

# **CITY OF MAPLE VALLEY, WASHINGTON**

## **ORDINANCE NO. O-12-499**

### **AN ORDINANCE OF THE CITY OF MAPLE VALLEY, WASHINGTON, AMENDING TITLE 18 OF THE MAPLE VALLEY MUNICIPAL CODE TO ESTABLISH ALLOWED USES, DESIGN GUIDELINES AND REQUIREMENTS FOR A NEW ZONING DISTRICT, CENTRAL COMMERCE (CC), PROVIDING FOR SEVERABILITY, ESTABLISHING AN EFFECTIVE DATE, AND PROVIDING FOR CORRECTIONS.**

WHEREAS, the City of Maple Valley wishes to amend its municipal code to establish a new zoning district known as Central Commerce (CC); and

WHEREAS, the City of Maple Valley wishes to replace existing interim zoning regulations which expire on May 31, 2012 with the new Central Commerce zone; and

WHEREAS, the City of Maple Valley encouraged public participation in the review of the draft amendments for this new zoning district that included an open house on February 1, 2012 and public hearings before the Planning Commission on February 15, 2010 and before the City Council on March 26, 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 April 18, 2012; and

WHEREAS, the City of Maple Valley submitted the draft amendments to the Washington State Department of Commerce on February 21, 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 March 16, 2012; and

WHEREAS, in Ordinance O-12-498, the City Council amended the Land Use Element of the Comprehensive Plan to include a new land use known as Central Commerce (CC) on May 14, 2012.

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

**Section 1.** Section 18.10.040 of the Maple Valley Municipal Code is hereby amended as follows:

### **18.10.040 Establishment of districts.**

The various districts hereby established and into which the City is divided are designated as follows:

Zoning District	Map Designation
Residential (numbers indicate maximum allowable density per acre)	R-4 through R-24
Multiple Use	MU
Neighborhood Business	NB
Office	O
Community Business	CB
Business Park	BP
Public	PUB
Park, Recreation, Open Space	PRO
Master Planned Community	MPC
Service Commercial	SC
Central Commerce	CC

**Section 2.** Section 18.20.020 of the Maple Valley Municipal Code is hereby amended as follows:

### **18.20.020 Definitions.**

#### C. “C” Definitions.

1. “Canopy” means a roof-like projection.
2. “Car wash” means a structure with machine-operated or hand-operated facilities used principally for the cleaning, washing, polishing, or waxing of motor vehicles.
3. “Clinic” means a facility designed for use by medical or dental professionals for outpatient diagnosis and treatment.
4. “Commercial zone” means any nonresidential zone, including the Office, Neighborhood Business, Community Business, Multiple Use, Service Commercial, Central Commerce and Business Park.
5. “Comprehensive plan” means the plans, map, and reports that have been adopted by the City Council in accordance with applicable State law.

6. “Conditional use” means a use permitted in a zoning district only after review and approval by the City. Conditional uses are such that they may be compatible only under certain conditions in specific locations in a zoning district, or if the site is regulated in a certain manner.

7. “Conditional Use Permit” means a land use application granted by the Hearing Examiner to locate a conditional use at a specific location.

8. “Correctional facility” means a State-operated facility for the incarceration and/or rehabilitation of adult or juvenile inmates.

9. “Court” means, for building code purposes, a space, open and unobstructed to the sky, located at or above grade level on a lot and bounded on three or more sides by walls of a building.

**Section 3.** Section 18.30.030 of the Maple Valley Municipal Code is hereby amended as follows:

**18.30.030 Allowed uses by zoning district – Residential.**

A. Table.

USE	ZONING DISTRICT													
	R-4/6	R-8	R-12	R-18/24	O	NB	CB	MU <sup>2, 11</sup>	BP	PUB	PRO	MPC	SC	CC
Dwelling, Single-Family	P	P <sup>12</sup>	P <sup>12</sup>	P <sup>12</sup>				P			P <sup>13</sup>	M		
Factory-Built Home	P <sup>1</sup>	P <sup>1</sup>	P <sup>1</sup>	P <sup>1</sup>							P <sup>1, 13</sup>	M		
Townhouse	C <sup>4</sup>	P	P	P				P			P <sup>4, 13</sup>	M		
Group Home	P <sup>3</sup>	P <sup>3</sup>	P <sup>3</sup>	P <sup>3</sup>	P <sup>3</sup>		P <sup>3</sup>	P <sup>3</sup>				M		
Bed and Breakfast	C <sup>5</sup>	C <sup>5</sup>	C <sup>5</sup>	C <sup>5</sup>				C <sup>5</sup>				M		
Dwelling, Multiple-Family		C	P	P	P <sup>6</sup>	P <sup>6</sup>	P <sup>6</sup>	P				M		
Retirement Home			P	P				P				M		
Senior Assisted Housing	P <sup>3</sup>	P <sup>3, 14</sup>	P <sup>3, 14</sup>	P <sup>3</sup>			P <sup>3</sup>	P <sup>3, 14</sup>				M		
Nursing Home	P <sup>3</sup>	P <sup>3</sup>	P <sup>3</sup>	P <sup>3</sup>			P <sup>3</sup>	P <sup>3</sup>				M		
Home Occupation	A <sup>7</sup>	A <sup>7</sup>	A <sup>7</sup>	A <sup>7</sup>				A <sup>7</sup>				A <sup>7</sup>		
Accessory Dwelling Unit	A <sup>8</sup>	A <sup>8</sup>	A <sup>8</sup>	A <sup>8</sup>				A <sup>8</sup>				M		
Caretaker Dwelling					A <sup>9</sup>	A <sup>9</sup>	A <sup>9</sup>	A <sup>9</sup>	A <sup>9</sup>	A <sup>9</sup>	A <sup>9</sup>	M	A <sup>9</sup>	A <sup>9</sup>

Unit													
Animals	A <sup>10</sup>			M <sup>10</sup>	A <sup>10</sup>								

**B. Specific Requirements.**

1. Mobile, manufactured and modular homes shall be subject to the following development standards:

a. The home comprises at least one 14-foot-wide by 60-foot-long section or two parallel sections each of not less than 12 feet wide by 36 feet long;

b. The home must be placed on a permanent foundation similar to that required of other residential construction;

c. The home was originally constructed with and now has a pitched roof with a slope no less than three-inch rise to 12-inch run, and the roof must be an integral part of the home and shall be made of either composition, shakes or shingles (wood or metal);

d. The home has exterior siding similar in appearance to siding materials commonly used on conventional site-built single-family residences;

e. All requirements of this title and other applicable regulations must be met.

2. Subject to the multiple use regulations.

3. Group homes, senior assisted living homes and nursing homes shall be subject to the following development standards:

a. The home shall be limited to individuals who need special care due to sensory, mental, or physical disabilities and who are considered handicapped or who are otherwise within the scope of Title 42 USC, Section 3602;

b. The home shall be licensed by an appropriate agency of the State;

c. The home shall conform to the development standards of this code applicable to other residential uses in the zone in which it is located; and

d. Off-street parking spaces meeting the requirements of this code shall be provided.

4. Townhouse units located within the R-4, R-6 and PRO zones as applicable shall be limited to no more than 50 percent of the total units within a development and limited to buildings with no more than four attached units. A Conditional Use Permit is not required for townhouse units on lots in a subdivision designed and designated for townhouse units.

5. Bed and breakfasts shall meet the following development standards:

a. The facility must serve as an accessory use to the permanent residence of the operator;

b. The only meal to be provided to guests shall be breakfast and it shall only be served to guests taking lodging in the facility;

c. Guest rooms shall be limited to three or fewer;

d. Length of stay shall be no longer than two consecutive weeks; and

e. Adequate off-street parking of one space for each guest room plus the required minimum two spaces for the residence shall be provided, and the parking shall not be in the required front yard unless it is screened from the street with at least Type I landscaping and is compatible with the surrounding neighborhood.

6. Residential uses allowed as a part of a development at second story and above only in the Office, Community Business and Neighborhood Business zoning districts.

7. Home occupations shall be subject to the following restrictions:

a. The total area devoted to all home occupation(s) shall not exceed 20 percent of the floor area of the total dwelling unit;

b. There shall be no visible permanent change in the appearance of the dwelling unit, such as signs, lighting, exterior display, or permanent (longer than 60 days) unscreened outdoor storage of material or equipment, which would attract attention to the home occupation conducted therein;

c. No more than one nonresident shall be employed on-site by the home occupation(s);

d. The following activities shall be prohibited:

i. Automobile, truck and heavy equipment repair;

ii. Auto body work or painting;

iii. Parking and storage of heavy equipment; and

iv. Storage of building materials for use on other properties;

e. The home occupation(s) shall not generate pedestrian traffic or vehicular traffic or parking demand unreasonable for the district or neighborhood in which it is located;

f. In addition to required parking for the dwelling unit, on-site parking shall be provided as follows:

i. One stall for a nonresident employed on-site by the home occupation(s); and

ii. Minimum one additional stall for patrons when services are rendered on-site; and to prevent visual and traffic impacts, the home occupation may use or store no more than one vehicle for the pickup of materials used by the home occupation or the distribution of products from the site;

g. The home occupation(s) shall not use equipment or processes which generate noise, vibration, dust, glare, fumes, odors, radio/television/electrical interference, fire hazards, or any other nuisance-like effect to any greater or more frequent extent than that which is normal to the district or neighborhood in which it is located.

8. Accessory dwelling units shall comply with the following development standards:

a. Only one accessory dwelling shall be permitted per lot;

b. The accessory dwelling must be in the same building as the principal residence when the lot is less than 10,000 square feet in area;

c. The primary residence or the accessory dwelling unit shall be owner-occupied;

d. The accessory dwelling unit shall not be larger than 50 percent of the living area of the primary residence;

e. At least one additional off-street parking space shall be provided; and

f. The accessory dwelling unit shall be converted to another permitted use or shall be removed if one of the dwelling units ceases to be owner-occupied.

9. Caretaker units may be allowed, subject to the following restrictions:

a. Only one caretaker dwelling unit shall be permitted for each primary use or multitenant building;

b. At least one additional off-street parking space shall be provided; and

c. The caretaker dwelling unit may only be occupied by a watchman, custodian, manager, or property owner for the subject property.

10. Animals may be kept as an accessory to a residential use in accordance with animal control regulations and subject to the following conditions:

a. Small Animals.

- i. Small animals kept indoors as household pets shall not be limited in number.
- ii. Small animals kept outdoors shall be limited to five, unless the resident obtains a hobby kennel license from King County Animal Control.
- iii. Structures for the keeping of small animals outdoors such as aviaries, apiaries, kennels, runs, cages, etc., shall be set back from property lines a minimum of 10 feet.

b. Large Animals.

- i. Large animals are limited to one per each one-half acre of property.
- ii. Enclosures or structures for the housing of large animals shall be set back from property lines a minimum of 20 feet.
- iii. Large animals not kept within enclosures shall be restricted to roaming areas which are set back a minimum of 10 feet from property lines.
- iv. The keeping of large animals on properties containing streams, wetlands, shorelines or other protected water sources shall be in compliance with critical area requirements.

11. Any conditional use in the multiple use zone shall be considered a permitted use if submitted and approved with the original Multiple Use Master Permit application. Any conditional use proposed as an amendment to a Multiple Use Master Permit will require a Conditional Use Permit review.

12. Single-family detached development in Multifamily zones (R-8 through R-24) shall be subject to the development standards applicable to single-family detached development in the R-6 zone.

13. Single-family and townhouse residential developments are allowed as accessory uses in the PRO zones:

- a. When utilizing less than 50 percent of the amount of land area dedicated toward the primary recreational use.
- b. At a maximum density of one dwelling unit per gross acre.
- c. Subject to the development standards set forth in Chapter 18.40 MVMC for single-family development in the R-4 zone.

14. Density may be calculated at the rate of 0.5 dwelling units per senior assisted housing unit. To qualify for this density calculation, and as a condition of development permit approval, the applicant must record with the King County Assessor a covenant that runs with the land stating that the building(s) will be used for senior assisted living housing. This covenant shall not be released without the express written approval of the City of Maple Valley. Prior to releasing the covenant, the City shall determine that the intended use of the property meets density requirements for the current zoning of the property.

**Section 4.** Section 18.30.040 of the Maple Valley Municipal Code is hereby amended as follows:

### **18.30.040 Allowed uses by zoning district – Commercial.**

## A. Table.

USE	ZONING DISTRICT													
	R-4/6	R-8	R-12	R-18/2 4	O	NB <sup>4</sup> .8,21	CB <sup>9</sup>	MU5	BP	PUB	PRO	MPC9	SC	CC <sup>9</sup>

Adult Entertainment / Facility									P <sup>1</sup>				P <sup>1</sup>	P <sup>1</sup>
Family Child Care Home	P	P	P	P	P		P	P			M			
Car Wash						C <sup>20</sup>			P <sup>13</sup>		M	P <sup>13</sup>		
Child Day Care/ Adult Day Care	C	C	C	C	P	P	P	P	A <sup>6</sup>		M		P	
Eating/ Drinking Establishment					A <sup>3</sup>	P	P	P <sup>24</sup>	A <sup>6</sup>	A <sup>23</sup>	M	P	P	
Fueling Station – Retail						C <sup>19</sup>			P <sup>7,</sup> 14		M	P <sup>14,</sup> 25		
Fueling Station – Commercial									P <sup>7,</sup> 15			P <sup>15</sup>		
Funeral Home							P	P			M	P		
Hotel/Motel					P		P	P				P		
Medical/ Dental Clinic					P	P	P	P	P <sup>6</sup>		M	P	P	
Veterinary Clinic					P	P <sup>18</sup>	P	P	P <sup>6</sup>		M	P	P	
Self-Storage							C		P		M	P		
Office/ Bank/ Financial Institution					P	P	P	P	A <sup>23</sup>		M	P	P	
Graphics/ Reproduction					P <sup>6</sup>	P	P	P <sup>11</sup>	P		M	P	P <sup>11</sup>	
Personal Services					P <sup>6</sup>	P	P	P	A <sup>6</sup>		M	P	P	
Health Clubs, Fitness Centers, Spas					P <sup>6</sup>	P <sup>6</sup>	P	P	P	A <sup>22</sup>	M	P	P	
Retail – General						P <sup>8</sup>	P	P <sup>10</sup>	A <sup>12</sup>	A <sup>22</sup>	M	P	P	
Retail – Vehicle Sales/ Rental									P			P		
Theater/ Bowling Alley/ Arcade							P	P	C		M	P	P	
Vehicle Repair – Major									P <sup>16</sup>			P	P <sup>26</sup>	
Vehicle Repair –									P <sup>17</sup>		M	P	P <sup>26</sup>	

Minor													
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**B. Specific Requirements.**

1. Adult uses are subject to the following conditions:

- a. No adult use shall be located nearer than 600 feet from any other adult use;
- b. No adult use shall be located nearer than 600 feet from any public or private school, church, public park, day care center or residential use or zoning district;
- c. Distances shall be measured by following a straight line, without regard to intervening buildings, from the nearest point of the property or parcel upon which the proposed use is to be located to the nearest point of the parcel or property of the land from which the proposed use is to be separated.

