

AGENDA

Lynnwood Planning Commission

Thursday, October 11, 2007 — 7:00 pm

Note Location: Fire Station 14, 18800 68th Ave. W., Lynnwood WA

A. Call to Order

Chair DECKER
Commissioner AMBALADA
Commissioner DAVIES
Commissioner ELLIOTT, First Vice-chair
Commissioner PEYCHEFF
Commissioner WRIGHT
Commissioner WOJACK, Second Vice-chair

B. APPROVAL OF MINUTES:

None at this meeting

C. COUNCIL LIAISON REPORT

D. CITIZEN COMMENTS – on matters **not** on tonight's agenda.

E. PUBLIC HEARINGS:

None

F. WORK SESSION:

1. Parking Code Update

Briefing on additional changes to the City's parking regulations (LMC 21.18).

G. BUSINESS:

1. Initiate Code Amendment – Tent Cities

This code amendment would provide zoning regulations for the permitting process for and operation of temporary tent encampments ("Tent Cities").

H. DIRECTOR'S REPORT:

1. American Planning Association State Chapter Conference

2. Upcoming Commission Meetings

I. ADJOURNMENT

The public is invited to attend and participate in this public meeting. To request special accommodations for persons with disabilities, contact the City at (425) 670-6613 at least 24 hours prior to the meeting.

Lynnwood Planning Commission
Meeting of October 11, 2007

Staff Report

Agenda Item: F-1
Zoning Code Amendment – Parking
Code Revisions. (2004CAM0004)

- Public Hearing
- Informal Public Meeting
- Work Session
- New Business
- Old Business
- Information
- Miscellaneous

Lynnwood Community Development Dept. — Staff Contact: John Bowler, Associate Planner

ACTION:

Following a public hearing, the Planning Commission will have the opportunity to discuss this code amendment further, and then will be asked to forward a recommendation to City Council.

BACKGROUND:

Last spring the Planning Commission held hearings and work sessions on proposed revisions to Chapter 21.18 (Parking) of the Lynnwood Municipal Code. Proposed changes included:

- Revisions and updates to the parking requirements of Table 21.18.01.
- Deletion of most requirements for a Conditional Use Permit for reductions of parking requirements and substitution of a Directors Decision - addition of requirement for public notice of director's decision.
- Prohibiting use of parking lots for outdoor storage or display (exception for vehicles awaiting loading/unloading).
- Deletes Section 21.18.777.A Parking Lot Layout standards regarding fire access (duplicates LMC Title 9), but adds requirements that compact parking stalls may not be located adjacent to a fire lane.
- Adding Section 21.18.810 Stacking Lane requirements for drive-through facilities.
- Adding Section 21.18.820 Administrative Reduction to parking requirements.
- Adding Section 21.18.900 Shared Parking

Changes new to this revision:

- Adding new **Section 21.18.805: Bicycle Parking** which allows for reducing otherwise required automobile parking by one space for every five bicycle parking spaces provided (maximum 5% of parking). Sets minimum standards for bicycle parking.
- Adding footnote (4) to **Section 21.18.800 Capacity Requirements** to exempt employer on-site daycare from parking requirement.
- Deletion of **LMC 21.46.113.A: Concurrent Use of Parking by Churches** - in the Commercial Zone standards. This section will be made redundant when/if proposed Section 21.18.900 (Shared Parking) is adopted.

- Adding new **Section 21.43.210.A.2** which provides that if a multi-family project provides carports (or other covered but open parking) in otherwise required parking areas, the carports or covered areas will not count against lot coverage standards. Covered parking may not be in required setbacks.
- *Revising **LMC 21.42.210 Additional Development Standards** for the single-family (RS) zones to provide that required off-street parking areas may not be within any required front yard setback vs. any required yard setback.*

PROCESS:

This meeting: Planning Commission work session.

Nov. 8: Planning Commission hearing and recommendation.

RECOMMENDATION:

Staff recommends the Planning Commission recommend the proposed Parking Ordinance Revisions to the City Council for adoption.

ATTACHMENTS:

1. Redline Draft of Amended LMC Chapter 21.18
2. Proposed Section 21.18.950 Bicycle Parking
3. APBP "Bicycle Parking Guidelines" & Model Ordinance
4. LMC 21.46.113.A (with draft changes)
5. LMC 21.43.200 – 210 (with draft changes)

Chapter 21.18
OFF-STREET PARKING

Sections:

<u>21.18.050</u>	<u>Purpose.</u>
21.18.100	Parking plans to be approved prior to building permit issuance.
<u>21.18.150</u>	<u>Notice of Director's Decision & Appeal from Director's Decision</u>
21.18.200	<u>Off-Site Parking on property not owned by the applicant.</u>
21.18.300	Location of parking.
21.18.400	Ingress and egress provisions.
<u>21.18.450</u>	<u>Use of Parking Lots for Storage</u>
21.18.500	Parking lot surfacing requirements.
21.18.600	Parking lot illumination.
21.18.700	Parking lot layout development standards.
21.18.710	Parking structure development standards.
21.18.800	Capacity requirements.
<u>21.18.820</u>	<u>Administrative Reduction to Parking and Stacking Lane Requirements</u>
<u>21.18.810</u>	<u>Stacking Lane Requirements</u>
21.18.850	<u>Commute trip reduction</u> modification for parking capacity requirements.
<u>21.18.900</u>	<u>Shared Parking</u>

21.18.050 **Purpose**

The purpose of this section is to ensure adequate off-street parking for all allowed uses, to provide minimum development standards for parking areas, and to reduce parking demand by encouraging alternative means of transportation and shared parking where feasible. The provisions of this section to not apply to the City Center (CC Zones). For CC zone parking standards see Section see Chapter 21.60.

21.18.100 **Parking plans to be approved prior to ~~building~~ permit issuance.**

No building, grading or tenant improvement permit shall be issued until plans showing provisions for the required off-street parking have been submitted and approved by the Community Development Director (Director) as conforming to the standards of this chapter. Space needed to meet the current minimum parking standards of this code for buildings or uses already established on a property may not be used to meet the requirements for another building or use (except as allowed by Section 21.18.900). (Ord. 2020 § 9, 1994; Ord. 1359 § 1, 1983; Ord. 478 § 1, 1969; Ord. 190 Art. XI § 11.1, 1964)

21.18.150 **Notice of Director's Decision and Appeals from Director's Decision**

The following shall apply to decisions made by the Community Development Director pursuant to:

- Section 21.18.300 (Location of Parking);
- Section 21.18.820 (Administrative Reduction of Parking Capacity);
- Section 21.18.850 (Commute Trip Reduction Modification);
- Section 21.18.900 (Shared Parking);

A. Public Notice of Impending Decision shall be prepared, published and posted in accordance with the requirements of Section 21.25.130 of this title.

B. A decision may be appealed by filing a written statement of the basis of the appeal with the Community Development Department within 14 calendar days of the date of the decision. Such appeal shall be processed pursuant to PROCESS II (LMC 1.35.200 et. seq.).

21.18.200 **Off-Site Parking on property not owned by the applicant.**

~~If parking is to be provided on property other than that owned by the applicant, then evidence in the form of a written contract with the party owning the other property upon which parking is to be provided must be furnished, and must include a provision for continued use of the other property for as long as it is needed to provide fulfill the minimum number of spaces required by this title.~~

If any parking required by this Title (including shared parking permitted pursuant to Section 21.18.900) will be provided on a lot or property other than the lot on which the land use requiring such parking is located:

- A. The lot or part of a lot on which the parking is provided shall be legally encumbered by an easement or other appropriate means to ensure continuous use of the parking facility.
- B. A legal contact between property owners is required that indicates responsibility for operating, maintaining the facility and liability for injury and property damage. Unless explicitly stated otherwise, the property owner of the parking facility accepts responsibility for these areas.
- C. The City of Lynnwood shall be named as a beneficiary to the easement and party to the contract.
- D. The easement and contract are subject to the approval of the Director. (Ord. 2020 § 9, 1994; Ord. 1359 § 1, 1983; Ord. 478 § 1, 1969; Ord. 190 Art. XI § 11.1, 1964)

21.18.300 Location of parking *(This section was reorganized & renumbered to break up long sections of continuous text).*

Except as provided in subsection (A) of this section, off-street parking shall be located on the same lot or an adjoining lot or lots to the property being served. Parking stalls located on another property shall be within 300 feet of the property being served and not separated from the property by a street.

A. Exception – Remote Parking Lots. Customer and employee parking may be located on a lot more than 300 feet but less than 1000 feet from the property and/or separated from the property by a street designated other than a principal arterial ~~as per~~ in the Lynnwood comprehensive plan when approved by the Director by a conditional use permit. In considering any ~~conditional use permit~~ remote parking application, the Director hearing examiner shall consider all factors relevant to the public interest, including but not limited to the following:

1. The distance from the building, business, or site to the proposed parking lot; and
2. That the pedestrian route to and from the parking lot is as direct and short as practical, provides for adequate pedestrian safety, which may include but is not limited to sidewalks, walkways, crosswalks, traffic and pedestrian signals and/or signs, lighting, and surveillance or patrolling if appropriate; and
3. That the parking lot meets all dimensional and landscaping requirements of this title.

B. Parking on Adjacent Property with Dissimilar Zoning.

1. Property that is more restrictively zoned (per Section 21.40.900 of this Title) property may be used for ingress and egress from the public right-of-way to property in less restrictive zones upon ~~granting a conditional use permit approval by the Director~~.
2. More restrictively zoned property may also be used for parking upon ~~granting of a conditional use permit, approval of the Director~~ if the Director finds: ~~land to which such auxiliary use is subordinate is found by the hearing examiner; to be:~~
 - a. the land to which such auxiliary use is subordinate to be part of a comprehensively planned development subject to city approval; and ~~provided further, that the hearing examiner finds~~
 - b. that the more restrictively zoned land is a reasonable and consistent extension of said plan, and
 - c. that it would not constitute or tend to induce a piecemeal encroachment of nonresidential uses into residential areas.

C. For purposes of this section, walking distance shall be measured via an approved pedestrian connection (i.e. not straight-line distance).

(Ord. 2441 § 5, 2003; Ord. 2322 § 1, 2000; Ord. 2020 § 9, 1994; Ord. 1359 § 1, 1983; Ord. 1007 § 1, 1978; Ord. 722 § 1, 1973; Ord. 478 § 1, 1969; Ord. 285 § 2, 1966; Ord. 190 Art. VII § 7.1, 1964; Ord. 190 Art. XI § 11.1, 1964)

21.18.400 Ingress and egress provisions.

The ~~city council~~ Public Works Director shall have authority to fix the location, width, and manner of approach of a vehicular ingress or egress to or from a building or parking area or to or from a public streets, and to require alteration of existing ingress and egress as ~~may be required~~ necessary to control street traffic in the interest of efficient circulation, public safety and general welfare. (Ord. 2020 § 9, 1994; Ord. 478 § 1, 1969; Ord. 190 Art. XI § 11.2, 1964)

21.18.450 Use of Parking Lots for Storage and/or Displays

Parking intended or available for the use of residents, clients, customers and employees of any use or development, including but not necessarily limited to parking required by Section 800 of this Chapter, shall not be used for storage of products or materials processed, sold, leased or otherwise used or stored by businesses or other uses on the site. This includes but is not limited to storage in shipping containers, truck trailers or similar receptacles.

Exceptions:

- A. This prohibition does not apply to loading docks and outdoor storage areas permitted by Section 21.46.110.B and Section 21.46.210 of this Title and which are properly located and screened in accordance with those Sections.
- B. Trucks and/or truck trailers intended for immediate loading or unloading may remain in a parking area for not more than 72 hours. This exception does not apply to shipping or storage containers unless they are mounted on a trailer unit.
- C. Temporary special events approved and conducted in accordance with Chapter 5.30 of this Code**

21.18.500 Parking lot surfacing requirements.

A. Grading and Paving

All ~~areas used for~~ off-street parking, ~~movement, storage or display of motor vehicles areas~~ shall be graded and surfaced to standards for asphaltic ~~concrete~~ or cement concrete pavement as ~~set forth~~ approved by the City Engineer ~~before issuing~~ an occupancy permit for the building ~~use is issued~~.

B. Traffic Control Devices

All traffic control devices such as parking strips designating car stalls, directional arrows or signs, curbs, bullrails, and other developments shall be installed and completed as shown on the approved plans. Hard surfaced parking areas shall use paint or similar devices to delineate parking stalls and directional arrows.

C. Pedestrian Walks

Pedestrian walks shall be curbed, or raised six inches above the lot surface. (Ord. 2441 § 5, 2003; Ord. 2020 § 9, 1994; Ord. 478 § 1, 1969; Ord. 190 Art. XI § 11.3, 1964)

21.18.600 Parking lot illumination.

Lighting of ~~areas provided for~~ off-street parking areas shall be ~~so~~ arranged so as to not constitute a nuisance or hazard to passing traffic. Where lots share a common boundary with any "R" classified property, and where any RM zone lot shares a ~~common~~ boundary with an RS zone, the illumination shall be directed away from the more restrictively classified property. (Ord. 2020 § 9, 1994; Ord. 478 § 1, 1969; Ord. 190 Art. XI § 11.4, 1964)

21.18.700 Parking lot layout development standards.

A. Fire Access *This section duplicates LMC Ch. 9.67 "Fire Lanes"*

1. All parking lots shall be designed with fire access and fire lanes in accordance with LMC Chapter 9.06.
2. Parking stalls adjacent to fire lanes shall be full-sized and may not be compact stalls.
3. It is at all times the responsibility of the property owner to maintain fire lanes in accordance with LMC Ch. 9.06.
- ~~1. Building sites which contain more than 100 parking spaces shall be designed with access lanes and fire lanes in accordance with LMC Chapter 9.07 "Fire Lanes", not less than 20 feet wide in width, forming a continuous route or loop connecting at both ends with public streets as illustrated in Figure 21.18.1.~~
- ~~2. In Parking lots containing less than 100 parking spaces will have emergency access shall be provided subject to approval of by the Fire Chief.~~
- ~~3. Emergency access shall be provided to within 50 feet of any multiple family residential building.~~
- ~~4. If any of these requirements are impractical, due to the peculiarities of the site and/or building, other provisions for emergency access may be approved by the Fire Chief.~~
- ~~5. Parking in fire lanes shall be prohibited, and indicated as being unlawful by signs and/or markings painting on the parking lot surface.~~
- ~~6. The Police Chief shall be given written authority to enforce this parking regulation.~~

B. Stall and Aisle Specifications

- 1 All parking stalls and aisles shall be designed according to the "Minimum Standards for Off-street Parking," tables (below) unless all parking is ~~to be~~ done by parking attendants on duty at all times ~~that~~ the parking lot is in use for the storage of automobiles. Nothing herein shall prohibit provision of additional parking spaces, ~~beyond the number required by this title, which are undersized and reserved for smaller sized automobiles. (see section C2, below)~~
2. Parking at ~~any~~ angles other than those shown is permitted, provided ing the width of stalls and aisles is adjusted by interpolation between the specified standards.
3. Parking shall be ~~so~~ designed so that vehicles ~~automobiles~~ need not back ~~out~~ onto public streets.
4. Where tandem parking is allowed by this Title, ~~it shall be developed in accordance with this section by~~

~~doubling~~ the “D” figure as found in the stall and aisle specifications for single stalls shall be doubled.

