

CITY OF MAPLE VALLEY, WASHINGTON

ORDINANCE NO. O-13-545

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAPLE VALLEY, WASHINGTON, AMENDING MAPLE VALLEY MUNICIPAL CODE TITLE 18 ESTABLISHING THE DEFINITION AND ALLOWANCES FOR A POLICE STATION AND INCREASING THE NUMBER OF LOTS ALLOWED IN A SHORTSUBDIVISION; PROVIDING FOR SEVERABILITY, ESTABLISHING AN EFFECTIVE DATE AND PROVIDING FOR CORRECTIONS.

WHEREAS, the King County Sheriff's Office identified a need and desire to reopen precinct number three; and

WHEREAS, the existing Maple Valley Municipal Code (MVMC) does not have an existing definition or permitted uses for a police station within City limits; and

WHEREAS, the City of Maple Valley encourages the location of a Sheriff's precinct in the City of Maple Valley to promote public safety; and

WHEREAS, the existing MVMC allows a short-subdivision up to four lots where state law allows cities to expand this number to nine lots; and

WHEREAS, the City strives to encourage economic development through streamlining of permitting processes and development within the City; and

WHEREAS, the City of Maple Valley Planning Commission held public hearings on the proposed amendments, considered deliberations and factors of consideration and unanimously recommended approval of the Title 18 amendments to the City Council.

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

Section 1. Section 18.20.020 of the Maple Valley Municipal Code is hereby amended to read as follows (new language in underline and deleted language in ~~strikethrough~~):

18.20.020 Definitions.

P. "P" Definitions.

1. "Park" means a tract of land designated and used by the public for active and passive recreation as defined within the City of Maple Valley Parks, Recreation, Cultural and Human Services Plan.

2. “Parking space or parking stall” means any off-street space intended for the use of vehicular parking with ingress or egress to the space easily identifiable.

3. “Police Station” means a protection / law enforcement center operated by a governmental agency including administrative offices, storage of equipment, temporary detention facilities, and the parking of vehicles; excluding correctional institutions.

3 4. “Professional office” means an office used as a place of business by licensed professionals, or persons in other generally recognized professions, which primarily use training or knowledge of a technical, scientific or other academic discipline rather than manual skills, and which does not involve outside storage or fabrication, or on-site sale or transfer of merchandise as a primary activity.

4 5. “Public sanitary sewer” means any sewer facility other than a side sewer, either owned or operated by, or within the jurisdiction of, the City.

5 6. “Public transit facilities” means transit centers, park and ride lots, and other major facilities related to public transportation; does not include bus stops, which are permitted in all zones.

Section 2. Section 18.30.060 of the Maple Valley Municipal Code is hereby amended to read as follows (new language in underline and deleted language in ~~strike~~through):

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 6, 7	CB8	MU 2, 5	BP	PUB	PRO	MPC	SC	CC8
Religious Institution	C	C	C	C	C10	C10	C10	C10	C10	A11	A11	C10	C10	C10
City Hall					P		P	P9		P		P	P	
Courthouse/Jail							P	P9		C			C	
Community College/Vocational					C		C	C	P	P1	C1	M	P	P
Community/Senior Center			C	C		C10	C	C10		P1	P1	C10	P	P

USE	ZONING DISTRICT													
	R-4/6	R-8	R-12	R-18/24	O	NB 6, 7	CB8	MU 2, 5	BP	PUB	PRO	MPC	SC	CC8
Elementary School	C	C	C	C				C		P1	P1	P1		
Fire Station	C	C	C	C	C	C	P	P	P	P1	P1	P1	P	
Junior High/High School			C	C				C		P1	P1	M		
Hospital								C		P1		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
<u>Police Station</u>					<u>C14</u>		<u>C14</u>	<u>P14</u>	<u>C14</u>	<u>P14</u>		<u>C14</u>	<u>C14</u>	<u>C14</u>
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	P1	P	P	P	P
Performing Arts Center				C				P		P1	P	M	P	
Public Transit Facilities							C	C	P	P1	A13	P1	P	P
Utilities, Major or Regional	C	C	C	C	P3		P4	P3	P	P	P	C	P	C
Utilities, Minor or Local	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	C	P	P	C	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 Chapter 18.120 MVMC, 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.

14. The number of temporary holding cells are limited to six.

Section 3. Section 18.90.010 of the Maple Valley Municipal Code is hereby amended to read as follows (new language in underline and deleted language in strikethrough):

18.90.010 General provisions.

A. Purpose. The purpose of this chapter is to regulate the division of land and to promote the public health, safety and general welfare in accordance with standards established by the State to prevent overcrowding of lands; to lessen congestion on the streets and highways; to promote effective use of land; to promote safe and convenient travel by the public on streets and highways; to provide for adequate light and air; to facilitate adequate provision of water, sewerage, parks and recreation areas, sites for schools and school grounds, sidewalks or other planning features that assure safe walking conditions for students who only walk to and from school, and other public requirements; to provide for proper ingress and egress; to provide for the expeditious review and approval of proposed subdivisions which conform to zoning standards and local plans and policies; to adequately provide for the housing and commercial needs of citizens; and to require uniform monumenting of land subdivisions and conveyancing by accurate legal description.