2. Reserved.

3. Allowed as an accessory use, intended primarily for the use of employees of a principally permitted use. Eating and drinking establishments cannot exceed 10 percent of gross leasable floor area (GLFA) of the building in which they are located.

4. Drive-through windows/facilities are subject to the following:

- a. Limited to drugstores and banks or accessory to a food and beverage use providing in-store service with at least 500 square feet and not more than 2,000 square feet of gross floor area in the Neighborhood Business zone.

- b. One drive-through facility is allowed per contiguous NB zoning district that contains a minimum of 10,000 square feet of GLFA.

- c. In the event that a property proposed for a drive-through facility lacks the 10,000-square-foot GLFA, the property owner shall enter into a written agreement with the adjacent property owner to utilize the adjacent property's GLFA to obtain the required square footage.

- d. Drive-through facilities must be used for purposes consistent with the allowed use (e.g., drive-through ATM machines are allowed only in conjunction with a bank).

5. Subject to Multiple Use Master Permit requirements.

6. May occupy no more than 20 percent of the GLFA of the building in which located.

7. A 25-foot setback is required from gas pumps to property lines.

8. No individual use in the Neighborhood Business zone may exceed 10,000 square feet in gross floor area unless through incentives defined in MVMC 18.70.070. The maximum GFA with incentives shall be 15,000 square feet for a single use.

9. The maximum size for an individual use in the Community Business zone is 200,000 square feet. The maximum size for an individual use in the Master Planned Community and Central Commerce zones is 100,000 square feet. Any individual use exceeding 60,000 square feet in gross floor area is considered a large commercial use and is subject to, and must comply with, the large commercial use requirements contained within MVMC 18.40.150.

10. One retail structure is permitted up to 60,000 square feet in building footprint area, provided any footprint over 40,000 square feet is single-story. An additional retail structure is permitted up to 40,000 square feet in building footprint area, provided any footprint over 25,000 square feet is single-story. All other retail structures are limited to a maximum building footprint area of 25,000 square feet. An additional 5,000 square feet of building footprint area may be earned for each retail structure through the amenity incentive system.

11. Graphics/reproduction uses will not produce excessive noise, dust, odors, light and glare, heavy vehicular traffic, or contaminants released to the environment.

12. General retail may occupy no more than 10 percent of the GLFA of the primary use to which the accessory use is related. More than one accessory retail use is permitted, provided the cumulative size of several accessory retail uses is limited to 10 percent of the GLFA of the primary use.

13. Car washes are limited to the South BP and SC zoning districts.

14. Retail fueling stations are limited to the South BP and SC zoning districts.

15. Commercial fueling stations are limited to the SC zoning district.

16. Major vehicle repair facilities are not allowed to front on State highways.

17. Minor vehicle repair is limited to the Central and South BP zoning districts.

18. Subject to the following:

a. Limited to small animals.

b. No burning of refuse or cremation of dead animals is allowed.

c. The portion of the building or structure in which animals are kept or treated shall be soundproofed to comply with noise levels defined in WAC 173-60-040.

d. All run areas shall be surrounded by an eight-foot solid wall and surfaced with concrete or other impervious material.

19. Limited to four dispensers (eight fueling points). Propane and natural gas storage tanks may be located outside and above ground. All above ground storage tanks shall be screened.

20. Subject to the following:

a. Allowed only as an accessory use to fueling station – retail.

b. Limited to tunnel car washes.

c. Hours of operation are limited to 7:00 a.m. to 10:00 p.m. on weekdays and 8:00 a.m. to 10:00 p.m. on weekends.

21. Prior to opening for business, the applicant must establish that the facility complies with Chapter 173-60 WAC, Maximum Environmental Sound Levels.

22. All nonresidential accessory uses may occupy no more than 10 percent of the amount of land area dedicated toward the primary use to which the accessory use is related. More than one accessory use is permitted, provided the cumulative size of several accessory uses is limited to 10 percent of the land area of the primary use.

23. Limited to a maximum gross floor area equal to no more than 10 percent of the area of the lot on which the building or buildings are located, up to a maximum of 20,000 square feet.

24. Drive-through facilities are not allowed for food service uses, including coffee. Accessible, walk-up facilities are allowed.

25. a. The fueling station shall be a minimum of 150 feet from any major arterial if more than eight petroleum fueling points.

b. The fueling station shall include a minimum of four electrical vehicle charging stations pursuant to City EV standards if there are more than eight petroleum fueling points.

c. The fueling station is allowed a maximum of six petroleum dispensers (12 fueling points).

d. Internal and up-lit illumination of the canopy and pumps is prohibited.

e. Lighting on the underside of the canopy shall be full cut off with a maximum of 25 foot-candles and shielded if required to prevent glare and light trespass.

f. Signage conforming to Chapter 18.50 MVMC may be located on the canopy.  
 g. The Fueling station shall conform to the design standards contained in 18.70.040  
 26. Major and Minor Vehicle repair is permitted on sites no larger than one acre in size.  
The maximum gross floor area of all uses related to vehicle repair on an individual site shall be no greater than 9,000 square feet.

**Section 5.** Section 18.30.050 of the Maple Valley Municipal Code is hereby amended as follows:

**18.30.050 Allowed uses by zoning district – Business Park.**

A. Table.

USE	ZONING DISTRICT													
	R-4/6	R-8	R-12	R-18/24	O	NB	CB	MU <sup>2</sup>	BP	PUB	PRO	MPC	SC	CC
Construction Material Sales							P <sup>1</sup>		P				P	
Lumberyard							P <sup>1</sup>		P				P	
Heavy Equipment Sales/ Storage									P				P	
Food Processing/ Packaging									P				P	
Hazardous Waste Disposal									C				C	
Nursery/ Landscape Materials	C <sup>4</sup>					A <sup>1</sup>	P <sup>1</sup>	P <sup>4</sup>	P	A <sup>1</sup>	A <sup>1</sup>	M <sup>4</sup>	P	
Light Manufacturing								P <sup>3</sup>	P				P	
Mineral Extraction/ Processing									C					
Printing/ Publishing									P				P	
Warehouse/ Distribution									P				P	
Welding/ Fabrication									P				P	
Winery/ Brewery						A	A/C	A	P			M	P	P

B. Specific Requirements.

1. In conjunction with a permitted commercial, public or recreational use.
2. Subject to Multiple Use Master Permit requirements.

3. For purposes of this chapter, limited light manufacturing means the creation, assembly and/or packaging for redistribution or resale of goods routinely associated with the permitted use. Such light manufacturing uses will not produce excessive noise, dust, odors, light and glare, heavy vehicular traffic, or contaminants released to the environment.

4. Nursery use in Single-Family and MPC zones is limited to the growing and sale of nursery stock and related materials. The storage or sale of bulk landscaping materials such as rock, dirt, and bark is prohibited in Single-Family and MPC zones.

**Section 6.** Section 18.30.060 of the Maple Valley Municipal Code is hereby amended as follows:

**18.30.060 Allowed uses by zoning district – Community services and institutions.**

A. Table.

USE	ZONING DISTRICT													
	R-4/6	R-8	R-12	R-18/24	O	NB <sup>6,7</sup>	CB <sup>8</sup>	MU <sub>2,5</sub>	BP	PUB	PRO	MPC	SC	CC <sup>8</sup>
Religious Institution	C	C	C	C	C <sup>10</sup>	C <sup>10</sup>	C <sup>10</sup>	C <sup>10</sup>	C <sup>10</sup>	A <sup>11</sup>	A <sup>11</sup>	C <sup>10</sup>	C <sup>10</sup>	C <sup>10</sup>
City Hall					P		P	P <sup>9</sup>		P		P	P	
Courthouse/ Jail							P	P <sup>9</sup>		C			C	
Community College/Vocational					C		C	C	P	P <sup>1</sup>	C <sup>1</sup>	M	P	P
Community/ Senior Center			C	C		C <sup>10</sup>	C	C <sup>10</sup>		P <sup>1</sup>	P <sup>1</sup>	C <sup>10</sup>	P	P
Elementary School	C	C	C	C				C		P <sup>1</sup>	P <sup>1</sup>	P <sup>1</sup>		
Fire Station								P		P <sup>1</sup>	P <sup>1</sup>	P <sup>1</sup>		
Junior High/ High School			C	C				C		P <sup>1</sup>	P <sup>1</sup>	M		
Hospital								C		P <sup>1</sup>		M	P	
Correctional Facility									C	C			C	
Recreational Use							P	P	P	P	P	P	P	P
Library	C	C	C	C	C			P		P	P	P	P	P
Museum								P		P	P	M	P	P
Public Park, Passive	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Public Park, Active	C	C	C	C	P	P	P	C	P	P <sup>1</sup>	P	P	P	P
Performing Arts Center				C				P		P <sup>1</sup>	P	M	P	
Public Transit Facilities							C	C	P	P <sup>1</sup>	A <sup>13</sup>	P <sup>1</sup>	P	P
Utilities, Major or Regional	C	C	C	C	P <sup>3</sup>		P <sup>4</sup>	P <sup>3</sup>	P	P	P	C	P	C

Utilities, Minor or Local	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Municipal Public Works and Road Maintenance Facilities	C	C	C	C	C	C	C	P	P	C	P	P	P	P	P

**B. Specific Requirements.**

1. Requires master plan approval.
2. Subject to Multiple Use Master Permit requirements.
3. No storage yard or outdoor storage allowed.
4. Storage yard or outdoor storage allowed with a Conditional Use Permit.
5. Any conditional use in the Multiple Use zone shall be considered a permitted use if submitted with the original Multiple Use Master Permit application. Any conditional use proposed as an amendment to a Multiple Use Master Permit will require a Conditional Use Permit review.
6. Drive-through windows/facilities are limited to drugstores and banks or accessory to a food and beverage use providing in-store service with at least 500 square feet and not more than 2,000 square feet of gross floor area in the Neighborhood Business zone. One drive-through facility is allowed per contiguous NB zoning district that contains a minimum of 10,000 square feet of GLFA.
7. No individual use in the Neighborhood Business zone may exceed 10,000 square feet in gross floor area unless through incentives defined in MVMC 18.70.070. The maximum GFA with incentives shall be 15,000 square feet for a single use.
8. No individual use in the Community Business zone may exceed 60,000 square feet in gross floor area. Uses in the Central Commerce zone are limited to 100,000 square feet and shall comply with MVMC 18.40.150.
9. City Hall/courthouse uses can be considered as office uses for purposes of determining the land use area mix requirements.
10. Religious institutions/community/senior centers with a GFA of less than 2,000 square feet or planned under an approved development subject to the MPC section of MVMC 18.120, do not require a Conditional Use Permit.
11. Religious institutions may be permitted accessory to an existing or allowed PUB use, but must be contained within the structures dedicated toward the primary PUB use and may not occupy separate detached facilities.
12. Must be in association with an allowed PUB or PRO use and occupy no more than 10 percent of land area dedicated to the overall primary use.
13. All nonresidential accessory uses may occupy no more than 10 percent of the amount of land area dedicated toward the primary use to which the accessory use is related. More than one accessory use is permitted, provided the cumulative size of several accessory uses is limited to 10 percent of the land area of the primary use.

**Section 7.** 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	Central Commerce
Maximum Density	12 du/ac <sup>1</sup>	12 du/ac <sup>1</sup>	12 du/ac <sup>1</sup>	12 du/ac <sup>7</sup>	N/A	N/A	N/A	N/A <sup>10</sup>	N/A	N/A
Minimum Street Setback <sup>5,9</sup>	10 feet	10 feet <sup>2</sup>	10 feet <sup>2</sup>	10 feet <sup>8</sup>	25 feet	20 feet	20 feet	N/A <sup>10</sup>	10 feet <sup>2</sup>	10 feet <sup>2</sup>
Minimum Interior Setback <sup>5</sup>	20 feet <sup>3</sup>	20 feet <sup>3</sup>	20 feet <sup>3</sup>	20 feet <sup>3</sup>	20 feet <sup>3</sup>	20 feet	20 feet	N/A <sup>10</sup>	20 feet <sup>3</sup>	20 feet <sup>3</sup>
Maximum Height <sup>6</sup>	45 feet	35 feet	35 feet	45 feet <sup>4</sup>	35 feet	35 feet	35 feet	65 feet <sup>10</sup>	45 feet <sup>11</sup>	35 feet
Maximum Impervious Surface Coverage	80%	80%	80%	80%	80%	80%	80%	70%	80%	80%

**Section 8.** Section 18.40.130 of the Maple Valley Municipal Code is hereby amended as follows:

**18.40.130 Landscaping and tree retention.**

**F. Landscaping Requirements by Zoning District.**

**1. Multifamily Residential, R-8 – R-24.**

a. Type III landscaping of a minimum width of 10 feet shall be provided along all perimeter lot lines, except as provided in subsection (F)(1)(b) of this section.

b. Type I landscaping of a minimum width of 10 feet shall be provided along the perimeter abutting single-family zones (R-4 through R-6).

c. The requirements of subsection (G) of this section for parking area and perimeter parking area landscaping shall apply.

**2. Office, O.**

- a. Type III landscaping of a minimum width of not less than 10 feet shall be provided along all property lines abutting public rights-of-way and access easements.
- b. Type I landscaping of a minimum width of 20 feet shall be provided along the perimeter of property abutting a Residential zoning district.
- c. The requirements of subsection (G) of this section for parking area and perimeter parking area landscaping shall apply.

3. Multiple Use, MU.

- a. Reserved.
- b. Reserved.
- c. Reserved.

4. Community Business, CB, Central Commerce, CC and Service Commercial, SC.

- a. Type III landscaping of a minimum width of 10 feet shall be provided along all properties abutting public rights-of-way and ingress/egress easements.
- b. Type I landscaping of a minimum width of 20 feet shall be provided along the perimeter of property abutting a Residential zoning district.
- c. The requirements of subsection (G) of this section for parking area and perimeter parking area landscaping shall apply.

5. Neighborhood Business, NB.

- a. Type III landscaping of a minimum width of 10 feet shall be provided along the perimeter of parking areas abutting public rights-of-way.
- b. Type I landscaping of a minimum width of 20 feet shall be provided along the perimeter of the property abutting a Residential zoning district.
- c. The requirements of subsection (G) of this section for parking area and perimeter parking area landscaping shall apply.

6. Business Park, BP.

- a. Type II landscaping of a minimum width of 20 feet shall be provided along all property lines abutting public rights-of-way and access easements. An additional five feet of Type II landscaping is required on all Business Park zoned sites north of Lake Wilderness that abut the Cedar River Pipeline Trail and the Lake Wilderness Trail. Reference to this condition is made by placing a “/c” next to the Business Park zoning designation of the zoning map (BP/c).

b. Type I landscaping of a minimum width of 25 feet shall be provided along the perimeter of the property abutting a Residential zoning district.

c. The requirements of subsection (G) of this section for parking area and perimeter parking area landscaping shall apply.

7. Public/Open Space, P/OS. Landscaping requirements are to be determined by the City on a project-by-project basis dependent on the proposed use and surrounding zoning districts.