C. Compact Car Parking

1. In parking lots with 10 or more ~~parking~~ stalls, up to 20 percent of ~~those~~ the minimum number of stalls required by this Chapter may be designed for compact cars in accordance with the specifications contained in this section.
2. Stalls provided in excess of the minimum number required by this Chapter may be compact stalls.
3. Compact ~~These parking~~ stalls shall be clearly designated for compact car use only with signs or pavement markings.
4. Compact stalls shall not be adjacent to fire lanes unless the stall is parallel (stall angle 0) to the direction of traffic flow in the fire lane.

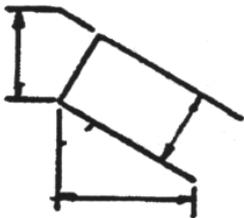
D. Handicapped Accessible Stalls

Handicapped accessible parking shall be provided in accordance with the requirements of the International Building Code per Revised Code of Washington 51-50. All required accessible stalls count toward the parking capacity requirements of Section 21.18.800.

MINIMUM STANDARDS FOR OFF-STREET PARKING

MINIMUM STALL AND AISLE DIMENSIONS

Stall Angle (°)	Standard Car Stalls			Compact Car Stalls			One-Way Aisles		Two-Way Aisles	
	Stall Width	Stall Center	Stall Depth	Stall Width	Stall Center	Stall Depth	Aisle Width	Bay Width	Aisle Width	Bay Width
0 (parallel-one side)	8.0 ft.	21.0 ft.	8.0 ft.	8.0 ft.	18.0 ft.	8.0 ft.	12.0 ft.	*	22.0 ft.	**
0 (parallel-both sides)	8.0	21.0	8.0	8.0	18.0	8.0	22.0	*	24.0	**
20	8.5	24.9	13.5	8.0	23.6	13.0	11.0	*	20.0	**
30	8.5	17.0	15.7	8.0	13.8	15.0	11.0	*	20.0	**
40	9.0	14.0	17.4	8.0	12.6	16.4	12.0	*	20.0	**
45	9.0	12.7	18.0	8.0	11.6	17.0	13.0	*	20.0	**
50	9.0	11.7	18.5	8.0	10.6	17.4	15.0	*	20.0	**
60	9.0	10.4	19.2	8.0	9.4	18.0	18.0	*	22.0	**
70	9.0	9.6	19.2	8.0	8.6	17.8	18.5	*	22.0	**
80	9.0	9.1	18.6	8.0	8.2	17.2	24.0	*	24.0	**
90 (perpendicular)	9.0	9.0	17.5	8.0	8.0	16.0	24.0	*	24.0	**
45	9.0	12.7	15.1	8.0	11.6	14.2	13.0	*	20.0	**



Notes:

- * Sum of D + E
- ** Sum of 2(D) + E

ACCEPTABLE PARKING DESIGNS

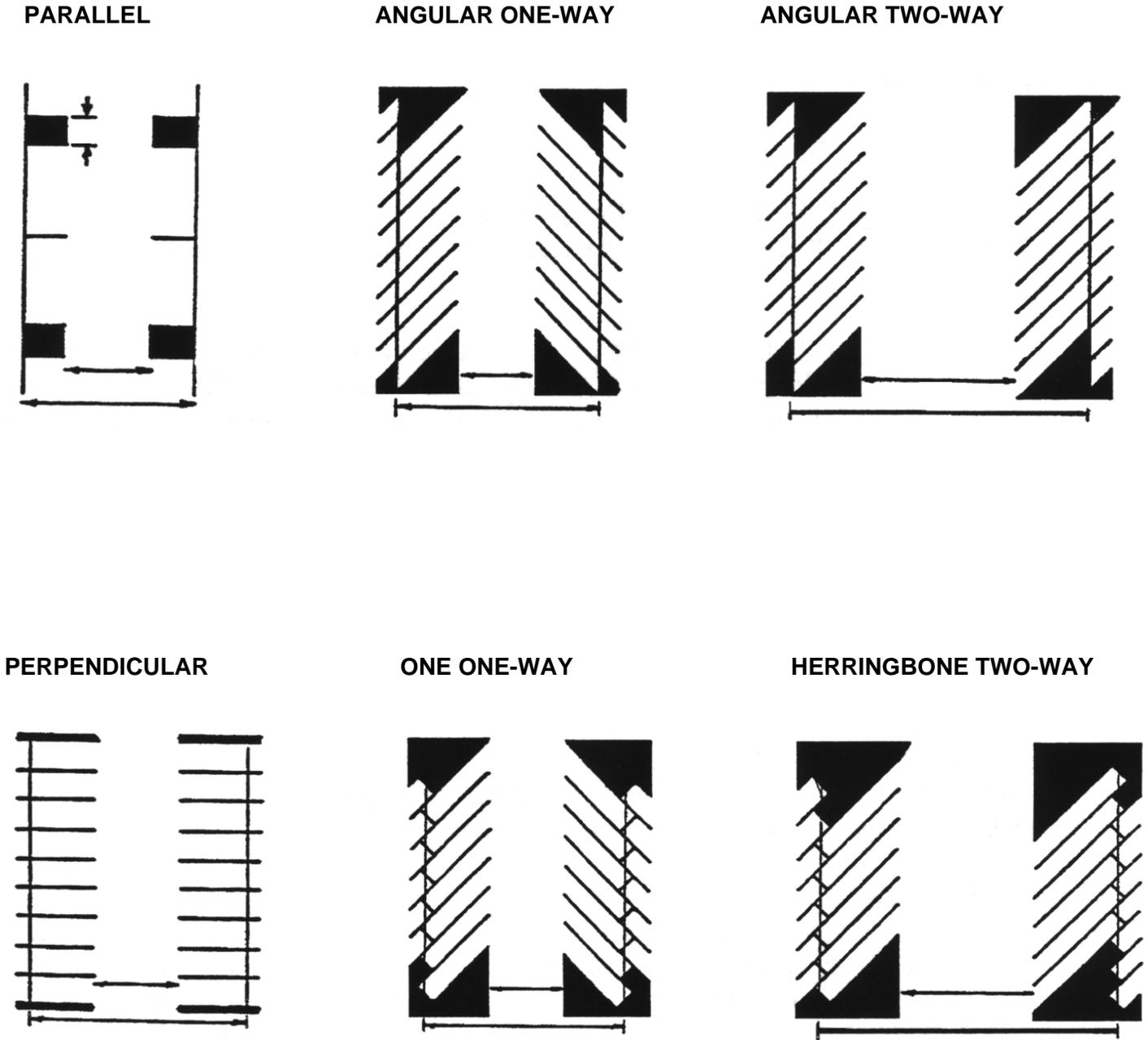


Figure 21.18.1

C. *[This section moved and renumbered]* ~~Parking for Drive Up and Drive Through Facilities.~~ At drive up and drive through facilities or structures (including but not limited to drive through service windows, and gas pump islands), parking in queuing lanes will be counted toward fulfilling the parking requirement for the drive up or drive through facility or structure, but not for parking required for other exterior or interior floor area. Parking in these queuing lanes shall not need to provide the six foot landscaped separation shown in Figure 21.18.1. (Ord. 2295 § 11, 2000; Ord. 2049 § 1, 1995; Ord. 2020 § 9, 1994; Ord. 1214 §§ 5, 6, 7, 1981; Ord. 987 § 2, 1978; Ord. 552 § 2, 1969; Ord. 478 § 1, 1969; Ord. 190 Art. XI § 11.5, 1964)

21.18.710 Parking structure development standards. *(note: this section has been renumbered to break up long sections of continuous text into smaller numbered sections, and to have numbering consistent with the rest of the section, but the text is the same except where struck through or underlined)*

A. ~~Development Standards.~~ Compliance with Other Standards – Exceptions.

A parking structure shall comply with all development standards for the ~~applicable zone~~ it is located in, with the following exceptions:

1. ~~a.~~ In the PRC, CG, BC/B-1, PCD and MU zones, 50 percent of the square-footage of the ground-level floor of the parking structure shall be counted toward ~~in the calculation of~~ lot coverage. In all other zones, 100 percent of the square footage of the ground-level floor shall be counted ~~in the calculation of~~ lot coverage.
2. ~~b.~~ See subsection (A)(5)(c) of this section for minimum setback requirement from streets.

B. ~~2.~~ Stall and Aisle Dimensions.

All parking stalls and aisles shall be designed according to Figure 21.18.1, “Minimum Standards for Off-Street Parking,” unless all parking is ~~to be~~ done by parking attendants on duty at all times that the parking structure is in use ~~for the storage of vehicles.~~

C. ~~3.~~ Exterior Elevations.

1. The exterior colors and materials of a parking structure shall match or complement those of the project for which it provides parking to the maximum extent feasible.
2. The architectural design of the structure’s exterior (including the use of colors and materials) if does not need ~~to matching~~ the design of adjoining buildings, but it should visually complement other buildings in the project. When viewed together, the main building(s) and parking structure(s) should create an overall design character that integrates all project buildings into a well coordinated and visually pleasing streetscape.
3. Regardless of the interior or structural design of the structure, exterior horizontal façade elements ~~on the structure exterior~~ shall be level and not slopeding. Masking or concealing sloping ramps may necessitate placing ~~one or more~~ facades on these exterior walls.
4. Horizontal exterior facades ~~of~~ 30 feet or longer shall be treated or designed so ~~that~~ long, ~~and~~ continuous horizontal surfaces do not dominate the structure’s appearance.
5. The apparent bulk of the structure shall be reduced by setting back floors above the third ~~floor above ground-level floors.~~
6. Low walls, facades or other improvements (at least 3.5 feet high) shall be installed around all sides of all levels of the structure so ~~that~~ parked vehicles are not visible ~~shielded from view~~ from ground level and adjoining buildings. Landscaping may be installed (in planter boxes) ~~at the~~ on tops of such walls to provide additional screening and ~~to~~ soften the exterior appearance of the parking structure.

D. Roof-Top.

~~The~~ A parking structure’s roof shall be treated with landscaping, trellises, and/or other design features ~~in order~~ to break up or soften the dominance ~~of the combination~~ of concrete and asphalt when the structure is viewed ~~or could be viewed~~ from above.

E. Ground Floor.

1. Vehicle Access. ~~The number of travel lanes at an~~ No parking structure entry/exit driveway shall ~~be limited to a maximum of~~ have more than three lanes unless exceptional traffic conditions or congestion require an additional drive lane. In no case shall the number of lanes exceed four.
2. Landscaping.
 - a. Landscaping shall be installed and maintained at ground level on all sides of a parking structure (exceptions: designated “pedestrian-oriented street” frontages (see below) and locations where the distance between the structure and an adjoining building is less than 20 feet).
 - b. On ~~the~~ any side of a parking structure that faces a street, a planting area at least 25 feet wide shall be provided.
 - c. Planting along streets for which a landscaping plan has been approved (Chapter 21.06 LMC) shall conform to the approved plan.
 - d. Along other sides of the structure, planting shall include:
 - i. A planting area at least 10 feet wide adjacent to the side of the structure and a planting area at least 15 feet wide adjacent to the street frontage;
 - ii. Trees in an arrangement that is consistent with the architecture of the parking structure so that the average spacing between trees is no more than 30 feet;
 - iii. Shrubs and groundcover in the remainder of the planting area so that all exposed ground shall be

- covered within five years;
- iv. Flowering plants (covering a minimum of eight square feet) where a vehicle driveway connects to private or public streets and along sidewalks leading to pedestrian entrances and exits.
- 3. Street Frontage. The design and use of portions of the ground floor of a parking structure that have frontage on a public or private street (but not including an alley) shall comply with the following requirements:
 - a. Designated Pedestrian-Oriented Streets.
 - i. Where a parking structure ~~fronts on~~ is directly adjacent to a street designated as a “pedestrian-oriented street,” the portion of the garage that fronts on the designated street shall be designed to provide occupiable space for commercial uses that generate substantial foot traffic, such as retail businesses, walk-in businesses (arcades, art galleries, museums, and the like) and personal service shops (such as banks, barber and beauty shops, travel agencies, printing/copying stores, and dry cleaners).
 - ii. Exceptions to this requirement shall be allowed for entry/exit driveways and pedestrian egress/ingress to/from the structure;
 - b. Other Streets.
 - i. Where a parking structure fronts on a street not designated as a “pedestrian-oriented street,” parking may be located along the street frontage; provided, that the parking structure is set back from the street a minimum of 25 feet.
 - ii. The setback shall be landscaped as required by subsection (A)(5)(b) of this section.
- 4. Pedestrian Connections. The design of pedestrian connections or pathways from a parking structure to the building(s) for which it provides parking shall clearly delineate and separate the pedestrian way from travel areas for vehicles.
- F. Above-Ground Pedestrian Connections.
 - 1. Pedestrian connections from a parking structure to the building(s) for which it provides parking (“sky bridges”) are allowed.
 - 2. The exterior design of such connections shall be consistent with the design of the parking structure and the main building(s) and shall maintain architectural continuity with the design concept for the project. (Ord. 2441 § 5, 2003; Ord. 2388 § 11, 2001; Ord. 2049 § 2, 1995)

21.18.800 Capacity requirements.

A. Off-street parking shall be provided in accord with the following tables. ~~Parking stalls designed for vehicles transporting handicapped persons shall be counted against the number of stalls required by these tables. See the building code for requirements for such stalls.~~

Table 21.18.01

Automotive Uses	Number of Parking Stalls Required (1)
Full- and Self-Service Stations and Gas Stations	One per employee and two per service bay. One per service island + stacking lane requirements + required parking for grocery store, auto repair or other uses on site (if any).
Mobile and Manufactured Home Sales	One per 3,000 SF of outdoor display area.
Motor Vehicle Accessories, Parts & Supplies <i>(without repair)</i>	See General Retail.
Motor Vehicle (including Truck) Rental	One for every fleet vehicle, plus one for every 300 s.f. of sales/service office space. Truck stalls shall be sized appropriately. §21.18.700(F) (attendant parking) may apply if all vehicles are parked and retrieved by attendants. If there is a repair/maintenance facility on the site, it shall have additional parking as required for auto repair uses.
Motor Vehicle Repair, without sales <i>(including lube, tune-up, tire, brake & muffler service)</i>	Three per employee, or one per 200 SF GFA, whichever is greater. Four per service bay, station or lift. This may include stacking lane spaces. High turnover uses, such as quick oil-change shops, shall have a minimum of one stacking space located before and one after each work bay/station. Shops where customers leave vehicles for later pick-up may place parking elsewhere on the property.
Motor Vehicle Sales and Service	One per 1,000 SF of GFA and one per 1,500 SF of outdoor sales area.

Car Wash - full service	Two per service lane or bay + stacking space requirements + parking for retail uses (if any).
- automatic (unattended)	One per 3000 SF GFA (minimum one stall) + one for each vacuum (if any) + stacking lane requirements.
- self-service	One for every five wash bays (not including stalls in wash bays) + stacking lane requirements + one at each vacuum (if any).