B. Survey. The survey of the proposed subdivision and preparation of the proposed plat shall be made by or under the direct supervision of a registered land surveyor, who shall certify on the plat that it is a true and correct representation of the lands actually surveyed.

C. Definitions. Unless the context of the subject matter clearly requires otherwise, the following words or phrases have the meanings given to them in this section:

1. “Alley” means a public right-of-way or private road or easement designed to serve as secondary access to the side or rear of those properties whose principal frontage is on a dedicated street.
2. “As-builts” are the engineering drawings which show the exact location, size and dimension of streets and utilities that have been installed.
3. “Binding site plan” means an accurate drawing to a scale specified by code which:
 - a. Identifies and shows the areas and locations of all streets, roads, improvements, utilities, open spaces and any other matters specified by City regulations;
 - b. Contains inscriptions or attachments setting forth the appropriate limitations and conditions for the use of land as are established by the City; and

c. Contains provisions requiring site development to be in conformity with the site plan and ensuring the collective lots continue over time to function as one site for matters related but not limited to roads, utilities, open space and other matters governed by the land use code.

4. “Block” means a group of lots, tracts or parcels within well defined and fixed boundaries.

5. “Bond” refers to a form of security provided in an amount and form satisfactory to the City Attorney, intended to insure that required improvements are installed and provide warranty against defects in material and/or workmanship.

6. “Boundary line adjustment” refers to an administrative procedure that allows changes in boundary lines between adjoining lots, parcels or tracts, subject to certain conditions.

7. “Dedication” means the deliberate appropriation of land by any owner for any general and public use, reserving to himself no other rights than such as are compatible with the full exercise and enjoyment of the public use to which the property has been devoted. The intention of dedication shall be evidenced by owners filing a final plat or short plat showing the dedication thereon, and the acceptance by the public shall be evidenced by the approval of the plat for filing by the City.

8. “Engineering drawings” are diagrams that provide plans, profiles and cross-sections of utilities and roads to be installed, prepared by a licensed civil engineer.

9. “Critical areas” refer to those lands identified on the comprehensive plan and/or City zoning code, which have unique characteristics which require special regulations in order to insure proper use with intense development.

10. “Final plat” means the final drawing of the subdivision and dedication prepared for filing for record with the County Auditor and containing all elements and requirements set forth in this code. For purposes of this code, “final plat” may also refer to the land use review process required before a final plat map may be recorded.

11. “Lot” means a fractional part of the subdivision lands having fixed boundaries of sufficient area dimension to meet minimum zoning requirements for width and area. The term includes tracts or parcels.

12. “Plat” means a map or representation of a subdivision, showing thereon the division of a tract or parcel of land into lots, blocks, streets and alleys or other divisions and dedications.

13. “Preliminary plat” means a neat and approximate drawing of a proposed subdivision showing the general layout of streets and alleys, lots, blocks, and restrictive covenants to be applicable to the subdivision, and other elements of a plat or subdivision which shall furnish a basis for the approval or disapproval of the general layout of a subdivision. For purposes of this code, “preliminary plat” may also refer to the land use review process required before a preliminary plat map may be approved. See “Subdivision.”

14. "Private road" refers to an established easement which created access from private property to the City street with maintenance of the road being the responsibility of the private property owners.
15. "Reference monument" refers to a permanently established marker which is used to establish property corners and control for surveys.
16. "Short plat" means the map or representation of a short subdivision. For purposes of this code, "short plat" may also refer to the land use review process required before a short plat may be approved. See "Short subdivision."
17. "Short subdivision" means the division, or redivision of land into ~~four~~ nine or fewer lots, tracts, parcels, sites or divisions for the purpose of sale, lease or transfer of ownership.
18. "Subdivision" means the division of land into ~~five~~ ten or more lots, tracts, parcels, sites or divisions for the purpose of sale or lease; includes all resubdivision of land when required by this code.
19. "Surety" refers to any form of security involving a cash deposit, bond, collateral, property, or other instrument of credit which is used to insure that required improvements are installed and/or provided warranty against defects in material and/or workmanship.

Section 4. 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 5. 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 five days after publication.

Section 6. 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 ordinance, including the correction of clerical errors; references to other local, state or federal laws, codes, rules, or regulations; or ordinance numbering and section/subsection numbering.

**ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON
THIS 25th DAY OF NOVEMBER 2013.**

William T. Allison, Mayor

ATTEST:

Shaunna Lee-Rice, City Clerk

APPROVED AS TO FORM:

Patricia Taraday, City Attorney

Date of Publication: December 3, 2013

Effective Date: December 8, 2013