8. Master Planned Community, MPC – Perimeter Landscape Buffers.

a. The applicant must demonstrate the ability to provide a Type I landscape buffer as defined in MVMC [18.40.130](#) of at least 20 feet in width along the perimeter of the MPC boundary wherever:

i. The applicant proposes to locate a use other than that allowed within a single-family residential zone; and

ii. Such use is within 50 feet of the MPC boundary; and

iii. Adjacent to a single-family or PUB zoning district not separated from the MPC site by a public right-of-way.

b. The applicant must demonstrate the ability to provide a Type III landscape buffer of at least 10 feet in width along the perimeter of the MPC boundary wherever it abuts an existing public right-of-way.

#### J. Tree Retention and Replacement.

1. Purpose. The purpose of this section is to preserve and enhance the valuable natural resources and aesthetic character and image of Maple Valley. The intent is to provide incentives for retaining existing trees, to discourage unnecessary clearing and disturbance of land, and to maintain tree-lined corridors along the major arterials.

#### 2. Definitions.

a. “Coverage” is defined as the ratio of the dripline area to the lot area expressed as a percentage.

b. “Dripline area” is the area under the outermost circumference of branches of the tree.

c. “Landmark significant tree” is defined as any significant tree other than alder or cottonwood that is (i) at least 24 inches in diameter at four and one-half feet from grade, or (ii) of specimen quality, i.e., large, well shaped, and healthy for the species.

- d. “Large nursery stock” is defined as commercially grown material available at the time of planting that is required to be moved by hydraulic spade and is a minimum size of at least four inches in diameter measured four and one-half feet above grade.
- e. “Live crown ratio” is the proportion of length of main stem supporting live branches to the height of the tree.
- f. “Planted significant tree” is defined as any of a number of species of trees, defined herein, planted in a landscaping area of sufficient size to support a trunk size at maturity growth of at least 12 inches in diameter following the minimum standards for planted significant trees in this section.
- g. “Qualified professional” is defined as an individual who through any combination of knowledge, experience, education, and training demonstrates a professional level of understanding in tree care, arboricultural sciences and urban forestry. Qualified professionals must possess the ability to evaluate the health and hazard potential of existing trees, and the ability to prescribe appropriate measures necessary for the preservation of trees during land development. Qualified professionals may include licensed landscape architects, certified consulting arborists, certified arborists, and certified foresters.
- h. “Retained significant tree” is defined as an existing significant tree that is designated for retention in a Tree Preservation and/or Protection Plan and used for demonstrating compliance with canopy coverage requirements or incentives.
- i. “Retained tree” is defined as an existing tree designated for retention, excluding cottonwood and alders, that is less than 12 inches in diameter measured four and one-half feet above grade, but greater than six feet tall if evergreen, or two inches in diameter if deciduous, and located in a landscaping area of sufficient size to support a trunk size at maturity growth of at least 12 inches in diameter following the minimum standards for planted significant trees in this section. Retained trees must have a live crown ratio of greater than or equal to 50 percent.
- j. “Significant tree” is defined as an existing evergreen or deciduous tree, excluding cottonwoods and alders, that is at least 12 inches in diameter measured four and one-half feet above grade and in good health.
- k. “Tree Protection Area (TPA)” is the land area intended to be set aside with limitations running with the title of the land that prevent activities that will harm the tree or trees within that area.

3. Applicability. There shall be no cutting of significant trees – retained, planted, or landmark – without prior authorization from the Director of Community Development unless specifically exempted herein. The provisions of this section apply to all new developments, subdivisions, site redevelopments, or clearing and grading activity on sites two or more acres in size. Development or installation of utilities and other public facilities also is subject to these provisions whether on private or public property or public right-of-way. The requirements and regulations pertaining to trees located in critical areas and related buffers shall be subject to the requirements for protection of critical areas contained in Chapter [18.60](#) MVMC.

4. Permits Required. Unless specifically exempted herein, application for and prior approval of a Clearing and Grading Permit is required for cutting or removal of any significant tree. To the extent possible, review of a Clearing and Grading Permit shall be integrated into review of any other permit or land use approval required for a proposal, in order to minimize review time required for conformance with this subsection (J).

5. Exemptions. The provisions of this section shall not apply to the following circumstances:

- a. Cutting or removal of significant trees on existing single-family lots of two acres or less, provided such trees are not subject to a Tree Retention Plan or Tree Protection Area;
- b. Removal of any tree with obvious flaws or disease, or one that is judged to be hazardous by a qualified professional at the owner's expense;
- c. Removal of any tree during an emergency. No limitation on tree removal shall exist during storm conditions when imminent danger exists from trees falling on structures, children's play areas, or where clear hazard to life is apparent;
- d. On existing single-family lots: removal of any existing tree judged to be a hazard or any tree within one and one-half tree lengths of an existing or proposed permitted building on site. A planted significant tree may be required by the Director as a replacement.

6. Timber Management under Forest Practices Act. Applicants for Forest Practice Permits (Class IV – General Permit) for the conversion of forested sites to developed sites are also required to apply for appropriate permits through the City, and are subject to the provisions of this subsection (J). For all other Forest Practice Permits (Class II, III, or IV – Special Permit) issued by the DNR for the purpose of commercial timber operations, no Clearing and Grading Permit application is required, but no Development Permits will be issued for six years following tree removal under such DNR permit.

7. Application Requires Tree Retention Plan. All development or redevelopment proposals subject to this section that are not specifically exempt shall include a Tree Retention Plan at the time of application for any required Development Permit. Preparation and submittal of the Plan shall conform to specifications provided by the Director. Tree Retention Plans may be prepared by a qualified professional. An owner may submit for a Clearing and Grading Permit without having a qualified professional prepare a significant Tree Retention Plan, provided the plan clearly locates the trees and provides sufficient information for City staff to review the proposal as determined by the Director. The Tree Retention Plan shall analyze:

- a. The number of trees and canopy coverage calculation of trees existing on the site;
- b. The location and species type of existing significant trees or clusters of trees within and adjacent to the proposed area to be cleared and/or graded, including utility corridors;
- c. The species type, size, location, and spot elevation at the base of any landmark tree within the site, unless the requirement is waived by the Director;

d. Critical areas; and

e. Areas not proposed for clearing or grading, provided such areas do not require a specific survey location of trees.

8. Canopy Coverage Calculation Requirements and Tree Retention Guidelines.

a. A canopy coverage calculation shall be prepared by the applicant for the proposal. The canopy coverage calculation may be merged with the Tree Retention Plan and/or landscaping plan for the proposal. The canopy coverage calculation shall show retention and planting of trees at mature canopy coverage of the total site area to equal or exceed: 10 percent for commercial developments within the CB, CC, SC, NB, O, BP, MPC and MU zones meeting the landscape requirements contained in subsection (F) of this section, and 20 percent for all other developments, calculated as follows:

i. Retained landmark trees shall be calculated at 1,650 square feet each, regardless of canopy coverage or dripline area, or as marked in the field and measured by the proponent;

ii. Retained significant trees shall be calculated at 1,100 square feet each, regardless of canopy coverage or dripline area, or as marked in the field and measured by the proponent;

iii. Retained trees shall be calculated at 900 square feet each, regardless of canopy coverage or dripline area;

iv. Planted significant trees meeting the minimum planting standard (subsections (J)(19)(b) and (c) of this section) shall be calculated at 300 square feet each;

v. Planted significant trees exceeding the minimum planting standard (subsections (J)(19)(b) and (c) of this section) by 50 percent shall be calculated at 550 square feet each; and

vi. Planted significant trees meeting the definition of large nursery stock and exceeding the minimum planting standard (subsections (J)(19)(b) and (c) of this section) by 100 percent shall be calculated at 750 square feet each.

b. For the purposes of meeting the minimum required canopy coverage calculation, trees shall be retained pursuant to the following unranked guidelines, except where determined to be exempt or to constitute a hazard by a qualified professional pursuant to subsection (J)(5) of this section:

i. All trees within critical areas or critical area buffers;

ii. Landmark significant trees, unless a 25 percent canopy coverage calculation is achieved;

iii. Retained trees within the required perimeter landscape buffer width or building setback, whichever is greater;

- iv. Retained trees inside the site within an area no less than 20 feet of the right-of-way line of Maple Valley Highway SR-169, Kent-Kangley Road SR-516, and Witte Road arterial corridors except for site access requirements;
- v. Trees within required open space; and
- vi. For subdivisions during site development, all trees that are not within cut or fill areas, parking areas or streets, utility corridors, site development requirements imposed by the City, or 20 feet distant of any proposed structure, provided permanent Tree Protection Areas are not mandated within single-family lots.

c. Where demonstrated that a site cannot achieve the minimum canopy coverage through retention pursuant to subsection (J)(8)(b) of this section, planted significant trees may be utilized in Tree Protection Areas pursuant to the following guidelines in order of preference where applicable:

- i. Inside the site within a distance of 20 feet or greater of the right-of-way line of Maple Valley Highway SR-169, Kent-Kangley Road SR-516, and Witte Road arterial corridors except for site access requirements. At least 25 percent of replanted trees along these arterial corridors must consist of large nursery stock;
- ii. Within required perimeter buffers or setback areas;
- iii. Within designated recreation and/or open space areas;
- iv. Within critical areas or critical area buffers; and
- v. Any other locations within the development site.

9. Incentive for Retention of Existing Trees and Increased Canopy Coverage. For development proposals subject to tree retention requirements in any zone, and where the proposal contains greater than 15 percent canopy coverage by retained existing trees; provided, that trees retained in protected critical areas or related buffers may not apply towards the required percentages, the following incentives are available individually or in combination:

- a. For any retained landmark tree, the actual dripline area of the tree may be credited toward open space or recreational space requirements irrespective of tree location; or
- b. For retained significant trees in excess of 15 percent canopy coverage, one additional dwelling unit is permitted for each additional 10 retained significant trees on the total site; or
- c. Additional building height of 10 feet is permitted up to a maximum height of 45 feet; provided, trees must be retained proximate to the proposed building location(s).
- d. If any tree that is saved in conjunction with these bonus provisions is lost in the future for whatever reason, it shall be replaced with large nursery stock approved by the Director.

10. Phased Development Plans. For redevelopment and/or phased new development sites, the Director may approve a partial Tree Retention Plan that is applicable only to a phase of development or redevelopment. A Plan based on phased development does not require a full amount of required trees per acre for each phase individually, provided the Plan for the entire development or proposal meets, or will meet, requirements; provided, however, no incentives may be approved for early phases of construction that rely on trees to be retained in future phases unless the significant Tree Retention Plan is recorded such that future phases are bound by the Plan.

11. Alternative Landscape Option. At the Director's sole discretion, the Director may approve an alternative landscape option for a high-quality landscape design containing native and ornamental species of landscape materials on sites where the proponent demonstrates to the satisfaction of the Director that planting trees at the required canopy coverage would not be feasible given the proposed use of the property, and/or would require planting at a density that would probably require removal of trees in the future due to the ultimate size of required species.

a. The proponent must show that the alternative landscape plan is of a better quality compared to a plan that would meet the requirements in the above subsections, and retains significant trees or provides planted significant trees in accordance with the following:

i. Existing trees in critical areas and critical area buffers must be retained and/or augmented with trees as appropriate;

ii. Existing trees in required perimeter landscape buffers must be preserved;

iii. Street trees are provided on streets adjacent to the site;

iv. Perimeter buffer areas without existing significant trees include planted significant trees;

v. Significant trees are provided around any open stormwater detention or pollution control ponding or swale areas;

vi. Significant tree equivalents are provided internally to parking lot areas;

vii. Significant trees are planted adjacent to the structure(s);

viii. Street trees are planted within the development; and

ix. Street trees are planted in cul-de-sac islands as applicable.

b. Alternative landscape plans must emphasize native plant material and large-scale shrub and small tree species, such as vine maple, as well as ornamental material appropriate and complementary to the proposed use of the site.

12. Utility and Street Easements and Rights-of-Way.

- a. For installation or maintenance of major overhead and major underground utilities, such as electrical transmission lines, water or sewer mains or stormwater lines, no tree retention or planting requirements shall be imposed within the easement or right-of-way area.
- b. For installation or maintenance of minor overhead and underground utilities, including overhead power distribution lines, water or sewer mains, or stormwater lines, no number of trees per acre of land shall apply for the easement or right-of-way area; provided, however, for each significant tree removed due to installation or maintenance of lines, one planted significant tree is required. The Director shall give consideration to the approval of planted species so as not to create future conflicts with the overhead or underground utilities.
- c. For private properties with easements for overhead utilities, no tree retention or significant tree equivalent planting requirements shall apply for the private land area affected by the utility easement.
- d. For public and private road construction and maintenance within the right-of-way or grading easements, no tree retention requirement shall apply; provided, retained trees within and along the right-of-way of Maple Valley Highway SR-169, Kent-Kangley Road SR-516, and Witte Road arterial corridors shall be accommodated and provided as a requirement of the design engineering for and maintenance of the road.

13. Decision Criteria. The Director shall review the application for a tree retention plan and/or Clearing and Grading Permit and approve the permit, deny the permit, or approve the permit with conditions based on the following criteria:

- a. The site design implements the intent of this subsection (J); and
- b. The Tree Retention Plan conforms to the specific requirements of this subsection (J); and
- c. The proposal complies with and conforms to all standards and requirements of the underlying permit, if such permit is in addition to the Clearing and Grading Permit.

14. Tree Retention Plan Recording Required. For all nonexempt development and redevelopment sites (except for trees planted or retained within platted single-family residential lots), the Tree Retention Plan shall show Tree Protection Areas (TPAs). Upon approval of the Tree Retention Plan, the plan shall be recorded together with the following restriction upon the land:

Trees indicated on this property within Tree Protection Areas are to be preserved for environmental, aesthetic, and other purposes. No activities are allowed within the Tree Protection Area that could damage or harm the tree, such as storage of material, disposal of drainage, or filling or grading. Tree removal, or site work or landscaping resulting in the loss of a tree, is subject to fines and tree replacement requirements by order of the City of Maple Valley.

15. Tree Retention Standards.

- a. Site Design Standards.

- i. To qualify as an existing retained tree, a minimum of two-thirds of the dripline area shall be a no disturbance area, and shall be undisturbed by grading, soil disturbance, impervious surfacing, storage of materials, or activity that may compact the soil surface, such as pedestrian use.
- ii. Any work within the one-third of the dripline area shall be planned to be done by hand and by methods least disruptive to the tree.
- iii. For retained trees where the grade in the vicinity of the tree will be either raised or lowered such that surface or subsurface water flow to the tree will be altered, specific provisions for additional irrigation or drainage shall be included in the tree protection notes and details.
- iv. Tree retention details, including protection notes and fencing or staking installation details, shall be included on the applicable site development plans, and reviewed and approved by the Director prior to approval of the Tree Retention Plan.

b. Construction Standards.

