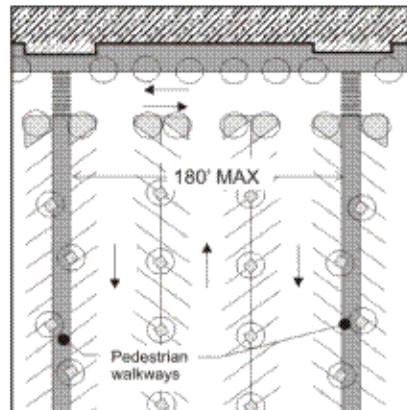


Figure 3 Figure 4



(d) Location. Parking areas should be located and designed to consider impacts to the streetscape. Except for adult facilities as defined by MMC [22A.020.020](#), on-site parking shall be located at the sides and rear of buildings or complexes. For adult facilities, on-site parking shall be located where most visible from both the streetscape and the public access to the adult facility.

(e) Parking for Disabled Persons. The building official regulates the following disabled person parking standards and access standards through the building code and the latest ICC/ANSI A117.1 standards for accessible and usable buildings and facilities:

(i) Dimensions of disabled person parking spaces and access aisles;

- (ii) The minimum number of disabled person parking spaces and circulation routes;
- (iii) Location of disabled person parking spaces and circulation routes;
- (iv) Curb cuts and ramps including slope, width and location; and
- (v) Signage and pavement markings.

(f) A portion of a standard parking space may be landscaped instead of paved, as follows:

- (i) The landscaped area may be up to two feet of the front of the space as measured from a line parallel to the direction of the bumper of a vehicle using the space. Any vehicle overhang must be free from interference from sidewalks, landscaping, or other required elements;
- (ii) Landscaping must be ground cover plants; and
- (iii) The landscaped area counts toward parking lot interior landscaping requirements and toward any overall site landscaping requirements. However, the landscaped area does not count toward perimeter landscaping requirements.

(g) Ingress and Egress Provisions. The layouts of parking areas are reviewed for compliance with the curb cut and access restrictions outlined in the Marysville engineering design and development standards (EDDS).

(6) Parking Area Landscaping and Screening. All landscaping must comply with the standards of Chapter [22C.120](#) MMC. In addition, screening in the form of a solid masonry wall, architectural fences or dense coniferous hedges shall be erected or planted and maintained to a height of not less than five feet where a parking lot has a common boundary line with any residentially zoned property.

(7) Maintenance. Maintenance of all areas provided for off-street parking shall include removal and replacement of dead and dying trees, grass and shrubs, removal of trash and weeds, repair of traffic-control devices, signs, light standards, fences, walls, surfacing materials, curbs and railings, and inspection, cleaning and repair of pervious surfacing materials and drainage facilities when applicable. (Ord. 3318 § 2 (Exh. B), 2024; Ord. 3244 § 5 (Exh. E), 2022; Ord. 3035 § 9 (Exh. I), 2016; Ord. 2852 § 10 (Exh. A), 2011).

22C.130.060 Bicycle parking.

Bicycle parking standards are intended to provide safe, convenient, and attractive areas for the circulation and parking of bicycles that encourage the use of alternative modes of transportation.

(1) Required Bicycle Parking. Bicycle parking facilities shall be provided for any new use which requires 20 or more automobile parking spaces.

(a) The number of required bicycle parking spaces shall be five percent of the number of required off-street auto parking spaces.

(b) When any covered automobile parking is provided, all bicycle parking shall be covered.

(2) Exemptions from Bicycle Parking Standards.

(a) Construction activities which do not require a building permit.

(b) Interior and exterior remodels of existing structures.

(c) Temporary use or activities.

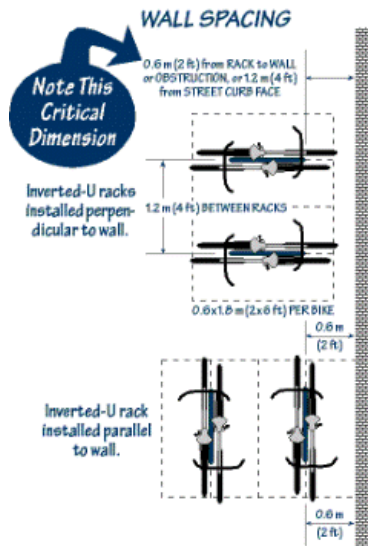
(3) Bicycle Parking Standards.

(a) Each required bicycle parking space shall be located on a minimum all-weather surface, specified by the city engineer.

(b) Bicycle parking should be at least as well-lit as vehicle parking for security.

(c) A bicycle parking space shall be at least six feet long and two feet wide with an overhead clearance of at least seven feet, and comply with the spacing provisions depicted in Figure 5. An access aisle of at least four feet wide shall be provided and maintained beside or between each row of bicycle parking.

Figure 5



(d) The location of the rack and subsequent parking shall not interfere with pedestrian passage, leaving a clear area of at least 36 inches between bicycles and other existing and potential obstructions.

(e) Direct pedestrian access from the bicycle parking area to the building entrance shall be provided.

(4) Bicycle Parking Location and Design.

(a) Bicycle parking provided in outdoor locations shall not be located farther than the closest automobile parking space (except ADA parking).

(b) Short-term bicycle parking shall consist of the following design features:

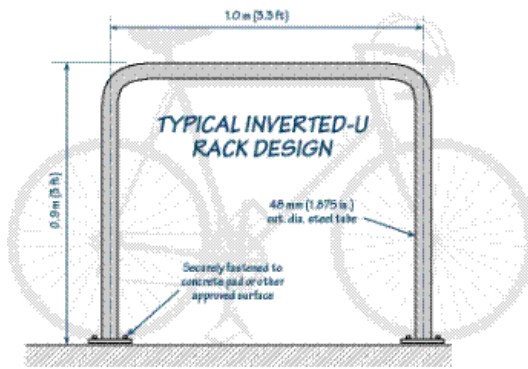
(i) Inverted "U" style racks or similar design, as illustrated in Figure 6.

(ii) Each rack shall provide each bicycle parking space with at least two points of contact that allow the frame and both wheels to be locked to the rack by the bicyclist's own locking device.

(iii) The bike rack shall have rounded surfaces and corners.

(iv) The bike rack shall be coated in a material that will not damage the bicycle's painted surfaces.

Figure 6



(5) The community development director may waive the bicycle parking requirement if it can be demonstrated that the rack would not be reasonably utilized due to the location of the facility. (Ord. 2852 § 10 (Exh. A), 2011).