Table 21.18.02

Eating and Entertainment Uses	Number of Parking Stalls Required
Adult Cabarets (<i>with or without alcoholic beverage service</i>).	One per 100 SF GFA
Bars, or Taverns, Saloons and Cocktail Lounges	One per 100 SF GFA
Restaurant, Dine in (<i>building code occupant load for 20 or more</i>)	One per 100 SF GFA
Drive-in Restaurant with Drive-Through Service (<i>Uniform Building Code occupant load for 20 or more, plus drive through window(s) or facility</i>)	One per 15 SF GFA. One per 100 SF GFA + stacking lane requirements.
Drive-Through/Take Out Food/Beverage Stand: (<i>establishment primarily serving drive-through and/or take-out clientele, but which may have incidental seating for less than 20 (building code occupant load)</i>).	One per 200 SG GFA + stacking lane requirements.

Table 21.18.03

Institutional Uses	Number of Parking Stalls Required
Libraries	One per 250 SF GFA.
Colleges, Universities or Institutions of Higher Learning	One per employee and faculty member, plus one per three full-time- equivalent students.
Business & Trade Schools (<i>e.g. beauty, cosmetology, secretarial, music, art, dance, vocational & occupational training, extension programs, etc.</i>)	One for every 100 SF GFA
Hospitals (<i>includes offices within the hospital building, but parking for medical office buildings even if co-located with the hospital shall be in accordance with Table 21.18.04</i>)	One per four beds plus one per employee including doctors on staff Five per licensed bed.
Schools, Elementary and Junior and Senior High and Equivalent Private or Parochial Schools	One per employee and faculty member and one per 10 senior high students; plus space for loading and unloading. One per four student capacity. (<i>capacity means the</i>
Schools, Senior High and Equivalent Private or Parochial Schools	One per three student capacity.
Child Day Care Centers, Pre-Schools, Nursery Schools & Kindergartens (3)	One per employee required by WAC 388: 295-296 plus: When enrollment is known: 45 students or less: 1 per 5 students More than 45 students: 8 + 1 per 40 students When enrollment is not known: For 2500 sq. ft. or less: 1/300 sq. ft. For more than 2500 sq. ft. 8 + 1/5000 sq. ft.

Table 21.18.04

Office Uses	Number of Parking Stalls Required
Dental or Medical Clinics (<i>including chiropractors, psychologists/psychiatrists, outpatient surgery centers, optometrists, offices for fitting and repair of hearing aids & prosthetics, massage therapists, non-resident drug & alcohol counseling & treatment centers & similar</i>)	One per 200 SF GFA

Office Buildings/Offices Not Providing On-Site Services	One per 300 SF GFA; minimum 10 spaces
Less than 25,000 SF GLA	3.8 per 1000 SF GFA; minimum 10 stalls
25,000 – 100,000 SF GLA	3.5 per 1000 SF GFA
100,000 – 500,000 SF GLA	3.0 per 1000 SF GFA
Over 500,000 SF GLA	2.8 per 1000 SF GFA
Offices Providing On-Site Service	One per 200 SF GFA; minimum 10 stalls

Table 21.18.05

Personal Service Uses	Number of Parking Stalls Required
Banks, Credit Unions & Saving & Loan Institutions	One per 200 SF GFA; minimum 10 stalls + stacking space requirements if there is a drive-through banking facility
Personal Care Services (<i>e.g. barber shops, beauty salons, cosmetologists, nail salons, electrolysis/hair-removal salons, tattoo & piercing establishments & similar</i>)	Four per operator Two per treatment station but not less than four per 1000 SF GFA.
Dry Cleaning or Laundry Service	One per 400 SF GFA + stacking lane requirements for drive through window (if any).
Dry Cleaning or Laundry, Self-Service (<i>laundromat</i>)	One per two washing or dry cleaning machines
Laundry	One per 400 SF GFA

Table 21.18.06

Places of Assembly	Number of Parking Stalls Required
Auditoriums or Assembly Places with Fixed Seats	One per four seats or one per eight feet of bench or pew
Auditoriums or Assembly Places without Fixed Seats	One per 50 SF GFA
Auditoriums	One per four seats or one per eight feet of bench or pew
Churches, Synagogues, Mosques, Temples, and Other Places of Religious Worship (2)	One per four seats or one per eight feet of bench or pew in the main sanctuary or worship room or per 50 SF GFA if there is no fixed seating. Additional parking is required for auditoriums, classrooms, community rooms, offices, etc. if they are used for parking generating uses simultaneous with worship services.
Clubs & Lodges	One per four seats or one per eight feet of bench or pew
Funeral Homes or Mortuaries	One per four seats or one per eight feet of bench or pew
Lodges	One per four seats or one per eight feet of bench or pew
Stadiums	One per four seats or one per eight feet of bench or pew

Table 21.18.07

Entertainment/Recreational Activities	Number of Parking Stalls Required
Billiards Halls	Three per table, but not less than five per 1000 SF GFA
Bowling Alleys	Five per lane
Dance Hall, Dance Club, Nightclub or Discotheque	One per two persons Building Code occupant load standard
Live Theater/Playhouse	One per three seats
Movie Theater	One per four seats
Handball or Tennis Courts or Racquet Clubs	One per 40 SF GFA used for assembly plus two per court
Health, Fitness & Athletic Clubs	Five per 1000 SF GFA
Skating Rinks (ice or roller)	One per 250 SF GFA
Swimming Pools (indoor and outdoor)	One per 10 swimmers, based on pool capacity as defined by the Washington State Department of Health
Video & Pinball Arcades	One per machine or game unit.

Table 21.18.08

Residential Uses	Number of Parking Stalls Required
Single-Family Residences	Two plus requirement for accessory unit (if any).
Convalescent, Nursing or Rest Homes, Sanitariums, Skilled Nursing Facilities	One per four beds plus one per employee including doctors on staff

	1.5 per licensed bed
<u>Rooming Houses, Fraternities & Sororities</u>	One per accommodation
Hotels, Motels or Other Overnight Accommodations	One per unit or room, plus additional parking in accordance with these tables for restaurants, convention facilities and any other businesses or facilities associated with the motel or hotel
<u>Mobile and Manufactured Home Parks</u>	One per dwelling and one guest stall per five dwellings
Multiple-Family Residential	Two per dwelling unit
Respite Care	One per staff member plus one per 10 persons receiving care
<u>Senior & Retirement Housing (4)</u>	<u>1.5 per housing unit++</u>
<u>Senior Apartments or Units</u>	<u>1.25 per housing unit (5)</u>
<u>Independent Living Community (Congregate Care Facility)</u>	<u>One per two living units</u>
<u>Assisted Living Residences</u>	<u>One per three accommodations</u>
<u>Alzheimers/Dementia Care Facility</u>	<u>See Convalescent/Nursing Home</u>
<u>Continuous Care Facility</u>	<u>Total of requirements for each of the above types of accommodations</u>
<u>Rooming Houses</u>	<u>One per accommodation</u>

Table 21.18.09

Retail Uses	Number of Parking Stalls Required
<u>Appliance Stores Durable Goods Retail (e.g. appliances, furniture, lumber & building supplies, home decoration & furnishing showrooms, lighting & electrical supplies, nurseries, greenhouses & garden supplies (but not retail florists), pool, spa & patio furniture sales & similar uses).</u>	Less than 6000 SF GFA: One per 300 SF GFA; minimum five per tenant. 6000 SF GFA or more: One per 500 SF GFA
<u>Less than 6,000 SF GFA</u>	<u>One per 300 SF GFA; minimum of five per tenant</u>
<u>6,000 SF or more GFA</u>	<u>10 plus one per 6 500 SF GFA; minimum of five stalls per tenant</u>
<u>Service Retail: (e.g. appliance repair, pet grooming, check cashing, clothing rental (e.g. costumes & formal wear), cleaners, film & photo processing, locksmiths, postal convenience centers, pawn shops, printing & copying services, shoe repair, tailors & dressmakers, tool & equipment rental, travel agents & similar uses.)</u>	<u>One per 400 SF GFA</u>
<u>General Retail: (e.g. antiques; art & art supplies; auto parts, supplies & accessories (without service); bicycles; bookstores; bridal shops; camera & photo supplies; candy; china & glassware; clothing & shoes; coins, stamps & collectibles; computer, audio, stereo, TV & home electronics; department, discount & variety stores; dry goods, fabric, sewing, needlework & craft supplies; gift, novelty & souvenir shops; hobby shops; jewelry, watch & clock stores; sheets, towels & housewares; leather & luggage stores; musical instruments; pets & pet supplies; record & music stores; retail florists; stationers & office & school supplies; thrift, second-hand & consignment stores; tobacco & smoke shops; toy stores; other specialty retail & similar uses).</u>	<u>One per 300 SF GFA</u>
<u>Convenience Retail: (e.g. supermarkets, grocery, & food stores (incl. bakers, butchers, produce stands, etc.); drug stores & pharmacies; liquor stores; newsstands; extended-hour convenience stores; video & CD rentals, etc.)</u>	<u>One per 200 SF GFA</u>
<u>Food Store</u>	<u>One per 200 SF GFA</u>
<u>Furniture or Hardware Stores</u>	

Less than 6,000 SF GFA	One per 300 SF GFA; minimum of five per tenant
6,000 SF or more GFA	10 plus one per 600 SF GFA; minimum of five stalls per tenant
Regional Shopping Centers developed per the PRC zone and having gross leaseable area less than 1,140,000 sq. ft.	Five per 1,000 SF gross leaseable area
Regional Shopping Centers developed per the PRC zone and having gross leaseable area of 1,140,000 sq. ft. or greater	4.5 per 1,000 SF gross leaseable area
Shopping Centers, other than those in the PRC zone	
Less than 45,000 400,000 SF GFA	Sum of the separate uses Four per 1000 SF GFA
45,000 400,000 SF GFA and more	One per 225 SF GFA; restaurants, taverns, and drive ins are calculated separately Five per 1000 SF GFA
Specialty Retail Center	
Less than 15,000 SF GFA	Sum of the uses
15,000 50,000 SF GFA	One per 300 SF GFA; restaurants, taverns, and drive ins are calculated separately
Specialty Shops	
Less than 6,000 SF GFA	One stall per 300 SF GFA; minimum of five per tenant
6,000 SF GFA and above	10 and one per 600 SF GFA; minimum of five per tenant
Variety Stores	One per 200 SF GFA

Table 21.18.10

Industrial Uses	Number of Parking Stalls Required
Apparel Manufacturing	One per employee, or one per 350 SF GFA, whichever is greater
Baking, Bottling and Canning Establishments	One per employee* or one per 600 SF GFA, whichever is greater
Canneries	One per employee* or one per 600 SF GFA, whichever is greater
Engraving	One per employee or one per 350 SF GFA, whichever is greater
Machinery Repair without sales	Three per employee, or one per 200 SF GFA, whichever is greater
Manufacturing & Assembly Businesses, & Other Light Industrial including research and testing but not apparel, printing and related business	One per employee* or one per 600 SF GFA, whichever is greater
Printing or Publishing Business	One per employee or one per 350 SF GFA, whichever is greater
Self-Service Storage (Mini Warehouses)	One per employee One per 60 storage units, or one per 5000 SF GFA, whichever is greater.
Warehouses	One per employee or one two per 3000 SF GFA, whichever is greater.

Table 21.18.11

Other Uses	Number of Parking Stalls Required
Utility Establishments Without Regular Employment (e.g. Wireless Communication Facilities, Automatic Telephone Exchanges, "Telco Hotels", Electrical Distribution (transformer) Yards, Unmanned Pump & Lift Stations, etc.)	One stall
Veterinary Clinic	Two per 1000 SF GFA
Mixed Occupancies	The sum of the various uses computed separately. This does not apply to shopping centers
Uses Not Included on Any Table	Same as the most similar use, as determined by the Community Development Director. The Director may refer to the most recent edition of the Institute of Transportation Engineers (ITE) Parking Generation manual for guidance.

Key:

SF: Square Feet

GFA: Gross Floor Area

(1) All parking stall requirement calculations that result in a fractional requirement shall be rounded up to the next highest whole number of stalls.

(2) This parking ratio may be reduced by conditional use permit if it is found that at least 75% of the congregants reside within 3/4 miles of the facility, or that religious restrictions on use of automobiles or other characteristics of the religious services or congregation can be demonstrated to reduce parking demand.

(3) The student portion of the day-care parking requirement does not apply to "on-site" day-care facilities provided for children of employees (or other persons (e.g. students) associated with a corporation, agency or institution) usually present on-site with the enrolled child. Day care centers located in or on a building, or corporate, institutional or similar campus primarily serving on-site employees, but also open to outside enrollment may reduce the parking requirement proportional to on-site enrollment. The employee parking requirement may be reduced to the extent the space occupied by the day care is already "parked" on-site under other requirements of this section.

(4) Seniors housing types as defined by the American Seniors Housing Association

(5) This parking ratio may be reduced by conditional use permit application to the Director if it is found that such a reduction is justified based on size of units, characteristics of the resident population, proximity to stores and services, access to transit, or other factors demonstrated to lessen parking demand, and if sufficient area is set aside to provide additional parking if later found to be needed to satisfy actual parking demand. The amount of area to be set aside shall be established by the conditional use permit Director. Within the area to be set aside, existing trees and groundcover are to be retained to the fullest extent feasible; if such retention is not feasible or if no significant vegetation exists in the area to be set aside, that area shall be planted trees and groundcover.

*The highest number of employees present during any one shift change, if applicable.

(Ord. 2409 § 1, 2002; Ord. 2388 § 12, 2001; Ord. 2295 § 10, 2000; Ord. 2020 § 9, 1994; Ord. 1781 § 3, 1990; Ord. 1766 § 10, 1990; Ord. 1758 § 2, 1990; Ord. 1442 § 1, 1985; Ord. 1426 § 2, 1984; Ord. 1359 § 2, 1983; Ord. 1214 §§ 3, 4, 1981; Ord. 1125 § 1, 1980; Ord. 930 § 2, 1977; Ord. 887 § 1, 1976; Ord. 811 § 1, 1975; Ord. 478 § 1, 1969; Ord. 190 Art. XI § 11.6, 1964)

21.18.810 Stacking Lanes for Drive-Through Facilities

All uses and facilities providing drive-through services shall provide stacking lanes and stacking spaces in compliance with the standards of this section.

A. Required Stacking Spaces:

Each service window, lane or point shall have the following minimum number of stacking spaces. All uses shall have at least one space in each lane after the last island, window, bay or other service point, but shall have more if required by the table.