- i. Tree protection details, dripline fencing, and no disturbance areas shall be part of all construction plans issued for permit.
- ii. All dripline areas of retained trees shall be located in the field and confirmed by a City Inspector prior to commencement of construction.
- iii. Work within dripline areas specifically authorized by approved construction plans shall be done separately from mechanized mass clearing and grading of the site and shall be fenced to exclude the area from mechanized clearing or grading. Methods for work within such areas shall be detailed on the clearing and grading plans, civil engineering plans, utility plans and landscape plans as may be needed to clarify the methods and responsibilities for construction within the dripline area.
- iv. Dripline areas shall be fenced prior to construction with orange plastic mesh fencing or approved equivalent.

16. Maintenance Standards. Maintenance in the form of irrigation, fertilization, clearing of vines and other requirements necessary to assure survival of the retained and planted significant trees is required on the private property in perpetuity. The City may inspect and order maintenance at any time. The property owner is responsible for the replacement of any required trees or approved landscape material due to loss or disease after an initial maintenance period of one year. The developer is responsible for replacement of any dead or dying material within the initial maintenance period of one year or until released. An assurance device for the initial maintenance period is required in one of the following forms:

- a. A signed maintenance contract for a minimum period of one year from the time of occupancy that includes replacement of any dead or dying material observed at the end of one year; or

b. A maintenance security in the form of an assigned savings deposit statement from a financial institution in the amount of 20 percent of the landscape installation contract. The security device shall state it may be released after one year only by the City after inspection of the site and replacement of materials as ordered.

17. Contractor Requirements. The contractor shall sign a statement on the significant Tree Retention Plan acknowledging the requirements of the plan prior to commencement of construction. Proof of signature shall be shown to the City at or before the preconstruction meeting. The acknowledgement statement shall provide that the contractor is aware of the tree preservation and retention requirements shown on the plans and in this subsection (J); that it is the responsibility of the contractor to preserve the trees if field conditions show additional measures to assure the survival of the trees may be necessary and to alert the City Inspector to those conditions; and that the contractor is jointly responsible with the developer for any restitution required due to damage to or loss of trees as a result of the construction activities.

18. Preconstruction Meeting. Prior to the commencement of any permitted clearing and grading activity, a preconstruction meeting with the City Inspector shall be held on site with the permittee and contractor. The project site shall be marked in the field as follows:

- a. Limits of clearing and grading;
- b. Location of tree protection fencing;
- c. Delineation of any critical areas and critical area buffers;
- d. Individual trees to be retained;
- e. Property lines.

19. Planting Standards.

a. Planted significant trees shall be a mix of species approved by the Director for the specific application or proposal. A minimum of 60 percent of the planted significant trees shall be native evergreen coniferous species. Species allowable for planting significant trees shall be selected from the following two lists at a ratio of no less than 70 percent from List 1, and no more than 30 percent from List 2:

List 1:

Western Red Cedar (native evergreen coniferous)

Douglas Fir (native evergreen coniferous)

Western Hemlock (native evergreen coniferous)

Alaskan Yellow Cedar

Port OrfordCedar (native evergreen coniferous)

Norway Spruce

Sitka Spruce (native evergreen coniferous)

Incense Cedar (native evergreen coniferous)

Lodgepole Pine (native evergreen coniferous)

Ponderosa Pine (native evergreen coniferous)

Western White Pine (native evergreen coniferous)

Giant Sequoia (native evergreen coniferous)

Big Leaf Maple

Norway Maple, both rounded and columnar forms

Red Maple, both rounded and columnar forms

Other native species as approved by the Director

List 2:

Birch "Jacquemontii"

Sweetgum

Honeylocust

Hornbeam

Marshal Seedless Ash

Summit Ash

Flowering Pear

Pin Oak

Other nonnative ornamental species as approved by the Director

b. Evergreen coniferous trees shall be six feet in height from the top of the root ball, and balled and burlapped in healthy condition at time of planting. Alternatively, trees that are four or more

inches in diameter measured at four and one-half feet from planting grade may be transplanted from on site; provided, that an approved method directed by a qualified professional is used. Pruned or sheared evergreen trees intended for Christmas tree use are not acceptable if the leader has been cut.

c. Deciduous trees, evergreen broadleaved trees, or deciduous coniferous trees shall be a minimum two inches in diameter measured four feet above planting ground level, and with the lowest branch no lower than four feet from grade.

d. Staking, soil amendments, and planting details shall be specified by a qualified professional.

e. Planting areas and no disturbance areas shall be free from structures or impervious surfaces a minimum of seven feet in radius from the point the tree is planted, or as designed by a qualified professional to support a minimum size at maturity of 12 inches of trunk diameter measured four and one-half feet above planting ground level. Such designs shall contain a statement signed by the designer estimating the mature size of the tree in the planter area provided.

20. Loss and Replacement. Loss of any retained tree due to wind, disease, or other natural causes shall be replaced by one planted significant tree. Damage to a retained landmark tree shall be documented by a qualified professional at the expense of the owner, and the recommendations of the qualified professional regarding repair or replacement shall be followed. The existing planting area may be used if the tree is replaced in the same location. If the tree is relocated, the standards for a planted significant tree shall be followed and the Tree Retention Plan modified accordingly.

21. Enforcement. Any violation of this chapter shall be enforced through the City of Maple Valley Enforcement Code, which is represented by King County Code Title 23 adopted by reference by the City of Maple Valley. In addition to any applicable penalties set forth in KCC 23.32.010, the penalty for the removal of any tree in violation of this chapter shall be up to \$1,000 per tree in addition to any required planting or mitigation. Nothing herein shall preclude the City from seeking redress, including abatement and the cost thereof, through any lawful means, including the initiation of any suit in law or in equity, and the City shall be entitled to recover all reasonable costs and attorney's fees incurred as a result of bringing such action.

**Section 9.** Section 18.50.010 of the Maple Valley Municipal Code is hereby amended as follows:

### **18.50.010 Signs.**

H. Regulations by Zoning District.

1. Residential Zoning Districts. The following regulations shall apply to all residentially zoned property within the City and properties designated residential or public use within a Master Planned Community zone:

a. Residential Development Signs.

i. Multifamily Complex Identification Sign. Multifamily residential developments shall be permitted two monument identification signs per entrance. The identification signs shall not exceed 32 square feet per entrance, shall not exceed a height of six feet and shall not be internally illuminated. Sign location is limited to the on-site entrances of the development.

ii. Subdivision Identification Signs. Residential subdivisions shall be permitted two monument identification signs per entrance. The identification signs shall not exceed 32 square feet per entrance, shall not exceed a height of six feet and shall not be internally illuminated. Sign location is limited to the on-site entrances of the development.

b. Commercial and Institutional Signs.

i. Legally nonconforming and conditionally permitted commercial and institutional uses shall each be permitted one monument sign for each street frontage providing direct vehicle access to the site. Sign location is limited to the on-site entrances of the development. The sign area shall not exceed 64 square feet for the total of all faces and no one sign face shall exceed 32 square feet. The height for monument signs shall not exceed six feet.

ii. Public uses as defined in subsection (B)(67) of this section. One changeable copy pylon sign is allowed in addition to the commercial and institutional sign described in subsection (H)(1)(b) of this section. The changeable copy sign area shall not exceed 50 square feet for the total of all faces and no one face shall exceed 25 square feet. For sites with frontage greater than 150 feet on a public street one square foot of additional sign area shall be allowed for each 10 feet of frontage over and above 150 feet, up to a maximum of 100 square feet with no one face exceeding 50 square feet. Changeable copy signs are limited to 12 feet in height.

Sign Regulations – Residential Zoning Districts				
Sign Provision	Multifamily Complex	Single-Family Subdivision	Commercial/ Institutional	Public Uses
Number and Type	2 monument signs per entrance	2 monument signs per entrance	1 monument sign per street frontage providing direct vehicular access	Same as Commercial/ Institutional, PLUS 1 changeable copy pylon sign
Maximum Sign Area	32 SF/entrance	32 SF/entrance	64 square feet total, 32 SF/face	Pylon sign 50 SF total, 25 SF/face. If frontage > 150 feet, 1 SF additional sign area /10 feet frontage above 150 feet, up to 100 SF total, 50 SF/face.
Height	6 feet	6 feet	6 feet	12 feet (pylon sign)

2. Commercial (CB, CC, NB, SC), MPC and Business Park (BP) Zoning Districts. The following regulations shall apply to all commercial and Business Park zoned property within the City:

- a. Sign Types. Freestanding and building-mounted sign types are allowed in MPC, Commercial and Business Park (NB, CB, CC, SC and BP) zoning districts.
- b. Sign Height. The height of a freestanding sign shall be calculated at the rate of 0.5 feet in sign height for every five lineal feet of frontage on a public right-of-way; provided however, that sign height shall be calculated at the rate of one foot in sign height for every five lineal feet of frontage on a public right-of-way for any multi-tenant complex; and provided, further, that such sign in no case shall exceed a maximum height of 12 feet. Every applicant is entitled to a minimum height of five feet. The height of a building-mounted sign shall be limited so as not to project above the roofline of the exposed building face to which the sign is attached.
- c. Sign Area – Freestanding Signs. For any multi-tenant complex, the sign area allowed shall be calculated at the rate of two square feet per lineal foot of frontage on a public right-of-way not to exceed a maximum sign area of 128 square feet for the total of all sign faces with no one face exceeding 64 square feet. For other uses, allowed sign area shall be calculated at the rate of one square foot per lineal foot of frontage on a public right-of-way not to exceed a maximum sign area of 80 square feet for the total of all sign faces with no one sign face exceeding 40 square feet.

Notwithstanding the foregoing sign area calculations, every applicant is entitled to a minimum sign area of 50 square feet for the total of all faces with no one sign face exceeding 25 square feet.

- d. Sign Area – Building-Mounted Signs. The total sign area of a building-mounted sign for all businesses or tenants, excluding under canopy signs, shall not exceed 15 percent of the exposed building face to which they are attached; provided, however, that no individual sign shall exceed 120 square feet and every applicant is entitled to a minimum sign area of 30 square feet.
- e. Number and Location of Signs. A property in a MPC, Commercial or Business Park zoning district may have one freestanding sign per frontage on a public right-of-way, as defined by subsection (B)(66) of this section, providing direct vehicular access. For businesses having frontage on two or more streets, the location of the freestanding sign is limited to the street providing direct vehicular access. In instances where distance, topography or visual obstructions interfere with signage, the freestanding sign shall contain limited directional information or symbols, and may be located on the street frontage not providing direct vehicular access. If the visual obstruction is later removed the sign must be relocated to the entrance providing vehicular access. This provision does not allow additional signage. Building-mounted signs are limited to two per business or tenant.
- f. Illumination. Signs in the MPC, Commercial and Business Park zoning districts may be internally illuminated except in situations where the MPC, Commercial or Business Park sign would create spillover lighting on a residential zoning district or residential use. In such cases, signs may only be illuminated with indirect lighting. Illumination must be in accordance with the provisions of subsection (G)(4) of this section.

Sign Regulations – Commercial (CB, CC, NB, SC), MPC and Business Park (BP) Zoning Districts			
Sign Type	Maximum Height	Maximum Sign Area	Number of Signs
Freestanding	12 feet	Single tenant: 1 SF per LF of street frontage, not to exceed 80 SF total, 40 SF/face	1 per street frontage
		Multiple tenant: 2 SF per LF of frontage, not to exceed 128 SF total, 64 SF/face	
Building-Mounted	Top of roof-line	15% of exposed building face to which the sign is attached, up to 120 SF	2 per business or tenant

3. Office Zoning District. The following shall apply to all office zoned properties in the City:

- a. Sign Types. Freestanding and building-mounted sign types are allowed in the Office zoning district.
- b. Sign Height. The maximum height of a freestanding sign shall be six feet. The height of a building-mounted sign shall be limited such that it does not project above the roofline of the exposed building face to which the sign is attached.
- c. Sign Area – Freestanding Signs. Sign area allowed shall be calculated at the rate of one square foot per lineal foot of frontage on a public right-of-way not to exceed a maximum sign area of 80 square feet for the total of all sign faces with no one sign face exceeding 40 square feet.

Notwithstanding the foregoing sign area calculations, every applicant is entitled to a minimum sign area of 50 square feet for the total of all faces with no one sign face exceeding 25 square feet.

- d. Sign Area – Building-Mounted Signs. The total sign area of a building-mounted sign for each business or tenant, excluding under canopy signs, shall not exceed 15 percent of the exposed building face to which it is attached; provided, however, that no individual sign shall exceed 120 square feet and every applicant is entitled to a minimum sign area of 30 square feet.

- e. Number of Signs. A property in an Office zoning district may have one freestanding sign per frontage on a public right-of-way. Building-mounted signs are limited to two per business or tenant. Tenant directory signs are limited to one sign per frontage on a public right-of-way.

- f. Illumination. All signs in the Office zoning district may only be illuminated with indirect lighting. Illumination must be in accordance with subsection (G)(4) of this section.

Sign Regulations – Office Zoning Districts			
Sign Type	Maximum Height	Maximum Area	Number

Freestanding	6 feet	1SF per LF of frontage, up to 80 SF total, 40 SF/face	1 per street frontage
Building-Mounted	Top of roof line	15% of the exposed building face to which sign is related, up to 120 SF	2 per business or tenant

4. Multiple Use Zoning District. Regulations governing signs in the Multiple Use zoning district may be found in MVMC 18.110.050 and are subject to the conditions of a Multiple Use Master Permits.

5. Public/Open Space Zoning District. Signs in the Public/Open Space zoning district shall meet the applicable standards for signs in residential zoning districts, found in subsection (H)(1) of this section.

**Section 10.** Section 18.70.020 of the Maple Valley Municipal Code is hereby amended as follows:

#### **18.70.020 Applicability.**

A. The design guidelines shall be implemented in the following manner:

1. The design standards shall apply to all new construction in CB,CC, NB, O, R-12, R-18, R-24, MU, MPC, SC and BP zones; they shall also apply to nonresidential buildings in all zones throughout the City; they shall also apply in the R-8 zone for townhouse developments with a total of five or more dwelling units in one or more structures; they shall also apply in the P/OS, R-1, R-4, and R-6 zones, but only to nonresidential structures.

a. Publicly owned buildings and structures used for public purposes do not trigger the requirements of this section when all of the following criteria are met:

- i. The building or structure is no more than 2,000 square feet in total size;
- ii. The building or structure is a single story and does not exceed a height of more than 20 feet;
- iii. The building or structure is visually obstructed by existing or proposed screening, buildings, vegetation or distance from adjacent sites, streets and the public right-of-way; and
- iv. The building or structure complies with all other necessary requirements of the development regulations and building codes.

b. The Department of Community Development shall have the authority to approve, approve with conditions, or deny an exemption from the requirements of this section as a Process 1 decision for buildings and structures not used for commercial purposes within the PUB and PRO zones, such as bus stops, picnic shelters, storage buildings, restroom facilities, and similar buildings, and structures within designated community recreation areas. An exemption may be granted only when all the following criteria are met:

- i. The building or structure is no more than 400 square feet;
- ii. The building or structure is a single story no more than 20 feet in height;
- iii. The building or structure is visually obstructed by existing or proposed screening, buildings, vegetation or distance from adjacent sites, streets and the public right-of-way; and
- iv. The building or structure complies with all other necessary requirements of the development regulations and building codes.

