

AGENDA
CITY OF SHORELINE PLANNING COMMISSION
REGULAR MEETING

Thursday, June 16, 2005
7:00 p.m.

Shoreline Conference Center | Board Room
18560 1st Ave NE

	<u>Estimated Time</u>
1. CALL TO ORDER	7:00 p.m.
2. ROLL CALL	7:01 p.m.
3. APPROVAL OF AGENDA	7:02 p.m.
4. DIRECTOR'S REPORT	7:03 p.m.
5. APPROVAL OF MINUTES a. June 2, 2005	7:08 p.m.
6. GENERAL PUBLIC COMMENT	7:10 p.m.

The Planning Commission will take public testimony on any subject which is not of a quasi-judicial nature or specifically scheduled for this agenda. Each member of the public may comment for up to two minutes. However, Item 6 (General Public Comment) will be limited to a maximum period of twenty minutes. Each member of the public may also comment for up to two minutes on action items after each staff report has been presented. The Chair has discretion to limit or extend time limitations and number of people permitted to speak. In all cases, speakers are asked to come to the front of the room to have their comments recorded. Speakers must clearly state their name and address.

7. REPORTS OF COMMITTEES AND COMMISSIONERS	7:15 p.m.
8. STAFF REPORTS a. Workshop on Proposed Enhancements of the Code Enforcement Program	7:25 p.m.
9. PUBLIC COMMENT	8:15 p.m.
10. UNFINISHED BUSINESS a. Cottage Housing Deliberations – Finalizing Recommendation for City Council	8:20 p.m.
11. NEW BUSINESS	9:30 p.m.
12. AGENDA FOR July 7, 2005 Code Enforcement Regulations Public Hearing <i>Tentative</i> Update on Planning & Development Services Director Recruitment	9:35 p.m.
13. ADJOURNMENT	9:40 p.m.

The Planning Commission meeting is wheelchair accessible. Any person requiring a disability accommodation should contact the City Clerk's Office at 546-8919 in advance for more information. For TTY telephone service call 546-0457. For up-to-date information on future agendas call 546-2190.

This page intentionally left blank

CITY OF SHORELINE

SHORELINE PLANNING COMMISSION SUMMARY MINUTES OF REGULAR MEETING

June 2, 2005
7:00 P.M.

Shoreline Conference Center
Board Room

PRESENT

Chair Harris
Commissioner McClelland
Commissioner Kuboi
Commissioner Phisuthikul
Commissioner Sands
Commissioner Broili
Commissioner MacCully

STAFF PRESENT

Tim Stewart, Director, Planning & Development Services
Andrea Spencer, Senior Planner, Planning & Development Services
Paul Cohen, Senior Planner, Planning & Development Services
David Pyle, Planner I, Planning & Development Services
Alicia Sherman, Aurora Corridor Planner
Tom Boydell, Economic Development Manager
Jessica Simulcik, Planning Commission Clerk

ABSENT

Vice Chair Piro
Commissioner Hall

1. CALL TO ORDER

The regular meeting was called to order at 7:03 p.m. by Chair Harris, who presided.

2. ROLL CALL

Upon roll call by the Commission Clerk, the following Commissioners were present: Chair Harris, Commissioners Kuboi, Sands, MacCully, McClelland, Phisuthikul and Broili. Vice Chair Piro and Commissioner Hall were excused.

3. APPROVAL OF AGENDA

The agenda was approved as drafted.

4. DIRECTOR'S REPORT

Mr. Stewart advised that the Commission's packet contained 49 public comment letters regarding cottage housing. Since the packet was sent out, they have received six additional letters, which were provided to the Commissioners as they came in. Copies of the comments are available, as well.

Mr. Stewart introduced Alicia Sherman, the City's new Aurora Corridor Project Planner, who will be working with the Aurora Corridor Team to deal proactively with land use issues. As they move forward with the project, her job will be to work with the various property owners to identify issues, solve problems and learn how the City can work with the owners to find the mutual benefits of the project as it moves forward. He advised that Ms. Sherman is a resident of Shoreline and has a number of years of experience as a planner in Lake Forest Park and Maple Valley.

Mr. Stewart introduced Tom Boydell, the City's new Economic Development Manager. He said he expects that at some future meeting, Mr. Boydell would present a workshop on some of the economic development projects he and the City are planning to do. Mr. Boydell said he was present to introduce himself to the Commission, and ask if they had any questions or ideas for him.

Commissioner Kuboi said there are several things he and the Commissioners would like to talk about with Mr. Boydell at a future date. He said the City would be well served if the Commission's goals were somewhat aligned with those of the Economic Development staff. He said a number of issues have come up in the past that are indirectly and directly impacted by the economic climate in the City.

Chair Harris advised that later in the meeting the Commission would be discussing the Economic Development Task Force that is being formed. A member of the Planning Commission has been invited to participate in this group. Mr. Boydell said this would be a short-term task force to review the current strategy and discuss some of his ideas for work plan elements. He said there has been a lot of great thinking and work done in Shoreline regarding economic development, and it is now a matter of understanding the market and timing a little better. He said he has toured the community and met one-on-one with individuals, and he would welcome individual discussions with the Commissioners, as well.

5. APPROVAL OF MINUTES

The minutes of May 4, 2005 were approved as amended. The minutes of May 5, 2005 were also approved as amended. The minutes of May 19, 2005 were approved as written.

6. GENERAL PUBLIC COMMENT

No one in the audience expressed a desire to address the Commission during this portion of the meeting.

7. PUBLIC HEARING ON COTTAGE HOUSING ORDINANCE

Chair Harris reviewed the rules and procedures for the public hearing.

Paul Cohen reviewed the history of the Cottage Housing Ordinances that currently exists, which started with the community's development of the Comprehensive Plan between 1996 and 1998. Policy LU-27 was created as part of the Comprehensive Plan and allows cottage housing with careful review. In 1999 the City put together the Shoreline Planning Academy with approximately 30 citizens and a few developers to discuss how to convert the policies of the Comprehensive Plan into the City's own Development Code. At that time, concern was expressed about mega houses and their incompatibility with the surrounding community. Cottage housing, consistent with Policy LU-27, was identified as an alternative to the mega house. When the Development Code was adopted, the Cottage Housing Ordinance was part of the document. But after a few cottage housing projects were constructed in 2003, the City was asked to revisit and refine the ordinance. In 2004 there was some strong community concern about a particular project that was being proposed. The neighbors' protest caused the City Council to put a moratorium on cottage housing for six months, and this moratorium was later extended an additional six months to be effective until mid August of 2005.

Mr. Cohen said that over the past few months, City staff has conducted bus tours of cottage housing in Shoreline. Also, when the City Council reviewed the Major Update to the Comprehensive Plan Policies in April, they preliminarily supported retaining Policy LU-27. He reminded the Commission that a community meeting on cottage housing was also held on May 11th. He recalled that there are currently seven cottage housing projects either built or in the process of being built in Shoreline (Meridian Park Cottages – 16 units, Ashworth Cottages – 4 units, Fremont Cottages – 4 units, Madrona Cottages – 12 units, Greenwood Cottages – 8 units, Hopper Cottages – 5 units, Reserve Cottages – 6 units). Between the seven projects there is be 55 cottage-housing units citywide.

Mr. Cohen advised that a number of issues were identified from the community meeting, from letters received during the review of the individual projects and from letters received since the City announced the review of the cottage housing provisions. Staff attempted to isolate the key issues that were raised as follows:

- **Issue 1 – Over-Concentration and Unpredictability of Where Cottages Could Appear in R-6 Zoning:** Mr. Cohen advised that one of the proposed amendments, limiting number of units within a certain distance, would address the concern about over-concentration of cottage housing units. He presented a map showing a 1,000-foot radius that would encompass three cottage housing projects (Madrona, Greenwood, Fremont). Also, the Meridian Park and Ashwood Cottages are well within 1,000 feet of each other.
- **Issue 2 – Cottage Housing Developments Have Too Many Units:** Mr. Cohen referred to two key examples of this concern: the Meridian Park Cottages with 16 units and the Madrona Cottages with 12-units. He advised that the current Development Code does not limit the number of cottages allowed per development.
- **Issue 3 – Cottage Housing has the Potential to Double the Density of the Underlying Zoning:** Mr. Cohen said three developments have resulted in double density: the Reserve Cottages, the Madrona Cottages and the Meridian Park Cottages. He said both the Madrona and Reserve Cottage Projects were able to exactly double the density allowed by the underlying zoning.

- **Issue 4 – Cottages Appear Too Bulky:** Mr. Cohen said this issue is a little bit difficult to define, but staff’s sense is that some of the cottages don’t have enough architectural detail, and this made them appear more bulky. He said the Development Code does not have any minimum main floor area restriction, and this could proportionately allow a larger upper floor.
- **Issue 5 – Cottages Appear Too Tall:** Mr. Cohen provided examples of the Ashworth and Reserve Cottage Projects, which provide a smaller main floor area with the remaining square footage allowed by the 1,000 square foot limit on the upper level. This makes them seem more upright, but they all meet the 25-foot height limit for cottage housing.
- **Issue 6 – Cottages Appear Crammed Together:** Mr. Cohen said that the current Development Code allows a 10-foot separation between buildings, double density, and a 20-foot wide common open space. He provided pictures from the Reserve and Madrona Cottage Projects that illustrate how developers have been able to meet these requirements.
- **Issue 7 – Cottages Do Not Have Enough Parking:** Mr. Cohen said the current Development Code requires between 1.5 and 2 parking stalls per unit, depending on the size of the unit. He noted that both the Fremont Cottage Project and the Madrona Cottage Project provide 1.5 parking spaces per unit. However, the Madrona Project does not have legal street parking and the Fremont Project does.
- **Issue 8 – Cottage Housing Ordinances Should be Reviewed Every Two Years:** Mr. Cohen said this was suggested as a method for the City to keep control of the situation.
- **Issue 9 – Cottage Housing Should be ADA Accessible:** Mr. Cohen said it was also expressed that the cottage housing units should be accessible to the elderly. He said the current building code does not require single-family housing to be ADA accessible. However, if they were to amend the ordinance to allow all 1,000 square feet on one floor, the units could be more accessible and marketable to the handicapped or elderly.
- **Issue 10 – Cottage Housing Development Should Preserve More Significant Trees:** Mr. Cohen said that currently cottage housing development must meet the same requirement as any other kind of development for preservation of significant trees (20 percent unless it is in an environmentally critical area).
- **Issue 11 – Cottage Housing Seems Likely to Become Rentals Rather Than Owner Occupied:** Mr. Cohen said this has been a reoccurring issue. He emphasized that the City does not regulate whether people rent their houses or they are owner-occupied. But concern has been expressed that cottage housing seems different and could attract renters versus owners.
- **Issue 12 – Cottages Increase Traffic in the Neighborhood:** Mr. Cohen explained that the City’s traffic studies show that Cottages do have a little bit more traffic as a result of the greater density. However, the typical number of units in a cottage housing project is small, and this allows them to

blend into the neighborhood. In addition, before the City staff approves a development permit, they check to make sure the traffic coming from a project would not take a local road over its capacity. While the Engineering Department focuses on addressing traffic issues, people still have the perception that more intense development would mean more traffic even if the road would still be well below capacity.

- **Issue 13 – Impact Property Owners:** Mr. Cohen said concern was expressed that cottage housing would impact property values. Most were concerned that their property values would decrease, but there were some who expressed concern about their property values increasing as a result of cottage housing. Staff studied the property values adjacent to three cottage housing projects (Fremont, Madrona, Greenwood) as well as the property values several blocks away. They found that there was no difference in the change of value between the adjacent properties and the properties further away. They all consistently had a 6.5 percent growth in appraised value from 1990 to 2004.
- **Issue 14 – Cottage Housing Units are Not Compatible with Existing Housing in the Neighborhood:** Mr. Cohen said this was a big issue expressed by the citizens. He advised that staff did a quick survey of houses either directly adjacent to cottage housing or across the street. He provided a sample of existing homes in Shoreline. He particularly focused on a picture showing two existing single-family homes, with the Greenwood Cottages in the background. He said this provides a good example for the Commission to determine whether or not the cottage houses are compatible with surrounding development.

Mr. Cohen said there are more issues related to compatibility than just the architectural style of the homes. Initially, when there is redevelopment on an adjacent property, it is always a bit shocking. There has been concern expressed about who would own and live in the cottage houses. This concern could also be a sign that citizens feel changes are taking place that are not consistent with the single-family atmosphere they have grown to expect over time.

- **Issue 15 – Cottage Housing is Another Way to Allow Greater Density in R-6 Zones:** Mr. Cohen agreed that cottage housing does increase the density above the underlying zoning. He reminded the Commission that the City of Shoreline has assumed a Growth Management Act growth target of 2,651 units over a period of 20 years, and they assumed that 350 of these units would be cottages. To date, 55 cottages have been constructed, and this is a little bit under the growth trend predicted. He said the intent of the Cottage Housing Ordinance is to meet the criteria for compatibility with the neighborhood and have similar impacts as single-family housing in the surrounding neighborhoods.

Mr. Cohen provided a chart comparing the cottage housing and single-family dimensional standards for an R-6 zone and made the following points.

- The maximum floor area in cottage housing is 1,000 square feet. Two units would allow 2,000 square feet. A typical single-family home is between 2,000 and 3,000 square feet, and there is no limit as long as they meet the height, setback and lot coverage requirements.

- Cottage housing units cannot exceed a building height of 25 feet, while single-family units can be constructed up to 35 feet. While many of the older houses are not greater than 25 feet in height, most of the newer homes are closer to 35 feet.
- The building setbacks are different, but similar. The setbacks for cottage housing require an average of 10 feet for the side and rear and 15 feet for the front. A single-family home would be allowed a minimum setback of 5 to 10 feet for the side, 15 feet for the rear and 20 for the front.
- The building lot coverage requirements would be exactly the same.
- The parking requirements for cottage housing is more strict in that it requires no more than 1.5 to 2 stalls per unit, depending on the size of each unit. The parking requirement for a single-family home would require 2 spaces per unit, but would allow up to 6 per unit.

Mr. Cohen said there is clearly a strong contingent of voices opposed to cottage housing. At the community meeting, staff presented three possible options if the City Council wanted to eliminate or severely restrict cottage housing. They include the following:

- Eliminate the Cottage Housing Ordinance entirely from the Development Code.
- Eliminate the density bonus for Cottage Housing.
- Restrict Cottage Housing to medium or high multi-family areas.

Mr. Cohen noted that, currently, the only cottage housing development in an R-8 zone is the Meridian Park Cottages. This project did not have to go through a conditional use permit process to address issues about compatibility, design, etc.

Mr. Cohen reviewed the following ten amendments that have been proposed by staff to change the Cottage Housing Ordinances:

- **Require a minimum 700 square feet on the main floor** so a developer cannot stack too much square footage on the upper level. This would reduce the bulk of the upper stories. They could also allow the main floor to be 1,000 square feet to accommodate elderly and ADA individuals.
- **Limit the number of cottages to 8 within a 1,000-foot geographic radius.**
- **Limit density bonus to 1.75.**
- **Limit the number of units per development to 8.**
- **Limit the parking structures and community buildings to 18 feet in height.**
- **Require a greater common open space width of 40 feet.**
- **Require low borders surrounding private open space.**
- **Require minimum 2 parking stalls per unit, plus 1 guest parking space per 2 units.**
- **Require better screening of the parking area.**
- **Require 50 percent of parking to be covered.**
- **Clarify where front setbacks are measured from.**
- **Use architectural screens not solid board fences.**

Mr. Cohen said the suggested amendments were compared to the existing cottage housing developments in the City. The Greenwood Cottages was the only development that could meet all of the suggested

amendments. He recalled that at the community meeting there were strong voices against cottage housing in any form. However, there were some who spoke in favor of cottage housing, but with some concerns. When the example of Greenwood Cottages came up, most people felt it was a quality development.

Mr. Cohen said staff is recommending that the Cottage Housing Ordinance be refined and improved with the recommended amendments. They would like the provisions to be directed more towards the Greenwood Cottage Project as a model. The amendments could further limit the amount of cottage housing that could be built in the community and improve the quality. They could also address the issues that were raised regarding over-concentration, bulk and size, open space, parking etc.

Mr. Cohen advised that the Commission has three options. They could recommend eliminating or severely restricting cottage housing to the higher density residential zones. They could recommend the proposed amendments as suggested by staff, or they could recommend the proposed amendments with additions or deletions.

Commissioner Sands asked if Shoreline would be penalized if they were unable to meet their Growth Management Act requirements. Mr. Stewart explained that the Growth Management Act requires that cities and counties accommodate reasonable growth. If a city or a county were not providing for the capacity to meet their requirement, they could be sued and be sent before the Growth Management Hearings Board. If the Hearings Board finds them in non-compliance, penalties could be leveled against them. However, he emphasized that this would only happen on rare occasions. Possible penalties could include the potential withholding of state grant funds.

Commissioner Broili noted that Mr. Cohen made reference to a maximum lot coverage of 35 percent. However, the existing Cottage Housing Ordinance does not make reference to this. Mr. Cohen said this requirement is not addressed in the Cottage Housing Ordinance but is covered in the basic dimensional requirements for R-6 zoning, which limits the lot coverage to a maximum of 35 percent. Commissioner Broili asked if impervious surface area is also addressed in the dimensional requirements for R-6 zoning. Mr. Cohen answered affirmatively. Lot coverage in an R-6 zone is limited to 35 percent by building, and the total amount of impervious surface is limited to 50 percent.

Commissioner Phisuthikul asked if staff, as part of their land use analysis, was able to identify the percentage of open space in proportion to the lot size. He said he is particularly interested in comparing the Meridian Park Project with the Greenwood Project to identify the number of units per square foot of land and what percentage of the land is dedicated to actual open space. He suggested that one of the attractive features of the Greenwood Project is its sense of community as a result of the greater amount of open space that is provided on the site. He suggested that if they are going to use the Greenwood Project as a standard, they should compare this development with the land use patterns of the other cottage housing developments. This would enable them to identify the good components of each. Mr. Cohen agreed to provide this type of analysis at the Commission's next meeting.

Commissioner Kuboi asked if the Cottage Housing Ordinance requires any type of homeowner's association to maintain the exterior of the project. Mr. Cohen answered that this would not be a City requirement.

Commissioner MacCully referred to the City's growth target of 2,651 housing units and clarified that the City is not required to meet this requirement with any particular form of housing. Mr. Stewart agreed that the City's growth target does not require any particular mix of housing types. He said the buildable lands analysis that was conducted by the City in 2000 was required by the State. The City was severely handicapped in their analysis because they had only adopted their development code that same year. They had no empirical data to guide them to reasonable assumptions. The State is mandating that cities complete another buildable lands analysis in 2006, so one of their work items will be to recalculate the capacity of the City's current land use plan, utilizing their empirical data. This would yield a new buildable lands report for the County to submit to the State in 2007.

Commissioner MacCully inquired regarding the City's current housing stock. Commissioner McClelland said that according to the 2000 census, there were 21,330 housing units in the City. Approximately 74% of them were single-family homes. Compared to King County as a whole (60%), Shoreline has a higher percentage of its housing stock in single-family homes. About 1.8% of the housing stock was duplex and 2.4% was triplex/fourplex, 20.9% was multi-family units, and .8% was mobile homes.

Commissioner Kuboi asked if there was any particular community or developer input regarding preferences between the cottage houses facing inward with their backs to the adjacent neighborhood versus having them face outward. Mr. Cohen said this issue was not discussed at the community meeting. Mr. Stewart pointed out that during the development of the original Cottage Housing Ordinance, the notion of having the units clustered around a common open space was central. They are now seeing the concept of having a double front, both on the street and inward towards the common area. Mr. Cohen said that for the developments that are on street frontage, the City has required them to have both an internal facing entry and an entry facing the street.

Mr. Stewart advised that in the buildable lands analysis, the City estimated that under the current zoning they could accommodate 350 cottage houses. This was not based on any perception of the market demand for cottage housing. The City has not seen cottage housing production occur at the level estimated, and the 2006 analysis will likely downgrade the number. He said the City is seeing more housing development in the commercial zones. For example, an 88-unit multi-family development was constructed in North City.

Commissioner McClelland referred to Page 4 of the Staff Report. She particularly referenced the first sentence in the "Note" under Issue 6, and asked what the term "without lot line areas" means. Mr. Cohen said this means that the number of units built is based not on how many lots they can put on the property, but on the density allowed. There would be more flexibility on setback requirements. A good example of this type of development is on 175th Avenue across from Shorewood High School. This project was originally going to be 18-20 cottage housing units, but it could not meet the requirements. The developer decided to construct single-family units with no lot lines. Each of the units were sold

separately and the land is being held in common with a covenant. Mr. Stewart further explained that this provision was part of the King County Development Code that was in place when Shoreline incorporated. This allowed development to occur based upon density as opposed to minimum lot size. They currently have a provision that calculates the density of the land based on the land area and the zoning. Then it permits the construction of a specific number of units, whether or not they are part of a subdivision. In these situations, the land is held in common and the structures are held individually.

Commissioner Sands asked if this development would have been allowed more units if they had used the cottage housing provision. Mr. Cohen answered that they were proposing 18-20 cottage housing units, and they ended up developing 10 single-family homes. Each of the homes appear to be over 2,000 square feet, so the overall square footage of the housing units would have been about the same.

Pat Moyer, Shoreline, said it was noted that about 75 percent of the housing in Shoreline is single-family, and this is different than in Bellevue and Seattle. He expressed his concern about the spot zoning that occurs with cottage housing being developed in residential neighborhoods in the City. He said it is important that the citizens can depend on the zoning, and placing cottage housing in a residential neighborhood destroys this confidence. He invited the Commissioners to visit the development at 195th and 8th Avenue Northwest. He said that cottage housing provides a benefit to the developer and the City's tax base, but it comes at the expense of the residents in the surrounding neighborhoods. He pointed out that since the housing market is not normal at this time, it would be difficult for the City to measure the impact of cottage housing until later.

Mr. Moyer expressed his concern that since the City has estimated 350 new cottage housing units in the City, approximately 50 different neighborhoods would be impacted. He questioned what contribution the 350 units would make to the 2,651 units that must be developed as per the Growth Management Act requirement. Almost all of the available land has been developed as infill. If the City wants to achieve their goal, they will have to increase the amount of multi-family zoning allowed in the City. The single-family neighborhoods would appreciate it if the City were to consider cottage housing as part of the multi-family zone instead. He recommended the Commission repeal the cottage housing provisions, and reconsider them when they consider possible zoning changes.

