

**CITY OF MERCER ISLAND
ORDINANCE NO. 24C-08**

**AN ORDINANCE OF THE CITY OF MERCER ISLAND, WASHINGTON,
ADOPTING INTERIM ZONING REGULATIONS FOR RESIDENTIAL PARKING
IN RESPONSE TO SENATE BILL 6015; ADOPTING A WORK PLAN;
DECLARING AN EMERGENCY; PROVIDING FOR SEVERABILITY, AND
ESTABLISHING AN IMMEDIATE EFFECTIVE DATE.**

WHEREAS, the Legislature of the State of Washington passed Substitute Senate Bill 6015, effective June 6, 2024, adopting minimum parking requirements for residential development by adding a new section to chapter 36.70A RCW; and

WHEREAS, the City of Mercer Island must amend several code sections to ensure that the Mercer Island City Code (MICC) is consistent with state requirements for residential parking configurations; and

WHEREAS, the City of Mercer Island must adopt regulations consistent with state requirements for residential parking configurations; and

WHEREAS, the City is authorized under RCW 35A.63.220 and 36.70A.390 to pass an interim zoning and official control ordinance for up to one year, provided a work plan is developed for related studies providing for such a longer period; and

WHEREAS, the City Council held a public hearing on June 4, 2024 which satisfies the requirements on RCW 35A.63.220 and RCW 36.70A.390; and

WHEREAS, to be compliant with Substitute Senate Bill 6015 and prevent the potential harm to public health, safety, property, and welfare resulting from the MICC being noncompliant with state requirements, the City Council finds that immediate action is necessary to adopt the interim zoning regulations in this ordinance; and

WHEREAS, this ordinance, as an interim zoning and official control ordinance, is not subject to referendum;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MERCER ISLAND, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Whereas Clauses Adopted. The “Whereas Clauses” set forth in the recital of this ordinance are adopted as the findings of fact and/or conclusions of law of the City Council as support for passing this ordinance.

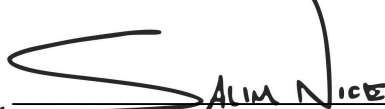
Section 2. MICC 19.02.020 Amended. MICC Subsection 19.02.020 is amended as shown on the attached Exhibit A.

Section 3. MICC 19.03.020 Amended. MICC Subsection 19.03.020 is amended as shown on the attached Exhibit B.

- Section 4. MICC 19.11.130 Amended.** MICC Subsection 19.11.130 is amended as shown on the attached Exhibit C.
- Section 5. MICC 19.12.050 Amended.** MICC Subsection 19.12.050 is amended as shown on the attached Exhibit D.
- Section 6. MICC Title 19, Appendix A, Amended.** MICC Title 19, Appendix A is amended as shown on the attached Exhibit E.
- Section 7. Work Plan adopted.** The Work Plan attached as Exhibit F is adopted pursuant to RCW 35A.63.220 and RCW 36.70A.390 and indicates the City's plans for considering permanent regulations during the pendency of the interim regulations.
- Section 8. Duration of Interim Zoning and Official Controls.** The interim zoning and official controls approved by this ordinance shall continue in effect for an initial period of one year from the effective date, unless repealed, extended or modified by the City Council pursuant to RCW 35A.63.220 and RCW 36.70A.390.
- Section 9. Severability.** If any section, sentence, clause, or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, or its application held inapplicable to any person, property, or circumstance, such invalidity or unconstitutionality shall not affect the validity of any other section, sentence, clause, or phrase of this ordinance or its application to any other person, property, or circumstance.
- Section 10. Effective Date.** The City Council hereby finds and declares that the effective date in SB 6015 causes an emergency which necessitates that this ordinance become effective immediately in order to preserve the public health, safety, and welfare. This ordinance shall take effect and be in full force and effect immediately upon passage, as set forth herein, so long as it is approved by a majority plus one of the entire membership of the Council, as required by RCW 35A.13.190.

PASSED BY AT LEAST A MAJORITY PLUS ONE OF THE WHOLE MEMBERSHIP OF THE CITY COUNCIL OF THE CITY OF MERCER ISLAND, WASHINGTON, AT ITS MEETING ON JUNE 4, 2024.

CITY OF MERCER ISLAND


Salim Nice, Mayor

APPROVED AS TO FORM:

s/Bio Park
Bio Park, City Attorney

ATTEST:


Andrea Larson, City Clerk

Date of Publication: June 12, 2024

EXHIBIT A

19.02.020 Development standards.

A. *Minimum net lot area.*

- R-8.4: The net lot area shall be at least 8,400 square feet. Lot width shall be at least 60 feet and lot depth shall be at least 80 feet.
- R-9.6: The net lot area shall be at least 9,600 square feet. Lot width shall be at least 75 feet and lot depth shall be at least 80 feet.
- R-12: The net lot area shall be at least 12,000 square feet. Lot width shall be at least 75 feet and lot depth shall be at least 80 feet.
- R-15: The net lot area shall be at least 15,000 square feet. Lot width shall be at least 90 feet and lot depth shall be at least 80 feet.

1. Minimum net lot area requirements do not apply to any lot that came into existence before September 28, 1960. In order to be used as a building site, lots that do not meet minimum net lot area requirements shall comply with MICC 19.01.050(G)(3).
2. In determining whether a lot complies with the minimum net lot area requirements, the following shall be excluded: the area between lateral lines of any such lot and any part of such lot which is part of a street.

B. *Street frontage.* No building will be permitted on a lot that does not front onto a street acceptable to the city as substantially complying with the standards established for streets.

C. *Yard requirements.*

1. *Minimum.* Except as otherwise provided in this section, each lot shall have front, rear, and side yards not less than the depths or widths following:
 - a. Front yard depth: 20 feet or more.
 - b. Rear yard depth: 25 feet or more.
 - c. Side yards shall be provided as follows:
 - i. *Total width.*
 - (a) For lots with a lot width of 90 feet or less, the sum of the side yards' width shall be at least 15 feet.
 - (b) For lots with a lot width of more than 90 feet, the sum of the side yards' width shall be a width that is equal to at least 17 percent of the lot width.
 - ii. *Minimum side yard width.* The minimum side yard width is five feet or 33 percent of the aggregate side yard total width, whichever is greater.
 - iii. *Variable side yard depth requirement.* For lots with an area of 6,000 square feet or more, the minimum side yard depth abutting an interior lot line shall be the greater of the minimum side yard depth required under subsection (C)(1)(c)(ii) of this section, or as follows:
 - (a) Single-family dwellings shall provide a minimum side yard depth of seven and one-half feet if the building:
 - (1) For nongabled roof end buildings, the height is more than 15 feet measured from existing or finished grade, whichever is lower, to the top of the exterior wall facade adjoining the side yard; or

(2) For gabled roof end buildings, the height is more than 18 feet measured from existing or finished grade, whichever is lower, to the top of the gabled roof end adjoining the side yard.