22C.130.070 Exterior design of parking structures.

(1) Purpose. To reduce the visual impact of structured parking located above grade.

(2) Exterior Design of Parking Structures Implementation.

(a) The street-facing facades of parking levels within a building shall be treated in such a way as to seem more like a typical floor, rather than open slabs with visible cars and ceiling lights, as depicted in Figures 7 through 10. This may be accomplished by two or more of the following:

- (i) Square opening, rather than horizontal.
- (ii) Planting designed to grow on the facade.
- (iii) Louvers.
- (iv) Expanded metal panels.
- (v) Decorative metal grills.
- (vi) Spandrel (opaque) glass.
- (vii) Other architectural devices may be proposed that will accomplish the intent.

(b) Freestanding parking structures shall incorporate the above features on portions of the facade above the ground level. At ground level, they shall comply with the site and building design standards outlined in Chapters [22C.010](#) and [22C.020](#) MMC, addressing ground level details, transparency and weather protection.

Figure 7



Figure 8



Figure 9



Figure 10



(Ord. 2852 § 10 (Exh. A), 2011).

22C.130.080 Loading areas.

(1) Purpose. A minimum number of off-street loading spaces are required to ensure adequate areas for loading for larger uses and developments. These standards ensure that the appearance of loading areas will be consistent with that of parking areas.

(2) Loading Standards.

(a) Number of Loading Spaces. The number of loading spaces required is determined by the following table.

Gross Floor Area (GFA)	Number of Loading Spaces
Less than 20,000 SF of nonresidential GFA	0
20,000 SF to 50,000 SF of nonresidential GFA	1
More than 50,000 SF of nonresidential GFA	2

(b) Loading spaces shall be designed so no part of a truck or van using the loading space will project into the public right-of-way.

(c) Size of Loading Spaces. Each loading space shall measure not less than 10 feet wide by 30 feet long, with 14-foot height clearance.

(d) Placement, Setbacks, and Landscaping. Loading areas must comply with the setback and perimeter landscaping standards stated in Chapter [22C.120](#) MMC. When parking areas are prohibited or not allowed

between a building and a street, loading areas are also prohibited or not allowed.

(e) Paving. In order to control dust or mud, all loading areas must be covered in a minimum all-weather surface, specified by the city engineer. (Ord. 2852 § 10 (Exh. A), 2011).

22C.130.090 Variance requests to this chapter.

(1) In considering a request for a modification of parking requirements, the hearing examiner shall consider the following factors:

(a) Type of use proposed and traffic generation, including hours of operation, frequency of employee and customer trips, and other specific factors relating to the proposed use;

(b) Location of the subject property, proximity to and availability of public transportation facilities, likelihood of customers or employees to use public transportation;

(c) Other information which is relevant and necessary to make a determination as to the validity of the request for modification. Such additional information may include parking studies and traffic surveys for the proposed project vicinity and data concerning the actual parking demand of other similar uses.

(2) In approving a request for the modification of the number of required off-street parking spaces, the hearing examiner may require that a transit stop be located on the subject lot in order to promote use of public transit and to justify a reduction in the required number of parking spaces. (Ord. 2852 § 10 (Exh. A), 2011).

Exhibit 6

Chapter 22C.180

ACCESSORY STRUCTURES AND ACCESSORY DWELLING UNITS

Sections:

[22C.180.010 Purpose.](#)

[22C.180.020 Accessory structure standards.](#)

[22C.180.030 Accessory dwelling unit standards.](#)

22C.180.010 Purpose.

The purpose of this chapter is to allow for residential accessory structures, including ~~secondary~~ accessory dwelling units, to be established which are incidental to the primary residential use of a single-family residence or Middle Housing residence, while ensuring compatibility with surrounding ~~single-family residential~~ uses. The accessory structure ~~(s) or accessory dwelling unit(s)~~ must be clearly secondary subordinate to the primary use. Accessory structures or uses may not be established until the principal structure is constructed on the property. Accessory structure standards are set forth in MMC 22C.180.020 and accessory dwelling unit standards are set forth in MMC 22C.180.030.

22C.180.020 Accessory structure standards.

In the zones in which a residential accessory structure is listed as a permitted use, the community development director or designee shall review all proposals ~~for to construct an~~ accessory structures. The following standards and regulations shall apply to all proposed accessory structures ~~;~~ provided, that accessory dwelling units shall only be allowed in zones where they are a permitted use and shall also comply with the standards set forth in MMC 22C.180.030:

(1)

Table 1

<u>Front setback</u>	<u>See MMC 22C.010.080 for standard lots and MMC 22G.080.080 for PRD lots.</u>
<u>Side setback</u>	<u>5 feet</u>
<u>Side street setback</u>	<u>10 feet along nonarterials; 15 feet along arterials</u>
<u>Rear yard setback</u> ^{1, 2, 3}	<u>5 feet (one-story structure); 10 feet (when the entrance faces the rear yard or for two-story or greater structure in PRDs); 15 feet (two-story structure or when accessory structure entrance faces an alley with right-of-way less than 10 feet wide)⁴</u>

<u>Building, and Impervious Coverage</u>	<u>See MMC 22C.010.080 for standard lots or MMC 22G.080.080 for PRD lots</u>
<u>Accessory Structure Footprint</u> ⁵	<u>On lots under one-acre, accessory structures not containing an accessory dwelling unit are further limited to 80 percent of the footprint of the primary residence. ⁶</u>
<u>Height</u>	<u>20 feet (lots under one acre)⁶; or</u> <u>30 feet (lots over one acre, or lots under one acre where the accessory structure contains an accessory dwelling unit)</u>
¹ <u>Accessory structures in Planned Residential Developments are subject to the rear yard setbacks set forth in MMC 22G.080.080.</u> ² <u>No more than 50 percent of the required rear setback area (i.e. back 20 feet of the lot) may be covered with accessory structures.</u> ³ <u>An accessory structure, which is located in the rear setback area, may be attached to the principal structure; provided, that no portion of the principal structure is located within the required yard setbacks for principal structures in the zone.</u> ⁴ <u>The increased alley setback applies to vehicle access points from garages, carports, fenced parking areas or other accessory structure. Exception: in the Downtown Neighborhood, the rear setbacks outlined in the table above may be reduced to two feet from the rear lot line; provided, that the alley right-of-way is a minimum of 20 feet in width. Where the alley right-of-way is less than 20 feet in width, the property owner shall be required to dedicate to the city sufficient property to widen the abutting alley to the full width as measured from the design centerline, to conform to the applicable road standards specified by the city engineer. Upon dedication of the necessary right-of-way, the rear setback may be reduced to two feet from the rear lot line. Where an existing, nonconforming structure located in the Downtown Neighborhood is internally remodeled to include an accessory dwelling unit, but the footprint of the structure is not increased, the structure can be allowed to remain at a zero setback; provided, that the right-of-way is 20 feet in width.</u> ⁵ <u>The community development director is specifically authorized to allow an increase in the size of a detached accessory structure over the requirements outlined in this table; provided, that the accessory structure(s) shall be compatible with the principal structure and/or neighborhood character. To make this determination, the community development director may consider such factors that include, but are not limited to, view obstruction, roof pitch, building materials, screening and landscaping, aesthetic impact on surrounding properties and streetscape, incompatible scale with dwellings on surrounding properties, and impact on neighborhood character. The community development director shall also have the authority to impose greater setback requirements, landscape buffers, or other locational or design requirements to mitigate the impacts of accessory structures which are greater in size than otherwise allowed by this section.</u> ⁶ <u>The community development director may allow minor deviations to the 20-foot height and the 80 percent building footprint limitations applicable to properties under one acre as necessary to accommodate industry standards for building dimensions.</u>	