<u>Type of Drive-Through Use</u>	<u>Minimum Required Number of Stacking Spaces</u>
<u>Gas or Service Station</u>	<u>2 stacking spaces per service lane in addition to space(s) at the pumps. Lanes may have multiple pumps, but if any pump or pump island can be accessed from both sides, then each side constitutes a separate lane.</u>
<u>Restaurant with Drive-Through (see Table 21.18.02 for definitions).</u>	<u>6 spaces per lane. If an order window, board or device is used, minimum 3 spaces shall be in advance of the order point.</u>
<u>Take-out/Drive-through food/beverage stand (see Table 21.18.02 for definitions).</u>	<u>4 spaces per service lane in addition to the space at the service window.</u>
<u>Car Wash – (full-service or automatic)</u>	<u>2 stacking spaces for each wash bay in addition to the vehicle(s) in the wash bay. If hand drying and/or detailing is provided, then minimum 3 spaces beyond the wash bay, otherwise 1 space beyond the end of the wash bay.</u>
<u>Car Wash – self serve</u>	<u>One stacking space per wash bay (not including the space in the bay or spaces at vacuums).</u>
<u>Drive-through Oil Change, Lube, Tune-up</u>	<u>Minimum one space before (and one space after) each service bay.</u>
<u>Drive-Through Teller or ATM, Pharmacy, Cleaners, Film & Photo Processing & Similar</u>	<u>3 spaces per service lane in addition to the space at the service window or point.</u>
<u>Other Uses</u>	<u>Community Development Director determination based on most nearly</u>

	comparable use. Director may require analysis by a traffic engineer.
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- B. Stacking Space Dimensions: Each stacking space shall be a minimum of 20 ft. long and 10 ft. wide on straight segments, and minimum 12 ft. wide on curved segments with a minimum 25 ft. centerline radius.
- C. Stacking Lane Design:
1. Stacking lanes shall be delineated from traffic aisles, other stacking lanes and parking areas with striping, curbing, landscaping, or use of alternative paving materials.
 2. Entrances and exits of stacking lanes shall be clearly marked with directional signs.
 3. Stacking lanes shall be designed to prevent circulation congestion both within the site, and on adjacent public streets. The circulation shall:
 - a. separate drive-through traffic from other on-site circulation
 - b. not impede or impair access to or out of parking stalls
 - c. not impede or impair vehicle or pedestrian traffic movement
 - d. minimize conflict between pedestrian and vehicle traffic with physical and visual separation
 - e. not interfere with required loading/unloading and trash storage areas
- D. Staking Space Location:
1. No stacking space shall be located closer than fifty (50) feet to any lot in a residential zone.
 2. A solid wall or fence shall be placed along the property line of any abutting lot zoned for residential use so as to block lights from vehicles in the stacking lanes.
- E. Order Placing Facilities:
1. Outdoor facilities such as menu boards, speakers, windows, dispensers, etc. shall be a minimum of fifty (50) ft. from any residential zone.
 2. Menu boards shall be a maximum of thirty (30) square feet, and shall be designed, placed and shielded so as to not cast glare on public streets or adjacent properties. The term “menu board” is not limited to food, but may be a listing of any products, services, etc. from which the customer makes a choice.
 3. Outdoor speakers must comply with the noise restrictions of Chapter 10 of this Code.

21.18.820 Administrative Reduction to Parking Capacity or Stacking Lane Requirements

- A. The Community Development Director shall have the authority to administratively reduce the Parking Capacity requirements of Section 21.18.800 or Stacking Lane Requirements of Section 21.18.810 by not more than 20% (rounded up to the next nearest whole number of stalls) upon presentation of empirical evidence acceptable to the director that a particular use or property will generate a lower parking demand than other similar uses. Such evidence may include:
1. Parking studies performed by a qualified engineer or professional parking consultant.
 2. Parking surveys conducted at similar and comparably situated uses. The applicant or owner shall bear the burden of demonstrating that the survey methodology is correct and applicable to the situation.
 3. Other empirical evidence that in the professional judgment of the Director clearly demonstrates that the particular use or property will generate less parking demand than similar uses.
- B. When approving such administrative reduction the Director shall make written findings that:
1. The reduction will not be a grant of special privilege inconsistent with parking requirements for similar uses.
 2. The level or amount of the reduction granted is consistent with the empirical evidence in the study or survey.
 3. Granting the reduction will not be detrimental to the public welfare, or injurious to other property or improvements in the vicinity.
 4. The nature or configuration of the use or facility is such that its future occupancy by uses generating significantly higher parking demand is unlikely.
 5. The reduction is consistent with the purpose and intent of the comprehensive plan and zoning code.
- C. The Director may require a parking management plan or agreement, or other conditions of approval reasonably necessary to ensure compliance with any of the findings in Paragraph B.
- D. A reduction in parking allowed by this section may not be in addition to parking reductions allowed by Section 21.18.850 and/or Section 21.18.900 unless supported by a professional parking study that justifies the entire reduction.

21.18.850 Commute Trip Reduction Modification to Off-street Parking Capacity Requirements.

- A. The property owner(s) of building employment sites having 100 or more employees present during any shift

change (if applicable) for the following use classifications and/or combination thereof may apply ~~for a conditional use permit to the Director~~ to reduce the parking capacity requirements for employees up to 50 percent:

1. Banks and offices providing on-site services;
2. Offices not providing on-site service;
3. Manufacturing, including research and testing, bottling, and baking establishments, and canneries, but not including apparel, printing, and related.

B. Review Criteria. In reviewing such ~~conditional use~~ applications, the Director ~~hearing examiner and/or city council~~ shall find that such reduction of parking capacity requirements will not create an adverse environmental impact on the site; on existing or potential uses adjoining the subject property or in the general vicinity of the subject property; or on the traffic circulation system in the vicinity.

C. Alternative Commute Programs. The applicant, owner, and/or proponent shall show through appropriate studies, reports, and/or documentation, as determined by the public works director and/or planning director, that the alternative program(s) proposed in lieu of the parking capacity requirements will not cause the above stated impacts. Alternative programs which may be considered include, but are not limited to the following:

1. Private vanpool operation;
2. Transit/vanpool fare subsidy;
3. Imposition of a charge for parking;
4. Provision of subscription bus services;
5. Flexible work hour schedule;
6. Capital improvements for transit services;
7. Preferential parking for carpools/vanpools;
8. Reduction of parking fees for carpools and vanpools;
9. Establishment of a transportation coordinator position to implement and monitor a carpool, vanpool and transit programs;
10. Bicycle parking facilities; and
11. Spacing of shifts.

D. Covenants, Guarantees or Agreements. If approved, the city shall require such covenants, guarantees, or agreements, as necessary to ensure that the agreed on alternative program(s) reducing the parking capacity requirements will be a permanent and effective solution. Such covenants, guarantees, or agreements shall include, but not be limited to the following:

1. That the reduced parking be a condition of occupancy of the building and/or building permit;
2. That measures shall be taken immediately if the alternative program(s) prove unsuccessful in reducing the required parking;
3. That the level of management overseeing the alternative program(s) be specified; and
4. That reports be prepared and submitted annually by the property owner(s) documenting the effectiveness of the alternative program(s). (Ord. 2020 § 9, 1994; Ord. 1359 § 3, 1983)

The shared parking section is based on a model ordinance developed by ITE with modifications suggested by ULI in their Shared Parking handbook. ULI recommends requiring individualized studies for each shared parking project.

Section 21.18.900 Shared Parking:

A. Purpose: Cumulative parking requirements for mixed-use occupancies or shared facilities may be reduced where it can be shown that the peak parking requirements of the various uses occur at different times of the day, week or year. Methods for calculating parking reduction and submission requirements are outlined in this section. This section does not apply within the City Center zoning districts.

B. Authority: The Community Development Director (Director) may approve a reduction in the number of required parking stalls at a property, as provided in this Section.

C. Parking Reduction Determination:

Two methods for determining parking reduction are as follows:

1. Table 21.18.20 Parking Occupancy Rates:

When a parking reduction is requested based on parking demand calculations from Table 21.18.20, the applicant shall submit a parking demand summary showing the calculations outlined in this section. (Note: occupancy rates in the table include a "safety" margin beyond typical average peak demand. A Parking Study may yield greater reduction). To determine the number of parking stalls required:

- (a) Determine the minimum required minimum number of parking stalls for each use from Section 21.18.800 of this Chapter.
- (b) Multiply the minimum required number of stalls by the "occupancy rate" for the corresponding use in Table 21.18.20 (or as determined by a Parking Study) to produce an adjusted minimum requirement for each use for weekday day, evening and night periods, and for weekend day, evening and night periods.
- (c) Sum the adjusted minimum number of stalls for each use for each time period to produce an aggregate adjusted minimum number of stalls for each period.
- (d) The greatest of the aggregate adjusted minimum number of stalls for each period shall be the minimum number of shared parking stalls required.

Table 21.18.20: Parking Occupancy Rates

Use ^a	Weekdays ^b			Weekends ^b		
	day (8am-5pm)	evening (6pm-12am)	night (12am-6am)	day (8am-5pm)	evening (6pm-12am)	night (12am-6am)
Residential	60%	100%	100%	80%	100%	100%
Office/Industrial/Whse.	100%	20%	5%	5%	5%	5%
Retail/Commercial	90%	80%	5%	100%	79%	5%
Hotel	70%	100%	100%	70%	100%	100%
Restaurant	70% ^c	100%	10%	70% ^c	100%	20%
Theater	40%	80%	10%	80%	100%	10%
Entertainment/Recreation	40%	100%	10%	80%	100%	10%
Convention/Conference	100%	100%	5%	100%	100%	5%
Church/Religious Inst. ^d	10%	5%	5%	100%	50%	5%

- (a) Parking reserved for the use of specified individual persons, businesses, or office, hotel or residential units may not be used for shared parking.
- (b) Weekends are the period from 6:00 pm on Friday to 6:00 pm on Sunday.
- (c) Fast food and breakfast/lunch oriented facilities = 100%
- (d) The Community Development Director on finding that a religious institution holds its primary religious services during a non-"weekend" period, may require "weekend" parking on the appropriate weekday(s) and/or allow "weekday" parking on Saturday and/or Sunday. In making such determination, the Director may consider parking studies at comparable institutions or may require a site-specific study.

2. Parking Study:

For:

- uses not found in Table 21.18.20 or
 - parking reductions based on seasonal variation or other time frame not found in the table, or
 - a parking reduction greater than provided for in the table, or
 - a total reduction of more than 50 stalls below the number required by Section 21.18.800
- the minimum number of parking stalls shall be determined by a parking study performed by a qualified parking or traffic consultant, planner or civil engineer. The study shall be subject to approval by the Community Development Director.

(1) Demand Analysis: A parking demand analysis, which substantiates the basis for granting a reduced number of stalls. The analysis shall take into account the following:

- (a) Parking Survey: Parking surveys shall determine parking occupancy rates for day and evening peaks on the seven days of the week. The seven days of observation may take place over the span of two consecutive typical weeks. In the case of new construction, or addition of new uses, the surveys shall observe a comparable development with a similar mix of uses. A combination of developments may be necessary to cover all proposed uses. The approximate square-footages of the various uses of the comparison projects will be compared to the proposed project to allow the ratios of uses to be rated accordingly. In the case of enlargement or substitution of existing uses, the surveys shall document the occupancy rates of the existing parking facility.

(b) Proximity and Convenience Factors. The Community Development Director may consider the following factors in approving the parking reduction:

- Distance between sharing uses and the parking facility.
- Pedestrian connections between sharing uses and the parking facility.
- Vehicular connections.
- Whether parking will be paid, gated, by valet or other special features.
- Location proximity to other shared parking developments.
- Proximity to transit corridors and stops.
- Special trip reduction programs in accordance with Section 21.18.850.

(c) Captive Market Parking. Parking requirements for office, retail, restaurant, hotel, and convention/conference uses may be reduced where it can be determined that some portion of the patronage of these businesses comes from other uses located within a maximum walking distance of 500 feet. Parking requirements may be reduced up to 75% where such a reduction can be supported by surveys conducted at similar establishments.

D. Application and Supplemental Materials: Applications for a parking reduction shall be in writing and accompanied by the following:

1. The parking demand summary or parking study in accordance with subsection C.
2. A shared parking operations plan prepared to the satisfaction of the Director showing that:
 - a. Parking stalls conveniently serve the uses intended,
 - b. Consideration is given to appropriate location of high vs. low turnover stalls
 - c. Directional signage is provided where appropriate.
 - d. Pedestrian links between uses and parking areas meet the requirements of Section 21.18.300.
3. Where the requested reduction is 50 stalls or more:
 - a. A site plan showing how the additional number of stalls otherwise required could be subsequently provided on the site ("landbanking") The additional area shall meet all dimensional standards, access aisle, required yards, landscaping, setbacks and driveways for the property and all other requirements of this Ordinance. The additional parking may be provided in a surface lot or structured facility as determined by the Director to be practical, feasible and compatible with the site plan for the use.
 - b. Alternatively the property owner shall provide a performance bond sufficient to construct the number of stalls in a shared or municipal facility or to fund a shuttle van/bus operation or other trip reduction elements that would reduce parking demand sufficiently. The land or performance bond shall be available for two years after initial occupancy.
 - c. A covenant guaranteeing that the property owner will provide additional stalls if the Director, upon thorough investigation of the actual use of parking determines that the approved reduction be modified or revoked due to insufficient parking supply by showing occupancy rates over 98 percent for at least two consecutive hours on at least three separate days within a single month. The covenant shall be:
 - i. executed by the owners of said lot or parcel and/or parties having beneficial use thereof.
 - ii. enforceable against the owner, the parties having beneficial use and their heirs successors and assigns.
 - iii. Duly recorded with the Snohomish County Recorder
 - d. A fee sufficient to pay for a parking study of actual parking accumulation to be carried out within two years of occupancy
 - e. The performance bond and/or fee may be waived when in the determination of the Director; previous experience with similar shared parking projects indicates it is unlikely a serious deficiency would result.

21.18.950 Bicycle Parking

A. Purpose: Bicycle parking is intended to encourage the use of bicycles by providing safe and convenient places to park bicycles. These regulations encourage bicycle parking based on the demand generated by different uses and the level of security necessary to encourage the use of bicycles for short or long stays.

B. Bicycle Parking Ratio: For developments with 20 or more required parking stalls, the number of automobile parking spaces otherwise required by Section 21.18.800 of this Chapter may be reduced by one automobile parking stall for every five bicycle parking spaces provided to a maximum of 5% of all automobile parking stalls required.

C. Type of Bicycle Parking Required: Categories of bicycle parking for each type of use shall be in accordance with the following:

Deleted: required

Type of Use	Class 1 spaces	Class 2 spaces
Office, Financial & Industrial	60%	40%
Retail & Service Retail	20%	80%
Public or Commercial Recreation	10%	90%
Schools & Colleges	20%	80 % (100% if covered)

1. A Class 1 bicycle facility means a bike locker, or other individually locked enclosure, or a supervised area within a building providing protection for each bicycle therein from theft, vandalism and weather.
2. A Class 2 bicycle facility means an outdoor bike rack or stand constructed and located in accordance with Section D.