(b) Single-family dwellings with a height of more than 25 feet measured from the existing or finished grade, whichever is lower, to the top of the exterior wall facade adjoining the side yard shall provide a minimum side yard depth of ten feet.

2. *Yard determination.*

a. *Front yard.*

i. *Front yard — General.* For lots that are not corner lots or waterfront lots, the front yard shall extend the full width of the lot and is determined using the following sequential approach, in descending order of preference, until a front yard is established:

(a) The yard abutting an improved street from which the lot gains primary access.

(b) The yard abutting the primary entrance to a building.

(c) The orientation of buildings on the surrounding lots and the means of access to the lot.

ii. *Front yard — Corner lots.* On corner lots the front yard shall be measured from the narrowest dimension of the lot abutting a street. The yard adjacent to the widest dimension of the lot abutting a street shall be a side yard; provided:

(a) If a setback equivalent to or greater than required for a front yard is provided along the property lines abutting both streets, then only one of the remaining setbacks must be a rear yard.

iii. *Front yard — Waterfront lots.* On a waterfront lot, regardless of the location of access to the lot, the front yard may be measured from the property line opposite and generally parallel to the ordinary high water line.

iv. This section shall apply except as provided for in MICC 19.08.030(F)(1).

b. *Rear yard.* Except as allowed in subsections (C)(2)(a)(ii) and (iii) of this section, the rear yard is the yard opposite the front yard. The rear yard shall extend across the full width of the rear of the lot, and shall be measured between the rear line of the lot and the nearest point of the main building including an enclosed or covered porch. If this definition does not establish a rear yard setback for irregularly shaped lots, the code official shall establish the rear yard based on the following method: The rear yard shall be measured from a line or lines drawn from side lot line(s) to side lot line(s), at least ten feet in length, parallel to and at a maximum distance from the front lot line.

c. *Side yard.* Any yards not designated as a front or rear yard shall be defined as a side yard.

3. *Intrusions into required yards.*

a. *Minor building elements.*

i. Except as provided in subsection (C)(3)(a)(ii) of this section, porches, chimney(s) and fireplace extensions, window wells, and unroofed, unenclosed outside stairways and decks shall not project more than three feet into any required yard. Eaves shall not protrude more than 18 inches into any required yard.

ii. No penetration shall be allowed into the minimum side yard setback abutting an interior lot line except where an existing flat-roofed house has been built to within 18 inches of the

interior side yard setback line and the roof is changed to a pitched roof with a pitch of 2:12 or steeper, eaves may penetrate up to 18 inches into the side yard setback.

- b. *Hardscape and driveways.* Hardscape and driveways not more than 30 inches above existing grade or finished grade, whichever is lower, may be located in any required yard; provided, that driveways may exceed the 30-inch limit when a permit applicant demonstrates the proposed height is the minimum feasible to meet the standards in MICC 19.09.040.
 - c. *Fences, retaining walls and rockeries.* Fences, retaining walls and rockeries are allowed in required yards as provided in MICC 19.02.050.
 - d. *Garages and other accessory buildings.* Garages and other accessory buildings are not allowed in required yards, except as provided in MICC 19.02.040.
 - e. *Heat pumps, air compressors, air conditioning units, and other similar mechanical equipment.* Heat pumps, air compressors, air conditioning units, and other similar mechanical equipment may be located within any required yard provided they will not exceed the maximum permissible noise levels set forth in WAC 173-60-040, which is hereby incorporated as though fully set forth herein. Any such equipment shall not be located within three feet of any lot line.
 - f. *Architectural features.* Detached, freestanding architectural features such as columns or pedestals that designate an entrance to a walkway or driveway and do not exceed 42 inches in height are allowed in required yards.
 - g. *Other structures.* Except as otherwise allowed in this subsection (C)(3), structures over 30 inches in height from existing grade or finished grade, whichever is lower, may not be constructed in or otherwise intrude into a required yard.
4. *Setback deviation.* The code official may approve a deviation to front, side, and rear setbacks pursuant to MICC 19.15.040.

D. *Gross floor area.*

- 1. Except as provided in subsection (D)(3) of this section, the gross floor area shall not exceed:
 - a. R-8.4: 5,000 square feet or 40 percent of the lot area, whichever is less.
 - b. R-9.6: 8,000 square feet or 40 percent of the lot area, whichever is less.
 - c. R-12: 10,000 square feet or 40 percent of the lot area, whichever is less.
 - d. R-15: 12,000 square feet or 40 percent of the lot area, whichever is less.
- 2. *Gross floor area calculation.* The gross floor area is the sum of the floor area(s) bounded by the exterior faces of each building on a residential lot, provided:
 - a. The gross floor area shall be 150 percent of the floor area of that portion of a room(s) with a ceiling height of 12 feet to 16 feet, measured from the floor surface to the ceiling.
 - b. The gross floor area shall be 200 percent of the floor area of that portion of a room(s) with a ceiling height of more than 16 feet, measured from the floor surface to the ceiling.
 - c. Staircases shall be counted as a single floor for the first two stories accessed by the staircase. For each additional story above two stories, the staircase shall count as a single floor area. For example, a staircase with a ten-foot by ten-foot dimension that accesses three stories shall be accounted as 200 square feet (100 square feet for the first two stories, and 100 square feet for the third story).
 - d. For the purposes of calculating allowable gross floor area, lots created in a subdivision through MICC 19.08.030(G), Optional standards for development, may apply the square footage from the open space tract to the lot area not to exceed the minimum square footage of the zone in which the lot is located.