~~(1) Accessory structures on properties less than one acre in size shall comply with the following density and dimensional requirements:~~

~~(a) The footprint of all detached accessory structures shall not exceed the lesser of:~~

~~(i) Fifteen percent of the total lot area in the R-4.5, R-6.5, R-8 and WR-R-4-8 zones, or 20 percent of the total lot area in the R-12 through R-28 and WR-R-6-18 zones; or~~

~~(ii) Eighty percent of the footprint of the primary residential structure.~~

~~(b) The height of all detached accessory structures shall not exceed 20 feet, except that detached accessory structures containing an accessory dwelling unit shall not exceed the base height for the zone.~~

~~(c) The community development director may allow minor deviations to these dimensional requirements in order to accommodate industry standards for building dimensions.~~

~~(2) A detached garage, carport or other permitted accessory building may be located in the rear yard; provided, that:~~

~~(a) Not more than 50 percent of the required rear setback area is covered; and~~

~~(b) Accessory structure(s) located within rear setback areas shall have a minimum interior side setback of five feet, or 10 feet on the flanking street of a corner lot, and a minimum rear setback of five feet; and~~

~~(c) Vehicle access points from garages, carports, fenced parking areas or other accessory structure(s), the entrance of which faces the rear lot line, shall not be located within 10 feet from the rear lot line, except where the accessory structure's entrance faces an alley with a right-of-way width of 10 feet, in which case the accessory structure(s) shall not be located within 20 feet from the rear lot line; and~~

~~(d) In Planning Area 1 "Downtown Neighborhood," the rear setbacks outlined in subsections (2)(b) and (c) of this section may be reduced to two feet from the rear lot line; provided, that the alley right-of-way is a minimum of 20 feet in width. Where the alley right-of-way is less than 20 feet in width, the property owner shall be required to dedicate to the city sufficient property to widen the abutting alley to the full width as measured from the design centerline, so as to conform to the applicable road standards specified by the city engineer. Upon dedication of the necessary right-of-way, the rear setback may be reduced to two feet from the rear lot line. Where an existing, nonconforming structure is internally remodeled to include an accessory dwelling unit, but the footprint of the structure is not increased, the structure can be allowed to remain at a zero setback; provided, that the right-of-way is 20 feet in width; and~~

~~(e) Detached accessory buildings exceeding one story shall provide the minimum required yard setbacks for principal buildings in the zone; and~~

~~(f) An accessory structure, which is located in the rear setback area, may be attached to the principal structure; provided, that no portion of the principal building is located within the required yard setbacks for principal structures in the zone.~~

(32) A detached garage, carport or other permitted accessory structure may be ~~located~~ in the front or side yard, or on the flanking street side of a corner lot, only if the applicant demonstrates to the satisfaction of the community development director that ~~the following conditions can be met:~~

(a) ~~Accessory structures that are located in the front or side yard, or on the flanking street side of a corner lot, shall be consistent with the architectural character of the residential neighborhood in which they are proposed to be located, and shall be subject to, but not limited to, the following development standards:~~(i) The accessory structure is shall be consistent with the architectural character of the residential neighborhood where it will be located, and the principal structure on the lot; and

~~(ii) (b)~~ The accessory structure shall have a roof pitch similar to the principal structure and have siding and roofing materials similar to or compatible with those used on the principal structure. No metal siding or roofing shall be permitted unless it matches the siding and roofing of the principal structure, or unless it is a building material that is of a residential character such as metal tab roofing or other products consistent with standard residential building materials. Plans for the proposed accessory structure(s) indicating siding and roofing materials shall be submitted with the application. ~~;~~ and

~~(iii) Detached accessory structures located in the front or side yard shall provide the minimum required front and side yard setback for principal structures in the zone.~~

~~(4) The community development director is specifically authorized to allow an increase in the size of a detached accessory structure over the requirements outlined in subsection (1) of this section; provided, that the accessory structure(s) shall be compatible with the principal structure and/or neighborhood character. To make this determination, the community development director may consider such factors that include, but are not limited to, view obstruction, roof pitch, building materials, screening and landscaping, aesthetic impact on surrounding properties and streetscape, incompatible scale with dwellings on surrounding properties, and impact on neighborhood character. The community development director shall also have the authority to impose greater setback requirements, landscape buffers, or other locational or design requirements as necessary to mitigate the impacts of accessory structures which are greater in size than otherwise allowed by this section.~~

22C.180.030 Accessory dwelling unit standards.

In the zones in which an accessory dwelling is listed as a permitted use, the community development director or designee shall review all proposals to establish an accessory dwelling unit. The following standards and regulations shall apply to all proposed accessory dwelling units:

- (1) On each lot developed with a single family residence, accessory dwelling units may be constructed subject to the standards set forth in Table 2 below. An owner-occupant of a single family dwelling unit may establish only one accessory dwelling unit per residential lot, which may be attached to the single family dwelling or detached in an accessory building. An accessory dwelling unit may not be located on a lot on which a temporary dwelling, as defined in Chapter 22C.110 MMC, is located.