D. Design and Location of Bicycle Parking Facilities

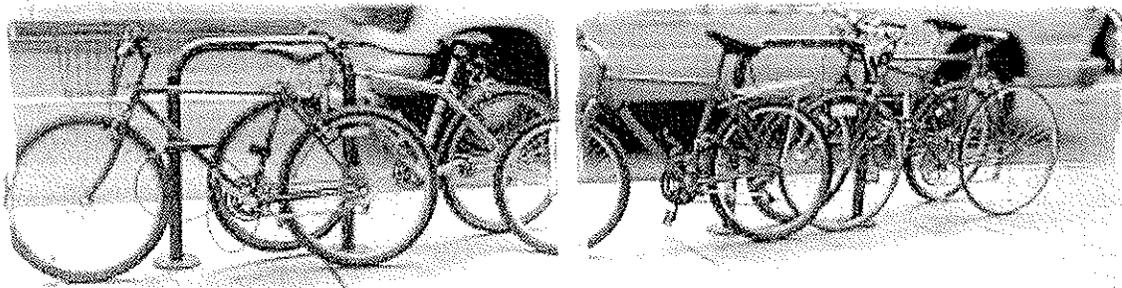
1. Each bicycle parking space shall be no less than six feet long by two feet wide and shall have a bike rack system.
2. Bike racks shall be constructed so as to enable the user to secure the bicycle by locking the frame and at least one wheel of each bicycle parked therein. Racks must be easily usable with both U-locks and cable locks. Racks shall support the bikes in a stable upright position so that a bike, if bumped, will not fall or roll down. Racks that support a bike primarily by a wheel, such as standard "wire racks" are damaging to wheels, thus not acceptable.
3. Outdoor bicycle parking areas shall be floored or paved. Bike racks shall be securely anchored to the floor or lot surface so they cannot be easily removed and shall be of sufficient strength to resist vandalism or theft.
4. Location:
 - a. Bicycle parking should be located in close proximity to the building or facility entrance(s) and clustered in lots not to exceed 20 spaces each.
 - b. Bicycle parking should be located in highly visible, well-lighted areas to minimize theft and vandalism.
 - c. Bicycle facilities shall not impede pedestrian or vehicle circulation. Wherever possible bicycle parking should be incorporated into building design or street furniture.
 - c. Bike racks shall not be placed close enough to a wall or other obstruction to impede use. If bicycle parking is side-by-side in rows, there shall be an access aisle at least six feet wide to the front or rear of each space.
 - e. Bike parking areas within auto parking areas shall be separated by a physical barrier such as curbs, wheel stops, poles, fence or similar to protect bicycles from damage by cars.

BICYCLE PARKING



GUIDELINES

A set of recommendations from the Association of Pedestrian and Bicycle Professionals [apbp]



"I would ride to work if there was a safe place to lock my bike."

ATTACHMENT 6

INTRODUCTION

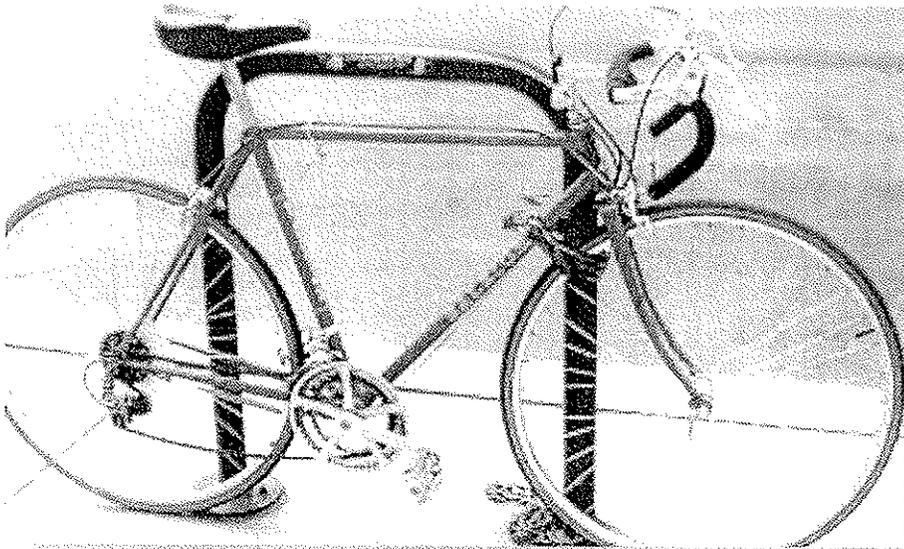
The lack of a secure parking space keeps many people from using their bikes for basic transportation. Leaving a bicycle unattended, even for short periods, can easily result in damage or theft. Finding a bike rack that doesn't work or isn't conveniently located makes for a frustrating experience.

The purpose of this document is to assist with the selection and placement of appropriate bicycle racks for short-term parking. Four major components will be discussed.

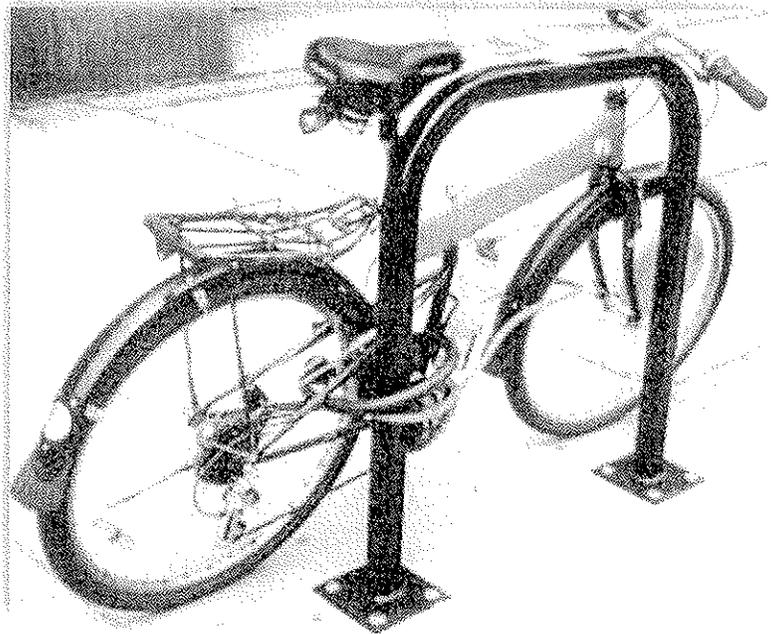
1. The rack element. This device supports the bicycle.
2. The rack. It is important to understand how bikes interact with each other when rack elements are assembled together.
3. Combining of multiple racks into a bicycle parking lot.
4. Locating the rack, and the relationship of the rack to the building entrance it serves and the cyclists' approach to that entrance.

The discussion will focus on outdoor installations. The racks are intended to accommodate conventional, upright, single-rider bicycles. It is assumed the cyclist will use a solid, U-shaped lock, or a cable lock, or a combination of the two.

The appb Task Force that developed this guide is also developing recommendations for other important bicycle parking-related issues including:



- a. Assessing the appropriate number of bicycle parking spaces for different buildings and land uses, including the use of bicycle parking ordinances.
- b. Long-term bicycle storage facilities such as lockers and bicycle parking garages.
- c. Indoor bicycle parking and the carriage of bicycles in transit vehicles.

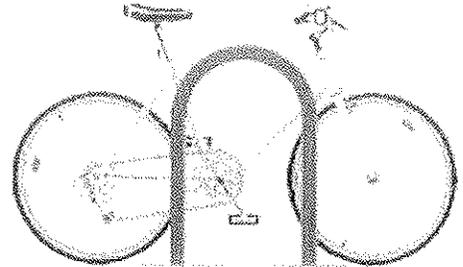


1. THE RACK ELEMENT

Definition: the rack element is the part of the bike rack that supports one bicycle.

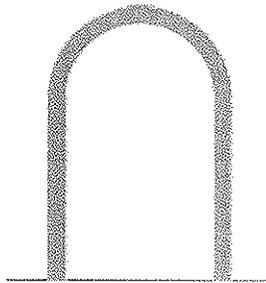
The rack element should:

- 1. Support the bicycle upright by its frame in two places
- 2. Prevent the wheel of the bicycle from tipping over
- 3. Enable the frame and one or both wheels to be secured
- 4. Support bicycles without a diamond-shaped frame with a horizontal top tube (e.g. a mixte frame)
- 5. Allow front-in parking: a U-lock should be able to lock the front wheel and the down tube of an upright bicycle
- 6. Allow back-in parking: a U-lock should be able to lock the rear wheel and seat tube of the bicycle



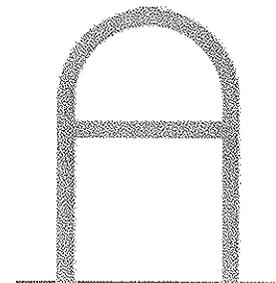
Comb, toast, school-yard, and other wheel-bending racks that provide no support for the bicycle frame are NOT recommended.

The rack element should resist being cut or detached using common hand tools, especially those that can be concealed in a backpack. Such tools include bolt cutters, pipe cutters, wrenches, and pry bars.



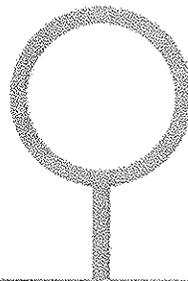
INVERTED "U"

One rack element supports two bikes.



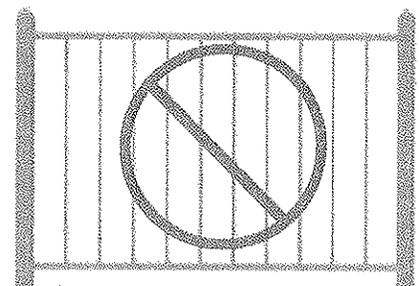
"A"

One rack element supports two bikes.



POST AND LOOP

One rack element supports two bikes.

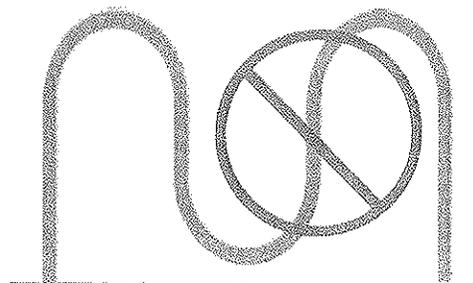


COMB

One rack element is a vertical segment of the rack.

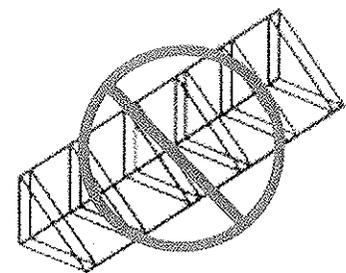


Not recommended



WAVE

One rack element is a vertical segment of the rack.
(see additional discussion on page 3)



TOAST

One rack element holds one wheel of a bike.

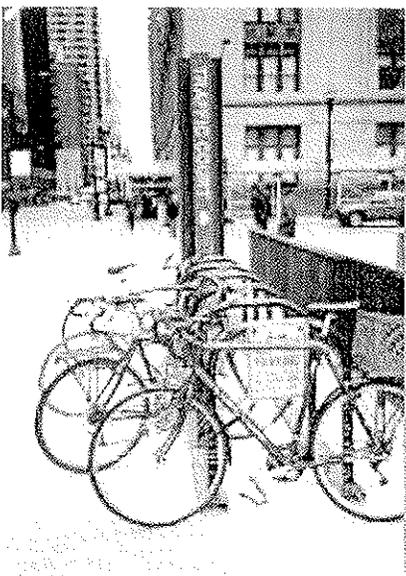
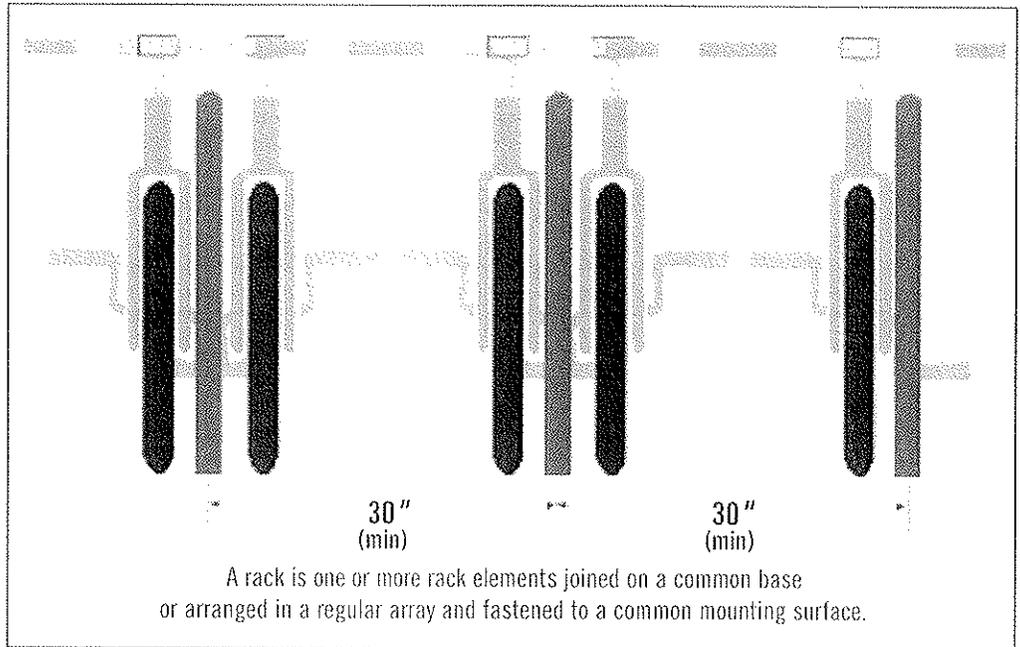
2. THE RACK

Definition: a rack is one or more rack elements joined on any common base or arranged in a regular array and fastened to a common mounting surface.

The rack should consist of a grouping of rack element. The rack elements may be attached to a single frame or remain single elements mounted within close proximity to each other. The rack elements should not be easily detachable from the rack frame or easily removed from the mounting surface. The rack should be anchored so that it cannot be stolen with the bikes attached—vandal-resistant fasteners can

be used to anchor a rack in the ground. An exception is a rack that is so large and heavy that it cannot be easily moved or lifted with the bicycles attached.

The rack should provide easy, independent bike access. Inverted “U” rack elements mounted in a row should be placed on 30” centers. This allows enough room for two bicycles to be secured to each rack element. Normally, the handlebar and seat heights will allow two bicycles to line up side-by-side if one of them is reversed. When there is a conflict, the bikes can be placed slightly offset from one another as shown. If the elements are placed too close together, it becomes difficult to attach two bikes to the same element. If it is too inconvenient and time consuming to squeeze the bikes into the space and attach a lock, cyclists will look for an alternative place to park or use one rack element per bike and reduce the projected parking capacity by 50 percent.