Bronston Kenney, Shoreline, distributed a written copy of his verbal remarks. He observed that Mr. Cohen is clearly an advocate for cottage housing, and he had as much time as he needed to make his comments. He has been in charge of the entire cottage housing re-examination process. He questioned his use of photographs and his financial data regarding property values.

Mr. Kenney pointed out that the Planning Department is recommending that the Commission adopt the proposed amendments for the cottage housing provision in lieu of eliminating it, and he asked that the Commission to be extremely skeptical of this recommendation. He suggested that the Planning Department's competence and honesty can no longer be relied upon. While he was told by Mr. Cohen, Mr. Stewart and Mr. Burkett that nothing was being done on cottage housing, the May community meeting revealed that much time had been invested in modifying and amending the existing code behind closed doors, without the participation of the impacted constituents. This is not what the citizens expect nor what they are entitled to. He said it is his belief that the City Government should represent the

interests and desires of its citizens, but the Planning Department operates under another assumption. He said he asked Mr. Cohen about the origin of cottage housing, and he provided convoluted answers. The one missing answer is that it arose out of broad based community demand. Mr. Stewart offered that it arose in response to objection to large mansions, and he doesn't agree. He said he suspects the truth is that fast buck developers sold the idea to the Planning Department. Once they decided it was a neat idea, they pressed it forward.

Mr. Kenney said Shoreline has become contentious on several major issues: cottage housing, the lane reduction along 15th Northeast, Echo Lake and the new City Hall, and the Aurora Corridor Project. He said the Planning Department is acting against the desires and interests of the majority of the citizens. When an agency of government acts against citizens without clear explanation, the integrity of the government is rightly questioned. He said the issue before the Commission is simple. Cottage housing is a violation of the most fundamental element of zoning—density. It subtracts from the investment-based property values of the adjacent homeowners and unjustly enriches developers. It would change the character of the City's neighborhoods irrevocably. Most importantly, he pointed out that it is against the strongly held wishes of a large majority of the citizens of Shoreline. He emphasized his belief that cottage housing is not a response to an immediate need, since the City has years to comply with the goals of the Growth Management Act. Further, he noted that 350 units are projected from doubling density, so this would result in a maximum net gain of 175 units. He questioned if this small increase in housing units would be worth the current dissention and the very real damage to homeowners and the character of the City's neighborhoods. He emphasized that their concerns are not trivial and their neighborhood character is a primary element of their purchasing decision and the reason they live in Shoreline.

Mr. Kenney recommended that the Cottage Housing Ordinance be shelved. If there is still a need that cannot be otherwise met in five or ten years, the City could reconsider this option. By that time, the long-term viability of the existing cottage housing developments would be evident. He said it is his belief that cottage housing is a fad. Shelving the provision would cost the City nothing, but proceeding as proposed by staff would have the potential for serious losses both financially and in the quality of the community.

Darlene Feikema, Shoreline, said she is a 15-year resident of Shoreline and for the last three years has lived in one of the Greenwood Cottages. She said she was one of the Planning Academy participants who advocated cottage housing as an option for the City, and she still supports the concept. She agreed that some of the cottage housing developments in the City have problems, but there are also problems with some of the traditional single-family developments. The City isn't considering the option of eliminating single-family housing just because there are problems. Instead, they work to address the problems through restrictions on height, setback, lot size, etc. She asked that the City do the same thing with cottage housing. She pointed out that cottage housing is single-family housing. It is a house on a lot. She said she sold her single-family house in one area of Shoreline and moved to her single-family house in the Greenwood Cottage development.

Ms. Feikema pointed out that citizens talk a lot about the character of Shoreline and the need to keep it the way it was when they moved into the City. She suggested that cottage housing fits much better into

the character of the neighborhood than a large home developed in the backyard of someone's smaller house. A smaller house takes up less space and has a lower impact on the environment. She said cottage housing developments offer an opportunity for a sense of community, which is something the City has lost over the last 20 to 30 years. The neighbors do not get to know each other any more, but in the cottage housing developments, the neighbors have gotten to know each other, as well as the people who live around their development.

William Vincent, Shoreline, said he lives right across the street from a cottage housing development that is causing a lot of concern. He said he whole-heartedly endorses the concept of cottage housing, but it must be done well. He said he was pleased to hear the staff suggest that the Greenwood Project should be used as a model. If they are going to allow cottage housing in the City, they should do it right. He said cottage housing is a learning process, and staff has tried to incorporate what they have learned into the proposed amendments. He said it is proper to recognize the staff for coming up with ways to do cottage housing better.

LaNita Wacker, Shoreline, said she was a real estate broker for 25 years, so she speaks on the cottage housing issue from a market standpoint. There is a demand for small housing, and the Planning Commission must provide for this demand. When driving by a cottage housing development the units appear to be single-family, and they are detached. She said that according to her calculations, a single-family home would be allowed greater lot coverage than would be allowed for cottage houses.

Ms. Wacker said she reviewed the original ordinance. With the exception of pervious surfaces, pitched roofs on garages, and the additional parking for guests, she feels the existing ordinance is good and should not be changed further. She suggested that to address the concern raised about the cottage housing units having a tower look, the City could require the units to be 1½ stories. She referred to the drawing she provided in her written testimony. Also in her written testimony, she itemized each of the proposed amendments. She said she absolutely opposes the amendment that would limit the number of cottage housing units within a 1,000-foot radius to 8. If a developer proposes a plan for cottage housing that fits the restrictive codes of the ordinance, it should be reviewed on a site-by-site basis. It would be ludicrous to deny the market with a circle or to give exclusivity to one developer and deny another.

Bob Niskanen, Shoreline said that he lives right next door to a proposed cottage housing development that was going to include 16 units. He said he was amazed that the City was considering this type of development. Cottage housing is an experiment, and it does not have the right controls around it. There is no planned evaluation and there is not enough data available to evaluate whether it is appropriate or not. He referred to the cottage housing project that started the moratorium and suggested that it was initiated by the citizens in response to the arrogance of this particular developer. He called a neighborhood meeting, but demonstrated poor public relations and an absolute arrogant attitude that was insulting. He said he would like the Cottage Housing Ordinances to include a requirement that it be regularly reviewed.

Harry Obedin, Shoreline, said he was the developer of the Fremont Cottages and every design element was reviewed by the City staff. While he is now being told that the fence in the front is an objectionable feature, it is important to remember that neither he nor the neighbors wanted this fence. This was a City

requirement. They were also told they would be limited to no more than 650 square feet on the first floor, and if you want to obtain 1,000 total square feet in each unit, a second story is necessary. He said he would have been delighted to have 700 or 800 square feet on the first floor because the units would have been more marketable to the elderly.

Mr. Obedin said he reviewed the amendments that have been proposed by the staff, and he recommended that cottage housing be required to meet the same impact standards that single-family houses must meet. For example, a single-family house could have approximately 3,000 square feet on a single lot. Each cottage should, therefore, be limited to a total of 1,500 square feet on a half single-lot. He said he believes all cottage clusters should be limited to eight units, which seems to be the optimum size. He said that no more than two cottages within each cluster should be architecturally identical. He also said he believes the basement or crawl spaces should not be considered living space, and the six-foot ceiling limitation in the basement is ridiculous. Each cottage should have at least a 10-foot separation and the same setbacks as single-family houses. Each should have a 60 square foot or larger porch facing the common area. No porch dimension should be less than five feet. He said he also strongly believes all units should have fire sprinklers, and all the cottages should strive to be built as green buildings. He suggested that the existing parking requirements should be retained, and the parking should be clustered or separated from the cottages. He concluded by stating that if the Commission wants to stop cottage housing in its track, they should adopt the proposed amendments. Economically, it would be impossible for a developer to construct cottage housing that meets all of the proposed requirements. While cottage housing could be a better choice for a neighborhood, he would build 3,000 square foot homes instead.

George Mauer, Shoreline, said he is a candidate for the Shoreline City Council. He said he has talked to Shoreline residents about the many issues facing the City, and one of the primary issues happens to be cottage housing. He said it is important for the Commission to recognize that this is a major issue and challenges the legitimacy of the Planning Department and the City of Shoreline in protecting the interests of the citizens. Mr. Mauer said the fundamental issue is not really cottage housing, it is the placement of multi-family units in a single-family residential zone. This would compromise the certainty and expectation that the investments people have made to their homes, their families, the neighborhood and the school district would be protected. He noted that this conflict has been going on for almost three years, and he is surprised that the issue is still alive in light of the growing concerns that have been expressed by the citizens. He said the Commission has the power to change the situation, but they must first realize that there is a tremendous number of people who are opposed to the way in which the ordinance was developed and implemented.

Mr. Mauer suggested that the Growth Management Act requirements must be reviewed and audited. There must be more public clarification about the impacts of imposing density upon the City of Shoreline. He said he travels north to Edmonds through Woodway and south to Seattle through Innis Arden and along the Highlands. These are highly valued communities because of their open space and the lack of density. The citizens of Shoreline deserve and expect this same kind of protection of their quality of life.

Michael Cheung, Shoreline, said he has been a resident of Shoreline for the past five years. He urged the Commission to balance the short-term gains of increasing the tax revenue base by developing cottage housing with the impacts to the residential neighborhoods. He said that right now the area is experiencing very unusual economic times. Mr. Cohen has reviewed the appraised values of the neighborhoods adjacent to cottage homes, and he claims that they have increased at the same percent as other homes in Shoreline. But the Commission must keep in mind that they have just come off a 45-year low for interest rates. The interest rates have been raised eight times in the last 12 months, and the chances are that this will continue. Right now, real estate investments are growing at a rapid pace, but cottage housing could end up sacrificing the long-term investment values of the homes in the existing neighborhoods. Instead, the Commission must consider ways to protect property values in Shoreline when the economy slows down. On a long-term basis, these steps will help enhance the City's revenue base.

Jim Soules, Seattle, said he is the developer of the Greenwood Avenue Cottages. He said he is very supportive of the staff's proposed amendments and very discouraged with what has happened since the Greenwood Avenue Cottages were built. He recalled that when the ordinance was first created, he commented that it was too loose and would lead to trouble. He was told by three Planning Commissioners that they should let the developers be creative. He said he worked hard to make his project a leading example of the new need for housing. He pointed out that the Greenwood Avenue Cottages just won the 2005 AIA Housing Committee Award for the best single-family project in the nation. He presented a copy of the certificate they received, as well as an article that was published regarding the development. He said Shoreline has been a leader in the concept of cottage housing, and he urged them to make the necessary changes to the ordinance to make it better.

Mr. Soules recalled that one of the original objectives was to recognize the incredible change in the demographics that have taken place over the last 25 years. He noted that 60 percent of United States households are now 1 to 2 persons., and he suspects the demographics of Shoreline would be similar. The Greenwood Avenue Cottages have eight units and 13 residents. On average their cottage housing projects have about 1½ persons per cottage. He suggested that there are likely fewer people and less traffic with a cottage project than with a single-family project. He said it is likely that the traffic report for the Greenwood Avenue Cottages would show less traffic coming out of the Greenwood Avenue Cottages.

Mr. Soules said it is important to remember that, originally, cottage housing required a conditional use permit and was intended to be an alternative to the single-family conventional development. They have lost the importance of giving staff a lot of latitude to make sure they get good projects. Other cities such as Redmond and Kirkland have written their codes to identify the intent and objectives of the ordinance and then they give the staff a tremendous amount of discretion when reviewing a project proposal. He urged the Commission not to consider the Meridian Park Cottages as a model cottage housing project. This project was a complete fluke in R-8 zoning.

Martin Kral, Shoreline, said he recently read an advertisement for the Ashworth Cottages. They are being advertised as 3-bedroom homes with 1½ baths, with a price of \$320,000. These advertisements make the homes sound good to people until they actually come to the site and see how small they are.

He said he lives right between the Meridian Park and Ashworth Cottages, so he has some experiences to share. He specifically expressed that the Meridian Park Cottages would not have been built in that manner if the City had been forthright in insuring that the builder could not put together two lots to make an L-shaped lot and then build 16 cottage houses. He said the L-shape does not accommodate the commons, the parking and adequately and properly sized homes.

Mr. Kral said the amendments proposed by the staff would require that cottage housing be a little bit less congestive than it currently is. He particularly liked the concept of increasing the basement heights, as long as the building envelope would not be impacted. He also liked the proposal of requiring a minimum dimension of 700 square feet for the main floor, since this would allow elderly people to reside in the cottages. In order to preserve the residential character of the neighborhood, Mr. Kral suggested that the City require two stalls per unit. The bonus should also be reduced to no greater than 1.5, and the common open space requirement should be increased as proposed by staff. The developments should include and more strict adherence to good rules regarding sight and view limitations. In addition, the parking structures should be concealed from the street. He said he is also surprised to find there is no requirement that a homeowner's association be established to administer the common property. He proposed that ownership by a single-owner be limited to 50 percent of the units. Otherwise, he cautioned that cottage housing could be an opportunity to provide apartment living in a single-family residential zone.

Steve Tompkons, Shoreline, said he owns the house that is closest to the Hopper Cottage Development. In fact, eight feet across his fence there is a very large cottage house, and his house is only ten feet from the fence on his side. He said he is not opposed to cottage housing completely, but the Planning Commission should adopt all of the recommendations presented by the staff as well as those suggested by Mr. Kral. Future cottage housing development should be done in the style of the Greenwood Cottages only.

Mr. Tompkons said he was not clear about the process and his ability to provide comments when the Hopper Cottage Development was first proposed. In his situation, the plot plan that was presented at the meeting was incorrectly drawn. The impact of the cottage house right next to his living room was minimal compared to where it is now. During the meetings, the proposed plan was to offset the cottage from the end of his house. Instead, it is right in the center of where his living room and dining room windows look out. He recommended that much more thorough information be mailed to every address in the neighboring for every proposed conditional use development. There should be much more clear stipulation as to exactly what input citizens can have in the design of the plot plans for cottage developments.

David Fagerstrom, Shoreline, said that the City has not learned a lot about cottage housing over the past five years since the two recent developments were illegitimate. He agreed with Mr. Tompkons that the drawings that are submitted by developers sometimes even fool the City planners. Mr. Fagerstrom questioned what parts of the Growth Management Act the City has to satisfy, and noted that there is no way the City would ever be able to satisfy affordable housing. He questioned why the City should have to attempt to satisfy this requirement by allowing cottage housing developments.

Mr. Fagerstrom pointed out that there does not appear to be an accountable manner for notifying adjacent property owners of a proposed development. He suggested that the City should take over this job from the developer. The City does not have any program to protect the notice procedures. He said he feels that it might become necessary for Shoreline homeowners to provide notice to potential buyers of their homes that cottage houses could be developed nearby.

Chair Harris said that normally when infill development occurs, an existing home is removed. He questioned if this home would be subtracted from the City's Growth Management Act calculations. Mr. Cohen answered affirmatively.

Chair Harris noted that one proposed amendment would raise the minimum square footage for the main floor of a cottage to 700 feet in order to decrease the bulk. He asked if thought was given to the possibility of building a smaller 650-foot single-story cottage. Mr. Cohen said that was not considered. However, he clarified that the minimum 700 square foot requirement would be for the main floor only.

Commissioner Broili said he is unclear about the purpose of the proposed amendment that would establish a maximum 6-foot basement height limit. Mr. Cohen explained that if the City allowed ceiling heights in basements to be more than 6 feet, there is concern that this space could be converted into a living space and exceed the 1,000 square foot floor area limit. Mr. Stewart added that according to the building code, a space of less than 6 feet in height would not be habitable. But the City does want to allow this basement space to be constructed to allow for storage and utilities. It would not be licensed and constructed for human habitation, and would not be included in the square footage of the unit. Commissioner Broili asked if a developer would be allowed to build a cottage that has a 700 square foot footprint, with the remaining 300 square feet of living space in the basement. Mr. Stewart said this would be allowed. The second story could be underground, but it would count against the total square footage.

Commissioner Phisuthikul noted that Mr. Soules has worked on cottage housing developments in Winslow, Kirkland and Redmond. He asked if their cottage housing provisions are similar to those of Shoreline. Mr. Soules said all three of these jurisdictions have adopted a cottage housing ordinance. Kirkland adopted theirs initially as a demonstration project, and they only allowed two projects. Instead of using a specific density per acre, each developer had to present how many lots they could develop under the conventional zoning and what the houses would look like. Then they offered a bonus of 50 percent if the cottage houses were less than 1,500 square feet and 100 percent if the cottage houses were less than 1,000 square feet. This allowed for a better mixture of two and three-bedroom units. Commissioner Phisuthikul inquired if these other jurisdictions allow cottage housing to occur in single-family neighborhoods. Mr. Soules answered that cottage housing is allowed in the standard single-family zones.

Commissioner Phisuthikul noted that in Winslow, much of the cottage housing development is on Madison Avenue, which is somewhat a minor arterial for that city. These cottage housing developments provide a cohesive sense of community and village walk. He asked if this was controlled by the zoning code, or was the placement of the cottage housing developments random. Mr. Soules said it happened because the zoning was much more restrictive and required design review. He suggested that the City of

Shoreline is having problems because they are trying to write a code that can be interpreted black and white. Other jurisdictions allow much more opportunity for the staff to evaluate and review each proposal, and this has resulted in much better projects.

Commissioner Phisuthikul asked Mr. Soules to share a density analysis that he completed for a cottage housing project. Mr. Soules explained that there are ten units per acre in the Greenwood Project, 12 in the Madrona Project, 13 in the Reserve Project, and just a little under 10 in the Fremont Project. The Meridian Park Project is about 16 or 17 units per acre, and that is why it has been found to be so unfavorable. He said the amendments proposed by staff would allow cottage housing developments with a maximum of ten units per acre. Greenwood would probably not have been allowed under the proposed code in light of the new parking requirement that has been proposed. This would have eliminated one more unit in order to still provide the community building. He emphasized that he would not have built the project without being able to provide space for the community building. Mr. Ducey said he lives in the Greenwood Avenue Cottages, and the community building is a focal point of their neighborhood. It is a gathering place for the residents and part of what forms their community.

Commissioner MacCully asked about the original intent for restricting the total livable square footage of a cottage house to 1,000 square feet. Mr. Stewart said it was a trade off for the density bonus. Developers have been able to trade double the number of units for smaller units.

Commissioner MacCully asked if it would be legal or desirable to restrict cottage housing from being in some areas such as Innis Arden or The Highlands. Mr. Stewart said this issue is more complex than just the City regulations because both of these entities also have private restrictive covenants that come into play. There is nothing in the City's ordinance that would prohibit cottage houses in these areas, but there may be some private covenants that would.

Commissioner MacCully again asked if it would be legal to prohibit cottage housing from certain areas. Mr. Stewart said if this is the Commission's intent, they should look at the zoning within the City and establish a factual basis for making that determination. The City distinguishes between R-4 and R-6 as the low-density residential districts, so there may be some distinction between those two as to what densities would be allowed and whether cottage housing would be allowed in either one. Commissioner MacCully said he does not know what the values are for all properties in the City, but he suggested that it probably doesn't make sense to build \$300,000 to \$350,000 home next to a \$600,000 home. This would be a great disparity. If there are areas in the City which are comprised consistently of \$500,000 plus homes, he questioned if it would make sense to allow a developer to construct \$300,000 homes in the middle of these areas. Again, Mr. Stewart said the Commission could make a decision that cottage housing would only be allowed in certain areas of the City, but they would have to establish a factual basis for doing so.

Commissioner Kuboi referred to the proposed amendment that would require a review of the Cottage Housing Ordinance every other year. He asked if any ideas were discussed about how to determine whether or not the provisions were successful. Mr. Stewart said the original ordinance was adopted in 2000, and they reviewed it again in 2003. Now they are conducting another review in 2005. He said there are legitimate issues under any land use regulation that should be evaluated to make sure what is

being built is what the community wants. If a regulation does not meet the policies, goals and objectives of the Comprehensive Plan, then adjustments should be made. He said no predetermined, objective basis for measurement has been identified, but the Commission recently recommended a policy to the City Council that talks about continually reviewing the Development Code regulations and the design standards to make sure they are reflective of the community's values.

Commissioner Broili asked Mr. Soules if the profit margins are such that a developer could construct a cottage housing development in a high-end neighborhood. Mr. Soules answered affirmatively. He said they recently completed twelve 1,000 square foot cottages in a very high-end neighborhood in Redmond last year, and the average selling price was \$425,000. He said that, similar to Shoreline, Redmond is trying to figure out how to eliminate the 4,000 and 5,000 square foot houses that are being built on 7,200 square foot lots. He suggested that the bigger issue is related to design. The profit margin for a cottage housing project is less than for building slam-dunk boxes. The closer the facilities are built together, the more the City must be involved in the integral design of the landscaping, fencing, etc. This is more difficult and more labor intensive.

Commissioner Kuboi asked for clarification about why the element of community is so important to the cottage housing concept. He noted that there are no other elements of the City's Development Code that attempt to legislate community interaction, so he questioned why the cottage housing element calls out for design criteria such as porches, arrangement around a common area, etc. that arguably should be left to individual design and market demand. Mr. Stewart said the intent of this provision is to provide for high-quality design that provides for community and a sense of place. The Cottage Housing Ordinance is a non-traditional housing alternative that provides a sense of place, which is what makes this type of development beneficial and attractive.

Commissioner Kuboi said he likes the idea of calling the units small, single-family homes rather than cottages. He said that if community and sense of place is an important design consideration, the City should try to implement this across all aspects of their housing development regulations. He expressed his concern that some of the design requirements in the Cottage Housing Ordinance add to the construction costs and limit the ability of a developer to arrange or create a project that would be appropriate for the site. Whether a neighborhood evolves into a community or not, in his opinion, is not based on whether a porch is constructed on the front of a house. It takes people who want to meet their neighbors and be friendly with them.

Mr. Stewart agreed with Commissioner Kuboi. He noted that there is no prohibition against building small units under the current development code. However, cottages require a higher quality and better design in exchange for the density bonus. If a developer were willing to do the porches, open space, clustering, etc. then he/she would receive a bonus of additional units.

Chair Harris questioned the definition of the term "higher quality." Mr. Stewart said this term is difficult to define. The relationship of the units, the massing and scaling of the units, the requirement for usable porches, and the relationship between the units are all elements that move towards a higher quality product in terms of its urban design.

Commissioner McClelland agreed that there are some principles of urban design and architectural design that suggest that when people are placed in close proximity, it is better to induce community. She said it is clear that no one is pleased with the Meridian Park Development, but it is important to remember that this is not really a good example of cottage housing because it is located in an R-8 zone. It is simply a crammed in single-family development, and in this type of development, people don't tend to create a sense of community as much as they tend to protect what little privacy they have. The notion of inducing some sense of community with the physical elements of the architecture is a good thing. She said she would not want to give this up for the sake of space.