(2)

Table 2

<u>Principal Dwelling Unit(s)</u>	<u>Single family residence</u>	<u>Middle Housing</u>
<u>Number of Accessory Dwelling Units Allowed Per Lot ¹</u>	<u>Two (2)</u>	<u>Two (2) if the lot allows for a density of four (4) dwelling units per lot pursuant to MMC 22C.010.080. Note: The accessory dwelling unit(s) apply to the total allowed unit density for the lot.</u>
<u>Owner Occupancy Requirement for Principal Dwelling or Accessory Dwelling Units</u>	<u>None</u>	
<u>Allowed Accessory Dwelling Unit Configurations</u>	a) <u>One attached unit and one detached unit;</u> b) <u>Two attached units; or</u> c) <u>Two detached units, which may be comprised of either one or two detached structures.</u>	
<u>Use as Short Term Rental</u>	<u>Prohibited</u>	
<u>Minimum Size per Accessory Dwelling Unit ²</u>	<u>200 SF gross floor area</u>	
<u>Maximum Size per Accessory Dwelling Unit ^{2, 3}</u>	<u>1,000 SF gross floor area or 50 percent of the total floor area of the single family residence, whichever is greater¹</u>	
<u>Maximum Bedrooms per Accessory Dwelling Unit</u>	<u>Two (2)</u>	
<u>Front setback</u>	<u>See MMC 22C.010.080 for standard lots and MMC 22G.080.080 for PRD lots.</u>	
<u>Side setback</u>	<u>5 feet</u>	
<u>Side street setback</u>	<u>10 feet along nonarterials; 15 feet along arterials</u>	
<u>Rear yard setback</u>	<u>15 feet; provided that, the rear yard setback may be reduced to 10 feet for one-story structures, or for structures located in a PRD ⁵</u>	
<u>Building, and Impervious Coverage</u>	<u>See MMC 22C.010.080 for standard lots and MMC 22G.080.080 for PRD lots.</u>	

<u>Height</u>	<u>30 feet</u>
<u>Parking</u> ⁶	<u>See parking for Middle Housing in MMC 22C.130.030 Table 4.</u>
¹ <u>On any lot that meets the minimum lot size required for the principal dwelling unit.</u> ² <u>Floor areas shall be exclusive of garages, porches, or unfinished basements.</u> ³ <u>The community development director is authorized to conditionally allow an attached accessory dwelling unit greater than the maximum size limit within existing structures, when a denial of such an increase would result in an unreasonable division of interior space between the ADU and the primary dwelling unit.</u> ⁴ <u>Existing structures, including but not limited to detached garages, may be converted to accessory dwelling units, even if they do not comply with current code requirements for setbacks or building coverage.</u> ⁵ <u>Detached accessory dwelling units may be built at a lot line, if the lot line abuts a public alley.</u> ⁶ <u>No parking areas other than driveways may be in front yards. When the property abuts an alley, parking areas must be accessed from the alley.</u>	

~~(2) The single-family dwelling unit must be owner-occupied on the date of application and remain owner-occupied for as long as the accessory unit exists. A covenant shall be required to be recorded with the Snohomish County auditor ensuring owner occupancy, prior to granting occupancy of the accessory dwelling unit.~~

~~(3) The floor area of the accessory dwelling unit shall not exceed 50 percent of the total floor area of the single-family dwelling, and shall comply with the density and dimensional requirements set forth in MMC 22C.010.080.~~

~~(4) The community development director is authorized to conditionally allow a deviation of the setbacks set forth in MMC 22C.010.080 of an existing detached accessory structure to be converted to an accessory dwelling unit, subject to the following conditions:~~

~~(a) The application shall be subject to the public notice criteria outlined in MMC 22G.010.090 and is subject to a \$250.00 permit processing fee in addition to the accessory dwelling unit land use review fee outlined in MMC 22G.030.020;~~

~~(b) The existing detached accessory structure was constructed prior to the effective date of Ordinance 3093, adopted on May 14, 2018;~~

~~(c) The applicant shall be required to demonstrate that the existing detached accessory structure was legally permitted and complied with the required structure setbacks in effect at the time the accessory structure was constructed;~~

~~(d) If the existing detached accessory structure is determined to be legal nonconforming, conversion to an accessory dwelling unit shall not increase the pre-existing degree of nonconformance;~~

~~(e) The accessory dwelling unit shall not result in a lack of compatibility with existing and potential uses in the immediate area;~~

~~(f) Adverse impacts of the proposed accessory dwelling unit shall be mitigated by site design elements such as landscaping, fencing and general visual improvement of the property; and~~

~~(g) Adequate provisions must be made for public improvements such as sewer, water, drainage, pedestrian and vehicular circulation.~~

~~(5) In no case shall the accessory dwelling unit be less than 200 square feet in size, or have more than two bedrooms. Floor areas shall be exclusive of garages, porches, or unfinished basements.~~

~~(6) In no case shall a detached accessory dwelling unit have axles or be on a chassis.~~

~~(7) (2) The architectural character of the single-family dwelling shall be preserved. Exterior materials, roof form, and window spacing and proportions shall match that of the existing single-family dwelling. Only one main entrance shall be permitted on the front (street face) of the dwelling; provided, that this limitation shall not affect the eligibility of a residential structure that has more than one entrance on the front or street side on the effective date of the ordinance codified in this chapter. In no case shall a detached accessory dwelling unit have axles or be on a chassis.~~

~~(3) The city may not prohibit the sale or other conveyance of a condominium unit independently of the principal structure solely on the grounds that the condominium unit was originally unit was originally built as an accessory dwelling unit.~~

~~(4) The provisions of this section do not apply to portions of lots designated with critical areas or their buffers as designated in RCW 36.70A.060, or to lots in a watershed serving a reservoir for potable water if that watershed is or was listed, as of July 23, 2023, as impaired or threatened under section 303(d) of the Federal Clean Water Act (33 U.S.C. Sec. 1313(d)).~~

~~(8) One off-street parking space shall be provided and designated for the accessory dwelling unit, unless the accessory dwelling unit is located within one-quarter mile of a major transit stop. No additional parking is required for accessory dwelling units within one-quarter mile of a major transit stop.~~

~~If parking is required, driveways may be counted as one parking space but no parking areas other than driveways shall be created in front yards. When the property abuts an alley, the off-street parking space for the accessory dwelling unit shall gain access from the alley.~~

~~(9) The owner-occupant(s) may reside in the single-family dwelling unit or the accessory dwelling unit.~~

~~(10) Accessory dwelling units are not permitted as a short-term rental.~~

~~(11)~~ (5) In addition to the conditions that may be imposed by the community development director, all accessory dwelling units shall also be subject to the condition that the use shall be discontinued if ~~such a permit will automatically expire whenever:~~

(a) The accessory dwelling unit is substantially altered and no longer conforms is thus no longer in conformance with the plans approved by ~~both~~ the community development director and the building official; or

(b) The subject lot ceases to maintain the required parking spaces outlined in MMC 22C.130.030 Table 4. at least three off-street parking spaces, when said accessory dwelling unit is beyond one-quarter mile from a major transit stop; or

If the deficiencies outlined in subsections (a) and (b) are remedied, the community development director may allow the use to be reestablished.