2. The design standards shall apply to buildings within the MU and MPC zones, except for residential developments of less than five units; however, variation may occur when specifically addressed as part of a Multiple Use Master Permit developed and approved pursuant to MVMC [18.110.050](#) or as part of an MPC project approval pursuant to Chapter [18.120](#) MVMC.
3. For all existing structures in the zones as noted in subsection (A)(1) of this section with exterior improvements/additions less than 50 percent of the replacement value of the structure, then only that applicable portion of the structure and associated site improvements shall comply.
4. For all existing structures in the zones as noted in subsection (A)(1) of this section with exterior remodels greater than 50 percent of the replacement value of the structure in any three-year period, then the standards apply to the entire structure and associated site improvements.

**Section 11.**Section 18.70.030 of the Maple Valley Municipal Code is hereby amended as follows:

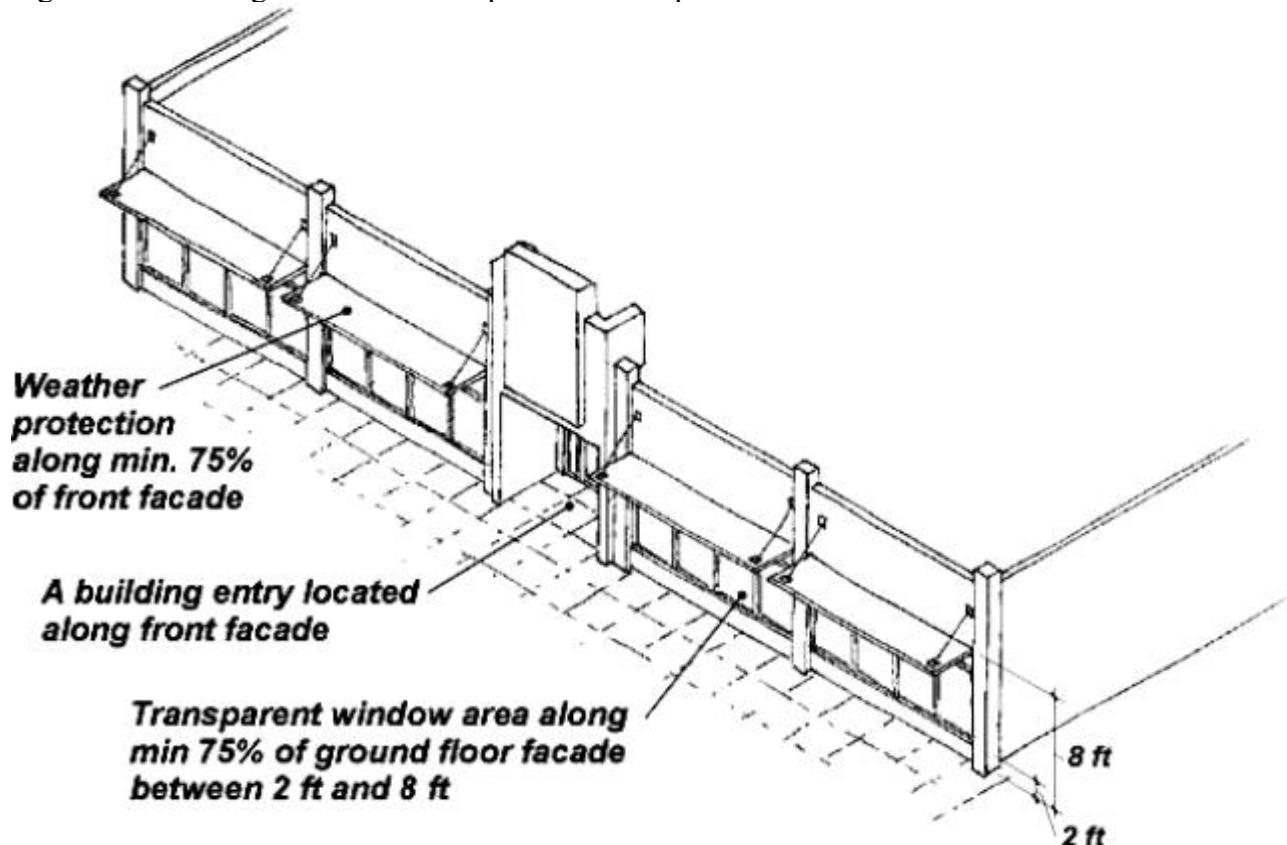
#### **18.70.030 Site design guidelines and requirements.**

##### B. Site Planning – Building/Sidewalk Relationship.

1. Goal. Provide for interesting and walkable streets, provide attractive building facades, reduce the impact of large parking lots on the streetscape, enhance the overall design and layout of developments, retain and enhance the wooded character of Maple Valley.
2. Guidelines and Requirements.
  - a. Provide an appropriate building/sidewalk relationship based on the combination of zoning and the classification of street or streets fronting on the property.
  - b. To qualify as a “pedestrian-oriented building facade,” the following conditions must be met:
    - i. Transparent window area or window displays along a minimum of 75 percent of the ground floor facade between a height of two feet to eight feet above the ground;
    - ii. A building entry must be facing the street; and

iii. Weather protection at least four and one-half feet wide along at least 75 percent of the facade width.

Figure 1. Illustrating the minimum requirements for pedestrian-oriented facades.



c. Table 1 shows the street classification system by zoning and applies the building/sidewalk relationship that must be constructed in the various situations.

Table 1. Required Building/Sidewalk Relationship per Applicable Zoning and Classification of Street Fronting on the Property.

Street Classification				
Applicable Zone	ARTERIAL STREETS(1)	BUSINESS ACCESS STREETS(1)	BUSINESS CONNECTORS(1)	TWO OR MORE DIFFERENT STREET CLASSIFICATIONS(1)
CB/CC/NB/MU/ MPC/SC	Pedestrian-oriented building facade(2)  Or  20-foot landscape	Pedestrian-oriented building facade(2)  Or  20-foot landscape	Pedestrian-oriented building facade(2)  Or  6-foot buffer with Type IV landscaping(4) if nonpedestrian-	Meet applicable requirements for all streets

	buffer(3) if more than 2 rows parking  Or  10-foot buffer with Type III landscaping(4) if nonpedestrian-oriented building facade or 2 rows or less of parking in front of the building	buffer(3) if more than 2 rows parking  Or  10-foot buffer with Type III landscaping(4) if nonpedestrian-oriented building facade or 2 rows or less of parking in front of the building	oriented building facade or parking area	
O	20-foot landscape buffer(3)  Or  Pedestrian-oriented building facade  Or  10-foot buffer with Type III landscaping(4) if nonpedestrian-oriented building facade	10-foot buffer with Type III landscaping(4)  Or  Pedestrian-oriented building facade	6-foot buffer with Type IV landscaping(4) if nonpedestrian-oriented building facade or parking area  Or  Pedestrian-oriented building facade	Meet applicable requirements for all streets
R-8/12/18/24	20-foot buffer with Type III landscaping(4)	10-foot buffer with Type III landscaping(4)	6-foot buffer with Type IV landscaping(4)	Meet applicable requirements for all streets
BP	Pedestrian-oriented building	Pedestrian-oriented building	Pedestrian-oriented building facade	Meet applicable requirements for all streets

	facade Or 20-foot buffer with Type II landscaping(4)	facade Or 10-foot buffer with Type II landscaping(4)	Or 6-foot buffer with Type IV landscaping(4) if nonpedestrian-oriented building facade or parking area	
All Other Zones(5)	Landscape buffer	Landscape buffer	N/A	Meet applicable requirements for all streets

Table Notes: (1) Options listed first in the columns are preferred.

(2) Except for entrance lobbies, residential uses are prohibited on the ground floor.

(3) Twenty-foot landscaping buffer requirements are described in MVMC [18.70.030\(B\)\(3\)\(a\)\(i\)\(B\)](#) for both arterial and business access streets.

(4) Type II, III, and IV landscaping requirements are defined in MVMC [18.40.130](#).

(5) Applies to all nonresidential buildings.

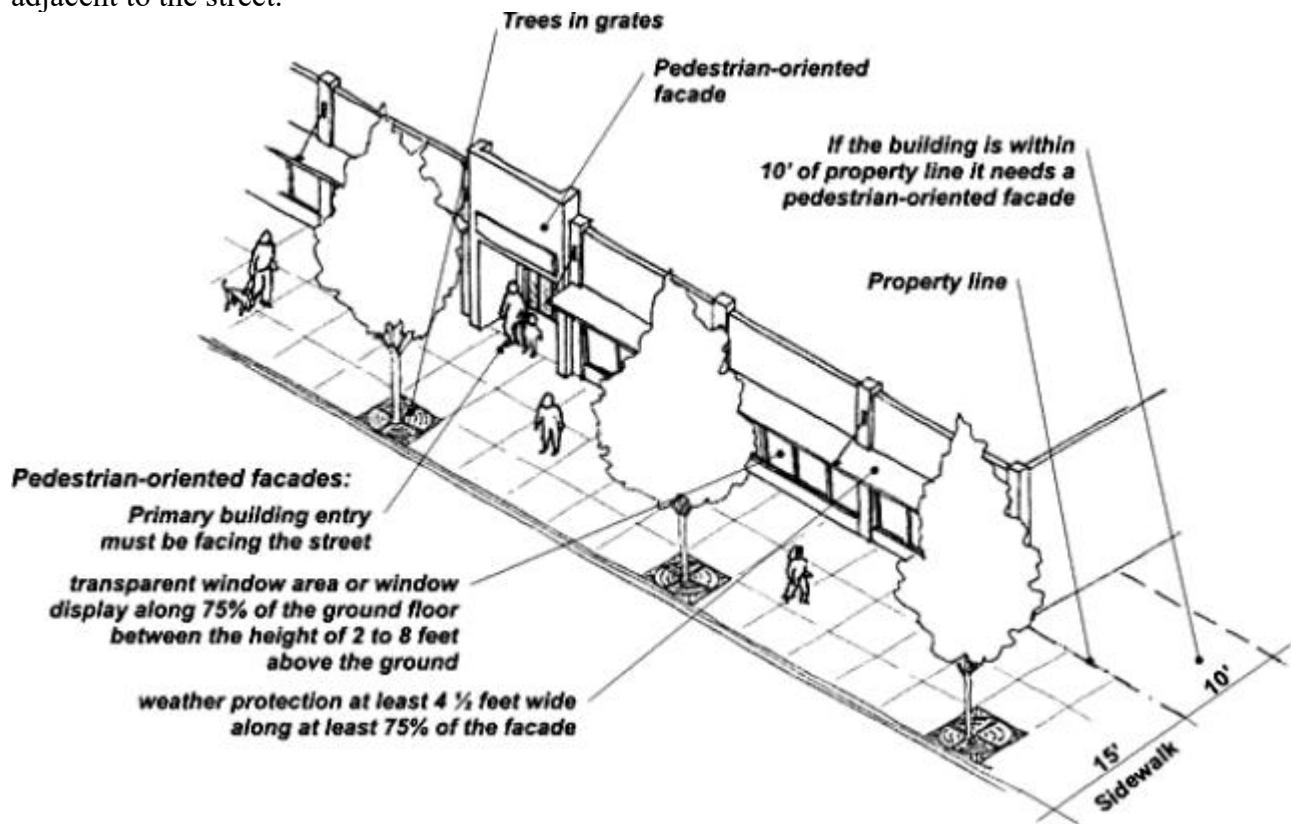
### 3. Street Types and Building/Sidewalk Relationship Standards.

a. Arterial Streets. These include two categories of arterials: principal arterial streets and minor arterial streets. These are streets that accommodate a relatively high volume of traffic and do not have on-street parking, thereby requiring a buffer for pedestrians. Also, these streets are important to the look of Maple Valley, but may not have the volume of pedestrian activity that other connector streets have.

i. Properties adjacent to arterial streets shall adhere to the following standards unless the Director determines that they prevent viable site development:

(A) Buildings in the CB, CC,NB, MU, O, MPC, SC and BP zones can be located within 10 feet of the street right-of-way if they present a “pedestrian-oriented building facade” to the street (see Figure 2 for illustration).

Figure 2. Illustrating site development option (1) with a pedestrian-oriented building facade adjacent to the street.



(B) For developments in the CB, CC, NB, MU, MPC, SC and O zones, where a parking lot with more than two rows of parking, or equivalent depth of parking, is shown between the building and the arterial street (see Figures 3 and 4 for illustrations), one of the two landscape buffers below shall be provided:

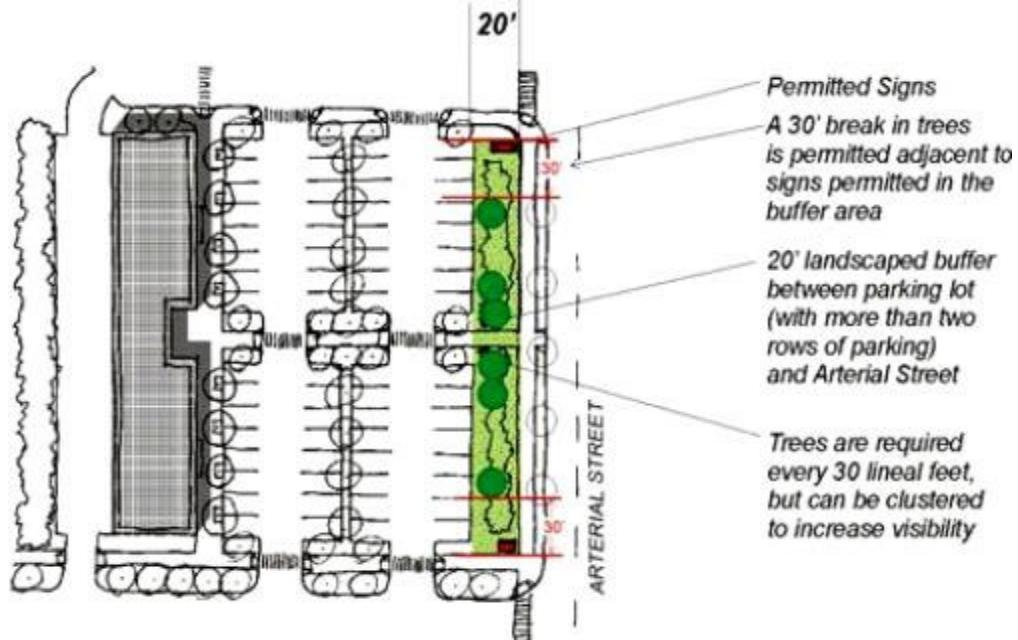
(1) A 20-foot-wide landscape buffer planted per the following:

(a) Trees at an average rate of one tree per 30 lineal feet of street frontage. Permitted tree species are those that reach a mature height of at least 35 feet. To increase visibility, the trees can be clustered and/or staggered. A 30-foot break in the required tree coverage is permitted adjacent to permitted signage.

(b) Shrubs at a rate of one shrub per 20 square feet of landscaped area. Shrubs shall be at least 16 inches tall at planting and have a mature height between three and four feet.

