

CITY OF MAPLE VALLEY, WASHINGTON

ORDINANCE NO. O-12-513

AN ORDINANCE OF THE CITY OF MAPLE VALLEY, WASHINGTON, AMENDING TITLE 18 OF THE MAPLE VALLEY MUNICIPAL CODE REGARDING HEIGHT, SETBACK AND LANDSCAPING REQUIREMENTS FOR THE SERVICE COMMERCIAL ZONING DISTRICT, PROVIDING FOR SEVERABILITY, ESTABLISHING AN EFFECTIVE DATE, AND PROVIDING FOR CORRECTIONS.

WHEREAS, The City of Maple Valley wishes to amend its municipal code regarding allowed heights, setbacks and landscaping requirements in the Service Commercial (SC) zoning district; and

WHEREAS, the City of Maple Valley encouraged public participation in the review of the draft amendments that included a public hearing before the Planning Commission on July 18, 2012 and before the City Council on September 10, 2012; and

WHEREAS, the City of Maple Valley issued a SEPA threshold determination of non-significance (DNS) and adoption of existing environmental documents for the proposed amendments on August 14, 2012; and

WHEREAS, the City of Maple Valley submitted the draft amendments to the Washington State Department of Commerce on August 7, 2012 and received no comments; and

WHEREAS, the City Planning Commission made a recommendation to adopt the proposed amendments to the Maple Valley Municipal Code on August 15, 2012.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MAPLE VALLEY, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Section 18.40.040 of the Maple Valley Municipal Code is hereby amended as follows:

18.40.040 Densities and dimensions – Commercial, Office and Business Park zones.

A. Table.

Density and Dimensional Standards	Zones								
	Office	Neighborhood Business	Community Business	Multiple Use	Business Park	Public	Park Recreational Open Space	Master Planned Community	Service Commercial
Maximum	12	12 du/ac ¹	12 du/ac ¹	12	N/A	N/A	N/A	N/A ¹⁰	N/A

Density and Dimensional Standards	Zones								
	Office	Neighborhood Business	Community Business	Multiple Use	Business Park	Public	Park Recreational Open Space	Master Planned Community	Service Commercial
Density	du/ac ¹			du/ac ⁷					
Minimum Street Setback ^{5,9}	10 feet	10 feet ²	10 feet ²	10 feet ³	25 feet	20 feet	20 feet	N/A ¹⁰	10 feet ²
Minimum Interior Setback ⁵	20 feet ³	20 feet ³	20 feet ³	20 feet ³	20 feet ³	20 feet	20 feet	N/A ¹⁰	20 feet ³
Maximum Height ⁶	45 feet	35 feet	35 feet	45 feet ⁴	35 feet	35 feet	35 feet	65 feet ¹⁰	45 feet ¹¹ 85 feet ¹²
Maximum Impervious Surface Coverage	80%	80%	80%	80%	80%	80%	80%	70%	80%

B. Specific Requirements.

1. These densities are allowed only in conjunction with a permitted principal use and not for stand-alone residential development.
2. Service station pump islands shall be placed no closer than 25 feet from the right-of-way.
3. This setback is required only from property lines abutting Residential zones. No interior setback is required from property lines in Commercial zones that abut nonresidential zones. Building code and fire code setback or building separation requirements may apply.
4. Structures, or those portions of structures, within 50 feet of property lines adjoining Residential zones shall not exceed 35 feet in height. An additional 10 feet of building height may be earned through the amenity incentive system, for a total of 55 feet for buildings greater than 100 feet from property lines adjoining Residential zones.
5. Projections may extend into required setbacks as follows:
 - a. Fireplace structures, bay or garden windows, enclosed stair landings, closets, utility meters and vaults or similar architectural features may project into any setback, provided such projections are:
 - i. Limited to two per facade;

ii. Not wider than 10 feet; and

iii. Not more than 18 inches into an interior setback or 24 inches into a street setback.

b. Uncovered porches and decks which exceed 18 inches above the finished grade may project 18 inches into interior setbacks and five feet into the street setback.

c. Uncovered porches and decks not exceeding 18 inches above the finished grade may project to the property line.

d. Eaves may not project more than 18 inches into an interior setback or 24 inches into a street setback.

6. The maximum height allowed may be increased pursuant to incentives in MVMC [18.40.130\(J\)\(9\)](#).

7. Transfer of residential density is allowed, up to four units per acre, from portions of a “multiple use” site dedicated to open space uses, and also from other community service uses that do not have a residential component. Residential development may not exceed 16 dwelling units per acre.

8. The street setback in a “multiple use” site is zero for commercial buildings, except a 20-foot setback applies along the Maple Valley Highway frontage.

9. Street setbacks may be reduced or modified in accordance with the commercial design standards in MVMC [18.70.030](#).

10. Refer to MVMC [18.120.080\(B\)](#) for density, setback and height standards.

11. Structures, or those portions of structures, within 50 feet of Residential zones shall not exceed 35 feet in height.

12. Structures dedicated to manufacturing, educational/vocational, and office uses may be allowed up to 85 feet in height subject to the following restrictions:

a. On sites of 10-acres or more, and

b. The required setbacks from residentially zoned properties shall be 20 feet and increased three feet horizontally for each foot of building height exceeding 35 feet, and

c. The required landscape buffers in MVMC 18.40.130.F.4 shall be increased .25 feet (three inches) for each foot of building height exceeding 35 feet.

Section 2. Severability. If any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be preempted by state or federal law or regulation, such decision or preemption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 3. Effective Date. A summary of this ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five days after adoption and publication.

Section 4. Corrections by City Clerk or Code Reviser. Upon approval of the City Attorney, the City Clerk and the code reviser are authorized to make necessary corrections to this resolution, including the correction of clerical errors; references to other local, state or federal laws, codes, rules, or regulations; or resolution numbering and section/subsection numbering.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF MAPLE VALLEY, WASHINGTON
ON THIS 8th DAY OF OCTOBER, 2012.

William T. Allison, Mayor

ATTEST:

Shaunna Lee-Rice, City Clerk

APPROVED AS TO FORM:

Christy A. Todd, City Attorney

Date of Publication: October 16, 2012

Effective Date: October 21, 2012