~~(c) The owner ceases to reside in either the principal or the accessory dwelling unit; provided, that in the event of illness, death or other unforeseeable event which prevents the owner's continued occupancy of the premises, the community development director may, upon a finding that discontinuance of the accessory dwelling unit would cause a hardship on the owner and/or tenants, grant a temporary suspension of this owner occupancy requirement for a period of one year. The community development director may grant an extension of such suspension for one additional year, upon a finding of continued hardship. (Ord. 3203 § 8, 2022; Ord. 3093 § 5, 2018; Ord. 2852 § 10 (Exh. A), 2011).~~

Exhibit 7

22E.010.360 On-site density transfer for critical areas.

(1) An owner of a residential site or property containing critical areas may be permitted to transfer the density attributable to the critical area and associated buffer area or setback to another noncritical portion of the same site or property, subject to the limitations of this section and other applicable regulations. In the case of streams, only the density attributable to the buffer may be transferred.

(2) Up to 100 percent of the density that could be achieved on the critical area and buffer portion of the site, excluding stream channels, can be transferred to the noncritical area portion, subject to:

- (a) The density limitations of the underlying zone must be applied;
- (b) The ~~bulk and dimensional~~ building and impervious coverage standards of the next higher zoning classification may be utilized to accommodate the transfers in density;
- (c) The noncritical, nonbuffer portion of the site is not constrained by another environmentally critical area regulated by this code.

(3) An on-site density transfer shall meet the requirements and follow the procedures of Chapter [22G.090](#) MMC, Subdivisions and Short Subdivisions.

Exhibit 8

Chapter 22G.080

PLANNED RESIDENTIAL DEVELOPMENTS

Sections:

- [22G.080.010 Purpose.](#)
- [22G.080.020 Applicability.](#)
- [22G.080.030 Planned residential development – Site qualifications.](#)
- [22G.080.040 Permitted/conditional uses – Ratio of housing types.](#)
- [22G.080.050 Procedures for review and approval.](#)
- [22G.080.060 Required elements of PRD site plans.](#)
- [22G.080.070 Development standards.](#)
- [22G.080.080 Modification of development regulations.](#)
- [22G.080.090 Bonuses.](#)
- [22G.080.100 Open spaces.](#)
- [22G.080.110 Preservation of existing features.](#)
- [22G.080.120 Perpetual maintenance of open space and common facilities.](#)

22G.080.010 Purpose.

The purpose of this chapter is to permit design flexibility and provide performance criteria which can result in planned residential developments which produce:

- (1) A choice in the types of environment and living units available to the public;
- (2) Open space and recreation areas;
- (3) A pattern of development which preserves trees, outstanding natural topography and geologic features, and prevents soil erosion;
- (4) A creative approach to the use of land and related physical development;
- (5) An efficient use of land resulting in smaller networks of utilities and streets and thereby lower housing costs;
- (6) An environment of stable character in harmony with surrounding development;
- (7) A more desirable environment than would be possible through the strict application of other sections of this title.

This chapter is designed to provide for small- and large-scale developments incorporating a single type or a variety of housing types and related uses which are planned and developed as a [cohesive project unit](#). Developments may consist of individual lots or may have common building sites. Commonly owned land must be related to and preserve the long-term value of the residential development.

22G.080.020 Applicability.

An applicant may request to utilize the PRD provisions if the site meets the site qualification criteria of this chapter and concurrently utilizes a land division process as specified in MMC [22G.080.050](#).

22G.080.030 Planned residential development – Site qualifications.

To utilize the PRD provisions contained in this chapter, a site must be at least one acre gross area and zoned residential, or be a multifamily or townhome development within the mixed use zone.

22G.080.040 Permitted/conditional uses – Ratio of housing types.

The following uses are permitted within a PRD: single-family dwellings, [Middle Housing duplexes, townhouses, attached single-family dwellings](#) or multifamily dwellings, and recreational facilities; provided, that ~~in single-family zoned for~~ PRDs [in the Neighborhood Residential zone](#), no more than ~~six~~ [four](#) units may ~~be attached as one allowed per building; and provided further, that the mix of housing types shall be restricted so that not more than 30 percent of all structures, or potential structures, in the single-family zoned PRD and the surrounding single-family residential zoned property within a 300-foot radius, as a whole, are multiple-family dwellings.~~

22G.080.050 Procedures for review and approval.

The PRD review and approval process shall occur concurrently with the underlying land use action. PRDs shall be processed using the underlying land use actions set forth in Chapter [22G.090](#), Subdivisions or Short Subdivisions; 22G.100, Binding Site Plan; or 22G.120 MMC, Site Plan Review. The decision-making authority for the underlying land use action shall also be the decision-making authority for the PRD.

The director is authorized to promulgate guidelines, graphic representations, and examples of designs and methods of construction that do or do not satisfy the intent of this chapter. The following resources can be used in interpreting the guidelines: Residential Development Handbook for Snohomish County Communities (prepared for Snohomish County Tomorrow by

Makers, Inc.), Site Planning and Community Design for Great Neighborhoods (Frederick D. Jarvis, 1993), and City Comforts (David Sucher, 1996).

(1) Site Plan. A site plan meeting the requirements of this chapter, and Chapters [22C.010](#), [22C.020](#), [22G.090](#) and [22G.100](#) MMC as applicable shall be submitted with all applications for a PRD. The site plan may be approved, approved with conditions, or denied by the city. Specific development regulations may be modified in accordance with this chapter and special requirements may be applied to the property within the PRD. Modifications and special requirements shall be specified in the approval and shown on the approved site plan.

(2) Decision Criteria. It is the responsibility of the applicant to demonstrate the criteria have been met. The city may place conditions on the PRD approval in-order to fulfill the requirements and intent of the city's development regulations, comprehensive plan, and subarea plan(s). The following criteria must be met for approval of a PRD to be granted:

(a) Consistency with Applicable Plans and Laws. The development will comply with all applicable provisions of state law, the Marysville Municipal Code, comprehensive plan, Engineering Design and Development Standards, and any applicable subarea plan(s).