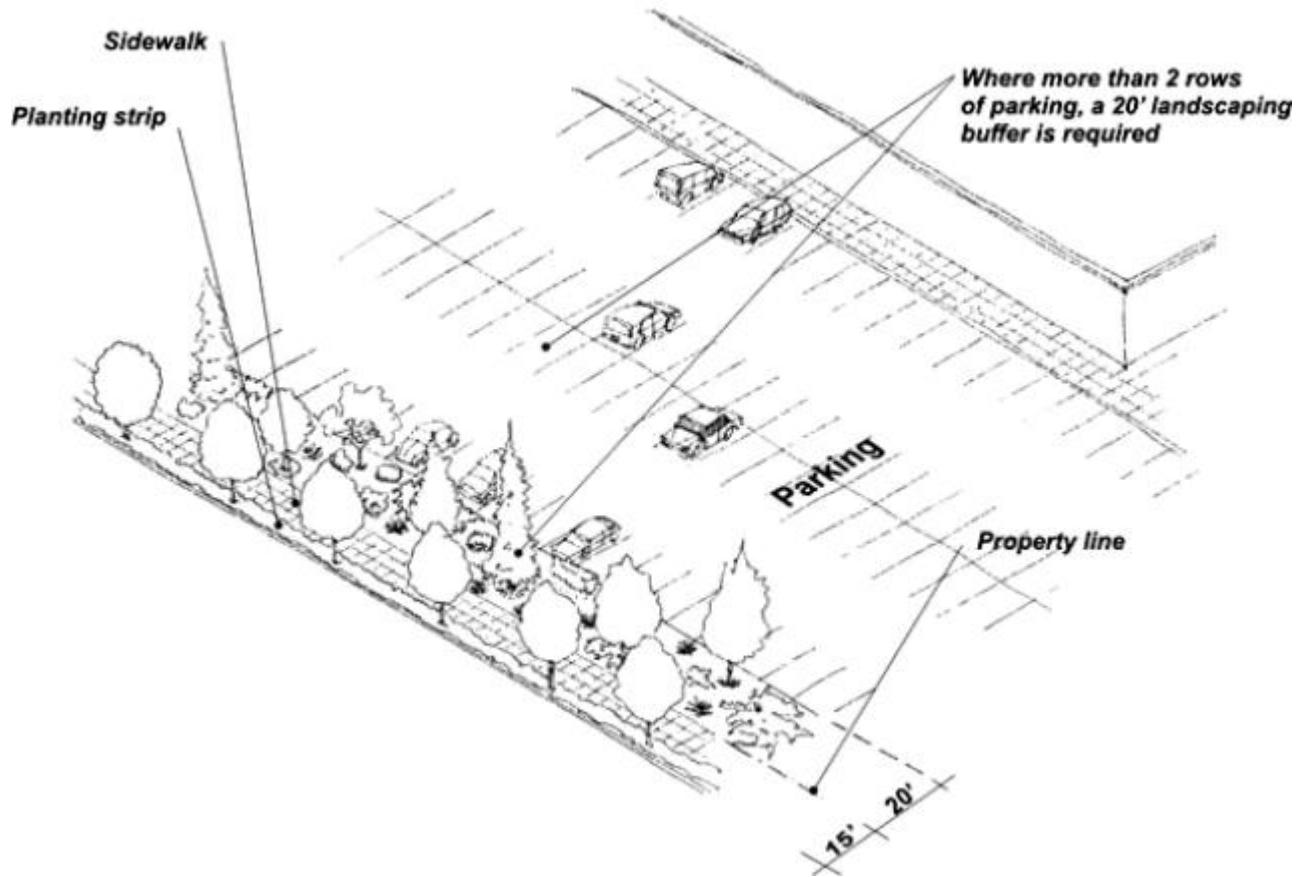
(c) Ground cover shall be planted in sufficient quantities to provide at least 70 percent coverage of the landscaped area within three years of installation.

Figure 3. Site plan illustrating the 20-foot landscaped buffer between large parking lots and arterial streets.



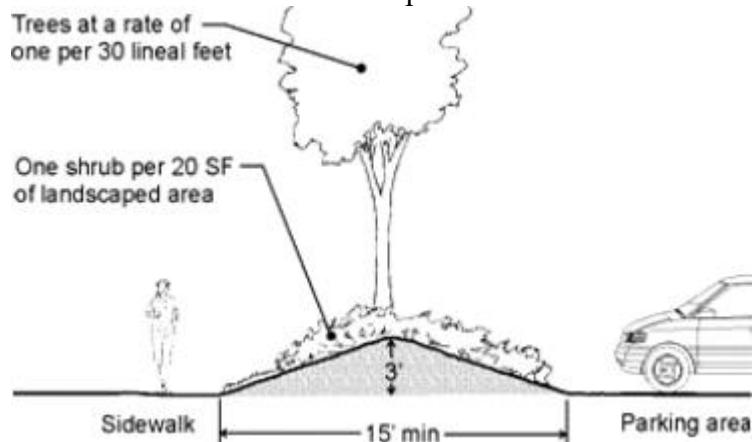
arterial streets.

Figure 4. Sketch illustrating the 20-foot landscaped buffer between large parking lots and arterial streets.



(2) A 15-foot landscape buffer with a three-foot-high berm provided within the buffer area. Trees, shrubs and groundcover requirements are the same as in subsection (B)(3)(a)(i)(B)(1) of this section. See Figure 5 for illustration.

Figure 5. The landscape buffer between parking lots and arterial streets may be reduced to 15 feet if a three-foot-tall berm is provided.



(C) Where buildings in the CB, CC, NB, MU, MPC, SC and O zones have two or less rows of parking between them and the street frontage, a 10-foot buffer of Type III landscaping is required between the street and the parking area (see Figure 6 for illustration). Type III landscaping requirements are defined in MVMC [18.40.130](#).

Figure 6. Illustrating the requirement for a 10-foot buffer of Type III landscaping between the street and a parking lot featuring no more than two rows of parking.

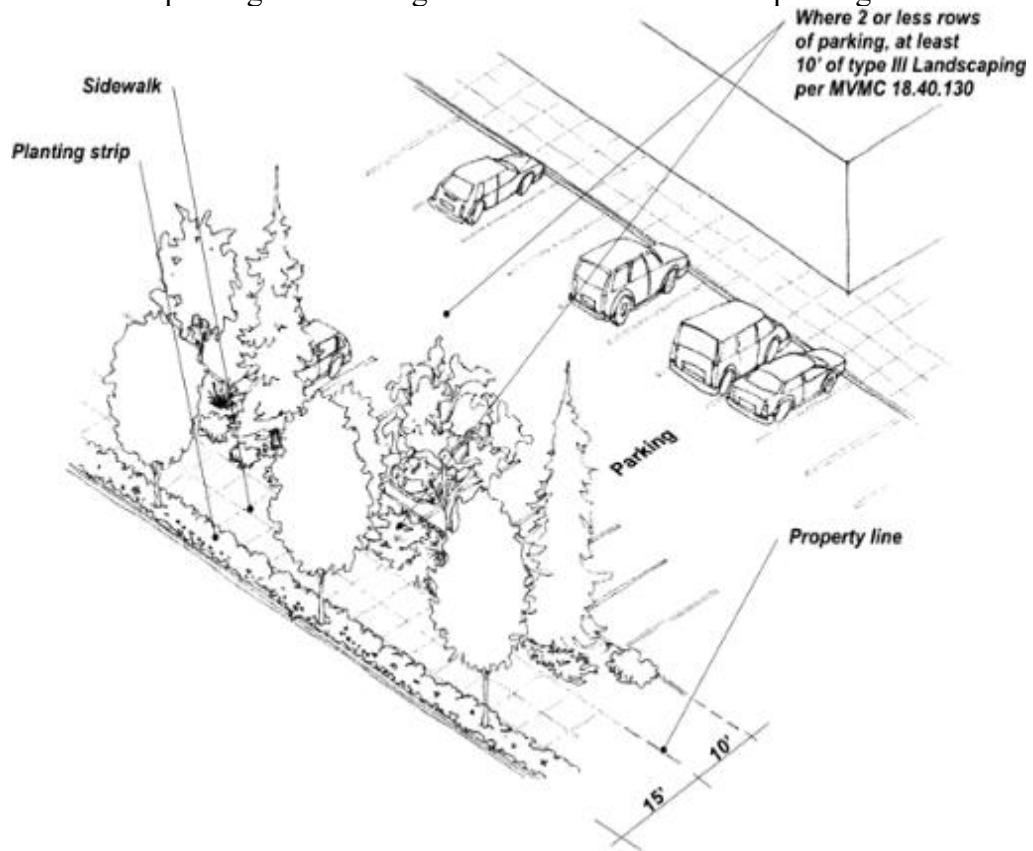
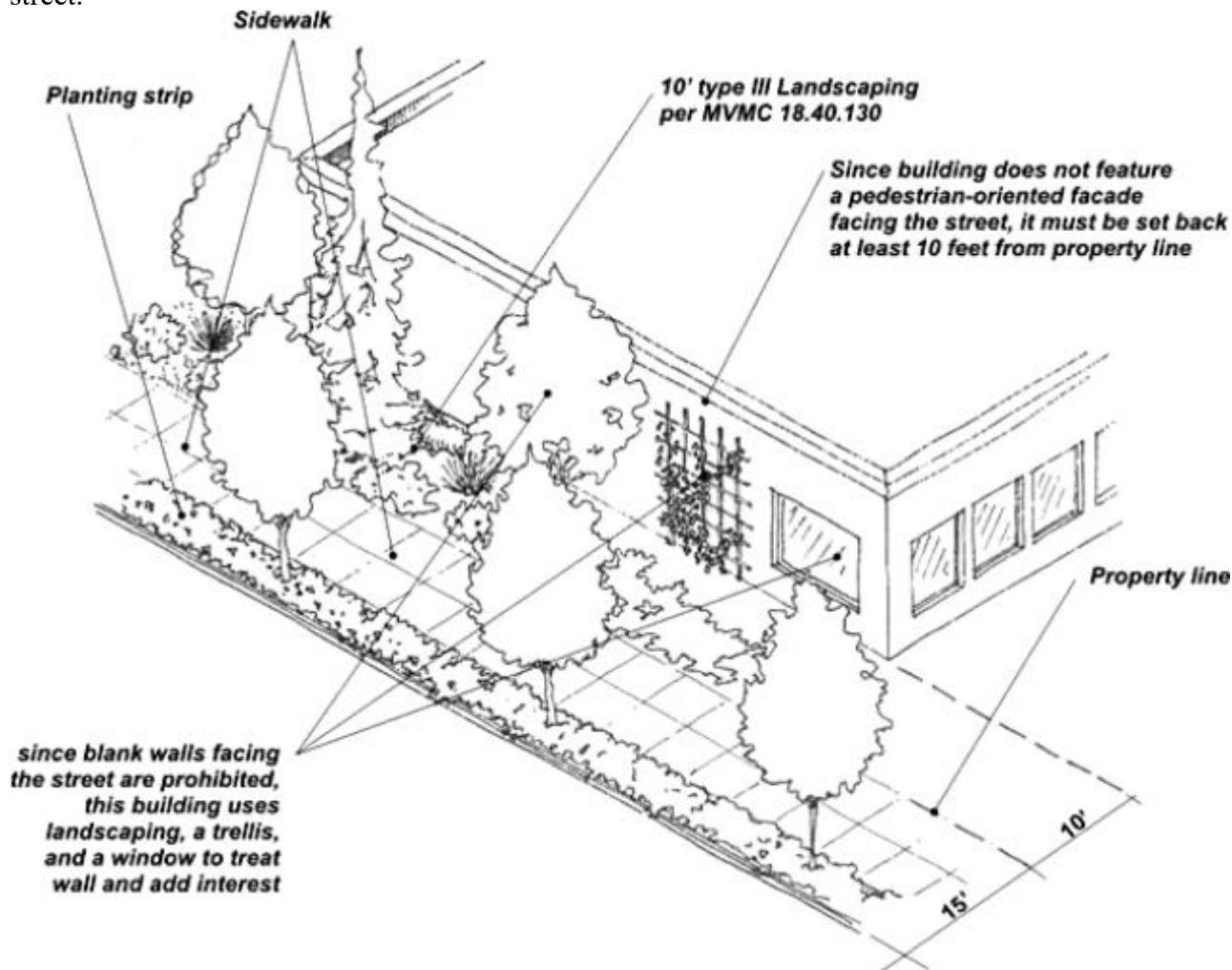


Figure 7. Illustrating the requirement for a 10-foot buffer of Type III landscaping between the street and any building that does not contain a pedestrian-oriented building facade facing the

street.



(D) The 10-foot buffer of Type III landscaping described in MVMC [18.40.130](#) is also required between the street and any building that does not contain a pedestrian-oriented building facade facing the street (see Figure 7 for illustration).

(E) For developments within the BP zone, a 20-foot buffer of Type II landscaping is required adjacent to the street unless a building with a “pedestrian-oriented building facade” is sited within 20 feet of the adjacent arterial street. Type II landscaping requirements are defined in MVMC [18.40.130](#).

(F) Building entries must have direct access to the public sidewalk (entries may be on the side of buildings and connected by a pedestrian pathway).

(G) If the public sidewalk is less than eight feet wide, set the building back sufficiently to provide at least eight feet of uninterrupted walking surface.

b. Business Access Streets. These are all other commercial streets that are public and not classified as arterials. These are local streets for adjacent commercial and business use and

access. These streets carry less traffic, may have on-street parking and are typically important pedestrian routes.

i. Development fronting on business access streets must conform to Table 1 and the requirements below unless the Director determines that they prevent a viable site development.

(A) If the public sidewalk is less than eight feet wide, set the building back sufficiently to provide at least eight feet of uninterrupted walking surface.

(B) Buildings in the CB, CC, NB, MU, MPC, O, SC and BP zones can be located within 10 feet of the street right-of-way if they present a “pedestrian-oriented building facade” to the street (see Figure 2 for illustration).