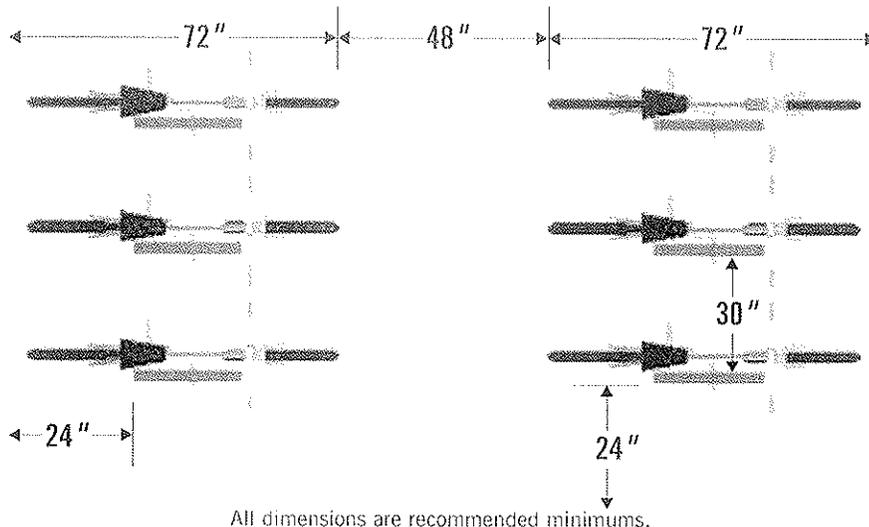


Wave style racks are not recommended. Bicyclists commonly use a “wave” rack as if it were a single inverted “U.” This limits the actual capacity of the rack to two bikes regardless of the potential or stated capacity. Bicycles parked perpendicular to a wave rack (as intended by the manufacturer) are not supported in two places and are more likely to fall over in the rack. The advertised capacity of a wave rack is usually much higher than the practical capacity.

An empty rack should not create a tripping hazard for visually impaired individuals.

3. THE RACK AREA

Definition: the rack area is a bicycle parking lot where racks are separated by aisles.



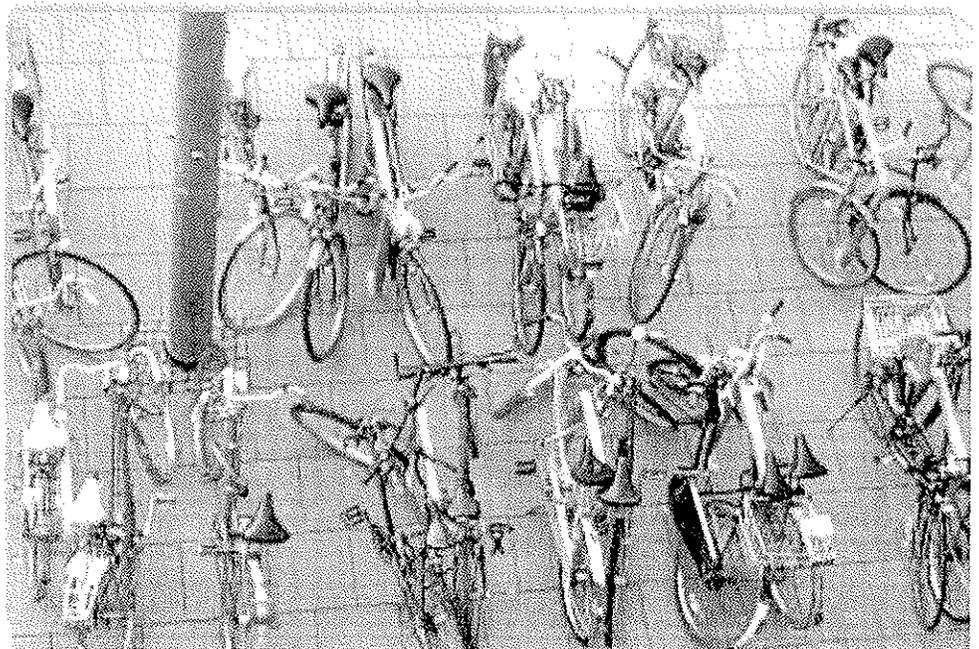
The rack area is a bicycle parking lot where racks are separated by aisles.

A rack area or "bicycle parking lot" is an area where more than one rack is installed. Aisles separate the racks. The aisle is measured from tip to tip of bike tires across the space between racks. The minimum separation between aisles should be 48 inches. This provides enough space for one person to walk one bike. In high traffic areas where many users park or retrieve bikes at the same time, such as a college classroom, the recommended minimum aisle width is 72 inches.

72 inches (six feet) of depth should be allowed for each row of parked bicycles. Conventional upright bicycles are just less than 72 inches long and can easily be accommodated in that space. Some rack types will allow the racks to be mounted closer to the wall. This will not change the space required by the bicycles or the aisles.

Large rack areas with a high turnover rate should have more than one entrance. This will help facilitate the arriving and departing of cyclists and pedestrians.

If possible, the rack area should be protected from the elements. Racks along building walls can be sheltered by an awning. Even though cyclists are exposed to sun, rain, and snow while en route, covering the rack area keeps the cyclist more comfortable while parking, locking the bike, and loading or unloading cargo. An awning will also help keep the bicycle dry, especially the saddle.

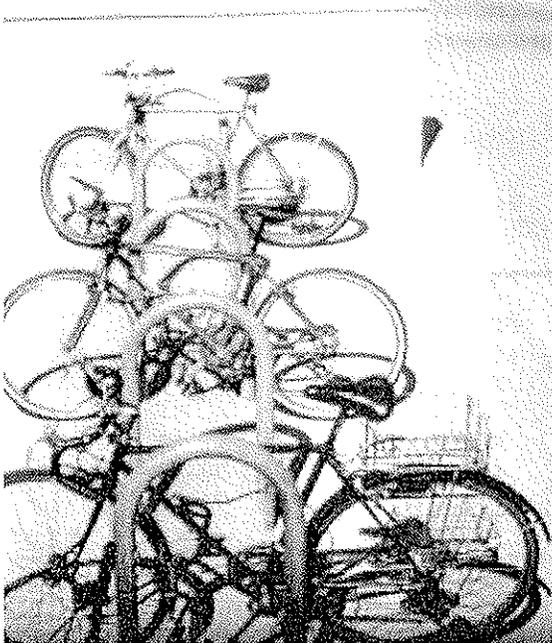
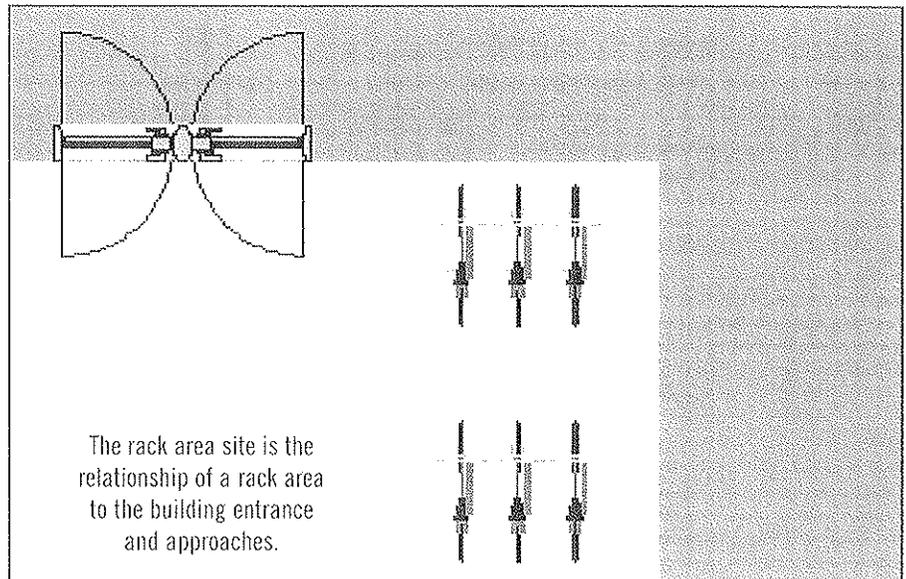


4. THE RACK AREA SITE

Definition: the rack area site is the relationship of the rack area to a building entrance and approach.

The location of a rack area in relationship to the building it serves is very important. The best location for a rack area is immediately adjacent to the entrance it serves. Racks should not be placed so that they block the entrance or inhibit pedestrian flow in or out of the building. Racks that are far from the entrance, hard to find, or perceived to be vulnerable to vandalism will not be used by most cyclists.

It is important to understand the transition a cyclist makes from vehicle to pedestrian. The cyclist approaches the building mounted on the bicycle. At some point, the cyclist stops, dismounts, and walks the bike to a rack. The bicycle is attached to the rack and any cargo is removed. The cyclist now walks into the building carrying the cargo. Adequate space must be provided to allow for this transition.



The rack area should be located along a major building approach line and clearly visible from the approach. The rack area should be no more than a 30-second walk (120 feet) from the entrance it serves and should preferably be within 50 feet.

A rack area should be as close or closer than the nearest car parking space. A rack area should be clearly visible from the entrance it serves. A rack area should be provided near each actively used entrance. In general, multiple buildings should not be served with a combined, distant rack area. It is preferred to place smaller rack areas in locations that are more convenient.

5. CREATIVE DESIGNS



The recommended practices above are not intended to stifle creativity. There are many creative, three-dimensional bicycle parking racks that work very well. Whether the rack is a type of “hanger”, “helix” or another

configuration, the critical issue is that the rack element supports the bike in two places and allows the bicycle to be securely locked.

Creative designs should carefully balance form with function. For example, the distinctive “croquet

set” rack shown here likely has a smaller effective capacity than might be immediately apparent because one or more of the rack elements is not accessible. Similarly, the “hanger” racks shown below must be carefully manufactured and maintained to prevent weaknesses at the joints of the hanger and rack—such weakness might compromise the security of bicycles locked to the rack. In addition, the “coat hanger” elements should be spaced at least 30” apart.

CONCLUSION

More information about bicycle parking is available from a wide variety of sources. Visit www.bicyclinginfo.org to access many of those sources, and to find a list of bicycle parking manufacturers.

More information about the Association of Pedestrian and Bicycle Professionals is available at www.apbp.org.



BICYCLE PARKING GUIDELINES

Adopted by the Association of Pedestrian and Bicycle Professionals
Spring 2002

ACKNOWLEDGMENTS

apbp wishes to acknowledge and thank Reed Kempton, Bicycle/Multi-modal Planner with the Maricopa County Department of Transportation, for his work as the primary author of the recommended practice. Members of the Best Practices Task Force ably assisted Reed in this task.

John Ciccarelli, Bicycle Facilities Consultant
TransSight LLC/Bicycle Solutions

Michelle DeRobertis, P.E. Assistant Traffic engineer
City of Alameda, CA

Joe Gallagher, Transportation Planner

Daphne Hope, Program Manager—Cycling/Walking
City of Ottawa, Canada

Christopher Johnson, Assistant Deputy Secretary
Pennsylvania Department of Transportation

Jim Lazar
Microdesign Northwest

James Mackay, P.E. Bicycle Planner
City of Denver, CO

Heath Maddox, Transportation Planner
Santa Cruz County Regional Transportation Commission

Arthur Ross, Pedestrian/Bicycle Coordinator
City of Madison, WI

Timothy Witten, Transportation Planner

For additional information contact:

Andy Clarke
Executive Director, apbp
P.O. Box 23576
Washington, DC 20026
pedbike@aol.com



APBP
1000 17th St, NW
Washington, DC 20036
202-331-1111

C4 Model Bicycle Parking Ordinance

1. Bike Parking Requirements

Bicycle parking facilities shall be provided for any new building, addition or enlargement of an existing building, or for any change in the occupancy of any new building that results in the need for additional auto parking facilities.

2. Bike Spaces Required

Bicycle parking facilities shall be provided in accordance with the following schedule, with fractional requirements for bike parking over .5 to be rounded up:

- a. Commercial; Industrial, Office, Retail, Service – 2 + 15% of number of auto spaces required
- b. Multi-Family Residential – 3 or more units, 1 space per unit
- c. Public, or Commercial Recreation -- 35% of auto parking requirement
- d. Schools -- 1 space per 3 students
- e. Park and Ride Lots and Transit Centers -- 35% of auto parking
- f. Lodging -- 1 space per 5 units

3. Type of bicycle parking required

Each bicycle parking space shall be no less than six feet long by two feet wide (6'X2') and shall have a bicycle rack system in compliance with the bike rack classifications listed in item 4 as follows: Fractional amounts of the type of parking facilities may be shifted as desired.

- a. Office, Industrial (Commercial) Financial -- 60% Class 1 / 40% Class 2
- b. Retail, Service (Commercial) -- 20% Class 1 / 80% Class 2
- c. Multi-Family Residential (3 or more units) -- 100% Class 1 (Garages or secure accessible indoor areas count)
- d. Public or Commercial Recreation -- 10% Class 1 / 90% Class 2
- e. Schools -- 100% Class 2, Secured, Covered
- f. Park and Ride Lots -- 80% Class 1 / 20% Class 2
- g. Transit Center -- 100% Class 2, Secured, Covered

4. Classification of Facilities

- a. Class 1 bicycle facility means a locker, individually locked enclosure or supervised area within a building providing protection for each bicycle therein from theft, vandalism and weather.
- b. Class 2 bicycle facility means a stand or other device constructed so as to enable the user to secure by locking the frame and one wheel of each bicycle parked therein. Racks must be easily usable with both U-locks and cable locks. Racks should support the bikes in a stable upright position so that a bike, if bumped, will

not fall or roll down. Racks that support a bike primarily by a wheel, such as standard 'wire racks' are damaging to wheels and thus are not acceptable.

5. Location and Design of Facilities

- a. Bicycle parking should be located in close proximity to the building's entrance and clustered in lots not to exceed 16 spaces each.
- b. Bicycle parking facilities shall support bicycles in a stable position without damage to wheels, frame or other components.
- c. Bicycle parking facilities should be located in highly visible, well lighted areas to minimize theft and vandalism.
- d. Bicycle parking facilities shall be securely anchored to the lot surface so they cannot be easily removed and shall be of sufficient strength to resist vandalism and theft.
- e. Bicycle parking facilities shall not impede pedestrian or vehicular circulation, and should be harmonious with their environment both in color and design. Parking facilities should be incorporated whenever possible into building design or street furniture.
- f. Racks must not be placed close enough to a wall or other obstruction so as to make use difficult. There must be sufficient space (at least 24 inches) beside each parked bike that allows access. This access may be shared by adjacent bicycles. An aisle or other space shall be provided to bicycles to enter and leave the facility. This aisle shall have a width of at least six (6) feet to the front or rear of a bike parked in the facility.
- g. Paving is not required, but the outside ground surface shall be finished or planted in a way that avoids mud and dust.
- h. Bike parking facilities within auto parking areas shall be separated by a physical barrier to protect bicycles from damage by cars, such as curbs, wheel stops, poles or other similar features.

6. Variations to Requirements

- a. Substitution of car parking with bike parking. New and pre-existing developments may convert up to 10% of their auto spaces to unrequired additional bike parking, as long as the spaces are conveniently located near an entrance. Converted parking spaces must yield at least 6 bike parking spaces per auto space.
- b. Where the provision of bike parking is physically not feasible the requirements may be waived or reduced to a feasible level by the zoning authority.