Commissioner MacCully said he half agrees with Commissioner Kuboi regarding the design elements. If a development includes good porches, sidewalks, a common area, a community building, etc. it is more likely there will be a sense of community. However, he does not have any empirical data to back up this statement other than visits the Commissioners have made to the various cottage housing developments in the City. They have talked to both the residents of the units and the developers. He asked if it would be possible for the City to provide an incentive for a developer to provide a community building. In talking with the residents of the Greenwood Avenue Commons, this is a very important aspect of their development. Mr. Cohen said the key incentive is that the community building would not count as part of the density of the development. As long as it fits in with all the other requirements of the Cottage Housing Ordinance, it would be allowed. Mr. Stewart cautioned that there becomes a tipping point where the development regulations become so onerous that developers are unwilling to build cottage housing in the City. Commissioner MacCully asked if it would be possible to provide an incentive for developers to construct a community building rather than just allowing them.

Commissioner MacCully asked for clarification regarding previous comments about homeowner's associations. Mr. Stewart said the practical application is that an association is necessary in order to manage the common open space, but this is not a City requirement.

Commissioner Phisuthikul commented that the sense of community does not come from the architectural elements of each of the cottages. It is more an issue of how they are placed together and how well they interact with each other. If the cottages are placed improperly, the project would not be successful.

Commissioner McClelland asked for clarification about what actually happened with the project that was proposed for 193rd and 8th Avenue. She noted that, theoretically, the area around 8th Avenue and Richmond Beach Road is a good place for cottage housing with regard to urban services, public transit, schools, etc.

Mr. Stewart explained that the development application process for cottage housing has six specific steps. First, the applicant must have a pre-application meeting with the staff, and there were at least three held on this project. Second, a neighborhood meeting must be held, and the applicant is required to notice everybody within 500 feet, as well as the neighborhood organization. The staff does not control this notification. Third, the applicant files a formal application, which must include a report on the neighborhood meeting and what the applicant will do to address the issues that were raised. Fourth, the City staff determines whether the application is complete or incomplete. If the neighborhood

meeting is insufficient or the responses are inadequate, staff would determine the application to be incomplete and return it to the applicant for correction. If the application is determined complete, the City would put up a sign of formal public notice, and a second notice would be sent to surrounding property owners seeking public comments to the City. Frequently, the staff receives comments that the applicant did not fairly represent the comments provided during the neighborhood meeting. Staff then has an opportunity to consider all of the additional information before they make a decision. After staff reaches a decision, there would be an appeal process before the Hearing Examiner. Mr. Stewart advised that in the case of the proposed project at 193rd and 8th Avenue, the staff never received an application. The proposal did not get past the neighborhood meeting. Mr. Cohen said the staff did not encourage the applicant to go forward with the project in its current condition.

Commissioner Kuboi asked Mr. Soules if he believes there would be a market for a \$350,000 to \$375,000 cottage in Shoreline. Mr. Soules answered affirmatively. Commissioner Kuboi asked Mr. Soules to point out what is wrong with the Meridian Park Development. Mr. Soules said the Meridian Park Development provides 16 units per acre, which is too many. At this density, it would have been better to build the project as a townhouse and attach the units. The units are too small, the porches are totally worthless, etc. In addition, the tall, skinny houses are undesirable. He suggested that staff consider some type of definition that would identify cottages as a 1½-story building. He noted that all of his designs have the second floor encompassed within the roof structure. But the Meridian Park Project has two full stories with a trussed roof on the top. This results in a tall, skinny design. Mr. Soules said he does not think that placing the units ten feet apart created the problem, it more an issue of design.

Commissioner Kuboi expressed his belief that certain aspects related to the density and architectural design of the Meridian Park Project probably played into it being a less expensive development. He said he is concerned about helping people get into their first home and what development mechanisms the City could put in place to offer a diverse range of housing. He said he is interested in learning what Mr. Soules' company would have done different or better given the constraints and price points that some of the projects attempted to meet.

Mr. Soules said he was formally the executive director of a low-income non-profit company in Seattle. They built a demonstration project of 1,300 square foot homes in 1993 in the Renton area, and it turned out to be a real problem trying to introduce innovation to first-time homebuyers. They built great townhouses with single-car garages with additional space to the side, and the target was to deliver a \$125,000 house. They had a hard time selling the units because the first-time buyers had the perception that they were being cheated with only a single-car garage. In the process of innovation, it is important to innovate at the high end to establish the concept. He said they made a conscious decision to come to Shoreline with the best quality development possible. While they could have left a lot of the details out, the homes would not be as marketable. Mr. Soules pointed out that home prices are being driven by the cost of land. The building, itself, is only 34 percent of the total cost of the home. The rest of the cost is associated with the land, site improvements, permits, etc.

Commissioner Phisuthikul asked Mr. Soules' opinion of the proposed amendment that only one cottage housing development be allowed within a 1,000 foot radius. Mr. Soules said he has no sense that the

public has even noticed that there are three cottage housing developments close together (Fremont, Greenwood Avenue, Madrona). He suggested that 1,000 feet is probably too much of a distance, and perhaps 500 feet would be more appropriate. He said he would be opposed to the 1,000-foot radius. He suggested it would be more appropriate to prohibit large clusters of cottage housing. However, he noted that some of the most significant problems are associated with the smaller projects. He said he would never build a 4-unit cottage project because there would not be enough room for a decent sized common space area. He recommended that the minimum number of units be 6, with a maximum of 10. In addition, he suggested that the City require the garages to be placed to the side or rear of the units.

Paul Tychsen, Shoreline, said he lives next to the 8th Avenue Northwest and 193rd Project. He said the first notice the homeowners received of the project was for the neighborhood meeting, and the proposal was to place 16 cottage units on 1.38 acres of land. He suggested that the procedure is spring loaded for the developers. They tried to contact the 99 surrounding property owners who should have been notified, but the most they were able to contact was 73 people because of unlisted numbers, etc. Of the 73 they did contact, 38 did not receive the notice, including some who lived right next to the property.

Mr. Tychsen said the Cottage Housing Ordinance requires a developer to hold a pre-application meeting. When they approached the staff regarding the project, they were told that the staff did not have any information to provide to the citizens until the application had been submitted. However, they later learned that City staff had already held five or six pre-application meetings with the applicant. He noted that the Cottage Housing Ordinance also requires that neighborhood meetings be held in order to give the residents in the area an opportunity to provide input. However, the applicant scheduled this meeting for 5:30 p.m. on a weekday afternoon, and many people were unable to arrive that early. The room was filled with plot plans, elevations for all sixteen units, and other detailed planning information that had already been put together. The applicant indicated that they would be prepared to submit an application packet within the next week. Therefore, he questioned how much input the neighborhood would really have when the complete plans had already been compiled by the applicant for application submittal.

Scott Becker, Shoreline, said he is the architect and developer of the Reserve Cottages. He emphasized the points that have been made regarding design review. He said he has had a lot experience designing low-density housing on the east side where design review is a standard part of the conditional use process. He said this is a good way to address the issues raised at the neighborhood meetings, and obtain a richer set of feedback for the design process to improve the project. Mr. Becker said the design process for the Reserve Cottages was challenging because it is located on a sloped lot and none of the other cottage housing projects in the City have this type of situation. They tried to provide appropriate landscaping and arrange the buildings to take advantage of the unique features of the site. He concluded that site-specific design is really the issue that must be addressed. He expressed his concern about the City creating a prescriptive path towards design. Saying that the Greenwood Cottage Project is the right way to do cottage housing is half right, but it is important to remember that every site is unique. He agreed that a developer should never go into a cottage housing project with the intention of making some quick money. It is more about wanting to be a part of an alternative housing type. The conditional use permit process is challenging, and design review should be added to the process, as well.

Mr. Becker said the intent of the Reserve Cottage Project was to provide a more naturalistic scheme, and a more urban scheme would be another model for cottage housing. He suggested that perhaps there are other models that could be used, as well.

Cindy Ryu, Shoreline, said it is apparent the citizens recognize that the City must comply with the Growth Management Act Goals, and they understand that the City needs a better model for accommodating the growth and achieving the appropriate demographics. But the citizens are asking for more honesty and transparency. Many of the fears the citizens have expressed are real. They fear the uncertainty about where and when the cottage housing units would pop up and whether the zoning protections that exist would be bypassed by allowing cottage housing in the R-4 and R-6 zones. The citizens are concerned about the impacts cottage housing would have on residential neighborhoods and what opportunities for public input would be provided. If the Cottage Housing Ordinance were to provide certainty as to the process that would be used, many of the fears would be allayed, and the opposition would likely decrease.

Robert Otto, Shoreline, agreed that there are both good and bad cottage housing projects, but unfortunately, only one out of seven that have been constructed in Shoreline has been determined to be good. He suggested that it is important for the City to pinpoint what they are really trying to accomplish with cottage housing. If it is important that cottage housing developments be affordable and be quality, then this should be built into the ordinance. Not every cottage housing project application that is submitted to the City should be approved. He reminded the Commission that cottage housing is supposed to be a conditional, which means it should be the exception and not the rule. If the City allows the exception to swallow the rule, there would be no more zoning predictability. Mr. Otto suggested that there is a fatal flaw in the process. If the builder is allowed to hold a meeting in which no one from the City attends, how would the City staff know that the developer has factually represented what was said during the meeting. He suggested that someone from the Planning and Development Department attend the neighborhood meetings to be sure that all of the comments are captured accurately. The builders should not be allowed to control the whole process.

THE PUBLIC PORTION OF THE HEARING WAS CLOSED.

8. COMMISSION DELIBERATION ON COTTAGE HOUSING ORDINANCE

Commissioner Sands suggested that the Commission first decide whether or not they want to eliminate the entire Cottage Housing Ordinance from the code. If they decide they don't want to do that, they could begin to focus on the portions of the ordinance they would like to change.

COMMISSIONER SANDS MOVED THAT THE COMMISSION RECOMMEND TO THE CITY COUNCIL THAT THE ENTIRE COTTAGE HOUSING ORDINANCE (SMC 20.40.300) BE ELIMINATED FROM THE SHORELINE MUNICIPAL CODE. COMMISSIONER BROILI SECONDED THE MOTION.

Commissioner Sands said that although he made the motion, he does not think it would be a good idea to eliminate the Cottage Housing Ordinance. He said he believes cottage housing can serve a purpose in

the community, and he would like to see a proposal to the City Council to amend the ordinance to address the concerns that have been raised.

Chair Harris said that although he does not believe that any of the fears about cottage housing are founded (more traffic, problems in the community, lower property values, etc.), the community is not in support of the concept of cottage houses being built in their neighborhoods. Based on the community input, he said he would be in favor of eliminating the ordinance altogether.

Commissioner Kuboi said he believes the whole business of developing and building houses is primarily driven by economics. For every dollar that is spent on an amenity that perhaps philosophically buys community concepts, it is one fewer dollar that could be used for some other aspect of a project that may be more meaningful to the adjacent neighbors. For example, he said he has not heard any citizens saying they hate the fact that cottages are next to them because the porches are too small. He suggested that there are probably at least a half dozen ways of addressing all of the City goals with something other than cottage housing. For the Commission to spend so much time, effort and political capital on one particular kind of housing seems to be too narrow of a way to look at the overall issue. While he doesn't really want to consider eliminating the Cottage Housing Ordinance, he would like to see the Commission discuss the issue within the context of an overall strategy to address housing issues, diversity, price, etc.

Commissioner MacCully said he would be opposed to eliminating the Cottage Housing Ordinance because he believes in the concept of cottage housing. It offers an alternative housing type, and the City has a responsibility to offer as many alternatives as possible. The City spends a lot of staff time addressing issues raised by the community and getting the neighbors to work together. Anything the Commission can do to encourage this effort would be worthwhile. Commissioner MacCully agreed with Commissioner Kuboi that the Commission and staff has spent too much time addressing cottage housing, since it is less than two tenths of one percent of the City's total housing stock. However, the cottage housing concept has value to the community.

Commissioner McClelland said she considered the possibility of voting to eliminate the ordinance because she felt they should start over. There are times when a clean slate would be better than continually changing an existing slate. She suggested that the City should intervene and establish a housing task force to discuss how the City, given current land values, could accommodate anyone who wants to live in Shoreline. However, cottage housing is market rate housing, and the market ought to drive the price of these units. But the process that has been prescribed for cottage housing has been a nightmare, and the people who are inculcating a sense of fear amongst the citizens in the community will use this issue to once again say that the City staff was not on the ball. But that is not what was described to the Commission. While the neighborhood meeting went array, it was for all the right reasons. The neighborhood cannot really be justified in blaming this on the City staff or on the Commission.

Commissioner Broili said he, too, believes that it is important for the City to provide housing diversity. He noted that 74 percent of the residential units in the City are single-family, and the remaining portion is mostly multi-family. There is nothing in between. He pointed out the size of homes over the last 30

to 40 years has gone from 1,000 to more than 2,000 square feet per single-family unit. He suggested that the City must at least offer options going the other direction, and cottage housing would do this. He said it appears that the most significant concern is related to changes to the single-family residential neighborhoods. However, he pointed out that 50 years ago there were strawberry farms and fields where existing single-family houses now exist. The farmers then did not want infill to happen either. He emphasized that change would continue to happen and the population would continue to grow. He concluded by stating that the City has learned a lot about the existing Cottage Housing Ordinance, and he would not want to start over again. They have a working model and experience that can help them adjust it appropriately. Commissioner Phisuthikul agreed.

THE MOTION FAILED 1-6, WITH CHAIR HARRIS VOTING IN FAVOR.

COMMISSIONER MACCULLY MOVED TO CONTINUE DELIBERATIONS ON THE COTTAGE HOUSING ORDINANCE TO JUNE 16, 2005. COMMISSIONER BROILI SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

Mr. Stewart asked if the Commission would like the staff to conduct further research and provide additional information regarding cottage housing.

Commissioner McClelland asked that staff provide a synopsis of the advantages and disadvantages of making design review a part of the conditional use permit requirements. The remainder of the Commission agreed that this information would be helpful.

Commissioner MacCully requested input as to why the process would not allow the City staff to attend the neighborhood meetings. Mr. Stewart said this issue was debated extensively when the Development Code was adopted in 2000. While staff attendance at the neighborhood meetings would provide an official representative of the City, this person would often be placed in a position of having to answer whether or not the City would support certain design options without even having an application before him/her. It would also require additional staff time to attend the meetings, and it was discussed that this could possibly interfere with the ability of the neighborhood and developer to work out an agreement outside the City's regulatory power. He summarized that the decision was consciously made to allow the developer and the neighbors to meet before an application is submitted. A report of the neighborhood meeting must be presented as part of the application package, and the neighbors would have the ability to review the report and make comments regarding its accuracy.

Commissioner MacCully questioned whether it is possible for the City staff to continue to play the role of observer during the neighborhood meetings. Chair Harris pointed out that the procedures for the neighborhood meetings apply to a lot more application types than just cottage housing. Mr. Cohen explained that if a staff member were to attend a neighborhood meeting, he/she could end up becoming a focal point, and almost seen as legitimizing the proposed plans.

Commissioner Kuboi asked that staff provide a synopsis of the public process that is outlined in both the Kirkland and Redmond Cottage Housing Ordinances. Mr. Stewart said staff would provide a copy of both ordinances for the Commission's review.

Commissioner Phisuthikul requested that staff provide a land use analysis of the cottage housing projects that have been built in Shoreline, including the size of units, density, lot area, open space area, private common area, square foot per floor, etc.

9. REPORTS OF COMMITTEES AND COMMISSIONERS

Chair Harris reported that the City’s Economic Development Director, Tom Boydell, informed him that the City Council has authorized a task force on economic development, and the Planning Commission has been asked to provide one member for the task force. They are asking for expertise in real estate and commercial development. He suggested that Commissioner Sands would be a good candidate for the task force. The remainder of the Commission agreed, and Commissioner Sands accepted the assignment.

10. UNFINISHED BUSINESS

There was no unfinished business scheduled on the agenda.

11. NEW BUSINESS

There was no new business scheduled on the agenda.

12. ANNOUNCEMENTS

Commissioner McClelland announced that the Shoreline/Lake Forest Park Arts Council Gala is scheduled for June 24, 2005. She advised that all of the Commissioners would be invited to attend.

13. AGENDA FOR NEXT MEETING

The Commissioners had no additional comments to make regarding the agenda for the next meeting.

14. ADJOURNMENT

The meeting was adjourned at 10:10 p.m.

David Harris
Chair, Planning Commission

Jessica Simulcik
Clerk, Planning Commission

PLANNING COMMISSION AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	WORKSHOP on Proposed Amendments to the Shoreline Municipal Code (SMC) and Proposed Adoption of the International Property Maintenance Code (IPMC) for Enhancement of the Code Enforcement Program
DEPARTMENT:	Planning and Development Services
PRESENTED BY:	Kristie Anderson, Code Enforcement Officer Rachael Markle, Assistant Planning Director

PROBLEM/ISSUE STATEMENT:

Council adopted "Review and consider improvements in code enforcement standards" as a goal for 2004-2005. Implementation of this goal has included to date:

- Identifying issues facing Shoreline neighborhoods and business districts;
- Determining if we have regulations in place to address those issues. If yes, why are they not adequately resolving the issues? If no, how far should the City go in using code enforcement to resolve the issues?
- Conducting public outreach meetings to receive as much public input as possible; and
- Drafting amendments to the SMC to achieve more effective and targeted enforcement on the issues that are important to Shoreline's residents.

FINANCIAL IMPACT:

For those issues that the City is already regulating, recommended code changes may resolve the issues with little or no impact on current resources. If the Council chooses to respond by adopting the recommended solutions or increasing the priority of an issue or adding issues to the priority list, then the priority of other issues would need to shift or additional resources would need to be allocated to the code enforcement program. Resource allocation and priority level guidelines may need to be revisited following the proposed enhancement to the regulations.

(NOTE: The June 16, 2005 meeting is a WORKSHOP. No action will be taken at this meeting.)

RECOMMENDATION FOR JULY 7, 2005

Staff recommends that the Planning Commission:

- Conduct a public hearing to obtain comments on the proposed amendments to the SMC; and
- Recommend approval, approval as modified or denial of each proposed amendment.

INTRODUCTION

Based on Council direction, staff identified several issues that exist in the community as indicated by customer calls, observations by staff, or noted in the City's 2004 Citizens' Survey. Public input received at the community meetings further defined and refined the list of priority issues. Staff researched the priority issues and developed proposed solutions that are designed to enhance the effectiveness of the City's code enforcement program.

BACKGROUND

Council adopted Goal No. 7 "To review and consider improvements in code enforcement standards" as part of its 2004-2005 Work Plan. At the August 16, 2004 workshop, Council provided staff with direction to further study and review the adoption of all or parts of the International Property Maintenance Code (IPMC); review, evaluate and consider updating regulations pertaining to abandoned and junk vehicles; and review, evaluate and consider updating regulations pertaining to tree conservation – *(Note- tree conservation was studied and enhanced as part of the update of the critical areas regulations which are currently under review, instead of as part of the code enforcement enhancements).*

In response to Council direction, a multi departmental team with membership from Planning and Development Services, City Attorney's Office, City Manager's Office, the Customer Response Team and Community and Government Relations was created to identify a list of issues and possible solutions. The team reviewed and developed draft amendments to the Shoreline Municipal Code (SMC) and IPMC.

In January 2005, staff "checked in" with Council to confirm that we were addressing the right community issues. Council confirmed that staff appeared to be addressing relevant issues and encouraged staff to seek community input to further define what the most pressing issues are in relation to the City's Code Enforcement program.

Community Input

The community provided us with great feedback, a lot of which we have incorporated into the staff recommendation – all of which is included in the staff report. Community outreach has included the following meetings:

- **March Council of Neighborhood's Meeting:** Tim Stewart, Director of Planning and Development Services attended the meeting and walked through each of the issues Council instructed staff to research. Neighborhood chairs were encouraged to invite the Code Enforcement Enhancement team to an upcoming neighborhood meeting to further discuss the issues.

- **April 6th Code Enforcement Community Workshop:** The Code Enforcement Enhancement Team conducted a community workshop. 1,500 invitations were sent to: all persons in our database since 2000 that called to report or discuss a violation; Council of Neighborhood Chairs; Planning Commissioners; City Council Members; Parks Board Members; Library Board Members; Chamber of Commerce Members; and the Forward Shoreline contract person. Information

regarding the meeting was placed in the Enterprise, and on the website and cable access channel. At least sixty (60) people attended the meeting.

At the meeting, staff presented each of the issues Council instructed staff to research and a couple of additional issues based on historical complaint data. As part of the presentation, meeting attendees were asked to list any additional issues that they think Council should address as part of the enhancement of the Code Enforcement Program. Then meeting attendees participated in a community preference exercise using the "vote by dots" method. All of the issues identified by Council, staff and the new issues identified by the workshop attendees were included in the exercise. Meeting attendees were asked to identify the four most significant issues; four somewhat significant issues; and four "issues" that are not an issue i.e. current level of resources adequate; further enforcement too invasive. The tallied results of this exercise are included in Attachment A. Written comments received in response to the Community Workshop are included in Attachment B.

- **April 19th Echo Lake Neighborhood Meeting:** The Echo Lake Neighborhood invited the Code Enforcement Enhancement team to present at their meeting. The team repeated the presentation and "dot exercise" with this group. The tallied results of this exercise are included in Attachment C.
- **May 9th:** City Council conferred by motion the duty of conducting the public hearing and providing a recommendation to Council on all of the amendments proposed in 2005 related to enhancement of the City's Code Enforcement program to the Planning Commission. The Planning Commission has been given the responsibility to conduct public hearings on amendments to the City's Development regulations. It was unclear when the Planning Commission has the authority to conduct public hearings on amendments to other titles in the Shoreline Municipal Code. However, Ordinance 36 Section 6 (10) states: "The Planning Commission shall have such other duties and powers as may be conferred upon the Commission from time to time by ordinance, resolution or motion of the City Council."
- **May 25th North City and Ridgecrest Neighborhood Meeting:** The North City and Ridgecrest Neighborhoods invited the Code Enforcement Enhancement team to present at a joint meeting. The team repeated the presentation and "dot exercise" with this group. The tallied results of this exercise are included in Attachment D.
- **June 16th Planning Commission Public Hearing**

DISCUSSION

The issues that were the focus of Council discussion include the following:

- Neighborhood degradation;
- Minimum housing standards;

- Junk and abandoned vehicles;
- Living in recreation vehicles;
- Number of vehicles stored outside on private residential property;
- Weeds; and
- Signs.