3. *Allowances.*

- a. The gross floor area for lots with an area of 7,500 square feet or less may be the lesser of 3,000 square feet or 45 percent of the lot area; or
- b. If an accessory dwelling unit is proposed, the 40 percent allowed gross floor area may be increased by the lesser of five percentage points or the actual floor area of the proposed accessory dwelling unit, provided:
 - i. The allowed gross floor area of accessory buildings that are not partially or entirely used for an accessory dwelling unit shall not be increased through the use of this provision;
 - ii. The lot will contain an accessory dwelling unit associated with the application for a new or remodeled single-family home; and
 - iii. The total gross floor area shall not exceed 4,500 square feet or 45 percent of the lot area, whichever is less.

E. *Building height limit.*

1. *Maximum building height.* No building shall exceed 30 feet in height above the average building elevation to the highest point of the roof.
2. *Maximum building height on downhill building facade.* The maximum building facade height on the downhill side of a sloping lot shall not exceed 30 feet in height. The building facade height shall be measured from the existing grade or finished grade, whichever is lower, at the furthest downhill extent of the proposed building, to the top of the exterior wall facade supporting the roof framing, rafters, trusses, etc.
3. Antennas, lightning rods, plumbing stacks, flagpoles, electrical service leads, chimneys and fireplaces, solar panels, and other similar appurtenances may extend to a maximum of five feet above the height allowed for the main structure in subsections (E)(1) and (2) of this section; provided:
 - a. Solar panels shall be designed to minimize their extension above the maximum allowed height, while still providing the optimum tilt angle for solar exposure.
 - b. Rooftop railings may not extend above the maximum allowed height for the main structure.
4. The formula for calculating average building elevation is as follows:

Formula: Average Building Elevation = (Weighted Sum of the Mid-point Elevations) ÷ (Total Length of Wall Segments)

Where: Weighted Sum of the Mid-point Elevations = The sum of: ((Mid-point Elevation of Each Individual Wall Segment) × (Length of Each Individual Wall Segment))

For example for a house with ten wall segments:

$$(A \times a) + (B \times b) + (C \times c) + (D \times d) + (E \times e) + (F \times f) + (G \times g) + (H \times h) + (I \times i) + (J \times j) \\ a + b + c + d + e + f + g + h + i + j$$

Where: A, B, C, D... = The existing or finished ground elevation, whichever is lower, at midpoint of wall segment.

And: a, b, c, d... = The length of wall segment measured on outside of wall.

F. *Lot coverage—Single-family dwellings.*

1. *Applicability.* This section shall apply to the development of single-family dwellings including, but not limited to, the remodeling of existing single-family dwellings and construction of new single-family dwellings. This section does not apply to regulated improvements.
2. *Landscaping objective.*

- a. To ensure that landscape design reinforces the natural and wooded character of Mercer Island, complements the site, the architecture of site structures and paved areas, while maintaining the visual appearance of the neighborhood.
 - b. To ensure that landscape design is based on a strong, unified, coherent, and aesthetically pleasing landscape concept.
 - c. To ensure that landscape plantings, earth forms, and outdoor spaces are designed to provide a transition between each other and between the built and natural environment.
 - d. To ensure suitable natural vegetation and landforms, particularly mature trees and topography, are preserved where feasible and integrated into the overall landscape design. Large trees and tree stands should be maintained in lieu of using new plantings.
 - e. To ensure planting designs include a suitable combination of trees, shrubs, groundcovers, vines, and herbaceous material; include a combination of deciduous and evergreen plant material; emphasize native plant material; provide drought-tolerant species; and exclude invasive species.
3. *Lot coverage—Landscaping required.*
- a. *Minimum area required.* Development proposals for single-family dwellings shall comply with the following standards based on the net lot area:

Lot Slope	Maximum Lot Coverage (house, driving surfaces, and accessory buildings)	Required Landscaping Area
Less than 15%	40%	60%
15% to less than 30%	35%	65%
30% to 50%	30%	70%
Greater than 50% slope	20%	80%

- b. *Hardscape.*
 - i. A maximum of nine percent of the net lot area may consist of hardscape improvements including, but not limited to, walkways, decks, etc., and provided:
 - (a) The hardscape for lots with a net lot area of 8,400 square feet or less may be the lesser of 755 square feet or 12 percent of the net lot area.
 - ii. Hardscape improvements are also permitted in the maximum lot coverage area established in subsection (F)(3)(a) of this section.
- c. *Softscape and driveways.*
 - i. The required landscaping area in subsection (F)(3)(a) of this section shall consist of softscape improvements, except where used for hardscape improvements pursuant to subsection (F)(3)(b) of this section.
 - ii. Driveways and other driving surfaces are prohibited within the landscaping area.

For example, a flat lot with a net area of 10,000 square feet shall provide a minimum 6,000 square feet of landscaped area. Up to 900 square feet of the landscaped area may be used for a walkway, patio, or deck or other hardscape area. The remainder of the area shall be used for softscape improvements, such as landscaping, tree retention, etc.
- d. Development proposals for a new single-family home shall remove Japanese knotweed (*Polygonum cuspidatum*) and Regulated Class A, Regulated Class B, and Regulated Class C weeds identified on the King County Noxious Weed list, as amended, from required landscaping areas established pursuant to subsection (F)(3)(a) of this section. New landscaping associated with new

single-family home shall not incorporate any weeds identified on the King County Noxious Weed list, as amended. Provided, that removal shall not be required if the removal will result in increased slope instability or risk of landslide or erosion.

- e. *Allowed adjustments.* A one-time reduction in required landscaping area and an increase in the maximum lot coverage are allowed, provided:
- i. The total reduction in the required landscaping area shall not exceed five percentage points, and the total increase in the maximum lot coverage shall not exceed five percentage points; and
 - ii. The reduction in required landscaping area and increase in maximum lot coverage are associated with:
 - (a) A development proposal that will result in a single-story single-family dwelling with a wheelchair accessible entry path, and may also include a single-story accessory building; or
 - (b) A development proposal on a flag lot that, after optimizing driveway routing and minimizing driveway width, requires a driveway that occupies more than 25 percent of the otherwise allowed lot coverage area. The allowed reduction in the required landscaping area and increase in maximum lot coverage shall not exceed five percent, or the area of the driveway in excess of 25 percent of the lot coverage, whichever is less.

For example, a development proposal with a driveway that occupies 27 percent of the otherwise allowed lot coverage may increase the total lot coverage by two percent; and

- iii. A recorded notice on title, covenant, easement, or other documentation in a form approved by the city shall be required. The notice on title or other documentation shall describe the basis for the reduced landscaping area and increased lot coverage.