(b) Quality Design. The development shall include high quality architectural design and well-conceived placement of development elements including the relationship or orientation of structures.

(c) Design Criteria. Design of the proposed development shall achieve two or more of the following results above the minimum requirements of this title and Chapters [22G.090](#) and [22G.100](#) MMC; provided, that such design elements may also be used to qualify for residential density incentives as provided in Chapter [22C.090](#) MMC:

- (i) Improving circulation patterns or the screening of parking facilities;
- (ii) Minimizing the use of impervious surfacing materials;
- (iii) Increasing open space or recreational facilities on site;
- (iv) Landscaping, buffering, or screening in or around the proposed PRD;
- (v) Providing public facilities;
- (vi) Preserving, enhancing, or rehabilitating natural features of the subject property such as significant woodlands, wildlife habitats or streams;
- (vii) Incorporating energy-efficient site design or building features;

(viii) Incorporating a historic structure(s) or a historic landmark in such a manner as preserves its historic integrity and encourages adaptive reuse.

(d) Public Facilities. The PRD shall be served by adequate public facilities including streets, bicycle and pedestrian facilities, fire protection, water, storm water control, sanitary sewer, and parks and recreation facilities.

(e) When PRDs are located within or adjacent to ~~the Neighborhood Residential single-family residential~~ zones and are, or may be, surrounded by traditional development with detached dwelling units, PRDs shall be designed and developed ~~so as to~~ with a form and scale be consistent with a single-family residential environment. It is encouraged that if attached dwellings, townhouses, Middle Housing, and multiple-family dwellings are part of the PRD they will be dispersed throughout the project to create an integrated mix of housing types.

(f) Perimeter Design. The perimeter of the PRD shall be compatible in design, character, and appearance with the existing or intended character of development adjacent to the subject property and with the physical characteristics of the subject property.

(g) Open Space and Recreation. Open space and recreation facilities shall be provided and effectively integrated into the overall development of a PRD and surrounding uses.

(h) Streets, Sidewalks and Parking. Existing and proposed streets and sidewalks within a PRD shall be suitable and adequate to carry anticipated motorized and pedestrian traffic within the proposed project and in the vicinity of the subject property. A safe walking path to schools shall be provided if the development is within one-quarter mile of a school (measured via existing or proposed streets or pedestrian corridors) or if circumstances otherwise warrant. Adequate parking shall be provided to meet or exceed the requirements of the MMC.

(i) Landscaping. Landscaping shall be provided for public and semi-public spaces and shall integrate them with private spaces. Landscaping shall create a pleasant streetscape and provide connectivity between homes and common areas, using trees, shrubs, and groundcover throughout the development and providing for shade and visual relief while maintaining a clear line of sight throughout the public and semi-public spaces.

(j) Maintenance Provisions. A means of maintaining all common areas, such as a homeowners' association, shall be established, and legal instruments shall be executed to provide maintenance funds and enforcement provisions.

(3) Amendments. An approved PRD may be amended through the provisions of Chapters [22G.090](#) and [22G.100](#) MMC and Chapter [58.17](#) RCW.

(4) Duration of Approval. The duration of approval for a PRD shall be the same as the underlying land use action set forth in Chapter [22G.090](#), Subdivisions or Short Subdivisions; 22G.100, Binding Site Plan; or 22G.120 MMC, Site Plan Review.

(5) Compliance. Any use of land which requires PRD approval, as provided in this chapter, and for which approval is not obtained, or which fails to conform to an approved PRD and final site plan, constitutes a violation of this title.

22G.080.060 Required elements of PRD site plans.

All PRDs shall be subject to site plan approval as provided in MMC [22G.080.050](#). The following are minimum requirements for the site plan and supplemental material:

(1) The title and location of the proposed PRD, together with the names, ~~and~~ addresses and telephone numbers of the owners of record of the land and, if applicable, the names, addresses and telephone numbers of any architect, planner, designer or engineer responsible for the preparation of the plan, and of any authorized representative of the applicant;

(2) Where there is multiple ownership, a document satisfactorily assuring unified control through final approval and construction phases;

(3) Statement of intention to formally subdivide the property, if applicable;

(4) The total number of proposed dwelling units and a description of the housing type for each such unit;

(5) Probable building materials and treatment of exterior surfaces on all proposed multiple-family structures;

(6) Conceptual drainage plans demonstrating feasibility of the proposed facilities;

(7) Project staging or phases, if any;

(8) Provision for phasing out nonconforming uses;

~~(9) The calculation of the housing mix ratio within a 300-foot radius of the project, as required by MMC [22G.080.040](#);~~

~~(9)(10)~~ Restrictive covenants as required by MMC [22G.080.120](#) and including provisions to address parking enforcement, together with a statement from a private attorney as to the adequacy of the same to fulfill the requirements of this chapter;

~~(10)(11) Calculation of total project land area, gross site area and a density calculation per MMC [22C.010.110](#); project area, and net project density;~~

~~(11)(12)~~ A vicinity map at a minimum scale of two inches for each mile, showing sufficient area and detail to clearly locate the project in relation to arterial streets, natural features, landmarks and municipal boundaries;

~~(12)(13)~~ A site plan drawing, showing street layout and identification, size and shape of all building sites and lots, and location of all building pads and open space areas with any specific open space activity areas indicated;

~~(13)(14)~~ The existing edge and width of pavement of any adjacent roadways and all proposed internal streets, off-street parking facilities, driveway approaches, curbing, sidewalks or walkways, street channelization, and type of surfaces;

~~(14)(15)~~ Landscaping plan, including plant locations and species size at planting, together with location and typical side view of perimeter fencing or berms, if any;

~~(15)(16)~~ Plans for all ~~proposed dwellings and structures attached dwellings and multiple-family dwellings~~ and related improvements, to a scale of not less than one inch to 50 feet, showing typical plot plans for each such building, including location of building entrance, driveway, parking, fencing and site screening, and typical elevations of each type of building, including identification of exterior building materials and roof treatment;

~~(16)(17)~~ Plans for open space improvements, if any;

~~(17)(18)~~ Plans for signing and lighting, including typical side view of entrance treatment and entrance signs;

~~(18)(19)~~ The location of all solid waste collection points, proposed meter locations, water mains, valves, fire hydrants, sewer mains, laterals, manholes, pump stations and other appurtenances;

~~(19)(20)~~ Itemization of the specific development regulations which are to be modified and special requirements which are to be applied to the property; and

~~(20)(21)~~ Such additional information as the city may deem necessary.