Following the January 18th discussion with Council, further analysis of existing complainant data and written comments received in advance of the community workshop, staff added the following issues to the list for public consideration:

- The keeping of animals; and
- Mandatory removal of garage.

As part of the community outreach, meeting participants were asked if there were any additional issues that should be added to the list. The issues identified are:

- Commercial vehicles parked in residential neighborhoods;
- Noise;
- Increased enforcement of environmental regulations;
- Litter control (more specifically cigarette butts);
- Spay and neuter of pets (more specifically cats); and
- Maintenance (removal of garbage, litter, junk cars, etc.) in commercial areas.

For each issue, this report describes the following:

- The Issue;
- Possible Solutions;
- Proposed Code Amendments if applicable;
- Current Code Enforcement Priority Level*;
- Proposed Enforcement Priority Level (where applicable)
- Resource Impacts and
- Staff Recommendation.

**Priority Level guidelines were approved by Council to guide the initial response time and type of code enforcement action for a variety of standard code violations. In general, the greater the threat to public health and safety, and to the environment, the higher the priority. The priority levels include: Urgent Level (hazardous); Important Level; and Routine Level (non hazardous). Please see Attachment E for a list of the Code Enforcement Priorities.*

ISSUES IDENTIFIED BY COUNCIL AND STAFF

Neighborhood degradation

1. Issue: Deteriorating properties.

Currently the properties that are not maintained and degrading neighborhoods are predominately vacant and abandoned. Degrading conditions include broken windows, collections of junk and litter, graffiti, etc. There are a few occupied residential properties

that generate community complaints. Their deterioration creates conditions that do not enhance attractive living environments and are not compatible with the quality of housing in the surrounding neighborhood. (Note: some of these properties may be eligible for financial assistance for maintaining or repairing residential structures. i.e. King County Housing Repair Program provides grants and 0% interest loans to help County residents keep their properties in good repair. The purpose of the program is to benefit low and moderate income homeowners, help preserve existing housing and keep neighborhoods livable.)

Possible solutions:

- Maintain status quo.
- **Staff recommended solution:** Adopt (in part) the International Property Maintenance Code (IPMC). This was also viewed as the most significant issue during the “dot preference” exercises completed at the three public meetings. Please see Attachment G: IPMC with amendments.

Adoption of the IPMC with local amendments would establish a minimum level of exterior maintenance for all property. Generally, these regulations would assist in ensuring exterior structures are maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety or welfare.

The IPMC sets standards for maintaining:

- Exterior structures: protective treatments; structural supports; foundation and exterior walls; roofs and drainage; decorative features; overhang extensions; stairways, decks, porches and balconies; chimneys and towers; handrails and guards; window, skylights and doorframes; doors; basement hatchways; and building security (Attachment G: IPMC Section 304).
- Exterior property areas: sanitation; grading and drainage; sidewalks and driveways; rodent harborage; exhaust vents; accessory structures; motor vehicles; defacement of property (includes graffiti); (Attachment G: IPMC Section 302) and
- Hot tub enclosures (Attachment G: IPMC Section 303).

Current Code Enforcement Priority: Urgent Level (if hazardous situation) or Important Level (if non-hazardous situation).

Resource Impacts: It is anticipated that implementation of the above solutions will increase the number of properties meeting the definition of a deteriorating property and will necessitate the allocation of additional City resources or a shift in current priorities would need to occur. By implementing these solutions however, staff would be able to work more efficiently and effectively. We already are investigating many of these situations only to determine that they are not in violation of current City codes. Maintaining status quo would have no impact on resources.

2. Issue: Maintenance of planting strips.

Currently, property owners are responsible for maintaining sidewalks adjacent to their property. Sidewalk is specifically defined as “... hard-surfaced walkways ...” This

narrow definition creates confusion as to who is responsible for maintaining drainage ditches, amenity zones, gravel shoulders, etc. adjacent to private property.

Possible solutions:

- **Staff recommended solution:** Maintain status quo. Based on community input from the three “dot exercises”, this is not viewed as a significant issue.
- If the Planning Commission would like to see maintenance of planting strips considered, add to your recommendation that Council instruct staff to further analyze maintenance options for planting strips for consideration during a “follow up round” of amendments.

Current Code Enforcement Priority: Routine Level Priority

Resource Impacts

Staff recommended solution: No impact.

Amend and enhance solution: It is anticipated that the enhancement of this regulation would increase the number of properties where we will determine that a violation exists and possibly necessitate the allocation of additional City resources. Public education would play a crucial role in the implementation of any change in the City’s policies regarding the maintenance of planting strips.

Minimum housing standards

3. Issue: The City has a few buildings/properties that are substandard, deteriorating, in danger of causing or contributing to the creation of slums or otherwise degraded areas.

These conditions are the result of, among other causes: dilapidation; failure to repair; lack of proper sanitary facilities and maintenance; structural defects; electrical, mechanical and other defects increasing the hazards of fire and accidents. The maintenance of housing stock is a goal of the City of Shoreline comprehensive plan and is critical to the health, safety and welfare of the general public. Although substandard housing can be either owner or renter occupied, staff is proposing that enforcement be limited to the owners of substandard rental housing stock. The owner of a structure might be agreeable to live in a condition that is considered substandard for a period of time by choice, as a person who is renting may be at the mercy of the landlord.

Community input from the “dot preferences” exercises did not identify deteriorating properties (interior) as a very significant issue. Staff still recommends enhancing the code enforcement standards to require minimum interior property standards.

The majority of property owners and tenants are responsible and conscientious, however some rental properties fall below the minimum health and safety standards. For these substandard properties (approximately 2 – 4% of the rental stock), the City needs the kind of tools the Property Maintenance Code provides to ensure minimum health and safety standards for citizen who rent. These tools include the following:

- providing definitions for standards;
- establishing criteria for minimum thresholds of livability;
- establishing a method of informing property owner(s) and property tenant(s) of their responsibility in maintaining the property;
- providing a method of informing a property owner or manager of problems; and

- establishing method of appeal for the property owner to contest the City's determination.

(Please refer to Attachment G: IPMC Sections 305 Chapters 4, 5, and 6).

Possible solutions:

- Maintain status quo.
- **Staff recommended solution:** Adopt International Property Maintenance Code with amendments, including exempting owner-occupied residences from requirements contained in chapters 4, 5, 6 & 7 which generally relate to conditions that exist within the structures, i.e. heating & electrical equipment, sanitary conditions and equipment, light and ventilation requirements and fire safety requirements. Please see Attachment G: IPMC with amendments.

Current Code Enforcement Priority: Recommended priority level if adopted- Urgent Level (if hazardous situation) or Important Level (if non-hazardous situation).

Resource Impacts: It is anticipated that implementation of the above solutions will result in an increase in the case load due to the fact that we currently do not regulate substandard housing that are addressed in the IPMC. If the Council chooses to adopt the regulations, additional staffing resources or a shift in current priorities would need to occur. By implementing these solutions however, staff would be able to work more efficiently and effectively. We already are investigating many of these situations only to determine that they are not in violation of City codes. Maintaining status quo would have no impact on resources.

Vehicles

4. Issue: Junk, abandoned and inhabited vehicles parked on public right of ways.

Police have jurisdiction concerning vehicles on the public right-of-way while the Development Code addresses vehicles on private property. Police statistics combined with Customer Response Team (CRT) customer complaints indicate that approximately 700 calls a year are received concerning abandoned, disabled and inhabited vehicles on City right-of-ways. The current regulations do not allow the City to remove many of the vehicles that our community views as junk and abandoned cars. Community input received from the three public meetings identified this as a very significant issue.

Possible solutions:

- Maintain status quo.
- **Staff recommended solutions:**
 - Amend the definition of "junk vehicle" to include when a vehicle is not currently licensed, is inoperable or is abandoned and give the police the authority to tow a vehicle that meets the definition of "junk" vehicle.
 - Amend the code to prohibit reparking and/or moving a vehicle on a street to avoid a posted time limit.

- Amend the code to prohibit vehicles being parked or left on a street or public right-of-way for the purposes of human habitation.
Please see Attachment F: Proposed Amendments.

Current Code Enforcement Priority: Important Level for repeat offense, otherwise Routine Level.

Resource Impacts: Implementation of the above recommended solutions would increase the number of vehicles that are determined to be in violation and possibly necessitate the allocation of additional City resources. By implementing these solutions, staff would be able to work more efficiently and effectively. Maintaining status quo would have no impact on resources.

5. Issue: “Junk” vehicles stored on private property.

“Junk vehicles” is a term that seems to encompass many conditions including, dismantled, disabled, rusting, or vehicles stored for a long period of time. Current code language prohibits “disabled” vehicles but does not define the term disabled. Customer calls concerning junk vehicles are the highest category of calls. Unfortunately, we are often unable to resolve the complaint because it is very difficult to definitively ascertain that a vehicle is “disabled” from our allowed observation point from the public right of way. Input from the “dot preferences” exercises conducted at the community meetings indicated that this is a very significant issue.

Possible solutions:

- Maintain status quo.
- **Staff recommended solutions:**
 - Define the term “disabled vehicle” to aid enforcement of current code language.
 - Add a requirement that stored vehicles must be currently licensed. Current licensing is a way to ensure that the vehicle is operable because to be licensed the vehicle must be operable to drive to and take an emissions test every two (2) years.
 - Adopt provision in the International Property Maintenance Code (IPMC Section 302 – Exterior Property Areas), which deals with motor vehicles. IPMC 302.8 Motor vehicles states that “except as provided for in other regulations, no inoperative or unlicensed motor vehicle shall be parked, kept or stored on any premises, and no vehicle shall at any time be in a state of major disassembly, disrepair, or in the process of being stripped or dismantled. Painting of vehicles is prohibited unless conducted inside an approved spray booth.

Exception: A vehicle of any type is permitted to undergo major overhaul, including body work, provided that such work is performed inside a structure or similarly enclosed area designed and approved for such purposes.”

Please see Attachment F: Proposed Amendments.

Current Code Enforcement Priority: Important Level for repeat offense, otherwise Routine Level.

Resource Impacts: It is anticipated that implementation of the above solutions would increase the number of properties where we will determine that a violation exists and possibly necessitate the allocation of additional City resources. By implementing these solutions however, staff would be able to work more efficiently and effectively. We already are investigating many of these situations only to determine that we cannot prove a violation of the City code.

6. Issue: Number of vehicles allowed on detached single family and duplex properties.

Current Code language for single-family and duplex properties allows six (6) vehicles to be stored outside not counting recreational vehicles and trailers. The City receives complaints concerning “too many vehicles” at a property. A problem we are encountering is that some of the vehicles are parked partially on public right of way and partially on private property. This places the vehicles in regulatory limbo – not “tagged” by the police because not (fully) on the public right-of-way and not counting toward the six per property maximum because they are not (fully) on the private property. Community input received from the “dot preferences” exercise indicates this is a “very significant” to “somewhat significant” issue.

Possible solutions:

- Maintain status quo.
- **Staff recommended solution:** Add the term "wholly or partially" concerning vehicles parked or stored on single-family or duplex properties.

Please see Attachment F: Proposed Amendments.

Current Code Enforcement Priority: Routine Level Priority

Resource Impacts: It is anticipated that implementation of the above solution would increase the number of properties exceeding the maximum number of vehicles per property and possibly necessitate the allocation of additional City resources. By implementing these solutions however, staff would be able to work more efficiently and effectively. We already are investigating many of these situations only to determine that they are not strictly in violation of City codes.

7. Issue: Recreational vehicles, boats and trailers stored on private property.

Currently the codes do not include recreation vehicles, boat and trailers in the maximum number of vehicles allowed per single family or duplex properties. The only factors limiting the number of these types of vehicles are: impervious surface maximums; required access from an approved driveway; and required yard setbacks. Community input received from the “dot preferences” exercise indicates this is a “very significant” to “somewhat significant” issue.

Possible solutions:

- Maintain status quo.

- **Staff recommended solution:** Change current Code wording to include recreational vehicles, boats and trailers in the six (6) vehicle allowance for parking outside on detached single family or duplex properties. Please see Attachment F: Proposed Amendments.

Proposed Code Enforcement Priority: Routine Level Priority.

Resource Impacts: It is anticipated that implementation of the above solutions would increase the number of properties exceeding the maximum number of vehicles per property and possibly necessitate the allocation of additional City resources. By implementing these solutions however, staff would be able to work more efficiently and effectively. We already are investigating many of these situations only to determine that they are not in violation of any City codes.

Weeds

8. Issue: The 2004 Citizen Survey indicated that 23% of the residents surveyed were dissatisfied with the City's enforcement of mowing and cutting of weeds.

It is important to note that 77% of residents responding to the survey were satisfied or neutral on the subject of weed mowing and cutting. The survey does not specify exactly what type of weed problem dissatisfies the respondents. For example, it is not clear whether the main issue is weeds on public property i.e. amenity zones and drainage ditches, or whether the issue is weeds on private property. In our Code, weeds fall under the classification of "vegetation." The Code allows for regulation of vegetation only if it: 1) creates traffic sight hazard or 2) encroaches over a sidewalk. We do not have statistics on the number of calls for other types of vegetation issues because we do not keep statistics on categories that are not violations of any code. Participants of the "dot preference" exercises at the community meetings identified this as "not an issue".

Possible solutions:

- **Staff recommended solution:** Maintain status quo.
- Develop a weed control ordinance and increase or shift resources.

Current Code Enforcement Priority: Routine Level Priority defined as sidewalk obstructions.

Resource Impacts: It is anticipated that the development of a weed control ordinance could dramatically increase the number of properties in violation of the Codes. This assumption is based on staff experience in other jurisdictions that have regulations that target private property vegetation management and aggressively enforce such codes. Should the Council choose to develop a weed control ordinance, staff would need additional time to develop the regulations. Further, if Council chooses to aggressively enforce such regulations, additional staffing resources or a shift in current priorities would need to occur as this would be essentially a new program.

Signs

9. Issue: This item was presented to the community in the 2004 Citizen Survey. Twelve (12) percent of those persons responding to the survey indicated that they were dissatisfied with the City's enforcement of the sign regulations. Additionally the City Council prioritized sign code regulation as a low priority in the guidelines adopted by Council for Code Enforcement. We do not have separate statistics on the number of calls relating to sign code violations. Most calls that are received about signs deal with public signs (i.e. stop signs knocked down, etc). Participants of the "dot preference" exercises at the community meetings, identified this primarily as "somewhat of an issue" or "not an issue".

Possible solutions:

- **Staff recommended solution:** Maintain status quo. Note: although sign code regulation is a low priority, we do regulate signs that create vehicle sight hazards and safety hazards (i.e. block wheelchair access, block sidewalks, etc.).
- If the Planning Commission would like to see enhancement sign regulations or increased enforcement considered, add to your recommendation that Council instruct staff to further analyze options such as:
 - Change the priority level guidelines and elevate sign code enforcement and increase or shift resources.
 - Develop a sign program to enforce existing regulations.

Current Code Enforcement Priority: Routine Level Priority.

Resource Impacts: It is anticipated that enhancing or more aggressively enforcing the existing sign regulations would dramatically increase the number of properties in violation of the Codes. This assumption is based on the fact that many of the existing signs in the City are not in compliance with the City's current regulations. Should the Council choose to enhance the sign regulations, staff would need additional time to develop the regulations. Further, if Council chose to aggressively enforce such regulations, additional staffing resources or a shift in current priorities would need to occur.

10. Issue: Keeping of animals. King County provides animal control to the City. The City regulates some aspects of the keeping of animals in Shoreline Municipal Code under SMC 20.40.240. SMC 20.40.240 addresses the number of small animals that may be kept indoors or outdoors; differentiates between household pets and animals kept as an accessory use to the dwelling; and prohibits the keeping of mink, foxes, and/or hogs. We do receive complaints about the keeping of chickens, but mainly the complaints are concerning noisy roosters. Chickens and roosters are both currently allowed. Please see Attachment H – for more information on how chickens and roosters are currently regulated.

Possible solutions:

- **Staff recommended solution:** Status Quo. Public input received to date, does not indicate that further regulation of animals is a high priority

in Shoreline. In addition, most of the complaints that we have received to date have been addressed with existing regulations and staffing.

- **Amend the Code:** Amend 20.40.240(2)(f) to add roosters to the list of prohibited animals.

Current Code Enforcement Priority: Routine Level Priority (Land Use violations with minimal impact)

Resource Impacts: Implementation of the staff recommendation to maintain status quo would result in no additional impacts on resources. If the Council chooses to prohibit roosters or otherwise increase the level of enforcement, it is anticipated that the number of properties in violation would increase and possibly necessitate the allocation of additional City resources.

11. **Issue: Required removal of garbage.** The City regulates garbage in Chapter 13.14 of the Shoreline Municipal Code. The Code states that garbage may be stored on site in private garbage receptacles as long as it is in accordance with health and safety regulations. In some cases, this has resulted in the long term storage of numerous full garbage bags, bins, cans etc.

Possible solutions:

- **Staff recommended solution:** Amend the SMC to require that garbage be removed from property at a minimum of twice every month. This solution would affect only those people who are accumulating stored garbage.

Please see Attachment F: Proposed Amendments.

- Status Quo.
- Require mandatory collection of garbage i.e. requiring that all residents pay for garbage collection. This is not recommended. Some people may be financially burdened or unable to afford the cost of this service. Requiring everyone to subscribe to garbage collection service as a resolution to the problem of stored garbage accumulation penalizes those people who haul the garbage to the landfill themselves and do not store garbage.

Current Code Enforcement Priority: It is currently not a violation to accumulate garbage on property if it is in an approved receptacle.

Resource Impacts: It is anticipated that implementation of the staff recommended solution would increase the number of properties in violation and possibly necessitate the allocation of additional City resources. By implementing this solution however, staff would be able to work more efficiently and effectively. We already are investigating many of these situations only to determine that they are not in violation of any City codes. If garbage collection were mandatory for the entire City, many more people could potentially be in violation of the Code – i.e. accumulation of stored garbage and/or failure to pay for garbage collection service.

ADDITIONAL ISSUES IDENTIFIED AT COMMUNITY MEETINGS

- **Maintenance (removal of garbage, litter, junk cars, etc.) in commercial areas**

Staff Response: This issue was identified at a couple of the public meetings. The issue of garbage, litter and junk cars on commercial property could also be addressed with the implementation of solutions for Issues #1, #4, #6, & #7. Although all of our examples in the public presentations were of single family properties, the enhancement of these regulations would also apply to commercial property.

- **Increase enforcement of environmental regulations**

Staff Response: Enforcement of environmental regulations is already one of the City's top priorities for Code Enforcement. The City is in the process of updating the Critical Areas regulations. The Code Enforcement unit will continue to enforce violations of the updated regulations as an "Urgent Priority".

- **Noise**

Staff Response: Noise is currently regulated by the Police Department under SMC 9.05 which prohibits public disturbance noise. Public disturbance noise is "any noise which unreasonably disturbs or interferes with the peace and comfort of owners or possessors of real property." Enhancement of these regulations would require the Police Department to increase the priority level on the enforcement of noise regulations. Staff would need to work with the Police Department to determine if there are any adjustments needed in the regulations to better control public disturbance noise and assess what the resource impact would be on the Police Department if the regulations were changed and/or the noise complaints were made a higher priority. If the Planning Commission would like to see enhancement of the noise regulations considered, add to your recommendation that Council instruct staff to analyze enhancement of the noise regulations for consideration during a "follow up round" of amendments.

- **Litter (especially cigarette butts)**

Staff Response: Illegal dumping in progress is a one of the top priorities for the Code Enforcement program. Illegal dumping with suspect information is an important level priority. If there is no information regarding the person littering, then it is no longer an enforcement issue, and attention is turned toward how to clean up the mess. Unfortunately, the community at large bears the cost of this clean up instead of the person violating the Code.

- **Spay and neuter of pets (specifically cats)**

Staff Response: King County provides animal control services to the City. We do not have staff that are trained or equipped to deal with the inspection and enforcement of spaying or neutering pets. If the community would like to address this issue further, it is recommended that public education be the first method employed.

➤ **Commercial vehicles parked in residential neighborhoods**

Staff Response: Currently the Development Code does not prohibit or restrict the parking of commercial vehicles on private property. However, home occupations are limited to a maximum of one commercial vehicle weighing under a ton. Currently, the parking code (SMC 10.30.010) prohibits parking commercial vehicles greater than 80 inches in width on any street or alley in residentially zoned areas between the hours of midnight and 6 a.m. If the Planning Commission would like to see restriction of the parking of commercial vehicles on private property or further restriction of on street parking of commercial vehicles in residential neighborhoods considered, add to your recommendation that Council instruct staff to analyze this issue for consideration during a “follow up round” of amendments.

➤ **Increased enforcement of removal of site distance obstructions (i.e. branches obscuring street signs, sandwich board signs in the ROW)**

Staff Response: If the Customer Response Team witnesses in the field or receives a complaint about a site distance obstruction (signs, tree branches, fences, etc.) it is a top priority and is responded to immediately. The issue here might be that some site distance obstruction are not being reported to CRT. Those of course may take longer to respond to.

Next Steps:

Monitoring Impact on Resources

For many of the proposed enhancements we have stated that resources may be impacted in that more people will be found in violation of a particular code once it is amended, but that this impact may be offset by the time we are currently investigating some of these complaints only to find that they are not a violation. Staff proposes to track the response time and case load for each type of violation and use this information to determine the actual impacts to resources. A baseline report has been developed to compare to the report generated following the adoption and implementation of the amendments. Resource allocation and priority level guidelines may need to be revisited following the proposed enhancement to the regulations.

Getting the Word Out

Once the amendments are adopted, public information pieces will be created to educate the public about adopted changes. This may include targeted education if a particular group is likely to be affected.

Compassion

The City's Code Enforcement Program is complaint driven. If we don't receive a complaint we do not proactively seek out violations (*Note: Work without a permit, illegal dumping in progress, environmental violations or anything that may be a life or safety issue is addressed proactively due to the impact on public safety, health and welfare*). People receive a warning letter and often a visit in person from a CRT representative to discuss the violations. Most of our cases are resolved through voluntary compliance. As part of this process, CRT representatives work hard at connecting people to the resources they need to bring their property into compliance.

Many aspects of Code Enforcement are intertwined with social service issues. With the adoption of the IPMC, we can provide the impetus to improve living conditions that are truly substandard. With this comes the risk of burdening some people who are already having a hard enough time coping with life. We are sensitive to this and will continue to be understanding, creative problem solvers and provide people with information about assistance when appropriate.