G. *Parking.*

1. *Applicability.* Subsection (G)(2) of this section shall apply to all new construction and remodels where more than 40 percent of the length of the structure's external walls have been intentionally structurally altered, except as provided below.
2. *Parking required.*
 - a. Each single-family dwelling with a gross floor area of 3,000 square feet or more shall have at least three parking spaces sufficient in size to park a passenger automobile; ~~provided, at least two of the stalls shall be covered stalls.~~
 - b. Each single-family dwelling with a gross floor area of less than 3,000 square feet shall have at least two parking spaces sufficient in size to park a passenger automobile; ~~provided, at least one of the stalls shall be a covered stall.~~
3. No construction or remodel shall reduce the number of parking spaces on the lot below the number existing prior to the project unless the reduced parking still satisfies the requirements set out above.
4. Except as otherwise provided in this chapter, each lot shall provide parking deemed sufficient by the code official for the use occurring on the lot; provided, any lot that contains ten or more parking spaces shall also meet the parking lot requirements set out in appendix A of this development code, except as provided below.
5. Garages and carports are not required in order to meet minimum parking requirements for residential development.
6. Parking spaces that count towards minimum parking requirements may be enclosed or unenclosed.

7. Parking spaces in tandem shall count towards meeting minimum parking requirements at a rate of one space for every 20 linear feet with any necessary provisions for turning radius. For purposes of this subsection, "tandem" is defined as having two or more vehicles, one in front of or behind the others with a single means of ingress and egress.
8. Existence of legally nonconforming gravel surfacing in existing designated parking areas may not be a reason for prohibiting utilization of existing space in the parking area to meet parking standards, up to a maximum of six parking spaces.
9. Parking spaces are not required to exceed eight feet by 20 feet, except for required parking for people with disabilities.
10. Required off-street parking shall not be a condition of permitting a residential project if compliance with tree retention pursuant to Chapter 19.10 MICC would otherwise make a proposed residential development or redevelopment infeasible.
11. Parking spaces that consist of grass block pavers may count toward minimum parking requirements.
12. Existing parking spaces that do not conform to the requirements of this section by June 6, 2024 are not required to be modified or resized, except for compliance with the Americans with Disabilities Act. Existing paved parking lots are not required to change the size of existing parking spaces during resurfacing if doing so will be more costly or require significant reconfiguration of the parking space locations.

H. *Easements.* Easements shall remain unobstructed.

1. *Vehicular access easements.* No structures shall be constructed on or over any vehicular access easement. A minimum five-foot yard setback from the edge of any easement that affords or could afford vehicular access to a property is required for all structures; provided, that improvements such as gates, fences, rockeries, retaining walls and landscaping may be installed within the five-foot yard setback so long as such improvements do not interfere with emergency vehicle access or sight distance for vehicles and pedestrians.
2. *Utility and other easements.* No structure shall be constructed on or over any easement for water, sewer, storm drainage, utilities, trail or other public purposes unless it is permitted within the language of the easement or is mutually agreed in writing between the grantee and grantor of the easement.

I. *Large lots.* The intent of this section is to ensure that the construction of a single-family dwelling on a large lot does not preclude compliance with applicable standards related to subdivision or short subdivision of the large lot. Prior to approval of a new single-family dwelling and associated site improvements, accessory buildings, and accessory structures on large lots, the applicant shall complete one of the following:

1. *Design for future subdivision.* The proposed site design that shall accommodate potential future subdivision of the lot as follows:
 - a. The proposed site design shall comply with the applicable design requirements of chapters 19.08, Subdivision, 19.09, Development, and 19.10, Trees, MICC.
 - b. The proposed site design shall not result in a circumstance that would require the removal of trees identified for retention, as part of a future subdivision.
 - c. The proposed site design shall not result in a circumstance that would require modifications to wetlands, watercourses, and associated buffers as part of a future subdivision.
 - d. Approval of a site design that could accommodate a potential future subdivision does not guarantee approval of such future subdivision, nor does it confer or vest any rights to a future subdivision.

2. *Subdivide.* Prior to application for a new single-family dwelling, the property is subdivided or short platted to create all potential lots and building pads permitted by zoning. The proposed single-family dwelling shall be located on a lot and within a building pad resulting from a recorded final plat.
 3. *Limit subdivision.* Record a notice on title, or execute a covenant, easement, or other documentation approved by the city, prohibiting further subdivision of the large lot for a period of five years from the date of final inspection or certificate of occupancy.
- J. *Building pad.* New buildings shall be located within a building pad established pursuant to chapter 19.09 MICC. Intrusions into yard setbacks authorized pursuant to MICC 19.02.020(C)(3) may be located outside of the boundaries of the building pad.

EXHIBIT B

19.03.020 Parking requirements.

- A. *Parking lot dimension.* All parking areas shall conform to the design standards set out in appendix A of this development code unless alternative design standards are approved by the design commission and city engineer. Residential uses are subject to the provisions of MICC 19.03.020(C).
- B. Except as otherwise provided in this chapter, each lot shall also meet the following parking requirements.
1. Off-street parking shall be established and maintained at a minimum ratio of two parking spaces for each unit in a multiple-family dwelling.
 2. Parking shall not be allowed in front yard setbacks.
 3. Group parking areas shall be screened from view from streets and adjoining properties. If screening consists of solid planting, it shall be of evergreen variety and shall constitute a solid planting within two years.
 4. Notwithstanding any of the minimum parking requirements set out in this subsection, the code official may grant variances from the minimum parking requirements with the approval of the city engineer and the design commission for projects reviewable by the design commission.
 5. All off-street parking areas shall be graded and surfaced to a standard comparable to the street which serves the parking area. The parking area shall be developed and completed to the required standards before an occupancy permit for the building to be served is issued. All traffic control devices such as parking strips designating car stalls, directional arrows or signs, bull rails, curbs and other structures shall be installed and completed as shown on the approved plans. Hard surfaced parking area shall use paint or similar devices to delineate parking stalls and directional arrows.
 6. Off-street parking shall be located on the same lot or on an adjoining lot or lots to the building to be served, except that off-street parking may be located in an area beginning within 500 feet of the front entrance of the building to be served; provided, there are no intersecting streets between the parking area and building to be served.
 7. The city engineer shall have the authority to fix the location and width of vehicular entrances and exits to and from property, and to alter existing entrances and exits as may be required to control street traffic in the interest of public safety and general welfare.
 8. Off-street parking shall meet the relevant state design standards for the physically handicapped.
 9. Up to 50 percent of the required off-street parking spaces may be designed for accommodating compact vehicles. Such parking spaces shall be clearly designated as compact stalls. The design commission may increase the percentage of compact stalls permitted if the applicant can demonstrate that no adverse impacts will occur.
- C. Residential development parking standards.
1. Garages and carports are not required in order to meet minimum parking requirements for residential development.
 2. Parking spaces that count towards minimum parking requirements may be enclosed or unenclosed.
 3. Parking spaces in tandem shall count towards meeting minimum parking requirements at a rate of one space for every 20 linear feet with any necessary provisions for turning radius. For purposes of this subsection, "tandem" is defined as having two or more vehicles, one in front of or behind the others with a single means of ingress and egress.