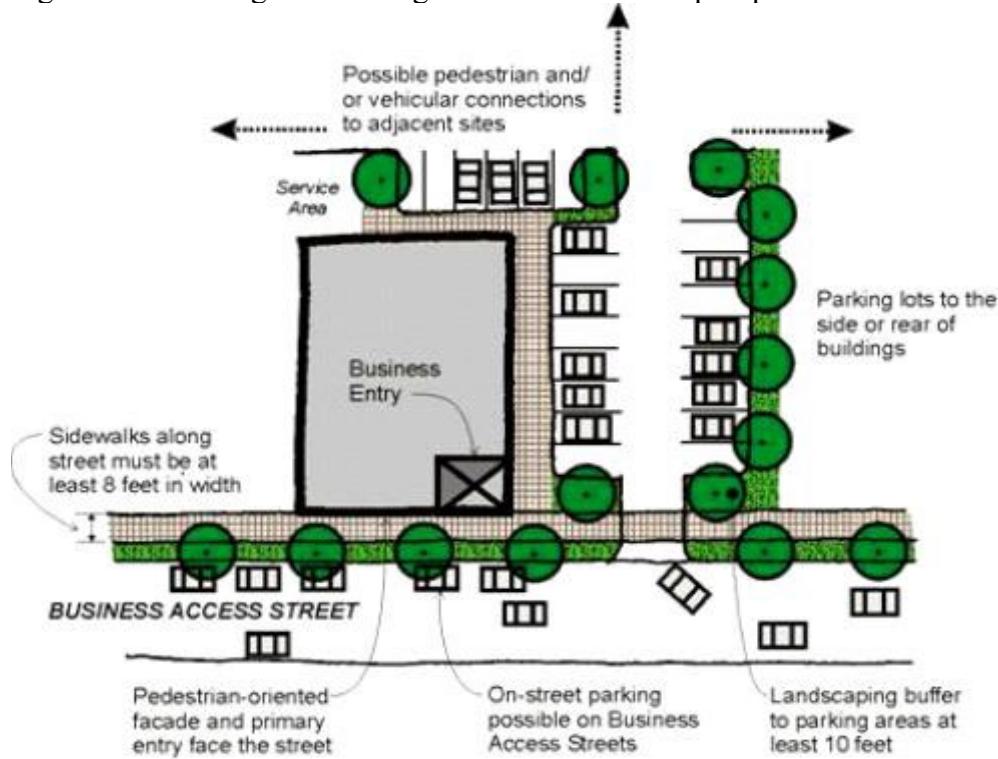
(C) For developments in the CB, CC, NB, MPC, SC and MU zones, where a parking lot with more than two rows of parking, or equivalent depth of parking, is shown between the building and the business access street, one of the two landscape buffers detailed in subsection (B)(3)(a)(i)(B) of this section shall be provided (see Figures 3 through 5 for illustrations).

(D) Where buildings in the CB, CC, NB, MU, MPC, SC and O zones have two or less rows of parking between them and the street frontage, a 10-foot buffer of Type III landscaping is required between the street and the parking area (see Figures 6 and 8 for illustrations).

(E) A 10-foot buffer of Type III landscaping described in MVMC [18.40.130](#) is also required between the street and any building in the CB, CC, NB, MU, MPC, SC and O zones that does not contain a pedestrian-oriented building facade facing the street (see Figure 7 for illustration).

ii. Where properties are adjacent to more than one street, refer to Table 1 for requirements or preferences depending upon applicable zoning.

Figure 8. Illustrating the building/sidewalk relationship requirements of Business Access Streets.



c. Business Connectors. These are not streets in the technical sense, but are important cross connectors from one business to the next for vehicles and pedestrians. They may connect parking areas for businesses and in some cases provide access or sole access to a tenant or tenants.

i. Development fronting on a business connector must conform to Table 1 and the requirements below unless the Director determines that they prevent a viable site development. Additional requirements:

(A) Buildings can be located within 10 feet of the street if they present a “pedestrian-oriented building facade” to the street. To qualify for this option, only “pedestrian-oriented space” or landscaping can be placed between the building and the street.

(B) If parking is desired between the building and the business connector, a buffer at least six feet in width of Type IV landscaping as required in MVMC [18.40.130](#) is needed.

(C) Developments shall provide pedestrian walkways on at least one side of the connector.

(D) Developments shall provide safe pedestrian access across the connector at least every 150 feet and be coordinated with required parking lot pathways.

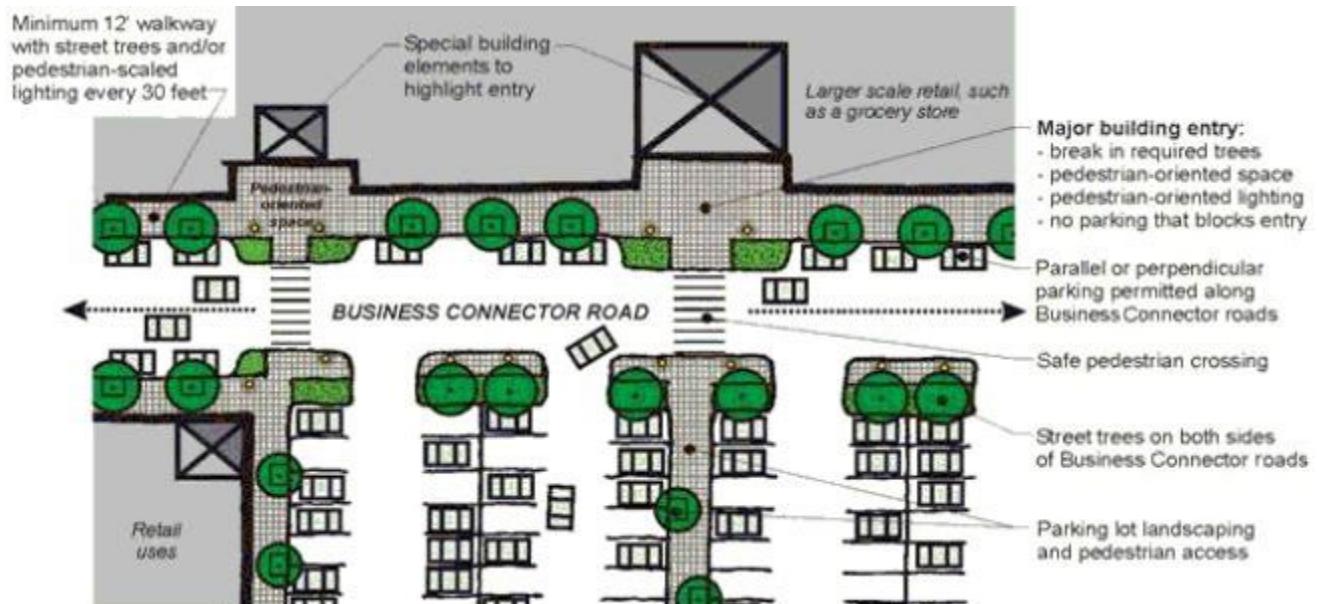
(E) Developments shall provide street trees on both sides of the connector.

(F) Parallel, angled, or perpendicular parking is permitted on one or both sides of the connector.

(G) All buildings fronting on a Business Connector road in the CB, CC, MU, MPC, SC and NB zones with facades longer than 100 feet shall provide a minimum 12-foot walkway along the primary facade of the building(s). The walkway shall include an eight-foot minimum unobstructed walking surface and street trees per MVMC [18.40.130](#) placed no more than 30 feet on center. As an alternative to some of the required street trees, developments can provide pedestrian-scaled light fixtures at the same spacing and no taller than 14 feet in height. However, no less than one tree per 60 lineal feet of the required 12-foot walkway shall be required. To increase business visibility and accessibility, the Director will allow breaks in the required tree coverage adjacent to major building entries.

(H) Where properties are adjacent to more than one street, refer to Table 1 for requirements or preferences depending upon applicable zoning.

Figure 9. Illustrating the building/sidewalk relationship requirements of Business Connector roads.



#### 4. Multifamily Development and Building/Sidewalk Relationship Standards.

a. All multifamily developments shall adhere to the following standards unless the Director determines that they prevent viable site development. Where multifamily developments front on a designated arterial street, business access street or business connector, they must also meet those requirements as provided in Table 1 and subsection (B)(3) of this section, Street Types and Building/Sidewalk Relationship Standards. If there is a conflict between any requirements or guidelines, the Director shall decide which requirements or guidelines apply.

i. Parking areas should be located behind or under buildings and accessed from alley-type driveways. No more than 30 percent of the street frontage shall be occupied by parking lots. If parking is provided under the building, habitable building space shall be provided where the building fronts the sidewalk. If driveway access from streets is necessary, minimum-width driveways meeting the fire access standards shall be used.

ii. Locate parking lots so that they do not impose on the ground floor units' privacy. If this is not feasible, locate buildings so they are far enough apart that adequate landscaping can be planted to provide privacy.

iii. Each building shall have direct pedestrian access from the main street fronting the building and from the back where the parking is located.

iv. Another alternative may be to orient the buildings into U-shaped courtyards where the front door/main entry into the building is from a front courtyard. Access to the courtyard from the rear parking area shall be through a well lighted breezeway or stairway. This alternative will work where projects abut an arterial or major collector street where the quality of living could be enhanced with buildings facing into the courtyard. The buildings would still be located between the street and the parking lot.

v. Front and side yards which abut a street shall be visually open to the street. Where fences or walls are necessary to reduce noise, provide buffers, create private yards or provide security, provide one or more of the following options to maintain a pedestrian scale along the street:

(A) Provide art (mosaic, mural, decorative masonry pattern, sculpture, relief, etc.) over at least 50 percent of the blank wall surface.

(B) Employ small setbacks, indentations, stepped fence heights, or other means of breaking up the wall or fence surface and height.

(C) Employ different textures, colors, or materials (including landscape materials) to break up the wall's surface.

(D) Provide special lighting, a horizontal trellis, or other pedestrian-oriented feature that breaks up the size of the blank wall's surface and adds visual interest.

vi. If fencing is required, repeat the use of building facade materials on fence columns and/or stringers.

#### C. Site Planning – Relationship to Surrounding Properties and Uses.

1. Goal. Enhance connectivity between uses, when desirable and practical. New development should be sensitive to adjacent uses. Protect and enhance a wooded character.

#### 2. Guidelines and Requirements.

a. Developments shall provide landscaping buffers per Table 2 and MVMC [18.40.130](#) to minimize visual impacts of incompatible uses. Where substantial existing vegetation is in place in the required buffer areas, the Director may waive the required landscaping as long as the existing vegetation achieves site planning goals.

b. Developments shall retain significant trees per MVMC [18.40.130](#) to retain the wooded character and emphasize a natural setting.

c. Developments shall be configured to enhance vehicular and pedestrian connections between compatible uses per subsection (A) of this section, Site Planning – Connectivity.

Table 2. Required Landscape Buffer Widths and Types(1) for Developments for Side and Rear Yards.						
Zoning of Applicable Property (Buffer Must Occur Within)						
		CB/CC/NB/SC	BP	O	MU	R-8 to R-24
Zoning of Adjacent Property	CB/CC/NB/SC	–	10-foot buffer Type III	–	–	10-foot buffer Type III
	BP	–	–	10-foot buffer Type III	10-foot buffer Type III	10-foot buffer Type III
	O	10-foot buffer Type III	15-foot buffer Type II	–	10-foot buffer Type III	10-foot buffer Type III
	MU	10-foot buffer Type III	20-foot buffer Type II	–	–	10-foot buffer Type III
	R-8 to R-24	20-foot buffer Type I	25-foot buffer Type I	20-foot buffer Type I	15-foot buffer Type III	10-foot buffer Type III
	P/O	10-foot buffer Type III	20-foot buffer Type II	10-foot buffer Type III	15-foot buffer Type III	10-foot buffer Type III
	R-1 to R-6	20-foot buffer Type I	25-foot buffer Type I	20-foot buffer Type I	20-foot buffer Type I	10-foot buffer Type I

Notes: (1) Landscaping types are defined in MVMC [18.40.130](#).

(2) Nonresidential developments in the P/O or R zones must use the above standards applicable to the R-8 zone or those standards established through the Conditional Use Permit, whichever are greater.

(3) Landscape buffers in the MU zone may be modified through the approved Multiple Use Master Permit. Landscape buffers in the MPC zone may be modified through the master planned community project approval pursuant to Chapter [18.120](#) MVMC.

## D. Site Planning – Pedestrian Elements.

1. Goal. To improve the pedestrian environment by making it easier, safer and more comfortable to walk between businesses, to the street sidewalk, to transit stops, and through parking lots. Pedestrian facilities such as sidewalks, crosswalks and bus shelters should connect all modes of transportation. Provide the pedestrian, disabled person and transit user with a safe and clear path to the entry door of a building and maintain safe pedestrian routes across busy streets by a variety of means, including signalized intersections at cross streets and distinctively marked crosswalks where feasible. Provide safe and continuous pedestrian access in commercial areas making them more accessible and convenient by allowing people to walk between businesses and to safely walk and bike to commercial nodes from adjacent residential areas. Use the architectural elements of a building and landscaping to highlight and define the entrance, enhance the visual character of buildings, and improve the pedestrian environment.
2. General Pedestrian Access – Guidelines and Requirements. All pedestrian walkways must correspond with federal, State and local codes for barrier-free access, and the Americans with Disabilities Act. Excluded from this requirement would be trails in on-site greenbelts or undeveloped natural areas.
3. On-Site Pedestrian Circulation – Guidelines and Requirements.

- a. Provide pedestrian pathways per Table 3.

Table 3. Required Pedestrian Pathways.

<b>Pedestrian Pathways</b>	<b>Unobstructed Width</b>	<b>Applicable Code Section(s) for More Pathway Details</b>	<b>Landscaping and Design Features and Applicable Code Section(s)</b>
Arterials	8 feet	MVMC <a href="#"><u>18.70.030</u></a> (B)(3)(a), Arterial Streets	7-foot planting strip or street trees in grates between street and sidewalk
Business Access Streets	8 feet	MVMC <a href="#"><u>18.70.030</u></a> (B)(3)(b), Business Access Streets	7-foot planting strip or street trees in grates, where possible, between street and sidewalk
Business Connectors	8 feet(1)	MVMC <a href="#"><u>18.70.030</u></a> (B)(3)(c), Business Connectors	Trees, shrubs, and groundcover per MVMC <a href="#"><u>18.40.130</u></a> , particularly in subsection (G), Parking Lot Landscaping
Walkways along the primary facades of buildings longer than	8 feet	MVMC <a href="#"><u>18.70.030</u></a> (D)(3)(e), pedestrian elements	Street trees in grates

100 feet in the CB/CC/NB/SC zones			
Walkways along the primary facades of buildings less than 100 feet in the CB/CC/NB/SC zones	6 feet(2)	MVMC <a href="#">18.70.035</a> (G), blank walls	Trees, shrubs, and groundcover per MVMC <a href="#">18.40.130</a> and <a href="#">18.70.035</a> (G), blank walls
Pathways to building entries from street	8 feet(1)	MVMC <a href="#">18.70.030</a> (D)(3)(b), pedestrian elements	Trees and shrubs; also see MVMC <a href="#">18.40.130</a> (G), Parking Lot Landscaping
Pathways through parking lots (required every 150 feet)	8 feet	MVMC <a href="#">18.70.030</a> (D)(3)(d), pedestrian elements	Trees, shrubs, and groundcover per MVMC <a href="#">18.40.130</a> , particularly in subsection (G), Parking Lot Landscaping
Pathways connecting buildings within individual development	8 feet(1)	MVMC <a href="#">18.70.030</a> (D)(3)(c), pedestrian elements	Trees, shrubs, and groundcover per MVMC <a href="#">18.40.130</a> , particularly in subsection (G), Parking Lot Landscaping
Pathways connecting compatible developments on different sites	6 feet(1)	MVMC <a href="#">18.70.030</a> (D)(5), pedestrian paths to adjacent uses and transit facilities	Trees, shrubs, and groundcover per MVMC <a href="#">18.40.130</a> , particularly in subsection (G), Parking Lot Landscaping
Pathway connecting from business or multifamily to trail	6 feet(1)	MVMC <a href="#">18.70.030</a> (D)(5), pedestrian paths to adjacent uses and transit facilities	Trees, shrubs, and groundcover per MVMC <a href="#">18.40.130</a>

Notes: (1) The Director may require wider pathways where significant pathway use is anticipated. An eight-foot pathway, which accommodates three persons walking abreast, will be required for major routes. Pathways that are expected to accommodate more than 1,000 persons per hour should be at least 12 feet in width, which will accommodate four persons walking abreast.