###

21.46.113 Limitations on uses – Institutional uses.

~~A. Complementary Use of Parking by Churches. Churches are allowed outright in all business and commercial zones (except for the PCD zone wherein churches require a special use permit) subject to the same conformance to development standards as would apply to any other permitted use. This provision is applicable to either new construction or the occupancy by a church of a pre-existing building or portion thereof, whether the building or grounds involved are designed as a church building, according to the definition of churches in Chapter [21.02](#) LMC, or the space being used is such that typical occupants or tenants would be commercial uses.~~

~~In the event that a multiple business site which includes a church does not have an adequate number of parking spaces to meet the code requirements for all the uses on the site, but would have sufficient spaces without the church, complementary use of parking by the church may be allowed by conditional use permit. The purpose in requiring a conditional use permit is to assure that the times of peak use of parking by the church and the other uses on the site will not coincide to such an extent that frequent parking shortages occur, impacting public streets and resulting in unauthorized parking on other properties in the area.~~

~~No conditional use permit shall be approved if the evidence indicates that such parking shortages are likely to occur. Adherence by any and/or all occupants of the site to a schedule that makes complementary parking workable may be made a condition of the conditional use permit.~~

~~In the event parking shortages as described above occur after such a conditional use permit has been approved, revocation of the permit may be considered under normal conditional use permit hearing procedures. Infrequent parking overflows, such as those occurring during annual religious holidays, are not to be construed as constituting a parking shortage for the purposes of this section.~~

~~B. Child Day-Care Center.~~

21.43.200 Development standards.

Table 21.43.02 Development Standards

Standard	RML	RMM	RMH
Minimum Lot Area	7,200 sf	none	none
Minimum Lot Area per Dwelling	3,600 sf	2,400 sf	1,000 sf
Minimum Lot Width	70 ft.	70 ft.	100 ft. plus 1 ft. for every 10 ft. of lot depth after the first 100 ft.
Minimum Frontage at Street	70 ft.	70 ft.	70 ft.
Minimum Front Yard Setback			
Interior Lot	15 ft.	15 ft.	15 ft.
Corner Lot	15 ft.	15 ft.	15 ft.
Abutting a Principal Arterial Street	15 ft.	15 ft.	15 ft.
Minimum Side Yard Setbacks – Corner Lot			
Street Side	15 ft.	15 ft.	15 ft.
Interior Side	5 ft.	15 ft.	15 ft.
Both Sides Combined	20 ft.	30 ft.	30 ft.
Abutting a Principal Arterial Street	15 ft.	15 ft.	15 ft.
Minimum Side Yard Setbacks – Interior Lot			
One Side	5 ft.	15 ft.	15 ft.
Both Sides Combined	15 ft.	30 ft.	30 ft.
Minimum Rear Yard Setback	25 ft.	25 ft.	25 ft.
Maximum Lot Coverage by Buildings (but see §21.43.210.A.2 below)	35 percent	35 percent	45 percent
Maximum Building Height	35 ft., or 2 stories from average finished grade	35 ft.	none

(Ord. 2586 § 3, 2005; Ord. 2466 § 2, 2003)

21.43.205 Single-family dwelling standards.

A. Site-built dwellings shall be placed on concrete or masonry perimeter foundations.

B. Manufactured homes shall be installed in accordance with the manufacturers' specifications and, in locations outside mobile home parks, an excavated crawl space of not less than 24 inches in depth shall be provided and fully enclosed by a perimeter concrete or masonry retaining wall.

C. With the exception of replacement homes within existing mobile home parks, a manufactured home may be sited within the city of Lynnwood, provided not more than five years have elapsed since the date of manufacture, as stated on the HUD data plate. (Ord. 2571 § 5, 2005)

21.43.210 Additional development standards.

A. Parking Requirements. Parking requirements for the residential zones are as provided in Chapter [21.18](#) LMC.

1. Tandem Parking in Multiple-Family Zones. In the RML, RMM, and RMH zones, 10 percent of the required parking may be in tandem parking; provided, that the area in which the tandem parking is located is designated on an approved site plan and that they are assigned by the management; or, 10 percent of the parking stalls required may be located in a separate parking lot utilized only for recreation vehicles, provided the area does not encroach on front, side, and rear yard setbacks.

2. Carports in Multiple Family Zones. Open carports (i.e. roofed or covered, but without walls or other side enclosure) sheltering parking stalls required by and meeting the standards of Ch. 21.18 LMC, and canopies or covered walkways leading from carports or other parking areas to building entrances (provided the walkway is paved), shall not be included in determining lot coverage under this section. This exemption does not apply to any enclosed or walled area (such as, but not limited to, outdoor storage areas) whether or not they are part of a carport building or structure). Carports must be no more than 15 ft. above the parking surface and must meet setbacks and other development standards of the applicable zone.

2. 3. Landscaping in Parking Areas in the Multiple-Family Zones.

a. Purpose. The purpose of these landscaping provisions is:

i. To break up the visual blight created by large expanses of barren asphalt which make up a typical parking lot;

ii. To encourage the preservation of mature evergreens and other large trees which are presently located on most of the potential multiple-family housing sites in this city;

iii. To provide an opportunity for the development of a pleasing visual environment in the multiple-family housing zones of this city from the viewpoint of the local resident and visitor passing through the zones (a purpose of this section) as well as from the viewpoint of the multiple-family housing dweller (a purpose of the multiple-family housing developer);

iv. To ensure the preservation of land values in multiple-family housing zones by creating and ensuring an environmental quality which is most compatible with the development of this land; and

v. To provide adequate control over the application of landscaping standards so that these objectives are accomplished in the most effective

manner and to avoid the abuse of these intentions by placing the described landscaping in remote parts of the site or in recreational areas where they bear no relationship to these objectives.

b. Planting at Street Frontages. Development sites with parking areas located only between the sides of buildings opposite the street and interior property lines shall provide a 10-foot-wide planting area along the entire street frontage, except for driveways, walkways and other pedestrian spaces. Development sites with single-aisle, double-loaded parking areas located between buildings and the street right-of-way, parking areas between buildings or parking areas between buildings and the closest side property line shall provide a 15-foot-wide planting area along the entire street frontage with the same above exceptions. Development sites with multi-aisle parking areas located between buildings and the street right-of-way shall provide a 20-foot-wide planting area along the entire street frontage with the same above exceptions. Planting shall consist of ornamental landscaping of low plantings and high plantings. The minimum height of trees shall be eight feet for evergreen trees and 10 feet for all other species. Trees shall be spaced a maximum of 25 feet on center with branches eliminated to a height of six feet where necessary to prevent sight obstruction. The required trees in this planting area may be located within the adjacent street right-of-way as long as they comply with Lynnwood Citywide Design Guidelines, as adopted by reference in LMC [21.25.145\(B\)\(3\)](#), and are approved by the public works department.

Low evergreen plantings or a mixture of low evergreen and deciduous plantings with a maximum height of 30 inches, in bark or decorative rock, shall be provided so as to achieve 50 percent groundcover within two years.

The location and width of the planting area may be modified in accordance with the following provisions: that up to five feet of the 10-foot total required may be installed in portions of city right-of-way which are not covered by impervious surfaces or, in the case of right-of-way which is not fully improved, are not projected to be covered by impervious surfaces upon full improvement.

c. Landscaping in Right-of-Way. Property owners who install landscaping on portions of right-of-way not covered by impervious surfaces shall provide the city with a written release of liability for damages which may be incurred to the planting area from any public use of the right-of-way and an indemnity to the city against any injuries occurring within that portion of right-of-way so utilized.

d. Planting Coverage. Ten percent of parking areas located between buildings and interior property lines, and single-aisle, double-loaded parking areas located between buildings and the street; and 15 percent of multi-aisle parking areas located between buildings and street shall be in landscaping (exclusive of landscaping on the street frontage and required landscape buffers); provided, that:

i. No landscaping area shall be less than 100 square feet in area or less than five feet in width;

ii. No parking stall shall be located more than 45 feet from a landscaped area. The planning commission may approve landscaping plans involving alternatives to this specification for individual properties if it finds that

the alternative plans would be more effective in meeting the above-stated purposes of this section; and

iii. All landscaping must be located between parking stalls or between parking stalls and the property lines. Landscaping which occurs between parking stalls and multiple-family housing or between parking stalls and multiple-family housing recreation areas shall not be considered in the satisfaction of these landscaping requirements.

e. Style of Landscaping. The planting area shall include liberal landscaping using such material as trees, ornamental shrubs, lawn or combination of such materials.

f. Landscaping Adjacent to Parking Stalls. Where landscaping areas which fulfill city standards are adjoined by angular or perpendicular parking stalls, landscaping in the form of groundcover materials or plants may be installed in that portion of any parking stall which will be ahead of the wheels and adjacent to the landscaped area; provided, that curbing or wheel stops are installed in a position which will protect the plants from damage. Such landscaping shall not be construed to be part of the percentage of landscaped area required by this chapter nor a reduction of the parking stall.

g. Additional Landscaping Along Specified Streets. Along streets where it may be desirable and feasible to obtain a higher degree of continuity in landscaping from property to property than is provided for here, the city council, upon recommendation by the planning commission, may designate specific street frontage landscaping plans for those streets. See Chapter [21.06](#) LMC.

B. Fences and Hedges. Fence and hedge regulations for the residential zones are as provided in Chapter [21.10](#) LMC.

C. Building Height in RMH Zones. The front, rear, and side yard setbacks of any building that exceeds a height of 45 feet shall be increased by one foot for each one foot that the building exceeds a height of 45 feet.

D. Pre-Existing Subdivisions. Any lot described on a plat duly recorded in the land records of Snohomish County prior to January 1, 1970, may be used for a one-family dwelling if the lot dimensions and area are in conformance with LMC [21.12.300](#), and the buildings to be located thereon conform to all other standards of the residential zone within which the lot is located. (Ord. 2586 § 3, 2005; Ord. 2466 § 2, 2003)



9/19/07

MEMO

TO: Lynnwood Planning Commission
FROM: Paul Krauss, Comm. Development Director
RE: Proposal to Consider Ordinance Amendments Regulating Temporary Tent Encampments

BACKGROUND

Provision of adequate and safe housing for the homeless and for low income households, continues to be a problem. There are a variety of causal factors. Our society has not affirmed a basic right to safe housing for all Americans nor has it devoted sufficient resources to providing it. Housing costs have escalated at rates faster than incomes have risen while the numbers of living wage jobs available to people without higher education and skills have dropped. The mental health system fails to meet many needs. Some people who would have been institutionalized in the past are now homeless. Finally, many households are a paycheck or unexpected emergency away from homelessness.

In our region ambitious plans have been developed to end homelessness and efforts are being made although I am not optimistic they will succeed. Against this background, homeless advocacy groups and the homeless themselves have created several "tent cities" or encampments that take up temporary residence in communities around Central Puget Sound. They typically move to an area, often with short notice to local government or neighbors, stay for about three months, and move to the next site.

Homeless advocates maintain that the tent cities are one of the few options around to provide safe and supportive housing for the homeless. While this may be true, the issue of homelessness also benefits from the notoriety achieved when communities and neighbors seek to regulate or restrict them.

Tent cities have existed for several years. The first ones in Bothell and Woodinville resulted in a great deal of concern and legal action by both the cities and tent cities. As recently as last year, Bellevue attempt to use legal measures to restrict the amount of time one could remain in the City. By and large, the cities have lost their appeals and the tent cities allowed to open, with or without permits. Most are located on property owned by a



Municipal Research and Services Center of Washington

Working Together for Excellence in Local Government

Updated 05/07

Tent City - Temporary Homeless Shelters in King County

About Tent City Camps in King County

Tent City is a temporary encampment of up to 100 homeless persons who live in a group of tents on the property of a host for approximately 90 days. The camps have managers and a code of conduct for residents.

The program is sponsored and managed by SHARE/WHEEL (Seattle Housing and Resource Efforts (SHARE) and Women's Housing, Equality, and Enhancement League (WHEEL)). The first community, called Tent City 3, was created in 2000. It has had camp sites in Seattle, Shoreline, Tukwila, and Burien. Tent City 3 will be hosted on the campus of Seattle University in early 2005. Share/Wheel established Tent City 4 in the spring of 2004 on the Eastside after working out an agreement with King County.

Local governments in King County issue conditional use permits for the temporary camps. Seattle-King County Public Health provides support services to camp managers. This Web page provides the local government documents related to temporary permitting for Tent City. If you have anything that would be of interest for this page, please [contact the page editor](#).

King County

The Metropolitan King County Council created the King County Citizens' Advisory Commission on Homeless Encampments (CACHE) to address four specific topics related to the complex and controversial issue of encampments of persons who are homeless in King county.

- [Tent City 4 News and Updates](#) - King County Housing and Community Development Program (Includes King County documents).
- [Final Report - King County Citizens' Advisory Commission on Homeless Encampments \(CACHE\)](#) ( 154 KB)- August 2004

Auburn

- [Auburn Resolution No. 3808](#) ( 77 KB) - Establishes a moratorium on acceptance of applications for licenses, permits and approvals relating to transitory accommodations, passed 1-05
- [Auburn Ordinance No. 6014](#) ( 563 KB) - Adopts regulations related to homeless encampments, passed 7-06

Burien (Tent City 3)

- [City of Burien Temporary Use Permit for Tent City](#) - November 1, 2002

Bothell (Tent City 4)

- [City of Bothell Resolution No. 1159](#) - Stating the city of Bothell position regarding King County's siting of Tent City 4

- [City of Bothell Resolution No. 1162](#) - Finding that Tent City 4 presents special circumstances warranting a different review process than normally would apply to campgrounds, and establishes a special conditional use process applicable specifically to Tent City 4
- [City of Bothell Ordinance No. 1927](#) - Establishing a six month moratorium on the use of property for transitory accommodations.
- [City of Bothell Ordinance No. 1943](#) ( 67 KB)- Renews the moratoria for an additional 6 months, passed 2-05
- [City of Bothell Ordinance No. 1955](#) ( 226 KB) Establishes regulations concerning transitory accommodations, 12-05
- [City of Bothell Tent City 4 Special Conditional Use Permit](#) - Issued July 19, 2004
- City of Bothell v. St. Brendan Parish
 - City of Bothell v. St. Brendan Parish - [Findings of Fact & Conclusions of Law on City's Motion for Preliminary Injunction](#)
 - City of Bothell v. St. Brendan Parish - [First Amended Complaint for Declaratory and Injunctive Relief](#)
 - City of Bothell v. St. Brendan Parish - [City's Motion for Preliminary Injunction](#)
 - City of Bothell v. St. Brendan Parish - [Preliminary Injunction](#)
 - City of Bothell v. St. Brendan Parish - [SHARE/WHEEL Response to Motion for Injunction](#)
 - City of Bothell v. St. Brendan Parish - [Memorandum of St. Brendan Parish Opposing Preliminary Injunction](#)
- [Tent City 4 - Final Bothell Police Department Report](#) - September 30, 2004

Kirkland (Tent City 4)

- [Homeless Encampments](#) - Kirkland
- Kirkland [Ordinance No. 4047](#) ( 41 KB)- Temporary Use Provisions for homeless encampments

Redmond

- [Tent City](#)

SeaTac

- [SeaTac Ordinance No. 05-1017](#) ( 119 KB) adopts development standards for homeless encampments, passed 10-05.

Seattle (Tent City 3)

- [Information on Tent City 3's Stay on Beacon Hill](#) (2004) - North Beacon Hill Council
- [Tent City Retrospective](#) - Seattle University

Shoreline (Tent City 3)

- [Administrative Order #301138](#) - A Decision on Application for Temporary Use Permit , December 6, 2002 - The proposal is for the Shoreline Free Methodist Church, 510 NE 175th Street, Shoreline, to host a Tent City temporary homeless camp on the church property.
- [Shoreline Police Memorandum](#) - October 26, 2004 RE: Tent City Recap
- [Shoreline Tent City Survey Results](#)
- [Shoreline Ordinance No. 368](#) ( 74 KB)- Amends development code Ch. 20.40, requires applicant to hold a neighborhood meeting prior to application, passed 2-05.