4. Existence of legally nonconforming gravel surfacing in existing designated parking areas may not be a reason for prohibiting utilization of existing space in the parking area to meet parking standards, up to a maximum of six parking spaces.
5. Parking spaces are not required to exceed eight feet by 20 feet, except for required parking for people with disabilities.
6. Required off-street parking shall not be a condition of permitting a residential project if compliance with tree retention pursuant to the requirements of Chapter 19.10 MICC would otherwise make a proposed residential development or redevelopment infeasible.
7. Parking spaces that consist of grass block pavers may count toward minimum parking requirements.
8. Existing parking spaces that do not conform to the requirements of this section by June 6, 2024 are not required to be modified or resized, except for compliance with the Americans with Disabilities Act. Existing paved parking lots are not required to change the size of existing parking spaces during resurfacing if doing so will be more costly or require significant reconfiguration of the parking space locations.

EXHIBIT C

19.11.130 Parking, vehicular and pedestrian circulation.

- A. *Objectives.* The Town Center should be accessible for vehicles but have an emphasis toward the needs of pedestrians. Clear, easy to understand circulation should be designed into all development to allow drivers and pedestrians to move safely on and off the site, and within it, without confusion and without disrupting on-street traffic flow. Development should maintain mobility and maximize opportunities for alternative modes of transportation in the Town Center. Placement of structures, landscaping, circulation patterns and access points should collectively seek to promote an integrated, multi-modal transportation system. The harmonious integration of pedestrian and transit user circulation should be considered in every aspect of site design. Development shall provide adequate parking with safe and convenient pedestrian access. Parking stalls shall be located within a structure, underground, or behind buildings, except for residential developments and developments containing residential units, which shall utilize the residential development parking standards contained within MICC 19.11.130(B)(1)(a) and MICC 19.11.130(C). Parking structures should not dominate the street frontage, and must blend with the building's architectural theme. Creatively designed, clean and functional pedestrian connections are encouraged to provide access through-blocks, between properties and/or to and from the public right-of-way. Parking shall be designed consistent with the urban design vision set forth in MICC 19.11.010 and complement the pedestrian activities.
- B. *Development and design standards.*
1. *Parking requirements.*
 - a. *Minimum number of parking stalls required.* All new development and remodels greater than ten percent of the existing gross floor area shall provide at least the number of parking stalls set forth in the following table:

RETAIL (Stalls per gross square foot)			OFFICE (Stalls per gross square foot)			RESIDENTIAL (Stalls per unit)	
General Retail	Restaurant/ Deli/ Bakery/ Food	Hotel	Financial Services	Health/ Barber/ Beauty	Other Professional Services		Senior
2 to 3 per 1,000	5 to 10 per 1,000	1 per guest room plus $\frac{3}{4}$ per emp. on shift, plus 5 per 1,000 square feet of retail/office	3 to 5 per 1,000	4 to 5 per 1,000	3 to 5 per 1,000	1 to 1.4 per unit. Site specific deviations to allow less than 1 stall per unit may be allowed based on a detailed parking analysis and with approval of the code official.	0.3 to 1 per unit

LIBRARIES/ MUSEUM PUBLIC BUILDINGS (Stalls per gross square foot)	ASSEMBLY OR MEETING SPACES	OTHER USES — NONSPECIFIED (Stalls per gross square foot)
3 to 5 per 1,000	1 space for 3 seats up to 1 space for 5 seats, plus 2 spaces for 3 employees	As determined by the code official

- b. *Determination within range.* The code official shall have the final authority to determine the number of parking stalls required within the ranges above to accommodate typical daily peak parking demand based upon the applicant's submittal of a completed site plan and detailed parking analysis.
- c. *Underground or structured parking required.* If the applicant for a mixed use project or for a residential project provides more parking than one and one-quarter spaces per dwelling unit for any part of a project consisting of residential units or two and one-half spaces per 1,000 square feet for any part of a project that is not used for residential units, then all such additional parking shall either be underground or on the second or higher story of structured parking. This subsection shall not apply to additional parking spaces that may be required pursuant to MICC 19.01.050 or the residential development parking standards in MICC 19.11.130(C).
- d. *Parking lot configuration.* Parking lot design shall conform to the standard stall diagrams set out in appendix A to this title, unless alternative design standards are approved by the design commission and the city engineer, or if the development utilizes the residential development parking standards in MICC 19.11.130(C). No more than 50 percent of the required off-street parking spaces for office and residential uses may be designed for accommodating compact vehicles. No more than 25 percent of the required off-street parking spaces for all other uses may be designed for accommodating compact vehicles. Such parking spaces must be clearly designated as compact stalls.
- e. *Shared parking.*
 - i. The amount of off-street parking required in subsection (B)(1)(a) of this section may be reduced by no more than 50 percent, as determined by the code official upon approval by the city engineer (and design commission for major new construction), when shared off-street parking facilities for two or more uses are proposed. A parking demand study shall be prepared by a professional traffic engineer and submitted by the applicant that documents parking demand for all land uses shall not significantly overlap and that uses will be served by adequate parking if shared parking reductions are authorized.
 - ii. The determination whether shared parking will be allowed shall occur at the time the shared parking is proposed and when a change of use occurs.
 - iii. If shared parking is requested, the parking facilities for the multiple uses shall be designed and developed as a single on-site common parking facility, or as a system of on-site and off-site facilities. If off-site facilities are used, all facilities shall be connected with improved pedestrian facilities and no building or use should be more than 1,320 feet walking distance from the most remote shared parking facility.
 - iv. If the shared parking is on one or more different properties, a covenant or other contract for shared parking between the cooperating property owners must be approved by the code official. This covenant or contract shall be recorded with the King County department

of records and elections division as a deed restriction on all properties and cannot be modified or revoked without the consent of the code official.