(NOTE: The June 16, 2005 meeting is a WORKSHOP. No action will be taken at this meeting.)

RECOMMENDATION FOR JULY 7, 2005

Staff recommends that the Planning Commission:

- Conduct a public hearing to obtain comments on the proposed amendments to the SMC; and
- Recommend approval, approval as modified or denial of each proposed amendment.

ATTACHMENTS:

Attachment A	April 6, 2005 Community Workshop Exercise Results
Attachment B	April 6, 2005 Community Workshop Written Comments
Attachment C	April 19, 2005 Echo Lake Neighborhood Meeting Exercise Results
Attachment D	April 25, 2005 North City/Ridgecrest Neighborhood Meeting Exercise Results
Attachment E	Code Enforcement Priority Levels
Attachment F	Matrix and Proposed Amendments
Attachment G	IPMC with proposed amendments
Attachment H	Chickens In Your Backyard

ATTACHMENT A

APRIL 6, 2005 COMMUNITY WORKSHOP DOT EXERCISE RESULTS



Code Enforcement Workshop Enhancement Preferences Exercise Tally

Issue	Significant Issue	Somewhat of an Issue	Not an Issue
Deteriorating properties (exterior) (primarily rental) i.e. abandoned homes, broken windows, junk, litter, graffiti etc.	52	20	7
Maintenance of planting strips, drainage ditches, gravel shoulders, sidewalks etc.	3	13	14
Deteriorating properties (interior) i.e. lack of proper sanitary facilities; structural, electrical, mechanical & other defects	5	9	9
Junk vehicles stored outside on private property	25	13	3
Number of vehicles allowed outside on single family properties	18	4	2
Number of recreational vehicles, boats and trailers stored outside on private property	12	11	1
Inhabited Vehicles Parked on Public Right of Way	20	13	2
Mowing and cutting of weeds on private property	0	9	19
Enforcement or enhancement of sign regulations	5	24	27
Keeping of animals	3	7	19
Required interval collection of residential garbage	36	4	0
Maintenance (removal of garbage, litter, junk cars, etc.) in Commercial areas	2	4	3
Increased enforcement of environmental regulations	9	4	0
Noise	1	4	3
Litter (especially cigarette butts)	4	4	1
Spay and Neuter of pets (more specifically cats)	2	1	6

Top 4 Issues based on # of "Significant Issue" votes:

1. Deteriorating properties (exterior) = 52 votes
2. Required Interval collection of residential garbage = 36 votes
3. Junk Vehicles stored outside on private property = 25 votes
4. Inhabited Vehicles parked on public right of way = 20 votes

Top 4 Issues based on # of "Significant Issue" votes + "Somewhat of an Issue" votes:

1. Deteriorating properties (exterior) = 72 votes
2. Required Interval collection of residential garbage = 40 votes
3. Junk Vehicles stored outside on private property = 38 votes
4. Inhabited Vehicles parked on public right of way = 33 votes

Lowest priority Issue based on # of "Not an Issue" votes

1. Enforcement of Sign Regulations = 27 votes *
2. Mowing and Cutting of Weeds = 19 votes
3. Keeping of Animals = 19 votes
4. Maintenance of Planting strips = 14 votes

*** Enforcement of Signs received 29 "Significant + Somewhat Significant" votes**

This page intentionally left blank

ATTACHMENT B

**APRIL 6, 2005
WRITTEN COMMENTS**

4/6/05

To: Shoreline Committee on Code Enforcement
Re: Beautification of Shoreline

I would like to express my concern about the City of Shoreline pursuing new beautification codes. We are talking about private property here in a working class town.

When I bought my home in Shoreline, there were no covenants in effect like there are in Mill Creek where people buy into a housing development with foreknowledge that a committee will oversee such personal decisions as the color of the house, style of roofing, height and composition of fencing, and even the landscaping.

I believe it is inappropriate to come along after the fact and try to legislate the appearance of a person's home – if the City of Shoreline is concerned about appearances, let them first clean up their own property (for example, there are Himalayan blackberries throughout city parks and public rights-of-way that crowd out the native vegetation).

We have existing laws to handle public safety issues (such as garbage that attracts rodents). If the city wants to enforce those laws, that's fine – as long as they do so with compassion and fairness (allowing adequate time for compliance).

Regarding number of vehicles allowed on a person's property – there are already laws that affect this (currently, I believe 6 cars are allowed). If the cars function and can be made to run, and if they are parked in a private driveway, why should we care?

If tidiness of front yards is an issue, please work *with* citizens to make that happen without it becoming a legal issue. Don't write citations and make it a court matter when simply talking to someone or applying neighborhood pressure can accomplish what's desired.

The City has not demonstrated ability to enforce the codes it already has. For instance, the city is not enforcing its code on mother-in-law apartments – can we expect better performance on beautification codes? Let's not add more laws.

Beauty is in the eye of the beholder. Please keep that in mind when debating this issue.

Respectfully submitted.
Howard P. Murray



Code Enforcement Community Workshop

April 6, 2005

Written Comment

I would like to point out that in the case of the Kim Wetland, the owner is a repeat violator, of land use codes in a two way critical area.

My question is if you can't even effectively enforce CAO violations (which are in your "urgent" category, how can you expect to enforce the other more minor violations or take on new ones?

It's not clear from your presentations which violations ARE being enforced? Which have NO regulations in the code?

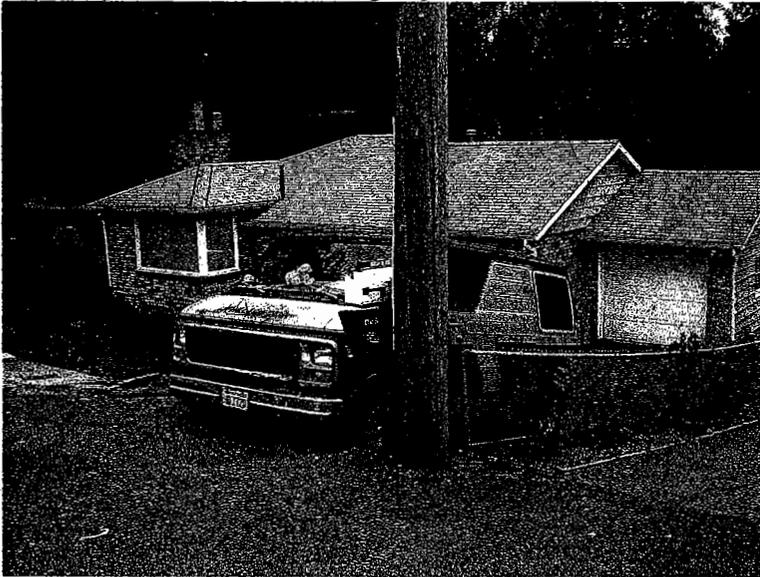
I represent PPNG which would like to see Better + more effective enforcement in CAO's. Went to see these streams, wetlands + steep slopes

Please leave completed forms on the sign in table protected.

4/6/05

Formal complaint:
Made by Ruth & Doug Lancaster
16232 10th Ave NE, Shoreline, WA 98155

Address: 16238 10th Ave NE, Shoreline, Wa 98155
This van has been sitting at this address like this for the past 5 years. It has not moved since they moved in. It has flat tires & is full of junk. We have filed several complaints with the City of Shoreline and they have come out to investigate it. They could not do anything as it was not leaking any oil to cause a hazard.





Code Enforcement Community Workshop

April 6, 2005

Written Comment

RE: MAINTENANCE OF PLANTER STRIPS

I AM CONCERNED ABOUT WHETHER PRIVATE PROPERTY OWNERS ARE LIABLE FOR SIDEWALKS/WALKWAYS BUCKLING OR POSING A TRIP HAZARD DUE TO CITY-PLANTED TREES

e.g. North City }
Aurora Ave } when they are planted
Meridian Ave - who's trees are those
& whose responsibility to keep the
walkways/sidewalks clear?

If anyone trips & sues the homeowner/property owner: How will the City be involved?

CINDY RYU

CR15000@YAHOO.COM

Please leave completed forms on the sign-in table



Code Enforcement Community Workshop

April 6, 2005

Written Comment

I am deeply disappointed in the actual enforcement of code in this city especially where critical areas and environmental protections are concerned. The feeling I have coming away from the meeting tonight is that there is a perceived (if not actual) weakness in the determination of Code Enforcement. It's as if, "Our hands are tied and we can't do anything." It seems that there are laws and if so, they must be obeyed and enforced. If they're not it breeds disrespect for these laws and all laws in general. That is the beginning of degradation of a neighborhood. Litter breeds more litter. If there is half-hearted followup on code enforcement, how much more can they get away with?

Please leave completed forms on the sign-in table.

Debbie Westberg

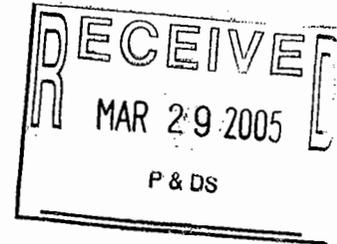
Re: Code Enforcement

Hello Maggie. I received in the mail information about a Beautify Your Neighborhood meeting at the Shoreline Conference Center on April 6th. I am still in Arizona, so will not be able to attend, but I would like to add my input, through you. Of course, it is about the number of animals (ponies?) a resident can have and the maximum weight of each. Right now, it is 500 lbs. per animal and 3 animals. Since we have discussed the pony problem with my neighbor a few times, I am sure you know that I would like to see this Ordinance changed and hope it can be brought up at the meeting. I thank you for your time on this issue.

Sincerely,

Pat Anthony

~~cc Krista [unclear]~~



March 27, 2005

Ron Hansen, Mayor, City of Shoreline
and
All City of Shoreline Council Members

We are residents of Shoreline and live at 19802 – 8th Avenue N.W.

Recently, we had to take our neighbors to task on removal of vehicles in their back yard via your Customer Response Team. During this process, we also sent a letter to all members of the City Council regarding our thoughts on junk vehicles and garbage collection. The only Councilmember from whom we received a response was the Honorable Ron Hansen. We want to applaud him for his response and also reinforce our thoughts on the issue of junk vehicles and vehicles which are unlicensed.

We feel you should adopt a detailed and specific ordinance to restrict the parking of non-moving vehicles, non-licensed vehicles and also vehicles being worked on for long periods of time. As is the case with us, and as we are sure is the case with many other citizens complaining about these issues, usually the offending property owner is very well aware of what the City can and cannot enforce. As a specific case in point, years ago when our neighbors were parking numerous vehicles in their FRONT yard, they were approached by the City. The result was that our neighbors simply graveled a large area of their front yard which legally brought them into compliance. Now, after our recent complaint which involved parking junk and unlicensed vehicles in their back yard, they simply dumped more gravel back there.

We feel the lack of having specific ordinances to enforce results in the following issues:

1. We are upset with our neighbors for degrading the value of our property;
2. The neighbors are upset with us for complaining to the City;
3. We are upset with the City for its not being able to correct this situation on a long-term basis;
4. The neighbors are upset with the City for perceived harassment;
5. The Customer Response Team, who performed the best they could under existing City ordinances, is no doubt tired of dealing with all of us.

It's not the fault of the CRT that the City ordinances aren't specific enough. Julie and Randy of the CRT were individually outstanding and very responsive. Unfortunately, the offending parties usually know how to "skate" the intent and do what it takes to comply with the letter of the law.

Unless the City Council implements ordinances to control situations like this which will actually give your CRT teams the power to enforce these ordinances "on the spot" such as issuing citations, towing vehicles, etc., all of us Shoreline property owners who try to do the right thing are going to feel extremely frustrated. Tighten up these sorts of ordinances which deal with neighborhood degradation including not only the vehicle issues but also the need for mandatory garbage pickup. We know and appreciate that you are all trying to make Shoreline a first-class city. But without specific ordinances with teeth, the end result is simply a lot of frustrated

Page 2

citizens. Your CRT Team is a wonderful asset to the City but please give them some ordinances that are specific enough to enforce.

It is very unfortunate we will not be able to attend the April 6th public workshop on Code Enforcement. Please accept this letter in lieu of our in-person input. We appreciate your efforts to continue to improve our city.

Thank you.



Randy Hughes

Leslie Addis

19802 - 8th Ave. N.W.
Shoreline, WA 98177
206-546-6353

~~cc. Kristie Anderson~~, Code Enforcement Officer, City of Shoreline

This page intentionally left blank

ATTACHMENT C

**APRIL 19, 2005
ECHO LAKE
NEIGHBORHOOD MEETING
DOT EXERCISE RESULTS**



**ELNA 4/19/05 Code Enforcement Enhancement
Preferences Exercise Tally**

Issue	Significant Issue	Somewhat of an Issue	Not an Issue
Deteriorating properties (exterior) (primarily rental) i.e. abandoned homes, broken windows, junk, litter, graffiti etc.	12	5	2
Maintenance of planting strips, drainage ditches, gravel shoulders, sidewalks etc.	0	2	8
Deteriorating properties (interior) i.e. lack of proper sanitary facilities; structural, electrical, mechanical & other defects	6	6	0
Junk vehicles stored outside on private property	6	1	5
Number of vehicles allowed outside on single family properties	3	9	1
Number of recreational vehicles, boats and trailers stored outside on private property	1	8	0
Inhabited Vehicles Parked on Public Right of Way	7	9	0
Mowing and cutting of weeds on private property	0	2	13
Enforcement or enhancement of sign regulations	7	9	8
Keeping of animals	2	2	9
Required interval collection of residential garbage	14	0	0
Commercial vehicles parked in residential neighborhoods	3	2	0
Noise	4	0	0

Top 4 issues based on # of "Significant Issue" votes:

- 1. Required Interval collection of residential garbage = 14 votes**
- 2. Deteriorating properties (exterior) = 12 votes**
- 3. Inhabited Vehicles parked on public right of way = 7 votes**
- 4. Enforcement or enhancement of sign regulations = 7 votes**

Top 4 Issues based on # of "Significant Issue" votes + "Somewhat of an Issue" votes:

- 1. Deteriorating properties (exterior) = 17 votes**
- 2. Inhabited Vehicles parked on public right of way = 16 votes**
- 3. Enforcement or enhancement of sign regulations = 16 votes**
- 4. Required interval collection of residential garbage = 14 votes**

Lowest priority issue based on # of "Not an Issue" votes

- 1. Mowing and Cutting of Weeds = 13 votes**
- 2. Keeping of Animals = 9 votes**
- 3. Maintenance of Planting strips = 8 votes**
- 4. Enforcement of Sign Regulations = 8 votes**

This page intentionally left blank

ATTACHMENT D

**MAY 25, 2005
RIDGECREST/NORTH CITY
NEIGHBORHOOD MEETING
DOT EXERCISE RESULTS**



**Code Enforcement Neighborhood Meeting: Ridgecrest + North
City Neighborhood Associations' Preferences Exercise Tally**

Issue	Significant Issue	Somewhat of an Issue	Not an Issue
Deteriorating properties (exterior) (primarily rental) i.e. abandoned homes, broken windows, junk, litter, graffiti etc.	9	6	0
Maintenance of planting strips, drainage ditches, gravel shoulders, sidewalks etc.	0	6	11
Deteriorating properties (interior) i.e. lack of proper sanitary facilities; structural, electrical, mechanical & other defects	6	6	1
Junk vehicles stored outside on private property	10	2	0
Number of vehicles allowed outside on single family properties	6	1	5
Number of recreational vehicles, boats and trailers stored outside on private property	3	3	3
Inhabited Vehicles Parked on Public Right of Way	6	5	3
Mowing and cutting of weeds on private property	0	8	10
Enforcement or enhancement of sign regulations	3	10	5
Keeping of animals	0	6	12
Required removal of residential garbage	12	1	2
Maintenance (removal of garbage, litter, junk cars, etc.) in Commercial areas	3	0	3
Greater Enforcement of Site Distance Obstructions	2	6	0
Commercial Vehicles parked in residential neighborhoods	3	0	0

Top 3 issues based on # of "Significant Issue" votes:

1. Required removal of residential garbage = 12 votes
2. Junk Vehicles stored outside on private property = 10 votes
3. Deteriorating properties (exterior) = 9 votes

Lowest priority issue based on # of "Not an Issue" votes

1. Keeping of Animals = 12 votes
2. Maintenance of Planting strips = 11 votes
3. Mowing and Cutting of Weeds = 10 votes

*** Note: Enforcement of Signs received 13 "Significant + Somewhat Significant" votes**

This page intentionally left blank

ATTACHMENT E

CODE ENFORCEMENT PRIORITIES LIST



CURRENT CODE ENFORCEMENT PRIORITY LEVEL GUIDELINES
(Used to determine response times and level of enforcement effort – general rule: the greater the threat to public health, safety and the environment, the higher the priority.)

URGENT LEVEL PRIORITY (HAZARDOUS)

- ✦ Imminent threats to Public Health and Safety
- ✦ Imminent threats to Environment (streams, wetlands, slopes etc.)
- ✦ Illegal Dumping in Progress
- ✦ Violating a Stop Work Order or Notice to Vacate
- ✦ Working Without a Permit
- ✦ Requests for immediate assistance from other agencies

IMPORTANT LEVEL PRIORITY

- ✦ Violations of permit conditions or mitigation requirements
- ✦ Major accumulations of junk (including vehicles) and debris and attractive nuisances to children
- ✦ Wetlands violations with minimal impact
- ✦ Illegal dumping with suspect information
- ✦ Illegal home occupation w/ significant impact
- ✦ Land Use violations with major impact
- ✦ Repeat violations (same property, same person)

ROUTINE LEVEL PRIORITY (NON HAZARDOUS)

- ✦ Minor accumulations of junk and debris
- ✦ Land Use violations with minimal impact
- ✦ Sign complaints
- ✦ Sidewalk obstructions
- ✦ Fence complaints
- ✦ Setback violations

ATTACHMENT F

MATRIX AND PROPOSED AMENDMENTS

NEW Section . WAC 308-330-406 adopts by reference RCW 46.55.010 DEFINITIONS. A new section, Shoreline Municipal Code 10.05.030, is hereby adopted to read as follows:

10.05.030 Model Traffic Ordinance Amendments

The following section of the Model Traffic Ordinance is amended by the addition of the following.

RCW 46.55.010 Definitions.

- 4) "Junk vehicle" means a vehicle certified under RCW 46.55.230 as meeting at least three of the following requirements:
 - a) Is three years old or older;
 - b) Is extensively damaged, such damage including but not limited to any of the following: A broken window or windshield, or missing wheels, tires, motor, or transmission;
 - c) Is apparently inoperable; or in a condition which makes the vehicle incapable of being operated legally on a public highway;
 - d) Has an approximate fair market value equal only to the approximate value of the scrap in it;
 - e) Fails to displaying current and proper vehicle license plate(s) and current and valid registration tabs properly mounted in accordance with the State of Washington Rules and Regulations;
 - f) Is abandoned or left on private property without the permission of the person having right to the possession of the property;
 - ~~g) Is left on a street, or other public right of way open to the public, or on municipal or other public property for seventy two (72) hours or longer.~~

New Section. WAC 308-330-406 adopts by reference RCW 46.55.113 REMOVAL BY POLICE OFFICER. A new section, Shoreline Municipal Code 10.05.040, is hereby adopted to read as follows:

The following section of the Model Traffic Ordinance is amended by the addition of new paragraphs.

RCW 46.55.113(2)

(i) When the vehicle is a "junk motor vehicle" and is parked, wholly or predominately, on a street, alley, or way open to the public, or on municipal or other public property.

(j) Is parked or left on a street, any public right-of-way or private property for the purposes of human habitation.

Shoreline Municipal Code Section 10.30 adopts by reference the King County parking regulations, which by reference adopts the State of Washington "Model Traffic Ordinance", Chapter 308-330 WAC with City of Shoreline amendments.

New Section. WAC 308-330-462 adopts by reference RCW 46.61.570 STOPPING, STANDING, OR PARKING PROHIBITED Amend RCW 46.61.570 with the addition of subparagraphs “xi”, “xii” and “xiii” in paragraph 1(a).

A new section, Shoreline Municipal Code 10.30.030, is hereby adopted to read as follows:

10.30.030 Stopping, Standing or Parking Prohibited

The following section of the Model Traffic Ordinance is amended by the addition of the following.

RCW 46.61.570 (1)(a)

(xi) use a vehicle for human habitation on or in any public street, alley-way, or parking area, or any privately owned, commercial, off-street parking area.

"Human habitation" means the use of a vehicle for sleeping, setting up housekeeping or cooking.

(xii) shall park or permit a vehicle to stand on a street, highway, alley or public property unless said vehicle possesses a proper and current vehicle license plate or plates, and such plate or plates are properly mounted thereon in accordance with the State of Washington Department of Licenses Rules and Regulations. The term “proper and current vehicle license plate or plates” includes the display of valid and current registration tabs indicating month and year of registration.

(xiii) move and repark a vehicle within the same block or public property to avoid a time limit regulation specified in that particular area except as provided in RCW Title 46.

13.14.050 Garbage receptacles – Residential.

A. It is unlawful for the owners or occupants of private property to deposit or accumulate, or to permit the deposit or accumulation of, garbage upon such private property; provided, however, that this shall not prohibit the storage of garbage in private garbage receptacle(s), in accordance with health and safety regulations ~~provided that all garbage and refuse shall be removed at least every two weeks;~~ provided further, that the use of a compost pile or bin shall not be prohibited if the use and maintenance thereof is in such a manner as to prevent the attraction, breeding and/or harboring of insects and rodents. Any such use permitted hereunder shall not be construed to permit a nuisance as defined by SMC 20.30.750 or state law.

Deleted: or when such garbage receptacle(s) are for immediate disposal

B. No garbage shall be placed out for collection in bundles or otherwise outside of an approved garbage receptacle. [Ord. 251 § 1, 2000]

(NOTE: in 8th line of section (A) the word insects is misspelled and will be corrected with this the adoption of this amendment.)

In Chapter 20.20 Definitions

20.20.016 D definitions.

Dwelling Unit Residential living facility, providing complete independent living facilities for one or more persons, including provisions for living, sleeping, cooking and sanitation distinguished from lodging, such as hotel/motel or dormitory.