22G.080.070 Development standards.

~~All PRDs which have lot(s) less than 5,000 square feet in any zone and multiple detached single-family dwellings on a single lot in any zone~~ shall meet the requirements of this section:

~~(1) Accessory dwelling units shall not be permitted for single-family detached dwellings unless approved as part of the PRD site plan.~~

~~(2)~~ (1) Each single-family detached unit shall have at least 200 square feet of private open space set aside as private space for that dwelling unit. No dimension of such open space shall be less

than 10 feet. The open space does not need to be fenced or otherwise segregated from other dwellings or open space in the development unless so conditioned through the approval process.

~~(3)(2)~~ Common open space is required pursuant to MMC [22C.010.320](#), [22C.020.270](#) or [22G.080.100](#), whichever provides the greater open space. The common open space must be arranged to maximize usability.

~~(4)(3)~~ At least 25 percent of the dwellings ~~on lots less than 5,000 square feet~~ must have vehicle access points via any combination of the following, unless steep slopes or site-specific constraints preclude meeting this requirement:

(a) Shared or single-car-width driveway.

(b) Alley, auto court, or other method of accessing dwellings other than direct street access.

22G.080.080 Modification of development regulations.

The city's standard development regulations shall be modified for a PRD as provided in this section:

(1) Density, Dimension, and Parking. The standard development regulations shall apply to all lots and development in a PRD except as specifically modified below and as provided in the design review standards in Chapters [22C.010](#) and [22C.020](#) MMC.

**Modified Density, Dimension and Parking
Table**

	PRD
Density: Dwelling unit/acre or dwelling unit/lot, as applicable	As allowed per the underlying zone. See MMC 22C.010.080 or 22C.020.080 as applicable.
Maximum density: ¹	As allowed per the underlying zone or modified through the residential density incentives in Chapter 22C.090 MMC
Minimum street setback: ²	10 feet

**Modified Density, Dimension and Parking
Table**

	PRD
Minimum side yard setback:	5 feet (if no lot line between homes, 10 feet separation required)
Minimum rear yard setback: ³	10 feet (if no lot line between homes, 20 feet separation required)
Base height:	As allowed per the underlying zone
Maximum building coverage:	No maximum building coverage
Maximum impervious surface:	70 percent
Minimum lot area: ⁴	3,500 square feet
Minimum lot width: ⁵	30 feet
Minimum driveway length: ⁶	20 feet
Minimum parking: ⁷	3 stalls per detached single-family dwelling See MMC 22C.130.030, Table 1.

Development Conditions:

1. Density may be increased consistent with density incentives, Chapter [22C.090](#) MMC [in multi-family zones and the mixed use zone.](#)
2. Porches may extend as close as seven feet from the street, sidewalk, right-of-way, or public/community improvement.
3. Consistent with MMC [22C.010.310\(3\)](#), rear yard setbacks may be reduced to zero feet for garages if an alley is provided. Living space is allowed up to the rear property line or alley when above a garage. If the garage does not extend to the property line, the dwelling unit above the garage may be extended to the property line.

4. No minimum lot area for mixed use and multifamily zoned properties. In ~~the Neighborhood Residential single-family zones~~, the minimum lot area/dwelling unit area may be reduced to ~~1,750~~2,000 square feet for ~~a duplex or townhouse unit attached single-family dwellings, and duplexes require 5,250 feet per two-dwelling duplex.~~
 5. Minimum lot width may be reduced to 25 feet for zero lot line ~~townhouses attached single-family dwellings.~~
 6. Minimum driveway length may be reduced in accordance with MMC [22C.010.310](#).
 7. ~~Parking for multifamily and attached single-family will be computed pursuant to Chapter 22C.130 MMC, Parking and Loading. For D~~detached single-family dwellings, ~~will provide three stalls per dwelling unit. Two spaces of the stalls must be off-street adjacent must be on the site and readily available~~ to the dwelling unit. The third ~~stall space~~ may be on-street parking or provided nearby to the dwelling.
- (2) Street Standards. The city's PRD street standards, as set forth in the engineering development and design standards (EDDS), apply to ~~PRD subdivisions and binding site plans small lot developments~~ and may be modified as provided below.

The "PRD Access Street with Parking" and "PRD Access Street" road sections may be used in a PRD and modified as follows:

- (a) "PRD Access Street with Parking" standard is required for developments containing 20 or more dwellings ~~s units~~. For developments containing less than 20 dwelling units the "PRD Access Street" standard may be used, provided parking requirements are met and community parking is provided at a ratio of at least one parking space for each four ~~single family residences dwelling units~~.
- (b) Modifications to the "PRD Access Street with Parking" and "PRD Access Street" standards may be requested for sidewalks, planter strips, and on-street parking. The burden to clearly demonstrate the proposed modification meets the requirements of this section is the applicant's. (Note: it is not likely multiple reductions will be allowed along a single section of road.) If requesting a modification, the applicant shall submit an integrated pedestrian travel, landscape and parking plan as well as other information to demonstrate:
 - (i) Safe, aesthetically pleasing pedestrian travel is provided throughout the development.
 - (ii) Pedestrian travel within the development shall be tied to pedestrian travel routes outside the development, actual and/or planned.
 - (iii) Reduction of planter strips shall require additional equivalent or greater landscaping to benefit the development.

(iv) Reduction of on-street parking shall generally require alley access and community parking be provided, such as bump-out parking on the street at a ratio in excess of one parking spot for each four dwelling units.

(v) Any proposed modifications shall allow for efficient flow and movement of automobiles and pedestrians without negatively altering or constraining their movement.

(3) Open Space. Open space requirements may be modified consistent with this chapter.

(4) Additional Modifications. An applicant may request additional dimensional, open space, street, and design standard modifications beyond those provided in this section. Granting of the requested modification(s) will be based on innovative and exceptional architectural design features and/or innovative and exceptional site design and layout that contribute to achieving the purpose of this chapter. (Street modifications may include the elimination of sidewalks on one or both sides, when alternate safe pedestrian connections are provided, and/or the movement of planter strips behind the sidewalk or the elimination of planter strips altogether, when the streetscape is enhanced to provide for a significantly more pleasing appearance.)

(5) Other Development Code Modifications. Modification of development code requirements beyond those provided for in this section may be requested through the variance process set forth in the MMC.

22G.080.090 Bonuses.

The city's decision-making authority may allow an increase in the ~~net~~ density of the project in multi-family zones and the mixed use zone in compliance with the residential density incentive requirements of Chapter [22C.090](#) MMC.