- v. If requirements for shared parking are violated, or the parking demand for shared parking exceeds the shared parking supply, the affected property owners shall provide a remedy satisfactory to the code official or provide the full amount of required off-street parking for each use, in accordance with the requirements of this chapter.
- f. *Access restriction prohibited.* Restricting vehicular and pedestrian access between adjoining parking lots at the same grade is prohibited.
- g. *Surface parking lot location.*
 - i. *Behind structure.* All surface parking lots shall be located behind building structures.
 - ii. *No corner parking lots.* Parking lots shall not be located on a corner facing an intersection.
- h. *Design of surface parking and pedestrian access.*
 - i. *Entrances.*
 - (a) *Shared.* The number of parking lot entrances, driveways and curb cuts should be minimized in favor of combined driveways and coordinated parking areas among business owners.
 - (b) *78th Avenue SE.* Individual parking entrances and curb cuts on 78th Avenue SE should be consolidated.
 - ii. *Pedestrian walkways.* Pedestrian walkways should be provided through all parking lots. Raised concrete pavement should be provided where the walkway traverses between parking stalls and/or is adjacent to vehicular circulation.
 - iii. *Landscaping and lighting.* Landscaping and lighting of surface parking lots should be in conformance with MICC 19.11.070(B)(4) and 19.11.090(B)(5).
 - iv. *Concrete curbs.* All parking areas, landscaping areas and driveways should be surrounded by six-inch-high vertical concrete curbs.
 - v. *Wheel stops.* All landscape and pedestrian areas should be protected from encroachment by parked cars. Wheel stops two feet wide (as measured outward from the paved or planted area) should be constructed for all nonparallel parking stalls.
 - vi. *Amenities.* Amenities such as seating and planters should be provided to encourage pedestrian circulation.
- i. *Design of structured parking.*
 - i. *Relationship to main building.* Parking structures should be architecturally integrated or designed with an architectural theme similar to the main building.
 - ii. *Screening.* A floor of a parking structure should not face the street. If the design commission determines that there is no feasible alternative to a street-facing floor of a parking structure, then the perimeter of the floor of a parking structure facing the street should have a screening mechanism designed to shield vehicles and any mechanical appurtenances from public views.
 - iii. *Street side edges.* An architectural treatment, landscaping and/or space for pedestrian-oriented businesses along the street-side edges of the parking structure shall be provided.
 - iv. *Pedestrian access.* Where possible, pedestrian elevators and stairwells serving structured parking shall be located in a public lobby space or out onto an active public street.

2. *Signs and wayfinding.* Signs indicating the location of parking available to the public shall be installed as approved by the design commission and city engineer. Such signs shall be installed at the entrance to the parking lot/garage along the street and within the parking lot/garage and shall comply with parking signage standards for the Town Center approved by the design commission and city engineer.
3. *Loading space.* Off-street loading space with access to a public street shall be required adjacent to or within or underneath each building. Such loading space shall be of adequate size to accommodate the maximum number and size of vehicles simultaneously loaded or unloaded in connection with the business or businesses conducted in the building. No part of the vehicle or vehicles using the loading space may protrude into the public right-of-way.
4. *Drive-through facilities.* Drive-through facilities and stacking lanes should not be located along the street frontage of a building that faces a right-of-way. Stacking lanes shall be designed so as to accommodate all vehicles on site, and no part of a vehicle using a drive-through facility shall protrude into the public right-of-way.
5. *Public parking.* On-site public parking consistent with and complying with the requirements of this section shall be provided in any existing development desiring to provide public parking consistent with the requirements of this section and in any new mixed use or nonresidential development. Nothing contained in this section shall be deemed to prevent a building owner from designating parking spaces as being available to the public exclusively for electric vehicle charging or as being available exclusively to an operator of a car sharing service that makes vehicles available for public use. Further, this section shall be interpreted and enforced in such manner as to avoid conflict with the shared parking section in subsection (B)(1)(e) of this section.
 - a. All parking stalls provided for nonresidential uses, or if the primary use in the building is office then for nonoffice uses, or if the primary use of the building is hotel/motel then for non-hotel/motel uses, shall be available for public parking; provided, however, parking stalls that the code official concludes were required to be dedicated for the use of a specific tenant in accordance with a written lease provision in effect as of January 12, 2013, and which were specifically signed for that purpose on January 12, 2013, may be excluded from this requirement until the earlier of the expiration, termination, modification or amendment of the lease.
 - b. Public parking stalls shall be available to motorists for such maximum time period as is determined by the owner, which shall not be less than two hours.
 - c. An owner may require that the motorist patronize at least one business in the development but otherwise the motorist will be entitled to leave the development without moving the parked vehicle, subject to the maximum time period specified by the owner as provided in subsection (B)(5)(b) of this section.
 - d. Once public parking is provided under this provision, it may not thereafter be eliminated unless the development changes use that does not require public parking.
 - e. Public parking under this provision shall not be required for a new mixed use or nonresidential development that is: (i) two stories or less, and (ii) no greater than ten percent of the total gross floor area of all existing structures on the parcel as of October 30, 2015.
6. *Repurposing of parking stalls.*
 - a. Parking stalls required for nonresidential uses in a new development or existing development by the foregoing provisions of this section must be kept available exclusively to provide parking for nonresidential uses in that development, as applicable. For parking stalls required for office use, this requirement shall only apply on weekdays between 7:00 a.m. and 6:00 p.m., excluding national holidays. Up to 50 percent of such stalls designated for office use may be allocated for residential use during the hours of 6:00 p.m. and 7:00 a.m. weekdays and at all times on weekends and national holidays.

- b. Owners or operators of developments in which such parking stalls are located are responsible for ensuring that such parking stalls are, in fact, occupied as above required only by vehicles of persons associated with the respective uses and are not being occupied by other vehicles. Compliance with, and allowing public parking in accordance with, the provisions of subsection (B)(5) of this section or shared parking in accordance with subsection (B)(1)(e) of this section shall not be considered a violation of this exclusive use requirement.