20.30.730 General provisions.

- A. For the purposes of this subchapter, any person who causes or maintains a Code violation and the owner, lessor, tenant or other person entitled to control, use, or occupancy of property where a Code violation occurs shall be identified as the responsible party and shall be subject to enforcement action as provided in this subchapter. However, if a property owner affirmatively demonstrates that the action which resulted in the violation was taken without the owner's knowledge or consent by someone other than the owner or someone acting on the owner's behalf, that owner shall be responsible only for bringing the property into compliance to the extent reasonably feasible under the circumstances, as determined by the Director. Should the owner not correct the violation, after service of the notice and order, civil fines, penalties and abatement costs may be assessed against the owner.
- B. It shall be the responsibility of any person identified as a responsible party to bring the property into a safe and reasonable condition to achieve compliance. Payment of fines, applications for permits, acknowledgment of stop work orders and compliance with other remedies does not substitute for performing the corrective work required and having the property brought into compliance to the extent reasonably possible under the circumstances. The date set for compliance in the Notice and Order takes precedence over any date established for the expiration of any required permit(s) and will be subordinate only to written extension of the Notice and Order.
- C. The procedures set forth in this subchapter are not exclusive. These procedures shall not in any manner limit or restrict the City from remedying or abating Code violations in any other manner authorized by law. (Ord. 238 Ch. III § 10(b), 2000).

Deleted: penalties

Deleted: and

20.30.740 Enforcement provisions.

- A. Infraction.
Whenever the Director has determined that a Code violation has occurred, the Director may issue a Class 1 civil infraction, or other class of infraction specified in the particular ordinance violated, to any responsible party, according to the provisions set forth in Chapter 7.80 RCW.
- B. Misdemeanor.
Any person who willfully or knowingly causes, aids or abets a Code violation by any act of commission or omission is guilty of a misdemeanor. Upon conviction, the person shall be punished by a fine not to exceed \$1,000 and/or imprisonment in the county jail for a term not to exceed 90 days. Each week (seven days) such violation continues shall be considered a separate misdemeanor offense. A misdemeanor complaint or notice of

infraction may be filed as an alternative, or in addition to any other judicial or administrative remedy provided in this subchapter or by law or other regulation.

C. Suspension, revocation or limitation of permit.

1. The Director may suspend, revoke or limit any permit issued whenever:
 - a. The permit holder has committed a Code violation in the course of performing activities subject to that permit;
 - b. The permit holder has interfered with the Director in the performance of his or her duties relating to that permit;
 - c. The permit was issued in error or on the bases of materially incorrect information supplied to the City; or
 - d. Permit fees or costs were paid to the City by check and returned from a financial institution marked nonsufficient funds (NSF) or cancelled.
2. Such suspension, revocation or modification shall be carried out through the notice and order provisions of this subchapter and shall be effective upon the compliance date established by the notice and order. Such revocation, suspension or cancellation may be appealed to the Hearing Examiner using the appeal provisions of this subchapter. Notwithstanding any other provision of this subchapter, the Director may immediately suspend operations under any permit by issuing a stop work order.

Deleted: 1.

Deleted: 2.

Deleted: 3.

Deleted: 4.

Deleted: ¶

D. Civil Penalty.

This is not new text – it was moved from 20.30.780.

1. A civil penalty for violation of the terms and conditions of a notice and order shall be imposed in the amount of \$500.00. The total initial penalties assessed for notice and orders and stop work orders pursuant to this section shall apply for the first 14-day period following the violation of the order, if no appeal is filed. The penalties for the next 14-day period shall be 150 percent of the initial penalties, and the penalties for the next 14-day period and each such period or portion thereafter, shall be double the amount of the initial penalties.
2. Any responsible party who has committed a violation of the provisions of Chapter 20.80 SMC, Special Districts, will not only be required to restore damaged critical areas, insofar as that is possible and beneficial, as determined by the Director, but will also be required to pay civil penalties in addition to penalties under subsection D, for the redress of ecological, recreation, and economic values lost or damaged due to the violation. Civil penalties will be assessed according to the following factors:
 - a. An amount determined to be equivalent to the economic benefit that the responsible party derives from the violation measured as the total of:
 - i. The resulting increase in market value of the property; and
 - ii. The value received by the responsible party; and
 - iii. The savings of construction costs realized by the responsible party as a result of performing any act in violation of the chapter; and
 - b. A penalty of \$1,000 if the violation was deliberate, the result of knowingly false information submitted by the property owner, agent, or contractor, or the result of reckless disregard on the part of the property owner, agent, or their contractor. The property owner shall assume the burden of proof for demonstrating that the violation was not deliberate; and
 - c. A penalty of \$2,000 if the violation has severe ecological impacts, including temporary or permanent loss of resource values or functions.

Deleted: n

Inserted: n not new text – it was moved from 20.30.780.

3. A repeat violation means a violation of the same regulation in any location within the City by the same responsible party, for which voluntary compliance previously has been sought or any enforcement action taken, within the immediate preceding 24 consecutive month period, and will incur double the civil penalties set forth above.
4. The responsible parties have a duty to notify the Director of any actions taken to achieve compliance with the notice and order. For purposes of assessing civil penalties, a violation shall be considered ongoing until the responsible party has come into compliance with the notice and order and has notified the Director of this compliance, and an official inspection has verified compliance.
5. Civil penalties may be waived or reimbursed to the payer by the Director, with the concurrence of the Finance Director, under the following circumstances:
 - a. The notice and order was issued in error; or
 - b. The civil penalties were assessed in error; or
 - c. Notice failed to reach the property owner due to unusual circumstances; or
 - d. Compelling new information warranting waiver has been presented to the Director since the notice and order was issued and documented with the waiver decision.

E. Abatement.

1. The following are subject to abatement:
 - a. All conditions defined as public nuisances are subject to abatement.
 - b. In the case of such unfit dwellings, buildings, structures and premises or portions thereof, the Director, as an alternative to any other remedy provided in this section, may abate such conditions and have abatement costs collected as taxes by the King County Treasury pursuant to RCW 35.80.030.

Deleted: ¶

F. Additional enforcement provisions.

The enforcement provisions of this section are not exclusive, and may be used in addition to other enforcement provisions authorized by the Shoreline Municipal Code except as precluded by law.

Deleted: Code violations detrimental to the public health, safety and environment are hereby declared public nuisances. All conditions determined to be public nuisances shall be subject to and enforced pursuant to the provisions of this subchapter except where specifically excluded.¶

20.30.750 Declaration of public nuisance, enforcement

- A. A public nuisance consists in unlawfully doing an act, or omitting to perform a duty, which act or omission is detrimental to the public health, safety or environment, injures or endangers the comfort, repose, health or safety of others; or renders other persons insecure in life, or in the use of property.
- B. The term Public Nuisance includes, but is not limited to:
 1. any public nuisance as set forth in state law;
 2. Violation of any City land use and development ordinance;
 3. Violation of any public health ordinance;
 4. Any accumulation of refuse, except as provided in SMC 13.14 Garbage Code;
 5. Nuisance vegetation;
 6. Discarding or dumping of any material onto the public right-of-way, waterway, or other public property;
- C. All conditions determined to be public nuisances shall be subject to abatement and other enforcement provisions outlined in this subchapter except where specifically excluded.

Deleted: A

Deleted: p

Deleted: is any

Deleted: or violations of this subchapter including, but not limited to:

Deleted: except for such yard debris that is properly contained for the purpose of composting, This does not apply to material kept in garbage receptacles maintained for regular collection;

Deleted: The

Deleted: d

Deleted: B

Deleted: defined as

Deleted: under this subchapter

D No act which is done or maintained under the express authority of a statute or ordinance can be deemed a public nuisance.

Deleted: ¶

Deleted: ¶

Deleted: commenced or

Deleted: 1. The Shoreline City Council finds that there exist within the City of Shoreline premises that are unfit for human habitation or other uses due to conditions that are inimical to the health and welfare of City residents.¶
2. In the case of such unfit dwellings, buildings, structures, and premises or portions thereof, the Director, as an alternative to any other remedy provided in this subchapter, may abate such conditions and have abatement costs collected as taxes by the King County treasury pursuant to RCW 35.80.030.¶
3. The Uniform Code for the Abatement of Dangerous Buildings (UCADB), 1997 Edition, as published by the International Conference of Building Officials is adopted for abatement procedures under this section, subject to the following amendments:¶
a. Whenever used in the UCADB, "building official" shall mean the Director.¶
b. UCADB Sec. 302 is amended to read as follows:¶
SECTION 302 UNFIT BUILDINGS AND PREMISES.¶
For the purpose of this Code, any building, structure or premises which has any or all of the conditions or defects hereinafter described shall be deemed to be an unfit building or premises, provided that such conditions or defects exist to the extent that the life, health, property or safety of the public or its occupants are endangered.¶
...¶
15. Whenever any building, structure or premises, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, air or sanitation facilities, accumulation of garbage or refuse, or otherwise, is determined by the Director to be unsanitary, unfit for human habitation or in such a condition that is likely to cause sickness or disease to the occupants, occupants of neighboring dwellings or other residents of the City. When a structure or premises is declared unfit under this subsection, repair as used in the UCADB shall include removal of the condition.¶
c. UCADB Sec. 205, Board of Appeals, is hereby repealed.¶
d. UCADB Chapter 5, Appeal, is hereby repealed, and substituted with the appeal provisions specified in this subchapter.¶
e. UCADB Chapter 6, Procedures for Conduct of Hearing Appeals, is hereby repealed and substituted with the procedures for appeal as specified in this subchapter.¶

20.30.770 (E) Notice & Orders.

8. A statement advising that, if any required work is not completed or a written extension not obtained within the time specified by the notice and order, the Director may proceed to abate the violation and cause the work to be done and charge the costs thereof as a lien against the property and as a joint and several personal obligation of all responsible parties;

20.30.770 (J) Abatement of Unfit Premises and Collection of Costs.

Items 1, 2, 3(a)(b)(c)(d)(e) deleted however item f is reworded and renumbered as 20.30.770(K)(2).

20.30.770 (J) Notice & Orders. Abatement.

1. Abatement by the City.

The City may abate a condition which was caused by or continues to be a civil violation when:

- a) A Notice and Order has been issued and the required corrective action has not been completed by the date specified;
- b) The Notice and Order has been appealed and the required corrective action has not been completed by the date specified by the Hearing Examiner; or
- c) The condition is subject to summary abatement.

2. Imminent nuisance abatement (summary abatement).

If a condition, substance, act or nuisance exists which causes a condition the continued existence of which constitutes an immediate and emergent threat to the public health, safety or welfare or to the environment, the City may summarily and without prior notice abate the condition. Notice of such abatement, including the reason for it, shall be given to the person responsible for the property and the violation as soon as reasonably possible after the abatement. The Director or his/her designee shall make the determination of a condition, substance, act or other occurrence constituting an imminent nuisance. Costs, both direct and indirect, of the abatement may be assessed as provided in this subchapter.

3. Authority to abate.

The City shall obtain an order declaring a nuisance and a warrant of abatement from King County Superior Court before any abatement action except when the condition, substance, act or nuisance is subject to summary abatement.

4. Authorized action by the City.

Using any lawful means, the City may enter upon the subject property and may remove or correct the condition that is subject to abatement.

5. Recovery of costs and expenses.

The costs, including incidental expenses, of correcting the violation shall be billed to the person responsible for the violation and/or the property owner, lessor, tenant or other

Deleted: of Unfit Premises and Collection of Costs

person entitled to control, use and/or occupy the property and shall become due and payable to the City within 30 calendar days or as otherwise agreed. The term "incidental expenses" includes but shall not be limited to personnel costs, both direct and indirect, including attorney's fees; costs incurred in documenting the violation; hauling, storage and disposal expenses; actual expenses paid to abatement contractors; actual expenses and costs of the City in preparing notices, specifications and contracts, in accomplishing and/or contracting and inspecting the work; costs of title searches and documents; costs of hearings and reviews; and costs of any required printing and mailing.

6. Abatement does not preclude action for damages.

The abatement of a public nuisance does not prejudice the right of any person to recover damages for its past existence.

I 20.30.770 (K) Notice & Orders.

K. Collection of penalties and costs.

1. All monies collected from the assessment of civil penalties and for abatement costs and work shall be allocated to support expenditures for abatement, and shall be accounted for through either creation of a fund or other appropriate accounting mechanism in the Department issuing the notice and order under which the abatement occurred.
2. In the event the person responsible fails to pay within the time period set forth in SMC 20.30.770(J)(5) of this subchapter, the total shall be assessed against the respective lot or parcel of land to which it relates. Upon certification to the county treasurer by the City Finance Director of the assessment amount due and owing, the county treasurer shall enter the amount of such assessment upon the tax rolls against the property for the current year and the same shall become a part of the general taxes for that year to be collected at the same time and with interest at such rates and in such manner as provided in RCW 84.56.020, as now or hereafter amended, for delinquent taxes and when collected to be deposited to the City and allocated as prescribed in SMC 20.30.770(K)(1). The assessment shall constitute a lien against the property which shall be of equal rank with the state, county and municipal taxes. The validity of any assessment made under the provisions of this chapter shall not be contested in any action or proceeding unless the same is commenced within thirty calendar days after the assessment is placed upon the assessment roll as provided herein.
3. In addition to, or in lieu of the provisions set forth in this chapter, the City may, at its option, turn the matter over to collection or commence a civil action in any court of competent jurisdiction to collect for any such charges incurred by the City to obtain compliance pursuant to this chapter and/or to collect any penalties that have been assessed. Further, the department, upon concurrence of the City Attorney, may file injunctive or other civil relief in superior court regarding code violations.

20.50.410 Parking design standards.

B. On property occupied by a single-family detached residence or duplex, the total number of vehicles wholly or partially parked or stored outside of a building shall not exceed six, excluding

recreational vehicles and trailers. This section shall not be interpreted to allow the storage of junk vehicles as covered in SMC 20.30.760.

ATTACHMENT G

INTERNATIONAL PROPERTY MAINTENANCE CODE WITH AMENDMENTS

Summary Matrix of Proposed Amendments to the 2003 International Property Maintenance Code

Amend-ment #	IPMC Section	Brief Description of Amendments	Staff Recommendation
2003 International Property Maintenance Code			
<i>Chapter 1 Administration, Section 101 General</i>			
1	101.1	Fill in name of jurisdiction: City of Shoreline	Approve
2	101.2	Add exception that the standards in section 305 and chapters 4, 5 & 6 are advisory only for owner occupied dwellings w/ exception to requirements for water closets connected to approved plumbing.	Approve
3	101.3	Remove reference to International "Existing" Building Code. The City did not adopt the IEBC, but did adopt the IBC.	Approve
<i>Section 102 Applicability</i>			
4	102.3	Application of other codes: reference to Title 15 and Title 20 of the SMC	Approve
<i>Section 103</i>			
5	103	Change Section Name to Code Enforcement	Approve
6	103.1	General: code enforcement charged with carrying out provisions instead of dept. of property maintenance (City doesn't have a dept. of property maintenance)	Approve
7	103.2	Delete section. Appointment or hiring of staff is in accordance with City Policy	Approve
8	103.3	Delete section. Appointment or hiring of staff is in accordance with City Policy	Approve
9	103.5	Fees: (insert fee schedule in Code)	Approve
<i>Section 106 Violations</i>			
10	106.2	change to existing process as prescribed in Title 20, Chapter 30, Subchapter 9 of the SMC.	Approve
11	106.3	change to existing process as prescribed in Title 20, Chapter 30, Subchapter 9 of the SMC.	Approve
12	106.4	change to existing process as prescribed in Title 20, Chapter 30, Subchapter 9 of the SMC.	Approve
13	106.5	change to existing process as prescribed in Title 20, Chapter 30, Subchapter 9 of the SMC.	Approve
<i>Section 107 Notices and Orders</i>			
14	107.1	Notice to person responsible: existing process as prescribed in Title 20, Chapter 30, Subchapter 9 of the SMC.	Approve
15	107.2	Form: existing process as prescribed in Title 20, Chapter 30, Subchapter 9 of the SMC.	Approve
16	107.3	Method of service: existing process as prescribed in Title 20, Chapter 30, Subchapter 9 of the SMC.	Approve
17	107.4	Penalties: existing process as prescribed in Title 20, Chapter 30, Subchapter 9 of the SMC.	Approve
18	107.5	Transfer of ownership: Change all references of "notice of violation" to the Shoreline practice of issuing "Notice and Order to Correct" as prescribed in Title 20, Chapter 30, Subchapter 9 of the SMC.	Approve
<i>Section 109 Emergency Measures</i>			
19	109.1	Imminent danger: expand the application to include property and premises.	Approve
20	109.2	Temporary safeguards: Add text 'and/or fencing of premises' and 'premise'	Approve

Summary Matrix of Proposed Amendments to the 2003 International Property Maintenance Code

Amendment #	IPMC Section	Brief Description of Amendments	Staff Recommendation
2003 International Property Maintenance Code			
21	109.6	Hearing: delete board of appeals; add right to appeal as currently prescribed in Title 20, Chapter 30, Subchapter 9	Approve
Section 110 Demolition			
22	110.4	Delete section Salvage materials: this section is not practical to administer or enforce.	Approve
Section 111 Means of Appeal			
23	111.1	Application for appeal: right to appeal as prescribed in SMC, Title 20, Chapter 30, Subchapter 9.	Approve
24	111.2	Membership of board: Delete (pertaining to board of appeals) appeal process is currently prescribed in SMC, Title 20, Chapter 30, Subchapter 9.	Approve
25	111.3	Notice of meeting: Delete (pertaining to board of appeals) appeal process is currently prescribed in SMC, Title 20, Chapter 30, Subchapter 9.	Approve
26	111.4	Open hearing: Delete (pertaining to board of appeals) appeal process is currently prescribed in SMC, Title 20, Chapter 30, Subchapter 9.	Approve
27	111.5	Postponed hearing: Delete (pertaining to board of appeals) appeal process is currently prescribed in SMC, Title 20, Chapter 30, Subchapter 9.	Approve
28	111.6	Board decision: Delete (pertaining to board of appeals, which Shoreline does not have)	Approve
29	111.7	Court review: delete redundant text	Approve
Chapter 2 Definitions, Section 202 General Definitions			
30	202	Code Official: add specific title to identify official	Approve
31	202	Condemn: to adjudge unfit for occupancy (add text) 'or use'	Approve
32	202	Add a definition for water closet	Approve
Chapter 3 General Requirements, Section - 301 General			
33	301.1	Scope: (add text) 'premises'	Approve
34	301.2	Responsibility: (add text) 'premises'	Approve
Section 302 Exterior Property Areas			
35	302.4	Weeds: Deleted, not adequate resources.	Approve
36	302.8	Add recreational vehicles and boats to standards for "vehicles" located in exterior property areas	Approve
Section 303 Swimming Pools, Spas and Hot Tubs			
37	303.1	Deleted standard pertaining to cleanliness and condition of swimming pools.	Approve
Section 304 Exterior Structure			
38	304.14	Insect screens: Deleted, not applicable to Northwest	Approve
Section 307 Rubbish and Garbage			
39	307.1	Accumulation of rubbish or garbage: Delete (covered in SMC 13.14 - Garbage Code)	Approve
40	307.2	Disposal of rubbish: Delete (covered in SMC 13.14 - Garbage Code)	Approve
41	307.3	Disposal of garbage: Delete (covered in SMC 13.14 - Garbage Code)	Approve

Summary Matrix of Proposed Amendments to the 2003 International Property Maintenance Code

Amendment #	IPMC Section	Brief Description of Amendments	Staff Recommendation
2003 International Property Maintenance Code			
<i>Section 404 Occupancy Limitations</i>			
42	404.4.3	Water closet accessibility. Delete - this provision to require direct access to bathrooms from bedrooms may be too invasive.	Approve
43	404.5	Overcrowding. Delete - this provision conflicts with the Development Code definition of family.	Approve
<i>Chapter 5 Plumbing Facilities and Fixture Requirements, [P] Section 503 Toilet Rooms</i>			
44	502.4	Employees' facilities: delete State Labor & Industries and Health District has jurisdiction.	Approve
45	503.3	Location of employee toilet facilities: Delete - Public Health District has jurisdiction.	Approve
46	505.1	Water system: Change code reference to the code adopted by the City of Shoreline	Approve

Summary Matrix of Proposed Amendments to the 2003 International Property Maintenance Code

Amendment #	IPMC Section	Brief Description of Amendments	Staff Recommendation
2003 International Property Maintenance Code			
<i>Chapter 6 Mechanical and Electrical Requirements, Section 602 Heating Facilities</i>			
47	601.2	Responsibility. Delete reference to owner-occupied	Approve
48	602.2	Heating Facilities: specify temperature required for Shoreline as specified in IRC (International Residential Code)	Approve
49	602.3	Heating Supply: specify temperature required for Shoreline as specified in IRC (International Residential Code)	Approve
50	602.4	Occupiable work spaces: Delete	Approve
<i>Section 604 Electrical Facilities</i>			
51	604.2	service: Change code reference to the code adopted by the City of Shoreline	Approve

This page intentionally left blank

INTERNATIONAL PROPERTY
MAINTENANCE CODE (IPMC) WITH
PROPOSED AMENDMENTS SHOWN
IN “TRACK CHANGES MODE”

2003 International Property Maintenance Code®

First Printing: December 2002

ISBN # 1-892395-69-X (soft)
ISBN # 1-892395-91-6 (e-document)

COPYRIGHT © 2002
by
INTERNATIONAL CODE COUNCIL, INC.

ALLRIGHTSRESERVED. This 2003 International Property Maintenance Code® is a copyrighted work owned by the International Code Council, Inc. Without advance written permission from the copyright owner, no part of this book may be reproduced, distributed or transmitted in any form or by any means, including, without limitation, electronic, optical or mechanical means (by way of example and not limitation, photocopying, or recording by or in an information storage retrieval system). For information on permission to copy material exceeding fair use, please contact: Publications, 4051 West Flossmoor Road, Country Club Hills, IL 60478-5795 (Phone 800-214-4321).

Trademarks: "International Code Council," the "International Code Council" logo and the "International Property Maintenance Code" are trademarks of the International Code Council, Inc.

PRINTED IN THE U.S.A.

PREFACE

Introduction

Internationally, code officials recognize the need for a modern, up-to-date property maintenance code governing the maintenance of existing buildings. The *International Property Maintenance Code*, in this 2003 edition, is designed to meet this need through model code regulations that contain clear and specific property maintenance requirements with required property improvement provisions.

This 2003 edition is fully compatible with all the *International Codes* (“I-Codes”) published by the International Code Council (ICC), including the *International Building Code*, *ICC Electrical Code*, *International Energy Conservation Code*, *International Existing Building Code*, *International Fire Code*, *International Fuel Gas Code*, *International Mechanical Code*, *ICC Performance Code*, *International Plumbing Code*, *International Private Sewage Disposal Code*, *International Residential Code*, *International Urban-Wildland Interface Code* and *International Zoning Code*.