22G.080.100 Open spaces.

(1) A minimum of 15 percent of the net project area shall be established as open space. The same net project area calculation used for determining the project's density shall be used for calculating required open space. Passive open space areas, as defined in MMC [22A.020.160](#), and critical areas and buffers, may be used to satisfy a maximum of 65 percent of the required open space. Thirty-five percent of the required open space shall be active open space, as defined in MMC [22A.020.160](#), and as outlined in subsection (2) of this section.

(a) Required yards, parking areas, driveways, streets, and other accesses shall not qualify as open space except as provided in subsection (3)(c) of this section;

(b) Fencing and/or landscaping shall separate, while maintaining visual observability of, recreation areas from adjacent lots, parking areas, driveways, streets, and other accesses;

(c) Up to five feet of the perimeter landscaping around the active open space area may contribute to the active open space area requirement; provided, that the perimeter landscaping:

(i) Includes trees, shrubs, and groundcover that feature variation in texture and color and a succession of blooms; and

(ii) Is of the same grade as the overall active open space area;

(d) The active open space areas shall be calculated by drawing a boundary around the area(s) meeting the standards set forth in this subsection and subsection (2) of this section, and deducting the ineligible areas outlined in subsections (1)(a) and (c) and (2) of this section.

(2) Active open space areas shall:

(a) Be of a grade and surface suitable for recreation;

(b) Be on the site of the proposed development;

(c) Be one continuous parcel if less than 3,000 square feet in size, not to be located in the front yard setback;

(d) Be situated and designed to be observable by the neighborhood residents, be centrally located within the project, and abut a neighborhood street unless determined to be infeasible or undesirable by the director. Fences on individual lots abutting the open space area may be up to six feet tall only if the top two feet are constructed as an open-work fence;

(e) Be accessible and convenient to all residents within the development;

(f) Have no dimensions less than 30 feet (except trail segments);

(g) Trail segments shall:

(i) Be a minimum of five feet in width;

(ii) Meet Americans with Disabilities Act (ADA) standards; and

(iii) Be improved with an appropriate all-weather surface (gravel surfacing is not considered an all-weather surface); provided, that an all-weather surface shall not be required where terrain precludes ADA access, or where an alternate surface is determined by the director to be preferable. Where an alternate surface is used, appropriate materials, edging, and compaction shall be provided; and

(iv) Trail segments that are being dedicated to the public, or connecting to a regional or city parks system trail, may be required to be increased in width or construction standard as determined by the parks, culture, and recreation director;

(h) Include a minimum of one large recreational amenity or two small recreational amenities per one-quarter acre of active recreation space. The calculation of amenities shall be rounded up to the nearest one-quarter acre.

(i) Small recreational amenities include: ~~disc golf; horseshoes,~~ bocce, or similar lawn games; volleyball or similar net sports; commercial-grade benches; picnic tables; tot lot with small playground equipment (soft surface); and similar amenities; provided, that one bench equals one-half small recreational amenity.

(ii) Large recreational amenities include commercial-grade multipurpose, basketball, tennis, pickleball, or similar courts or half-courts; baseball, football, soccer, or similar fields; tot lot with large playground equipment (soft surface); gazebos; and similar amenities. A half sport court qualifies as one recreational amenity, and a full sport court qualifies as two recreational amenities.

(iii) Where recreational amenities are provided that involve ball, discs/frisbees, or similar recreational equipment and are near roads or neighboring yards, fencing or panels of an adequate height to prevent the ball, disc/frisbee, or similar recreational equipment from entering the adjacent street, access or yard shall be provided.

~~(iiiiv)~~ A project must provide at least one amenity that promotes physical activity, and cannot provide only benches, picnic tables, or a gazebo.

~~(iv)~~ When a tot lot is provided, at least one bench must be provided for each tot lot; however, the bench and tot lot shall qualify as separate amenities.

(vi) When a tot lot or other park catering to young children is provided, the recreational area shall have fencing around the area.

(vii) Where benches or picnic tables are provided, at least one shade tree must be planted near the amenity to provide for shade for the amenity.

~~(viii)~~ The community development director is specifically authorized to determine what qualifies as a recreational amenity, and whether the recreational amenity should be considered a small or large recreational amenity;

(i) The community development director is authorized to allow deviations to the standards outlined in this subsection (2) when the applicant has clearly demonstrated that the intent of these standards has been met.

(3) Dual use storm water retention/detention and/or recreation facilities shall meet the following design criteria:

(a) The facility shall be designed with emphasis as a recreation area, not a storm water control structure, and shall be designed as usable open recreation area. Bioswales, infiltration galleries, and ponds shall not be used for recreation facilities.

(b) Control structures shall not be prominently placed. Care should be taken to blend them into the perimeter of the recreation area.

(c) The number of accesses shall be minimized, and the accesses shall be designed to serve as both an access and an amenity to qualify as open space. The following are examples of access treatments that would qualify as open space:

(i) Grasscrete or equivalent as determined by the public works director or designee;

(ii) Decorative pavers; or

(iii) Concrete or asphalt with a dual use including, but not limited to, sport court, hopscotch, meandering paved trails, etc.

(4) The open space requirements outlined in subsection (1) of this section may be reduced if substantial and appropriate recreational facilities (such as recreational buildings, swimming pools or tennis courts) are provided. If an open space reduction is proposed, detailed plans showing the proposed recreational facilities must be submitted with the preliminary site plan.

(5) Open space and recreational facilities shall be owned, operated and maintained in common by the PRD property owners; provided, that by agreement with the city council, open space may be dedicated in fee to the public.

22G.080.110 Preservation of existing features.

(1) Existing trees and other natural and unique features shall be preserved wherever possible. The location of these features must be considered when planning the open space, location of buildings, underground services, walks, paved areas, playgrounds, parking areas, and finished grade levels.

(2) The city shall inquire into the means whereby trees and other natural features will be protected during construction. Excessive site-clearing of topsoil, trees and natural or unique features before commencement of building operations may disqualify the project as a PRD.

22G.080.120 Perpetual maintenance of open space and common facilities.

Before final approval is granted, the applicant shall submit to the city, for its approval, covenants, deed restrictions, homeowners' association bylaws, and/or other documents providing for preservation and maintenance of all common open space, parking areas, walkways, landscaping, signs, lights, roads and community facilities at the cost of the property owners in the PRD. All common areas and facilities shall be continuously maintained at a minimum standard at least equal to that required by the city, and shall be approved by the city at the time of initial occupancy.