(2) The Director may allow landscaped areas in place of the walkway where it is demonstrated that a walkway along the facade is not necessary.

b. Provide paved pedestrian path from the street sidewalk to the main entry of all buildings. Where a use fronts two streets, access shall be provided from the road closest to the main

entrance, preferably from both streets. Buildings with entries not facing the street should have a clear and obvious pedestrian accessway from the street to the entry.

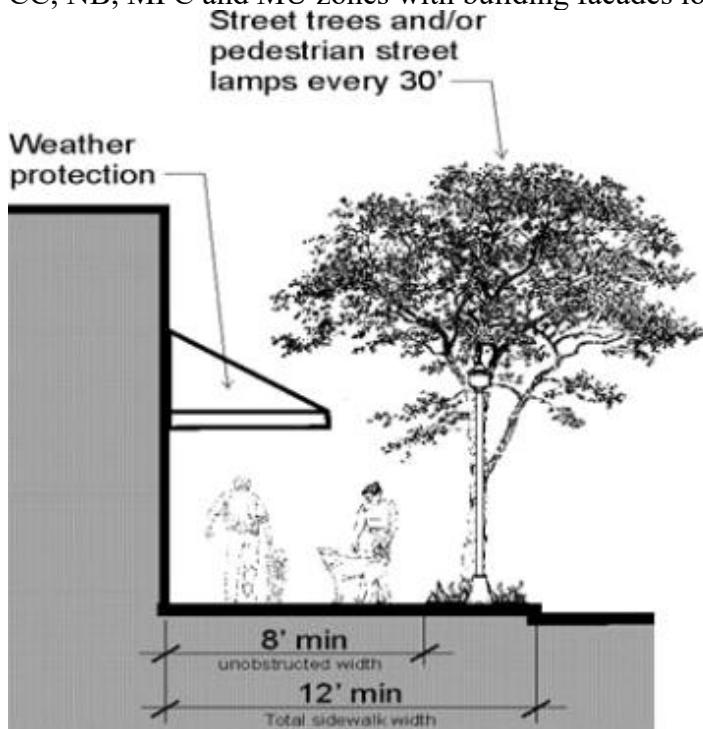
c. Provide pedestrian paths or walkways connecting all businesses and the entries of multiple commercial buildings frequented by the public on the same development site.

d. Provide pathways through parking lots. A paved walkway or sidewalk must be provided for safe walking areas through parking lots greater than 150 feet long (measured either parallel or perpendicular to the street front). Walkways shall be provided every four parking rows and a distance of less than 150 feet shall be maintained between paths. Such access routes through parking areas shall be separated from vehicular parking and travel lanes by use of contrasting paving material which may be raised above the vehicular pavement. Speed bumps may not be used to satisfy this requirement.

e. All applicable buildings in the CB, CC, NB, MPC, SC and MU zones with facades longer than 100 feet and not located adjacent to a public street must provide a minimum 12-foot walkway along the primary facades of all buildings. The walkway shall include an eight-foot minimum unobstructed walking surface and street trees per MVMC [18.40.130](#) placed no more than 30 feet on center. As an alternative to some of the required street trees, developments can provide pedestrian-scaled light fixtures at the same spacing and no taller than 14 feet in height. However, no less than one tree per 60 lineal feet of the required 12-foot walkway shall be required. To increase business visibility and accessibility, the Director will allow breaks in the required tree coverage adjacent to major building entries.

f. Access and stacking lanes for drive-through services and/or drop-off areas shall not pass over required or designated sidewalks or pedestrian paths or walkways.

Figure 10. Illustrating the required walkway along the primary facades of buildings in the CB, CC, NB, MPC and MU zones with building facades longer than 100 feet.



#### 4. Pedestrian Amenities – Guidelines and Requirements.

- a. All nonresidential development, excluding Business Park developments, shall provide at least one of the following pedestrian amenities near the sidewalk or required walkway:
  - i. Pedestrian furniture such as seating space, drinking fountains, and decorative garbage receptacles.
  - ii. Perimeter landscaping in addition to that required in MVMC [18.40.130](#).
  - iii. Artwork.
  - iv. Space for covered transit stop with seating.
  - v. Special window display areas consisting of a minimum 25 percent of the required window area of the front facade.
  - vi. Decorative screen wall, trellis or other building or site feature.
  - vii. Other element that encourages pedestrian activities as approved by the Director.
- b. Provide pedestrian weather protection.

i. All development in the CB, CC, MPC, SC and NB districts shall provide pedestrian weather protection at least four and one-half feet wide along 75 percent of the building's front face where a pedestrian walkway is present. The weather protection may be in the form of awnings, marquees, canopies or building overhangs.

ii. Canopies or awnings shall not be higher than 15 feet above the ground elevation at the highest point nor lower than eight feet at the lowest point.

iii. The color, material and configuration of the pedestrian coverings shall be as approved by the Director. Coverings with visible corrugated metal or corrugated fiberglass are not permitted. Fabric and rigid metal awnings are acceptable if they meet the applicable standards. All lettering and graphics on pedestrian coverings must conform to the City of Maple Valley's sign code.

## 5. Pedestrian Paths to Adjacent Uses and Transit Facilities – Guidelines and Requirements.

a. All developments shall provide interior automobile and pedestrian connections to adjacent properties per subsection (A) of this section, Site Planning – Connectivity.

b. Where possible, provide steps and ramps across retaining walls and slopes in accordance with Maple Valley City ordinances.

c. Gates should be provided to breach fences if they impede pedestrian movement to shopping and other common activities, including to transit.

d. Where a fence, wall or landscaped area separates a sidewalk from a multifamily building or one multifamily development from another, pedestrian breaks and/or crossings shall be placed at frequent intervals.

e. Adjacent landscaping shall not block visibility to and from a path, especially where it approaches a roadway or driveway.

f. In consultation with the appropriate transit agency, where appropriate, integrate transit stops into the development of adjacent site improvements. This may be done by providing extra space for waiting areas, incorporating bus pull-outs or stops into the site's circulation scheme and/or providing a walkway (preferably covered) directly from the transit stop into the project's entrance. Pavement for expanded waiting areas and connecting walkways may be located within required setbacks and may count as landscape areas. To act as an incentive, parking requirements may be reduced if convenient connections to transit are provided.

g. Encourage pedestrian paths from all transit stops through commercial areas to residential areas within 1,200 feet of the site.

h. Multifamily developers shall consult with the appropriate transit agency to determine whether the site is, will, or could be served by transit, and with the school district to see whether it is served by school bus. If the site is located on an existing or future transit or school bus route, the

multifamily walkway network shall provide convenient pedestrian access to the nearest transit stop.

i. Easements for pedestrian access shall be recorded for the benefit of the City to facilitate the future extension of these paths as adjoining properties are improved.

#### 6. Pedestrian Areas at Building Entries – Guidelines and Requirements.

a. Developments should avoid locating parking in such a way that interferes with visibility and access of major building entries.

b. The primary public entries of all buildings shall be enhanced by two or more of the following:

i. Provide at least 200 square feet of landscaping at or near the entry.

ii. Provide bicycle racks or pedestrian facilities, such as benches, kiosks, special paving, etc.

iii. Provide a trellis, canopy, porch, arbor or other building element that incorporates landscaping.

iv. Provide special pedestrian-scaled lighting.

v. Provide adjacent window displays.

vi. Provide building ornamentation such as mosaic tile, relief sculpture, ornamental wood or metal trim, etc.

vii. Provide artwork or special pedestrian-scaled signs.

#### E. Site Planning – Open Space Elements.

1. Goal. To provide a variety of pedestrian-oriented areas to attract shoppers to commercial areas and enrich the pedestrian environment. To create gathering spaces for the community. Provide usable open space in a multifamily development for all the residents of the development. (Refer to each zoning district for specific open space requirements.)

#### 2. Guidelines and Requirements.

a. To qualify as a “pedestrian-oriented space,” an area must have:

i. Pedestrian access to the abutting structures from the street, connector or a nonvehicular courtyard.

ii. Paved walking surfaces of either concrete or approved unit paving.

iii. On-site or building-mounted lighting.

iv. At least three feet of seating area (bench, ledge, etc.) or one individual seat per 60 square feet of plaza area or open space.

b. The following features are encouraged in “pedestrian-oriented space” and may be required by the Director:

i. Spaces should be positioned in areas with significant pedestrian traffic to provide interest and security, such as adjacent to a building entry.

ii. Provide “pedestrian-oriented building facades” on some or all buildings facing the space.

iii. Movable seating.

c. The following features are prohibited within “pedestrian-oriented space”:

i. Asphalt or gravel pavement.

ii. Adjacent unscreened parking lots or parking areas not separated through the use of curbing, landscape areas, elevation, decorative walls or other components creating a physical separation.

iii. Adjacent chain link fences.

iv. Adjacent “blank walls.”

v. Adjacent dumpsters or service areas.

vi. Outdoor storage or retail sales that do not contribute to the pedestrian environment.

d. All developments in the CB, CC, NB, O, MPC, SC and MU districts must provide “pedestrian-oriented space” per Table 4. For the purposes of this section, all required walkways per Table 3, when applicable, shall not count as pedestrian-oriented space. However, the Director may allow those portions of walkways widened beyond minimum requirements to count towards the required pedestrian-oriented space as long as such space meets the definition of pedestrian-oriented space.

Table 4. Required Pedestrian-Oriented Space for Developments in the CB, CC, NB, O, MPC, SC and MU Districts.

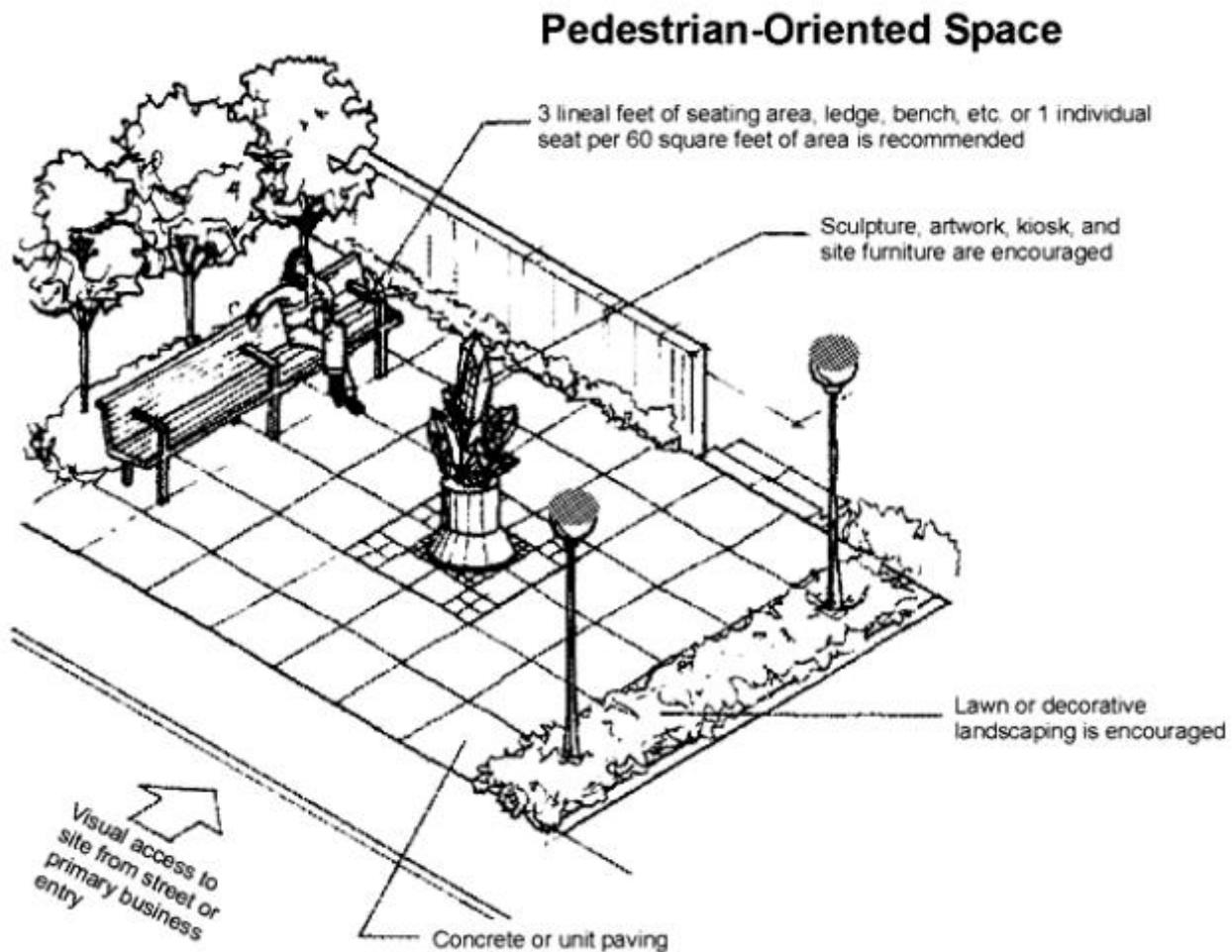
<b>Building Footprint (square feet)</b>	<b>Minimum Pedestrian-Oriented Space</b>
Less than 10,000 square feet	1 square foot/100 square feet building footprint
10,000 – 25,000 square feet	1.25 square feet/100 square feet building footprint
25,000 – 60,000 square feet	1.5 square feet/100 square feet building footprint
More than 60,000 square feet	1.75 square feet/100 square feet building

	footprint
More than 100,000 square feet	2 square feet/100 square feet building footprint

e. Children's play areas shall be clearly visible between and from the multifamily buildings.

f. Open spaces within multifamily developments shall connect with multifamily buildings, parking areas, and adjacent neighborhoods.

Figure 11. Illustrating pedestrian-oriented space guidelines and requirements.



**Section 12.** Section 18.110.020 of the Maple Valley Municipal Code is hereby amended as follows:

**18.110.020 Design review.**

A. Purpose and Applicability. The purpose of this chapter is to set forth the procedures and approval criteria for reviewing design review applications. Design review is the mechanism by which the City ensures the design guidelines of Chapter 18.70 MVMC are met. This chapter applies to each application for new construction or exterior remodels in the CB, CC, NB, MPC, MU, O, SC, R-8 (for townhouse development of five or more units), R-12, R-18/24, BP, and P/OS zones if the Community Design Guidelines and requirements apply. In the P/OS zone, the commercial design standards apply.

**Section 13. 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 14. Effective Date.** A summary of this ordinance shall be published in the official newspaper of the City, and this ordinance shall take effect and be in full force May 31, 2012.

**Section 15. 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 14<sup>th</sup> DAY OF MAY, 2012.

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William T. Allison, Mayor

ATTEST:

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Shaunna Lee-Rice, City Clerk

APPROVED AS TO FORM:

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Christy A. Todd, City Attorney

Date of Publication: May 22, 2012

Effective Date: May 26, 2012