Woodinville (Tent City 4)

- [Understanding Temporary Shelters for Homeless](#) (Chronology of Tent City 4 in Woodinville)
- [Woodinville Ordinance No. 369](#) ( 378 KB) - Permits Tent City 4 to use undeveloped parkland as a temporary location for up to 40 days, passed 6-04.
- [Woodinville Ordinance No. 370](#) ( 152 KB) - Amends Ordinance No. 369, passed 8-04
- [Woodinville Ordinance No. 371](#) ( 132 KB) - Extends time for negotiating an agreement per Ordinance No. 370, passed 8-04
- [Woodinville Ordinance No. 372](#) ( 158 KB) - Authorizes the City Manager to amend the August 27 Temporary Property Use Agreement as needed, including the ability to extend the authorized duration during which Tent City 4 may remain on City property, passed 9-04

religious institution. Under a Federal law commonly called the “Freedom of Religion Act”, the ability of the organization to act in accordance with their religious principals is protected. The law does not prohibit all regulatory controls but it does impose severe limits.

By and large, the host cities and site neighbors have found the tent cities to be much more benign than envisioned in their initial fears. They are generally well run and adequately supported by the hosts. Their self-governance structure appears to work and they do not harbor criminals.

PROPOSAL/ACTION

Most area cities have considered and adopted regulations, consistent with legal limitations, to deal with tent cities. It is imperative that these regulations be adopted before a tent city arrives in a community as there is insufficient time to do so after the fact. Lynnwood has not yet had a tent City nor has a regulatory framework been considered. Staff is proposing that the Planning Commission initiate consideration of appropriate amendments to the Zoning Code.

REGULATORY OPTIONS

As is often the case, when a new issue arises, cities develop regulatory responses. The first are tested in the court system and ultimately refined. Other cities then use those initial attempts as the basis for their own code amendments while incorporating further refinements.

One of the most current codes was recently adopted by the City of Monroe. A copy is attached.

Some significant standards include:

- 40’ setback from low density residential, 20’ from other uses
- Requires 6’ tall screen fence
- Limit on max. capacity to 100 people or less
- No children under 18
- Defines responsibilities of the sponsoring organizing and maintenance of their property
- Temporary Use Permit reviewed by Hearing Examiner required.

RECOMMENDATION

Staff recommends that the Planning Commission direct staff to bring forward code amendments dealing with temporary tent encampments.

Attachments:

- Monroe's Temporary Tent Encampment Ordinance
- MRSC Advisory on Tent Cities

Chapter 18.75
TEMPORARY TENT ENCAMPMENT

Sections:

- 18.75.010 Regulations established.
- 18.75.020 Standards for homeless encampments.
- 18.75.030 Frequency and duration of temporary use.
- 18.75.040 Notice requirements, review process and appeal procedure for temporary tent encampment applications.
- 18.75.050 No intent to create protected/benefited class.

18.75.010 Regulations established.

Regulations concerning the establishment and processing of applications for homeless encampments in the city are hereby established. Establishing such facilities contrary to the provisions of this chapter is prohibited. Temporary tent encampment permits shall be required for homeless encampments in the city. With the exception of temporary tent encampment permits for homeless encampment facilities that are in full compliance with this chapter, applications for temporary tent encampment permits, land use approvals, or any other permit or approval, in any way associated with such facilities shall not be accepted, processed, issued, granted, or approved. If a homeless encampment is established in violation of this chapter or if after temporary tent encampment permit is issued for the same, the director of community development determines that the permit holder has violated this chapter or any condition of the permit, the temporary tent encampment, its sponsor and managing agency shall be subject to code enforcement under Chapter 104 MMC. All activities associated with the homeless encampment shall cease, and the site shall be vacated and restored to its pre-encampment conditions. (Ord. 003/2007 § 2)

18.75.020 Standards for homeless encampments.

The following definitions and standards apply to temporary tent encampments for the purposes of application for and approval of a temporary use permit:

A. Definitions.

1. "Temporary tent encampment" means a group of homeless persons temporarily residing out of doors on a site with services provided by a sponsor and supervised by a managing agency.
2. "Managing agency" means an organization that has the capacity to organize and manage a temporary tent encampment. A "managing agency" may be the same entity as the sponsor.
3. "Sponsor" means a local church or other local, community-based organization that has an agreement with the managing agency, residents of a temporary tent encampment, or their agents to host and to provide basic services and support for the residents of a temporary tent encampment and liaison with the surrounding community and joins with the managing agency in an application for a temporary use permit. A "sponsor" may be the same entity as the managing agency.

B. Standards.

1. The encampment shall be located a minimum of twenty feet from the property line of abutting properties containing commercial, industrial, professional office, and multifamily residential uses. The encampment shall be located a minimum of forty feet from the property line of abutting properties containing single-family residential uses, unless the host facility has Type 1 or Type 2 perimeter landscaping in accordance with Chapter 18.78 MMC, in which case the minimum setback is twenty feet.
2. No encampment shall be located within a critical area or its buffer as defined by Chapter 20.05 MMC.
3. A six-foot tall sight-obscuring fencing is required around the perimeter of the encampment, provided they do not create a sight obstruction at the street or street intersections or curbs as determined by the city engineer, unless the hearing examiner determines that there is sufficient vegetation, topographic variation, or other site condition such that fencing would not be needed.
4. Exterior lighting must be directed downward and contained within the temporary tent encampment.
5. The maximum number of residents at a temporary tent encampment site shall be determined by the hearing examiner taking into consideration site conditions, but in no case shall the number be greater than one hundred people.
6. On-site parking of the sponsor shall not be displaced unless sufficient parking remains available for the host's use to compensate for the loss of on-site parking or a shared parking agreement is executed with adjacent properties pursuant to the criteria of MMC 18.36.080, Criteria for cooperative parking facility.

7. A transportation plan is required which shall include provision for transit services.
8. No children under eighteen are allowed to stay overnight in the temporary tent encampment, unless circumstances prevent a more suitable overnight accommodation for the child and parent or guardian. If a child under the age of eighteen attempts to stay at the encampment, the sponsor and the managing agency shall immediately contact Child Protective Services and shall actively endeavor to find alternative shelter for the child and any accompanying parent or guardian.
9. The sponsor or managing agency shall provide and enforce a written code of conduct, which not only provides for the health, safety and welfare of the temporary tent encampment resident, but also mitigates impacts to neighbors and the community. Said code shall be incorporated into the conditions of approval.
10. The sponsor and the managing agency shall ensure compliance with Washington State laws and regulations, the Monroe Municipal Code, Fire District 3, and Snohomish Health District concerning, but not limited to, drinking water connections, solid waste disposal, human waste, electrical systems, and fire resistant materials. The sponsor and the managing agency shall permit inspections by state and/or local agencies and/or departments to ensure the same, and implement all directives resulting therefrom within the specified time period.
11. The sponsor and managing agency shall assure all applicable public health regulations, including but not limited to the following, will be met:
 - a. Sanitary portable toilets, which shall be set back at least forty feet from all property lines;
 - b. Hand washing stations by the toilets and food preparation areas;
 - c. Food preparation or service tents; and
 - d. Refuse receptacles.
12. Public health guidelines on food donations and food handling and storage, including proper temperature control, shall be followed and homeless encampment residences involved in food donations and storages shall be made aware of these guidelines consistent with the Snohomish Health District requirements.
13. The sponsor and the managing agency shall appoint a member to serve as a point of contact for the Monroe police department. At least one appointed resident shall be on duty at all times. The names of the on-duty members shall be posted daily.
14. Facilities for dealing with trash shall be provided on-site throughout the encampment. A regular trash patrol in the immediate vicinity of the temporary tent encampment site shall be provided.
15. The sponsor and the managing agency shall take all reasonable and legal steps to obtain verifiable identification from current and prospective encampment residents and use the identification to obtain sex offender and warrant checks from appropriate agencies. The sponsor and the managing agency shall keep a log of names and dates of all people who stay overnight in the temporary tent encampment.
16. The sponsor and the managing agency shall immediately contact the Monroe police department if someone is rejected or ejected from the encampment when the reason for rejection or ejection is an active warrant or a match on a sex offender check, or if, in the opinion of the on-duty member or on-duty security staff, the rejected/ejected person is a potential threat to the community.
17. Temporary structures that cover an area in excess of one hundred twenty square feet (11.16 square meters), including connecting areas or spaces with a common means of egress or entrance which are used or intended to be used for the gathering together of ten or more persons, shall not be erected, operated or maintained for any purpose without obtaining a permit from the building official pursuant to Section 3103 of the International Building Code as adopted by the city of Monroe.
18. The sponsor, the managing agency and temporary tent encampment residents shall cooperate with other providers of shelters and services for homeless persons within the city and shall make inquiry with these providers regarding the availability of existing resources.
19. Where deemed necessary by the hearing examiner, the sponsor and/or the managing agency shall procure and maintain in full force, through the duration of the temporary tent encampment, comprehensive general liability insurance with a minimum coverage of one million dollars per occurrence/aggregate for personal injury and property damage.
20. Where deemed necessary, the hearing examiner shall have the authority to impose conditions to the issuance of the permit for a temporary tent encampment to mitigate effects on the community upon finding that said effects are materially detrimental to the public welfare or injurious to the property or improvements in the vicinity.
21. The sponsor and/or managing agency shall provide before-encampment photos of the host site with the application. Upon vacation of the temporary tent encampment, all temporary structures and debris shall be removed from the host site within one calendar week. (Ord. 003/2007 § 2)

18.75.030 Frequency and duration of temporary use.

The city may not grant a permit for a temporary tent encampment at the same location more frequently than once in every three-hundred-sixty-five-day period. Temporary tent encampments may be approved for a period not to exceed ninety days for every three-hundred-sixty-five-day period. The said permit shall specify a date by which the use shall be terminated and the site vacated and restored to its pre-encampment condition. (Ord. 003/2007 § 2)

18.75.040 Notice requirements, review process and appeal procedure for temporary tent encampment applications.

A. Notice Requirements for Temporary Tent Encampments. The completed application, which shall be signed by both the sponsor and the managing agency ("applicant"), shall contain at a minimum contact information for the applicant, and detailed information regarding the following: (1) how the applicant will meet the requirements of the permit for a temporary tent encampment as set forth in this chapter; (2) potential adverse effects that the proposed encampment will likely have on neighboring properties and community; (3) measures to mitigate these adverse effects; (4) the written code of conduct adopted by the applicant for the temporary tent encampment; (5) provisions by applicant to meet requirements of the International Fire Code; and (6) certification that the applicant has taken all reasonable and legal steps to obtain verifiable identification from current and prospective encampment residents and used the identification to obtain sex offender and warrant checks from appropriate agencies. The form of the notice and the application shall be provided by the community development department upon request by the sponsor and/or the managing agency.

A notice of application and copy of the application for a temporary tent encampment shall be provided at least fifteen days prior to the decision regarding the issuance of the permit. The purpose of the notice is to inform the surrounding community of the application. The notice shall contain, at a minimum, the date of application, project location, proposed duration and operation of the homeless encampment, number of residents for the encampment, conditions that will likely be placed on the operation of the homeless encampment, and requirements of the written code of conduct. The applicant shall distribute said notice as follows:

1. A copy of the notice and application, or summary thereof, will be published in the official newspaper of the city.
2. A copy of the notice and application, or summary thereof, shall be (a) posted at two publicly visible locations on the site upon which the proposed homeless encampment will be located, and (b) mailed to owners of all property within five hundred feet of any boundary of the subject property, and any neighborhood organization in the vicinity of the homeless encampment site whose contact information is known to or made known to the managing agency.

B. Review Process, Notice of Decision Regarding Issuance of Permit, and Appeal Procedure. After review of the application for a temporary tent encampment and an open record hearing pursuant to MMC ~~21.50.030~~(B), the hearing examiner shall make a decision regarding the issuance of a temporary tent encampment permit. Before any temporary tent encampment permit may be granted, it shall be shown that:

1. The proposed use will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity of the proposed encampment;
2. The proposed use shall meet the performance standards that are required in the zoning district the encampment will occupy and the requirements of this chapter;
3. The proposed use shall be in keeping with the goals and policies of the comprehensive plan;
4. All measures have been taken to minimize the possible adverse impacts, which the proposed encampment may have on the area in which it is located.

Because each temporary tent encampment has unique characteristics, including, but not limited to, size, duration, uses, number of occupants and composition, the hearing examiner shall have the authority to impose conditions to the issuance of the permit for homeless encampment to mitigate effects on the community upon finding that said effects are materially detrimental to the public welfare or injurious to the property or improvements in the vicinity. Conditions, if imposed, must relate to findings by the hearing examiner, and must be calculated to minimize nuisance-generating features in matters of noise, waste, air quality, unsightliness, traffic, physical hazards and other similar matters that the temporary tent encampment may have on the area in which it is located. In cases where the application for temporary tent encampment does not meet the requirements or standards of this chapter or adequate mitigation may not be feasible or possible, the hearing examiner shall deny issuance of a temporary tent encampment permit.

If issued, the permit for the temporary tent encampment shall be issued jointly to the sponsor and managing agency. A notice of such decision stating whether the permit is granted or denied, along with information regarding the procedure for appeal of the decision, shall be mailed as required for the notice of application within three business days after the decision. Appeal of the hearing examiner's decision shall be as set forth in MMC ~~21.50.090~~.

The hearing examiner's decision will be the city's final decision. Any appeal of the city's final decision may only be made to

Snohomish County Superior Court in accordance with Chapter 36.70C RCW. The burden of proof on appeal shall be on appellant.

C. Additional Requirements for Applications Requesting Modification of Standards for Temporary Tent Encampments. The applicant may apply for a temporary tent encampment permit that applies standards that differ from those in MMC 18.75.020 only where, in addition to satisfying the requirements in subsection (A) of this section, the applicant submits a description of the standard to be modified and demonstrates how the modification would result in a safe encampment with minimal negative impacts to the host community under the specific circumstances of the application. In considering whether the modification should be granted, the hearing examiner shall first consider the effects on the health and safety of encampment residents and the neighboring communities. Modifications should not be granted if their adverse impact on encampment residents and/or neighboring communities will be greater than those without modification. The burden of proof shall be on applicant. (Ord. 003/2007 § 2)

18.75.050 No intent to create protected/benefited class.

Provisions in this chapter are intended to promote the health, safety and welfare of the general public. Nothing contained herein is intended to be nor shall be construed to create or otherwise establish any particular class or group of persons who will or should be especially protected or benefited by the provisions in this chapter. The provisions in this chapter are not intended to be, nor shall be, construed to create any basis for liability on the part of the city, its officers, employees or agents for any injury or damage that an individual, class or group may claim arises from any action or inaction on the part of the city. Likewise, they are not intended to, nor shall be construed to, impose upon the city any duty that can become the basis of a legal action for injury or damage. (Ord. 003/2007 § 2)