C. Residential development parking standards.

1. Garages and carports are not required in order to meet minimum parking requirements for residential development.
2. Parking spaces that count towards minimum parking requirements may be enclosed or unenclosed.
3. Parking spaces in tandem shall count towards meeting minimum parking requirements at a rate of one space for every 20 linear feet with any necessary provisions for turning radius. For purposes of this subsection, "tandem" is defined as having two or more vehicles, one in front of or behind the others with a single means of ingress and egress.
4. Existence of legally nonconforming gravel surfacing in existing designated parking areas may not be a reason for prohibiting utilization of existing space in the parking area to meet parking standards, up to a maximum of six parking spaces.
5. Parking spaces are not required to exceed eight feet by 20 feet, except for required parking for people with disabilities.
6. Required off-street parking shall not be a condition of permitting a residential project if compliance with tree retention pursuant to Chapter 19.10 MICC would otherwise make a proposed residential development or redevelopment infeasible.
7. Parking spaces that consist of grass block pavers may count toward minimum parking requirements.
8. Existing parking spaces that do not conform to the requirements of this section by June 6, 2024 are not required to be modified or resized, except for compliance with the Americans with Disabilities Act. Existing paved parking lots are not required to change the size of existing parking spaces during resurfacing if doing so will be more costly or require significant reconfiguration of the parking space locations.

EXHIBIT D

19.12.050 Vehicular and pedestrian circulation.

A. Objectives.

1. To create an attractive street edge and unified streetscape, to encourage pedestrian activity in commercial areas, stimulate business, maintain adequate public safety, and create a sense of community.
2. To provide for safe and efficient parking and loading areas while minimizing their visual and noise impacts.
3. To provide safe and efficient pedestrian connections within and between projects and the public way to enhance safety and circulation.

B. Standards.

1. Vehicular circulation characteristics.

- a. *Parking lot design.* Parking areas should be designed for efficient and safe ingress and egress by vehicles and should not inhibit safe pedestrian movement or circulation. Parking lot design should be subordinate to the overall site design and should be located behind new buildings when appropriate and physically feasible. Below grade parking is also encouraged. Planting strips should be incorporated between parking aisles in new and expanded parking lots where space permits. Parking lot development standards, such as stall and aisle dimensions, are contained in appendix A.
- b. *Loading docks.* Proposed development of features such as loading docks, and other features designed to support activities with a substantial likelihood of generating significant noise should be designed with noise attenuation walls and sited in a manner to limit impacts to adjacent properties and pedestrian areas.

2. Pedestrian circulation characteristics.

- a. *Pedestrian improvements.* All developments shall provide for pedestrian access including pedestrian walkways, sidewalks, and/or paths. Areas for sitting and gathering should be provided as an integral part of regulated public facilities, regulated residential and commercial building design. Pedestrian improvements should be separated from vehicular areas by physical barriers such as curbs or landscaping. This requirement for new parking lots with fewer than 20 spaces and for additions or remodels may be waived or modified where the applicant can demonstrate that these standards would reduce the amount of parking below what would be required for the site.
- b. *On-site circulation for regulated public facilities and commercial buildings.* Proposed development should be linked to existing and planned walkways and trails. Entrances of all buildings should be linked to each other and to public ways and parking lots. Where possible and feasible, the pedestrian system shall connect to paths or sidewalks on neighboring properties.

3. Residential development parking standards.

- a. Garages and carports are not required in order to meet minimum parking requirements for residential development.
- b. Parking spaces that count towards minimum parking requirements may be enclosed or unenclosed.
- c. Parking spaces in tandem shall count towards meeting minimum parking requirements at a rate of one space for every 20 linear feet with any necessary provisions for turning radius. For

purposes of this subsection, "tandem" is defined as having two or more vehicles, one in front of or behind the others with a single means of ingress and egress.

- d. Existence of legally nonconforming gravel surfacing in existing designated parking areas may not be a reason for prohibiting utilization of existing space in the parking area to meet parking standards, up to a maximum of six parking spaces.
- e. Parking spaces are not required to exceed eight feet by 20 feet, except for required parking for people with disabilities.
- f. Required off-street parking shall not be a condition of permitting a residential project if compliance with tree retention pursuant to Chapter 19.10 MICC would otherwise make a proposed residential development or redevelopment infeasible.
- g. Parking spaces that consist of grass block pavers may count toward minimum parking requirements.
- h. Existing parking spaces that do not conform to the requirements of this section by June 6, 2024 are not required to be modified or resized, except for compliance with the Americans with Disabilities Act. Existing paved parking lots are not required to change the size of existing parking spaces during resurfacing if doing so will be more costly or require significant reconfiguration of the parking space locations.

EXHIBIT E

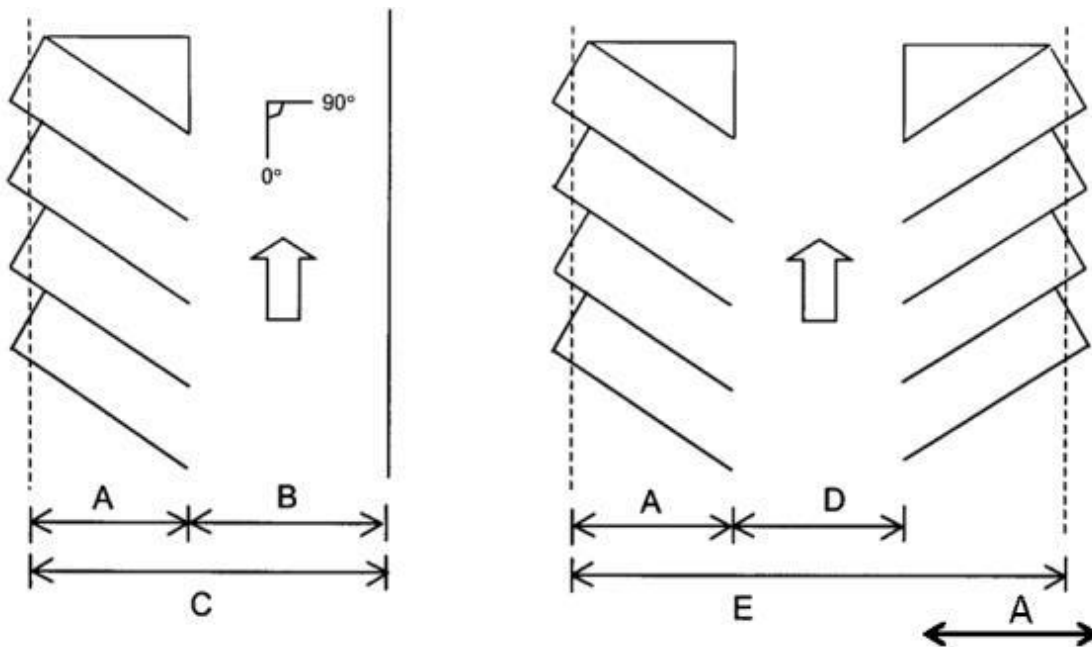
Appendix A PARKING LOT DIMENSIONS

All parking areas shall conform to the following design standards unless alternative design standards are approved by the design commission and city engineer:

1. One-Way Traffic.

	Standard Stall (9' x 18.5') *						Compact Stall (8.5' x 16') *				
Parking Angle	A	B	C	D	E		A	B	C	D	E
0	8.0	12.0	20.0	12.0	28.0		8.0	12.0	20.0	12.0	28.0
45	12.0	18.0	30.0	18.0	42.0		11.0	18.0	29.0	18.0	40.0
50	13.0	18.0	31.0	18.0	44.0		12.0	18.0	30.0	18.0	42.0
55	14.0	18.0	32.0	18.0	46.0		13.0	18.0	31.0	18.0	44.0
60	15.0	18.0	33.0	18.0	48.0		13.0	18.0	31.0	18.0	44.0
65	16.0	18.0	34.0	18.0	50.0		14.0	18.0	32.0	18.0	46.0
70	16.5	18.0	34.5	18.0	51.0		15.5	18.0	33.5	18.0	49.0
75	17.0	18.0	35.0	18.0	52.0		15.5	18.0	33.5	18.0	49.0
80	17.5	18.0	35.5	18.0	53.0		16.0	18.0	34.0	18.0	50.0
85	18.0	18.0	36.0	18.0	54.0		16.0	18.0	34.0	18.0	50.0
90	18.5	18.0	36.5	18.0	55.0		16.0	18.0	34.0	18.0	50.0

*Standard residential stalls shall be no greater than 8' x 20' and compact residential stalls shall be no greater than 8' x 16'.



2. Two-Way Traffic.

	Standard Stall (9' x 18.5') *		Compact Stall (8.5' x 16') *
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Parking Angle	A	B	C	D	E		A	B	C	D	E
0	8.0	24.0	32.0	24.0	40.0		8.0	24.0	32.0	24.0	40.0
45	12.0	24.0	36.0	24.0	48.0		11.0	24.0	35.0	24.0	46.0
50	13.0	24.0	37.0	24.0	50.0		12.0	24.0	36.0	24.0	48.0
55	14.0	24.0	38.0	24.0	52.0		13.0	24.0	37.0	24.0	50.0
60	15.0	24.0	39.0	24.0	54.0		13.0	24.0	37.0	24.0	50.0
65	16.0	24.0	40.0	24.0	56.0		14.0	24.0	38.0	24.0	52.0
70	16.5	24.0	40.5	24.0	57.0		15.0	24.0	39.0	24.0	54.0
75	17.0	24.0	41.0	24.0	58.0		15.0	24.0	39.0	24.0	54.0
80	17.5	24.0	41.5	24.0	59.0		16.0	24.0	40.0	24.0	56.0
85	18.0	24.0	42.0	24.0	60.0		16.0	24.0	40.0	24.0	56.0
90	18.5	24.0	42.5	24.0	61.0		16.0	24.0	40.0	24.0	56.0

*Standard residential stalls shall be no greater than 8' x 20' and compact residential stalls shall be no greater than 8' x 16'.

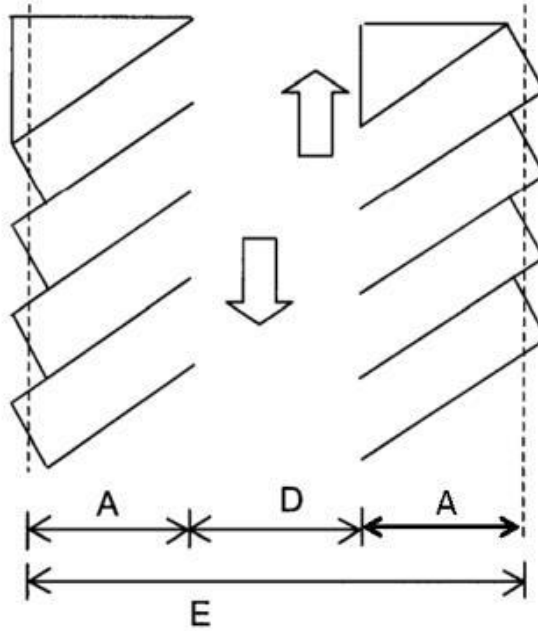
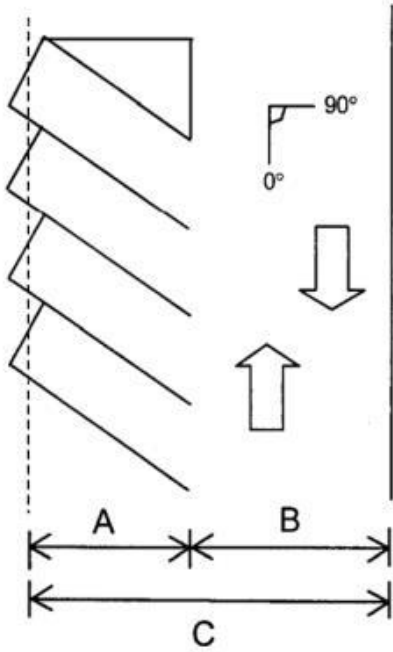


EXHIBIT F

Residential Parking Standards Work Plan

1. Technical analysis and staff recommendation <ul style="list-style-type: none">a. Review peer city approachesb. Prepare staff recommendations and begin drafting a code amendment based on the above informationc. Prepare a SEPA checklist and determination on the proposed code amendment, provide notification to state agencies and tribes	Q3 2024-Q1 2025
2. Planning Commission legislative review and recommendation on a draft code amendment including three points of review by the commission – study session, public hearing, and recommendation	Q2 2025
3. City Council review and approval of code amendment <ul style="list-style-type: none">a. First and second reading of the ordinance	Q2 2025