The *International Property Maintenance Code* provisions provide many benefits, among which is the model code development process that offers an international forum for code officials and other interested parties to discuss performance and prescriptive code requirements. This forum provides an excellent arena to debate proposed revisions. This model code also encourages international consistency in the application of provisions.

Development

The first edition of the *International Property Maintenance Code* (1998) was the culmination of an effort initiated in 1996 by a development committee appointed by ICC and consisting of the representatives of the three statutory members of the International Code Council: Building Officials and Code Administrators International, Inc. (BOCA), International Conference of Building Officials (ICBO) and Southern Building Code Congress International (SBCCI). The committee drafted a comprehensive set of regulations for existing buildings that was consistent with the existing model property maintenance codes at the time. This 2003 edition presents the code as originally issued, with changes approved through the ICC Code Development Process through 2002. A new edition such as this is promulgated every three years.

With the development and publication of the family of *International Codes* in 2000, the continued development and maintenance of the model codes individually promulgated by BOCA (“BOCA National Codes”), ICBO (“Uniform Codes”) and SBCCI (“Standard Codes”) was discontinued. This 2003 *International Property Maintenance Code*, as well as its predecessor—the 2000 edition, is intended to be the successor property maintenance code to those codes previously developed by BOCA, ICBO and SBCCI.

The development of a single set of comprehensive and coordinated family of *International Codes* was a significant milestone in the development of regulations for the built environment. The timing of this publication mirrors a milestone in the change in structure of the model codes, namely, the pending Consolidation of BOCA, ICBO and SBCCI into the ICC. The activities and services previously provided by the individual model code organizations will be the responsibility of the Consolidated ICC.

This code is founded on principles intended to establish provisions consistent with the scope of a property maintenance code that adequately protects public health, safety and welfare; provisions that do not unnecessarily increase construction costs; provisions that do not restrict the use of new materials, products or methods of construction; and provisions that do not give preferential treatment to particular types or classes of materials, products or methods of construction.

Adoption

The *International Property Maintenance Code* is available for adoption and use by jurisdictions internationally. Its use within a governmental jurisdiction is intended to be accomplished through adoption by reference in accordance with proceedings establishing the jurisdiction's laws. At the time of adoption, jurisdictions should insert the appropriate information in provisions requiring specific local information, such as the name of the adopting jurisdiction. These locations are shown in bracketed words in small capital letters in the code and in the sample ordinance. The sample adoption ordinance on page v addresses several key elements of a code adoption ordinance, including the information required for insertion into the code text.

Maintenance

The *International Property Maintenance Code* is kept up to date through the review of proposed changes submitted by code enforcing officials, industry representatives, design professionals and other interested parties. Proposed changes are carefully considered through an open code development process in which all interested and affected parties may participate.

The contents of this work are subject to change both through the Code Development Cycles and the governmental body that enacts the code into law. For more information regarding the code development process, contact the Code and Standard Development Department of the International Code Council.

2003 INTERNATIONAL PROPERTY MAINTENANCE CODE

iii

While the development procedure of the *International Property Maintenance Code* assures the highest degree of care, ICC and the founding members of ICC—BOCA, ICBO, SBCCI—their members and those participating in the development of this code do not accept any liability resulting from compliance or noncompliance with the provisions because ICC and its founding members do not have the power or authority to police or enforce compliance with the contents of this code. Only the governmental body that enacts the code into law has such authority.

Letter Designations in Front of Section Numbers

In each code development cycle, proposed changes to this code are considered at the Code Development Hearing by the International Property Maintenance Code Development Committee, whose action constitutes a recommendation to the voting membership for final action on the proposed change. Proposed changes to a code section whose number begins with a letter in brackets are considered by a different code development committee. For instance, proposed changes to code sections which have the letter [F] in front (e.g., [F] 704.1), are considered by the International Fire Code Development Committee at the Code Development Hearing. Where this designation is applicable to the entire content of a main section of the code, the designation appears at the main section number and title and is not repeated at every subsection in that section.

The content of sections in this code which begin with a letter designation are maintained by another code development committee in accordance with the following: [F] = International Fire Code Development Committee; and [P] = International Plumbing Code Development Committee.

Marginal Markings

Solid vertical lines in the margins within the body of the code indicate a technical change from the requirements of the 2000 edition. Deletion indicators (.) are provided in the margin where a paragraph or item has been deleted.

TABLE OF CONTENTS

CHAPTER 1 ADMINISTRATION

Section
101 General
102 Applicability.....
103 Department of Property Maintenance Inspection
104 Duties and Powers of the Code Official ...
105 Approval
106 Violations
107 Notices and Orders.....
108 Unsafe Structures and Equipment.....
109 Emergency Measures
110 Demolition
111 Means of Appeal

CHAPTER 2 DEFINITIONS

Section
201 General
202 General Definitions.....

CHAPTER 3 GENERAL REQUIREMENTS

Section
301 General
302 Exterior Property Areas
303 Swimming Pools, Spas and Hot Tubs.....
304 Exterior Structure.....
305 Interior Structure
306 Handrails and Guardrails.....
307 Rubbish and Garbage (repealed).....
308 Extermination

CHAPTER 4 LIGHT, VENTILATION AND OCCUPANCY LIMITATIONS

Section
401 General
402 Light
403 Ventilation.....
404 Occupancy Limitations

CHAPTER 5 PLUMBING FACILITIES AND FIXTURE REQUIREMENTS.....

Section
501 General
502 Required Facilities
503 Toilet Rooms
504 Plumbing Systems and Fixtures.....
505 Water System
506 Sanitary Drainage System
507 Storm Drainage.....

CHAPTER 6 MECHANICAL AND ELECTRICAL REQUIREMENTS.....

Section
601 General
602 Heating Facilities.....
603 Mechanical Equipment.....
604 Electrical Facilities.....
605 Electrical Equipment.....

606 Elevators, Escalators and Dumbwaiters
607 Duct Systems

CHAPTER 7 FIRE SAFETY REQUIREMENTS..... 19

Section
701 General
702 Means of Egress
703 Fire-Resistance Ratings
704 Fire Protection Systems.....

CHAPTER 8 REFERENCED STANDARDS

Deleted: INDEX
.....¶

**CHAPTER 1
ADMINISTRATION**

**SECTION 101
GENERAL**

101.1 Title. These regulations shall be known as the *Property Maintenance Code* of City of Shoreline, hereinafter referred to as "this code."

Deleted: [NAME OF JURISDICTION]

101.2 Scope. The provisions of this code shall apply to all existing residential and nonresidential structures and all existing premises and constitute minimum requirements and standards for premises, structures, equipment and facilities for light, ventilation, space, heating, sanitation, protection from the elements, life safety, safety from fire and other hazards, and for safe and sanitary maintenance; the responsibility of owners, operators and occupants; the occupancy of existing structures and premises, and for administration, enforcement and penalties.

EXCEPTION: the minimum standards set forth in section 305 and in chapters 4, 5 and 6 shall be advisory only for all housing units that are owner-occupied and in which no rooms are rented or leased to others, except that each dwelling unit shall contain its own water closet which shall be properly connected to an approved water system and an approved sewage disposal system.

101.3 Intent. This code shall be construed to secure its expressed intent, which is to ensure public health, safety and welfare insofar as they are affected by the continued occupancy and maintenance of structures and premises. Existing structures and premises that do not comply with these provisions shall be altered or repaired to provide a minimum level of health and safety as required herein. Repairs, alterations, additions to and change of occupancy in existing buildings shall comply with the *International Building Code*.

Deleted: Existing

101.4 Severability. If a section, subsection, sentence, clause or phrase of this code is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this code.

**SECTION 102
APPLICABILITY**

102.1 General. The provisions of this code shall apply to all matters affecting or relating to structures and premises, as set forth in Section 101. Where, in a specific case, different sections of this code specify different requirements, the most restrictive shall govern.

102.2 Maintenance. Equipment, systems, devices and safeguards required by this code or a previous regulation or code under which the structure or premises was constructed, altered or repaired shall be maintained in good working order. No owner, operator or occupant shall cause any service, facility, equipment or utility which is required under this section to be removed from or shut off from or discontinued for any occupied dwelling, except for such temporary interruption as necessary while repairs or alterations are in progress. The requirements of this code are not intended to provide the basis for removal or abrogation of fire protection and safety systems and devices in existing structures. Except as otherwise specified herein, the owner or the owner's designated agent shall be responsible for the maintenance of buildings, structures and premises.

102.3 Application of other codes. Repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of Title 15 of the City of Shoreline Municipal Code. Nothing in this code shall be construed to cancel, modify or set aside any provision of Title 20 of the City of Shoreline Municipal Code (Shoreline Development Code).

Deleted: International

Deleted: Existing Building Code

Deleted: the International

Deleted: Zoning Code

102.4 Existing remedies. The provisions in this code shall not be construed to abolish or impair existing remedies of the jurisdiction or its officers or agencies relating to the removal or demolition of any structure which is dangerous, unsafe and unsanitary.

Deleted: insanitary

102.5 Workmanship. Repairs, maintenance work, alterations or installations which are caused directly or indirectly by the enforcement of this code shall be executed and installed in a workmanlike manner and installed in accordance with the manufacturer's installation instructions.

102.6 Historic buildings. The provisions of this code shall not be mandatory for existing buildings or structures designated as historic buildings when such buildings or structures are judged by the code official to be safe and in the public interest of health, safety and welfare.

102.7 Referenced codes and standards. The codes and standards referenced in this code shall be those that are listed in Chapter 8 and considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between provisions of this code and the referenced standards, the provisions of this code shall apply.

102.8 Requirements not covered by code. Requirements necessary for the strength, stability or proper operation of an existing fixture, structure or equipment, or for the public safety, health and general welfare, not specifically covered by this code, shall be determined by the code official.

SECTION 103 CODE ENFORCEMENT

103.1 General. ~~The code official is charged with carrying out the provisions of this code, and the City Manager or designee thereof shall be known as the code official.~~

103.4 Liability. The code official, officer or employee charged with the enforcement of this code, while acting for the jurisdiction, shall not thereby be rendered liable personally, and is hereby relieved from all personal liability for any damage accruing to persons or property as a result of an act required or permitted in the discharge of official duties.

Any suit instituted against any officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by the legal representative of the jurisdiction until the final termination of the proceedings. The code official or any subordinate shall not be liable for costs in an action, suit or proceeding that is instituted in pursuance of the provisions of this code; and any officer of the department of property maintenance inspection, acting in good faith and without malice, shall be free from liability for acts performed under any of its provisions or by reason of any act or omission in the performance of official duties in connection therewith.

103.5 Fees. The fees for activities and services performed by the department in carrying out its responsibilities under this code shall be as indicated in the following schedule.

Reinspection fees may be assessed if work is incomplete, corrections not completed or the allotted time is depleted. All City of Shoreline fees shall be established by Shoreline Municipal Code Chapter 3.01.010. Fees will be assessed at the hourly charge in minimum fifteen (15) minute increments.

DELETED: DEPARTMENT OF PROPERTY
DELETED: MAINTENANCE INSPECTION
DELETED: department of property maintenance inspection
DELETED: is hereby created
DELETED: executive official in charge
DELETED: 103.2 Appointment. The code official shall be appointed by the chief appointing authority of the jurisdiction; and the code official shall not be removed from office except for cause and after full opportunity to be heard on specific and relevant charges by and before the appointing authority.¶
103.3 Deputies. In accordance with the prescribed procedures of this jurisdiction and with the concurrence of the appointing authority, the code official shall have the authority to appoint a deputy code official, other related technical officers, inspectors and other employees.¶
DELETED: [JURISDICTION TO INSERT APPROPRIATE SCHEDULE.]

SECTION 104 DUTIES AND POWERS OF THE CODE OFFICIAL

104.1 General. The code official shall enforce the provisions of this code.

104.2 Rule-making authority. The code official shall have authority as necessary in the interest of public health, safety and general welfare, to adopt and promulgate rules and procedures; to interpret and implement the provisions of this code; to secure the intent thereof; and to designate requirements applicable because of local climatic or other conditions. Such rules shall not have the effect of waiving structural or fire performance requirements specifically provided for in this code, or of violating accepted engineering methods involving public safety.

104.3 Inspections. The code official shall make all of the required inspections, or shall accept reports of inspection by approved agencies or individuals. All reports of such inspections shall be in writing and be certified by a responsible officer of such approved agency or by the responsible individual. The code official is authorized to engage such expert opinion as deemed necessary to report upon unusual technical issues that arise, subject to the approval of the appointing authority.

104.4 Right of entry. The code official is authorized to enter the structure or premises at reasonable times to inspect subject to constitutional restrictions on unreasonable searches and seizures. If entry is refused or not obtained, the code official is authorized to pursue recourse as provided by law.

104.5 Identification. The code official shall carry proper identification when inspecting structures or premises in the performance of duties under this code.

104.6 Notices and orders. The code official shall issue all necessary notices or orders to ensure compliance with this code.

104.7 Department records. The code official shall keep official records of all business and activities of the department specified in the provisions of this code. Such records shall be retained in the official records as long as the building or structure to which such records relate remains in existence, unless otherwise provided for by other regulations.

104.8 Coordination of inspections. Whenever in the enforcement of this code or another code or ordinance, the responsibility of more than one code official of the jurisdiction is involved, it shall be the duty of the code officials involved to coordinate their inspections and administrative orders as fully as practicable so that the owners and occupants of the structure shall not be subjected to visits by numerous inspectors or multiple or conflicting orders. Whenever an inspector from any agency or department observes an apparent or actual violation of some provision of some law, ordinance or code not within the inspector's authority to enforce, the inspector shall report the findings to the code official having jurisdiction.

SECTION 105 APPROVAL

105.1 Modifications. Whenever there are practical difficulties involved in carrying out the provisions of this code, the code official shall have the authority to grant modifications for individual cases, provided the code official shall first find that special individual reason makes the strict letter of this code impractical and the modification is in compliance with the intent and purpose of this code and that such modification does not lessen health, life and fire safety requirements. The details of action granting modifications shall be recorded and entered in the department files.

105.2 Alternative materials, methods and equipment. The provisions of this code are not intended to prevent the installation of any material or to prohibit any method of construction not specifically prescribed by this code, provided that any such alternative has been approved. An alternative material or method of construction shall be approved where the code official finds that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this code in quality, strength, effectiveness, fire resistance, durability and safety.

105.3 Required testing. Whenever there is insufficient evidence of compliance with the provisions of this code, or evidence that a material or method does not conform to the requirements of this code, or in order to substantiate claims for alternative materials or methods, the code official shall have the authority to require tests to be made as evidence of compliance at no expense to the jurisdiction.

105.3.1 Test methods. Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized and accepted test methods, the code official shall be permitted to approve appropriate testing procedures performed by an approved agency.

105.3.2 Test reports. Reports of tests shall be retained by the code official for the period required for retention of public records.

105.4 Material and equipment reuse. Materials, equipment and devices shall not be reused unless such elements are in good repair or have been reconditioned and tested when necessary, placed in good and proper working condition and approved.

**SECTION 106
VIOLATIONS**

106.1 Unlawful acts. It shall be unlawful for a person, firm or corporation to be in conflict with or in violation of any of the provisions of this code.

106.2 Notice of violation. The code official shall serve a notice of violation order in accordance with Shoreline Municipal Code, Title 20, Chapter 30, subchapter 9.

106.3 Prosecution of violation. Prosecution of violations shall be in accordance with Shoreline Municipal Code Title 20, Chapter 30.

106.4 Violation penalties. Penalties shall be assessed in accordance with Shoreline Municipal Code Title 20, Chapter 30.

106.5 Abatement of violation. Abatement of violations shall be in accordance with Shoreline Municipal Code Title 20, Chapter 30.

**SECTION 107
NOTICES AND ORDERS**

107.1 Notice to person responsible. Whenever the code official determines that there has been a violation of this code or has grounds to believe that a violation has occurred, notice shall be given in the manner prescribed in Shoreline Municipal Code, Title 20, Chapter 30, subchapter 9.

107.2 Form. Such notice prescribed in Section 107.1 shall be in accordance with Shoreline Municipal Code, Title 20, Chapter 30, subchapter 9.

107.3 Method of service. Such notice shall be deemed to be properly served; if delivered in accordance with Shoreline Municipal Code, Title 20, Chapter 30, subchapter 9.

107.4 Penalties. Penalties for noncompliance with orders and notices shall be as set forth in Shoreline Municipal Code, Title 20, Chapter 30, subchapter 9.

107.5 Transfer of ownership. It shall be unlawful for the owner of any dwelling unit or structure who has received a notice and order or upon whom a notice and order has been served to sell, transfer, mortgage, lease or otherwise dispose of such dwelling unit or structure to another until the provisions of the notice and order has been complied with, or until such owner shall first furnish the grantee, transferee, mortgagee or lessee a true copy of any notice and order issued by the code official and shall furnish to the code official a signed and notarized statement from the grantee, transferee, mortgagee or lessee, acknowledging the receipt of such notice and order and fully accepting the responsibility without condition for making the corrections or repairs required by such notice and order.

**SECTION 108
UNSAFE STRUCTURES AND EQUIPMENT**

108.1 General. When a structure or equipment is found by the code official to be unsafe, or when a structure is found unfit for human occupancy, or is found unlawful, such structure shall be condemned pursuant to the provisions of this code.

- Deleted:** Section 107
- Deleted:** Any person failing to comply with a notice of violation or order lawfully served
- Deleted:** in accordance with Section 107
- Deleted:** shall be deemed guilty of a misdemeanor, and the violation shall be deemed a strict liability offense. If the notice of violation is not complied with, the code official shall institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the structure in violation of the provisions of this code or of the order or direction made pursuant thereto. Any action taken by the authority having jurisdiction on such premises shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate
- Inserted:** lawfully
- Deleted:** Any person who shall violate a provision of this code, or fail to comply therewith, or with any of the requirements thereof, shall be prosecuted within the limits provided by state or local laws. Each day that a violation continues after due notice has been served shall be deemed a separate offense.
- Deleted:** The imposition of the penalties herein prescribed shall not preclude the legal officer of the jurisdiction from instituting appropriate action to restrain, correct or abate ... [1]
- Deleted:** Sections 107.2 and 107.3
- Deleted:** to the person responsible for the violation as specified in this
- Deleted:** code. Notices for condemnation procedures shall also ... [2]
- Deleted:** with Section 108.3.¶
- Deleted:** all of the following
- Deleted:** 1. Be in writing.¶ dwelling unit or structure into com ... [3]
- Deleted:** if a copy thereof is
- Deleted:**
- Deleted:** 1. Delivered personally.¶ 2. Sent by certified or first-class m ... [4]
- Deleted:** Section 106.4
- Deleted:** compliance
- Deleted:** of violation
- Deleted:** compliance order or notice of violation
- Deleted:** have
- Deleted:** compliance order or notice of violation
- Deleted:** compliance order or notice of violation
- Deleted:** compliance order or notice of violation

108.1.1 Unsafe structures. An unsafe structure is one that is found to be dangerous to the life, health, property or safety of the public or the occupants of the structure by not providing minimum safeguards to protect or warn occupants in the event of fire, or because such structure contains unsafe equipment or is so damaged, decayed, dilapidated, structurally unsafe or of such faulty construction or unstable foundation, that partial or complete collapse is possible.

108.1.2 Unsafe equipment. Unsafe equipment includes any boiler, heating equipment, elevator, moving stairway, electrical wiring or device, flammable liquid containers or other equipment on the premises or within the structure which is in such disrepair or condition that such equipment is a hazard to life, health, property or safety of the public or occupants of the premises or structure.

108.1.3 Structure unfit for human occupancy. A structure is unfit for human occupancy whenever the code official finds that such structure is unsafe, unlawful or, because of the degree to which the structure is in disrepair or lacks maintenance, is insanitary, vermin or rat infested, contains filth and contamination, or lacks ventilation, illumination, sanitary or heating facilities or other essential equipment required by this code, or because the location of the structure constitutes a hazard to the occupants of the structure or to the public.

108.1.4 Unlawful structure. An unlawful structure is one found in whole or in part to be occupied by more persons than permitted under this code, or was erected, altered or occupied contrary to law.

108.2 Closing of vacant structures. If the structure is vacant and unfit for human habitation and occupancy, and is not in danger of structural collapse, the code official is authorized to post a placard of condemnation on the premises and order the structure closed up so as not to be an attractive nuisance. Upon failure of the owner to close up the premises within the time specified in the order, the code official shall cause the premises to be closed and secured through any available public agency or by contract or arrangement by private persons and the cost thereof shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate and may be collected by any other legal resource.

108.3 Notice. Whenever the code official has condemned a structure or equipment under the provisions of this section, notice shall be posted in a conspicuous place in or about the structure affected by such notice and served on the owner or the person or persons responsible for the structure or equipment in accordance with Section 107.3. If the notice pertains to equipment, it shall also be placed on the condemned equipment. The notice shall be in the form prescribed in Section 107.2.

108.4 Placarding. Upon failure of the owner or person responsible to comply with the notice provisions within the time given, the code official shall post on the premises or on defective equipment a placard bearing the word "Condemned" and a statement of the penalties provided for occupying the premises, operating the equipment or removing the placard.

108.4.1 Placard removal. The code official shall remove the condemnation placard whenever the defect or defects upon which the condemnation and placarding action were based have been eliminated. Any person who defaces or removes a condemnation placard without the approval of the code official shall be subject to the penalties provided by this code.

108.5 Prohibited occupancy. Any occupied structure condemned and placarded by the code official shall be vacated as ordered by the code official. Any person who shall occupy a placarded premises or shall operate placarded equipment, and any owner or any person responsible for the premises who shall let anyone occupy a placarded premises or operate placarded equipment shall be liable for the penalties provided by this code.

SECTION 109 EMERGENCY MEASURES

109.1 Imminent danger. When, in the opinion of the code official, there is imminent danger of failure or collapse of a building or structure which endangers life, or when any structure or part of a structure has fallen and life is endangered by the occupation of the structure, or when there is actual or potential danger to those in the proximity of any structure/premise. Potentially dangerous conditions include explosives, explosive fumes or vapors or the presence of

Deleted: the building occupants or

Deleted: because of

toxic fumes, gases or materials, or operation of defective or dangerous equipment, open pits, wells, shafts, or other dangerous excavations unprotected or inadequately protected. The code official is hereby authorized and empowered to order and require the occupants to vacate the premises forthwith. The code official shall cause to be posted a notice reading as follows: "This Structure/Premise Is Unsafe and Its Occupancy/Use Has Been Prohibited by the Code Official." It shall be unlawful for any person to enter upon this property except for the purpose of securing the property, making the required repairs, removing the hazardous condition or of demolishing the same.

Deleted: t
Deleted: at each entrance to such structure
Deleted: such structure
Deleted:
Deleted: the structure

109.2 Temporary safeguards. Notwithstanding other provisions of this code, whenever, in the opinion of the code official, there is imminent danger due to an unsafe condition, the code official shall order the necessary work to be done, including the boarding up of openings and/or the fencing of premises, to render such structure/premise temporarily safe whether or not the legal procedure herein described has been instituted; and shall cause such other action to be taken as the code official deems necessary to meet such emergency.

109.3 Closing streets. When necessary for public safety, the code official shall temporarily close structures and close, or order the authority having jurisdiction to close, sidewalks, streets, public ways and places adjacent to unsafe structures, and prohibit the same from being utilized.

109.4 Emergency repairs. For the purposes of this section, the code official shall employ the necessary labor and materials to perform the required work as expeditiously as possible.

109.5 Costs of emergency repairs. Costs incurred in the performance of emergency work shall be paid by the jurisdiction. The legal counsel of the jurisdiction shall institute appropriate action against the owner of the premises where the unsafe structure is or was located for the recovery of such costs.

109.6 Hearing. Any person ordered to take emergency measures shall comply with such order forthwith. Any affected person shall thereafter, be afforded a hearing as prescribed in Shoreline Municipal Code, Title 20, Chapter 30, subchapter 9.

Deleted: upon petition directed to the appeals board
Deleted: as described in this code

**SECTION 110
DEMOLITION**

110.1 General. The code official shall order the owner of any premises upon which is located any structure, which in the code official's judgment is so old, dilapidated or has become so out of repair as to be dangerous, unsafe, insanitary or otherwise unfit for human habitation or occupancy, and such that it is unreasonable to repair the structure, to demolish and remove such structure; or if such structure is capable of being made safe by repairs, to repair and make safe and sanitary or to demolish and remove at the owner's option; or where there has been a cessation of normal construction of any structure for a period of more than two years, to demolish and remove such structure.

110.2 Notices and orders. All notices and orders shall comply with Section 107.

110.3 Failure to comply. If the owner of a premises fails to comply with a demolition order within the time prescribed, the code official shall cause the structure to be demolished and removed, either through an available public agency or by contract or arrangement with private persons, and the cost of such demolition and removal shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

Deleted: 110.4 Salvage materials. When any structure has been ordered demolished and removed, the governing body or other designated officer under said contract or arrangement aforesaid shall have the right to sell the salvage and valuable materials at the highest price obtainable. The net proceeds of such sale, after deducting the expenses of such demolition and removal, shall be promptly remitted with a report of such sale or transaction, including the items of expense and the amounts deducted, for the person who is entitled thereto, subject to any order of a court. If such a surplus does not remain to be turned over, the report shall so state.¶

**SECTION 111
MEANS OF APPEAL**

111.1 Application for appeal. Any person directly affected by a decision of the code official or a notice or order issued under this code shall have the right to appeal as prescribed in Shoreline Municipal Code, Title 20, Chapter 30, subchapter 9. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or the requirements of this code are adequately satisfied by other means.

Deleted: to the board of appeals,
Deleted: provided that a written application for appeal is filed within 20
Deleted: days after the day the decision, notice or order was served.

**CHAPTER 2
DEFINITIONS**

**SECTION 201
GENERAL**

201.1 Scope. Unless otherwise expressly stated, the following terms shall, for the purposes of this code, have the meanings shown in this chapter.

201.2 Interchangeability. Words stated in the present tense include the future; words stated in the masculine gender include the feminine and neuter; the singular number includes the plural and the plural, the singular.

201.3 Terms defined in other codes. Where terms are not defined in this code and are defined in the *International Building Code, International Fire Code, International Zoning Code, International Plumbing Code, International Mechanical Code, International Existing Building Code* or the *ICC Electrical Code*, such terms shall have the meanings ascribed to them as in those codes.

201.4 Terms not defined. Where terms are not defined through the methods authorized by this section, such terms shall have ordinarily accepted meanings such as the context implies.

201.5 Parts. Whenever the words “dwelling unit,” “dwelling,” “premises,” “building,” “rooming house,” “rooming unit” “housekeeping unit” or “story” are stated in this code, they shall be construed as though they were followed by the words “or any part thereof.”

**SECTION 202
GENERAL DEFINITIONS**

APPROVED. Approved by the code official.

BASEMENT. That portion of a building which is partly or completely below grade.

BATHROOM. A room containing plumbing fixtures including a bathtub or shower.

BEDROOM. Any room or space used or intended to be used for sleeping purposes.

CODE OFFICIAL. The City Manager or his/her designee is charged with the administration and enforcement of this code.

CONDEMN. To adjudge unfit for occupancy or use.

DWELLING UNIT. A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

EASEMENT. That portion of land or property reserved for present or future use by a person or agency other than the legal fee owner(s) of the property. The easement shall be permitted to be for use under, on or above a said lot or lots.

EXTERIOR PROPERTY. The open space on the premises and on adjoining property under the control of owners or operators of such premises.

- Deleted:** 111.2 Membership of board. The board of appeals shall consist
- Deleted:** of a minimum of three members who are qualified by experience
- Deleted:** and training to pass on matters pertaining to property
- Deleted:** maintenance and who are not employees of the jurisdiction.
- Deleted:** The code official shall be an ex-officio member but shall have
- Deleted:** no vote on any matter before the board. The board shall be appointed
- Deleted:** by the chief appointing authority, and shall serve staggered
- Deleted:** and overlapping terms.¶
- ¶ 111.2.1 Alternate members. The chief appointing authority
- Deleted:** shall appoint two or more alternate members who shall
- Deleted:** be called by the board chairman to hear appeals during the
- Deleted:** absence or disqualification of a member. Alternate members
- Deleted:** shall possess the qualifications required for board membership.¶ ... [5]
- Deleted:** its members to serve at ... [6]
- Deleted:** ear an appeal in which ... [7]
- Deleted:** or financial interest.¶ ... [8]
- Deleted:** designate a qualified p ... [9]
- Deleted:** board. The secretary ... [10]
- Deleted:** in the office of the ch ... [11]
- Deleted:** members shall be det ... [12]
- Deleted:** from the chairman, w ... [13]
- Deleted:** at stated periodic mee ... [14]
- Deleted:** open to the public. Th ... [15]
- Deleted:** the code official and ... [16]
- Deleted:** shall be given an opp ... [17]
- Deleted:** shall consist of not le ... [18]
- Deleted:** to the public through ... [19]
- Deleted:** which a hearing will ... [20]
- Deleted:** require compliance w ... [21]
- Deleted:** mandate that only rel ... [22]
- Deleted:** hear an appeal, either ... [23]
- Deleted:** shall have the right to ... [24]
- Deleted:** decision of the code d ... [25]
- Deleted:** of the total number of ... [26]
- Deleted:** shall be recorded. Co ... [27]
- Deleted:** and to the code offici ... [28]
- Deleted:** action in accordance ... [29]
- Deleted:** 111.7 Court review. ... [30]
- Deleted:** official who
- Deleted:** , or any duly authoriz ... [31]

EXTERMINATION. The control and elimination of insects, rats or other pests by eliminating their harborage places; by removing or making inaccessible materials that serve as their food; by poison spraying, fumigating, trapping or by any other approved pest elimination methods.

GARBAGE. The animal or vegetable waste resulting from the handling, preparation, cooking and consumption of food.

GUARD. A building component or a system of building components located at or near the open sides of elevated walking surfaces that minimizes the possibility of a fall from the walking surface to a lower level.

HABITABLE SPACE. Space in a structure for living, sleeping, eating or cooking. Bathrooms, toilet rooms, closets, halls, storage or utility spaces, and similar areas are not considered habitable spaces.

HOUSEKEEPING UNIT. A room or group of rooms forming a single habitable space equipped and intended to be used for living, sleeping, cooking and eating which does not contain, within such a unit, a toilet, lavatory and bathtub or shower.

IMMINENT DANGER. A condition which could cause serious or life-threatening injury or death at any time.

INFESTATION. The presence, within or contiguous to, a structure or premises of insects, rats, vermin or other pests.

INOPERABLE MOTOR VEHICLE. A vehicle which cannot be driven upon the public streets for reason including but not limited to being unlicensed, wrecked, abandoned, in a state of disrepair, or incapable of being moved under its own power.

LABELED. Devices, equipment, appliances, or materials to which has been affixed a label, seal, symbol or other identifying mark of a nationally recognized testing laboratory, inspection agency or other organization concerned with product evaluation that maintains periodic inspection of the production of the above-labeled items and by whose label the manufacturer attests to compliance with applicable nationally recognized standards.

LET FOR OCCUPANCY OR LET. To permit, provide or offer possession or occupancy of a dwelling, dwelling unit, rooming unit, building, premise or structure by a person who is or is not the legal owner of record thereof, pursuant to a written or unwritten lease, agreement or license, or pursuant to a recorded or unrecorded agreement of contract for the sale of land.

OCCUPANCY. The purpose for which a building or portion thereof is utilized or occupied.

OCCUPANT. Any individual living or sleeping in a building, or having possession of a space within a building.

OPENABLE AREA. That part of a window, skylight or door which is available for unobstructed ventilation and which opens directly to the outdoors.

OPERATOR. Any person who has charge, care or control of a structure or premises which is let or offered for occupancy.

OWNER. Any person, agent, operator, firm or corporation having a legal or equitable interest in the property; or recorded in the official records of the state, county or municipality as holding title to the property; or otherwise having control of the property, including the guardian of the estate of any such person, and the executor or administrator of the estate of such person if ordered to take possession of real property by a court.

PERSON. An individual, corporation, partnership or any other group acting as a unit.

PREMISES. A lot, plot or parcel of land, easement or public way, including any structures thereon.

PUBLIC WAY. Any street, alley or similar parcel of land essentially unobstructed from the ground to the sky, which is deeded, dedicated or otherwise permanently appropriated to the public for public use.

ROOMING HOUSE. A building arranged or occupied for lodging, with or without meals, for compensation and not occupied as a one- or two-family dwelling.

ROOMING UNIT. Any room or group of rooms forming a single habitable unit occupied or intended to be occupied for sleeping or living, but not for cooking purposes.

RUBBISH. Combustible and noncombustible waste materials, except garbage; the term shall include the residue from the burning of wood, coal, coke and other combustible materials, paper, rags, cartons, boxes, wood, excelsior, rubber, leather, tree branches, yard trimmings, tin cans, metals, mineral matter, glass, crockery and dust and other similar materials.

STRICT LIABILITY OFFENSE. An offense in which the prosecution in a legal proceeding is not required to prove criminal intent as a part of its case. It is enough to prove that the defendant either did an act which was prohibited, or failed to do an act which the defendant was legally required to do.

STRUCTURE. That which is built or constructed or a portion thereof.

TENANT. A person, corporation, partnership or group, whether or not the legal owner of record, occupying a building or portion thereof as a unit.

TOILET ROOM. A room containing a water closet or urinal but not a bathtub or shower.

VENTILATION. The natural or mechanical process of supplying conditioned or unconditioned air to, or removing such air from, any space.

WATER CLOSET. A water-flushed plumbing fixture designed to receive human waste directly from the user of the fixture.

WORKMANLIKE. Executed in a skilled manner; e.g., generally plumb, level, square, in line, undamaged and without marring adjacent work.

YARD. An open space on the same lot with a structure.

CHAPTER 3 GENERAL REQUIREMENTS

SECTION 301 GENERAL

301.1 Scope. The provisions of this chapter shall govern the minimum conditions and the responsibilities of persons for maintenance of structures, equipment, premises and exterior property.

301.2 Responsibility. The owner of the premises shall maintain the structures, premises and exterior property in compliance with these requirements, except as otherwise provided for in this code. A person shall not occupy as owner-occupant or permit another person to occupy premises which are not in a sanitary and safe condition and which do not comply with the requirements of this chapter. Occupants of a dwelling unit, rooming unit or housekeeping unit are responsible for keeping in a clean, sanitary and safe condition that part of the dwelling unit, rooming unit, housekeeping unit or premises which they occupy and control.

301.3 Vacant structures and land. All vacant structures and premises thereof or vacant land shall be maintained in a clean, safe, secure and sanitary condition as provided herein so as not to cause a blighting problem or adversely affect the public health or safety.

_SECTION 302

EXTERIOR PROPERTY AREAS

302.1 Sanitation. All exterior property and premises shall be maintained in a clean, safe and sanitary condition. The occupant shall keep that part of the exterior property which such occupant occupies or controls in a clean and sanitary condition.

302.2 Grading and drainage. All premises shall be graded and maintained to prevent the erosion of soil and to prevent the accumulation of stagnant water thereon, or within any structure located thereon.

Exception: Approved retention areas and reservoirs.

302.3 Sidewalks and driveways. All sidewalks, walkways, stairs, driveways, parking spaces and similar areas shall be kept in a proper state of repair, and maintained free from hazardous conditions.

302.5 Rodent harborage. All structures and exterior property shall be kept free from rodent harborage and infestation. Where rodents are found, they shall be promptly exterminated by approved processes which will not be injurious to human health. After extermination, proper precautions shall be taken to eliminate rodent harborage and prevent reinfestation.

302.6 Exhaust vents. Pipes, ducts, conductors, fans or blowers shall not discharge gases, steam, vapor, hot air, grease, smoke, odors or other gaseous or particulate wastes directly upon abutting or adjacent public or private property or that of another tenant.

302.7 Accessory structures. All accessory structures, including detached garages, fences and walls, shall be maintained structurally sound and in good repair.

302.8 Motor vehicles, recreational vehicles, and boats. Except as provided for in other regulations, no inoperative or unlicensed motor vehicle, recreational vehicle or boat shall be parked, kept or stored on any premises, and no vehicle, recreational vehicle or boat shall at any time be in a state of major disassembly, disrepair, damaged to the extent it prevents normal operation, or in the process of being stripped or dismantled. Painting of vehicles is prohibited unless conducted inside an approved spray booth.

Exception: A vehicle of any type is permitted to undergo major overhaul, including body work, provided that such work is performed inside a structure or similarly enclosed area designed and approved for such purposes.

302.9 Defacement of property. No person shall willfully or wantonly damage, mutilate or deface any exterior surface of any structure or building on any private or public property by placing thereon any marking, carving or graffiti. It shall be the responsibility of the owner to restore said surface to an approved state of maintenance and repair.

SECTION 303 SWIMMING POOLS, SPAS AND HOT TUBS

303.1 Enclosures. Private swimming pools, hot tubs and spas, containing water more than 24 inches (610 mm) in depth shall be completely surrounded by a fence or barrier at least 48 inches (1219 mm) in height above the finished ground level measured on the side of the barrier away from the pool. Gates and doors in such barriers shall be self-closing and self-latching. Where the self-latching device is less than 54 inches (1372 mm) above the bottom of the gate, the release mechanism shall be located on the pool side of the gate. Self-closing and self-latching gates shall be maintained such that the gate will positively close and latch when released from an open position of 6 inches (152 mm) from the gatepost. No existing pool enclosure shall be removed, replaced or changed in a manner that reduces its effectiveness as a safety barrier.

Deleted: 302.4 Weeds. All premises and exterior property shall be maintained

Deleted: free from weeds or plant growth in excess of (jurisdiction

Deleted: to insert height in inches). All noxious weeds shall be

Deleted: prohibited. Weeds shall be defined as all grasses, annual plants

Deleted: and vegetation, other than trees or shrubs provided; however,

Deleted: this term shall not include cultivated flowers and gardens.

Deleted: Upon failure of the owner or agent having charge of a property

Deleted: to cut and destroy weeds after service of a notice violation,

Deleted: they shall be subject to prosecution in accordance with Section

Deleted: 106.3 and as prescribed by the authority having jurisdiction.

Deleted: Upon failure to comply with the notice of violation, any duly

Deleted: authorized employee of the jurisdiction or contractor hired by

Deleted: the jurisdiction shall be authorized to enter upon the property

Deleted: in violation and cut and destroy the weeds growing thereon,

Deleted: and the costs of such removal shall be paid by the owner or

Deleted: agent responsible for the property. ¶

Deleted: 303.1 Swimming pools. Swimming pools shall be maintained in a clean and sanitary condition, and in good repair. ¶

Deleted: 2

SECTION 304
EXTERIOR STRUCTURE

304.1 General. The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety or welfare.

304.2 Protective treatment. All exterior surfaces, including but not limited to, doors, door and window frames, cornices, porches, trim, balconies, decks and fences shall be maintained in good condition. Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Peeling, flaking and chipped paint shall be eliminated and surfaces repainted. All siding and masonry joints as well as those between the building envelope and the perimeter of windows, doors, and skylights shall be maintained weather resistant and water tight. All metal surfaces subject to rust or corrosion shall be coated to inhibit such rust and corrosion and all surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion. Oxidation stains shall be removed from exterior surfaces. Surfaces designed for stabilization by oxidation are exempt from this requirement.

304.3 Premises identification. Buildings shall have approved address numbers placed in a position to be plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters. Numbers shall be a minimum of 4 inches (102 mm) high with a minimum stroke width of 0.5 inch (12.7 mm).

304.4 Structural members. All structural members shall be maintained free from deterioration, and shall be capable of safely supporting the imposed dead and live loads.

304.5 Foundation walls. All foundation walls shall be maintained plumb and free from open cracks and breaks and shall be kept in such condition so as to prevent the entry of rodents and other pests.

304.6 Exterior walls. All exterior walls shall be free from holes, breaks, and loose or rotting materials; and maintained weatherproof and properly surface coated where required to prevent deterioration.

304.7 Roofs and drainage. The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates a public nuisance.

304.8 Decorative features. All cornices, belt courses, corbels, terra cotta trim, wall facings and similar decorative features shall be maintained in good repair with proper anchorage and in a safe condition.

304.9 Overhang extensions. All overhang extensions including, but not limited to canopies, marquees, signs, metal awnings, fire escapes, standpipes and exhaust ducts shall be maintained in good repair and be properly anchored so as to be kept in a sound condition. When required, all exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or similar surface treatment.

304.10 Stairways, decks, porches and balconies. Every exterior stairway, deck, porch and balcony, and all appurtenances attached thereto, shall be maintained structurally sound, in good repair, with proper anchorage and capable of supporting the imposed loads.

304.11 Chimneys and towers. All chimneys, cooling towers, smoke stacks, and similar appurtenances shall be maintained structurally safe and sound, and in good repair. All exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or similar surface treatment.

304.12 Handrails and guards. Every handrail and guard shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.

304.13 Window, skylight and door frames. Every window, skylight, door and frame shall be kept in sound condition, good repair and weather tight.

303.13.1 Glazing. All glazing materials shall be maintained free from cracks and holes.

303.13.2 Openable windows. Every window, other than a fixed window, shall be easily openable and capable of being held in position by window hardware.

304.15 Doors. All exterior doors, door assemblies and hardware shall be maintained in good condition. Locks at all entrances to dwelling units, rooming units and guestrooms shall tightly secure the door. Locks on means of egress doors shall be in accordance with Section 702.3.

304.16 Basement hatchways. Every basement hatchway shall be maintained to prevent the entrance of rodents, rain and surface drainage water.

304.17 Guards for basement windows. Every basement window that is openable shall be supplied with rodent shields, storm windows or other approved protection against the entry of rodents.

304.18 Building security. Doors, windows or hatchways for dwelling units, room units or housekeeping units shall be provided with devices designed to provide security for the occupants and property within.

304.18.1 Doors. Doors providing access to a dwelling unit, rooming unit or housekeeping unit that is rented, leased or let shall be equipped with a deadbolt lock meeting specifications set forth herein. Such deadbolt locks shall be operated only by the turning of a knob or a key and shall have a lock throw of not less than 1-inch. For the purpose of this section, a sliding bolt shall not be considered an acceptable deadbolt lock. Such deadbolt locks shall be installed according to manufacturer's specifications and maintained in good working order. All deadbolt locks required by this section shall be designed and installed in such a manner so as to be operable inside of the dwelling unit, rooming unit or housekeeping unit without the use of a key, tool, combination thereof or any other special knowledge or effort.

304.18.2 Windows. Operable windows located in whole or in part within 6 feet (1828 mm) above ground level or a walking surface below that provide access to a dwelling unit, rooming unit or housekeeping unit that is rented, leased or let shall be equipped with a window sash locking devices.

304.18.3 Basement hatchways. Basement hatchways that provide access to a dwelling unit, rooming unit or housekeeping unit that is rented, leased or let shall be equipped with devices that secure the units from unauthorized entry.

- Deleted:** 304.14 Insect screens. During the period from [DATE] to
- Deleted:** [DATE], every door, window and other outside opening required
- Deleted:** for ventilation of habitable rooms, food preparation areas, food
- Deleted:** service areas or any areas where products to be included or utilized
- Deleted:** in food for human consumption are processed, manufactured,
- Deleted:** packaged or stored, shall be supplied with approved
- Deleted:** tightly fitting screens of not less than 16 mesh per inch (16
- Deleted:** mesh per 25 mm) and every swinging door shall have a self-closing
- Deleted:** device in good working condition.¶
¶ **Exception:** Screens shall not be required where other approved
- Deleted:** means, such as air curtains or insect repellent fans,
- Deleted:** are employed.¶

**SECTION 305
INTERIOR STRUCTURE**

(Note: subject to exception stated in 101.2)

305.1 General. The interior of a structure and equipment therein shall be maintained in good repair, structurally sound and in a sanitary condition. Occupants shall keep that part of the structure which they occupy or control in a clean and sanitary condition. Every owner of a structure containing a rooming house, housekeeping units, a hotel, a dormitory, two or more dwelling units or two or more nonresidential occupancies, shall maintain, in a clean and sanitary condition, the shared or public areas of the structure and exterior property.

305.2 Structural members. All structural members shall be maintained structurally sound, and be capable of supporting the imposed loads.

305.3 Interior surfaces. All interior surfaces, including windows and doors, shall be maintained in good, clean and sanitary condition. Peeling, chipping, flaking or abraded paint shall be repaired, removed or covered. Cracked or loose plaster, decayed wood and other defective surface conditions shall be corrected.

305.4 Stairs and walking surfaces. Every stair, ramp, landing, balcony, porch, deck or other walking surface shall be maintained in sound condition and good repair.

305.5 Handrails and guards. Every handrail and guard shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.

305.6 Interior doors. Every interior door shall fit reasonably well within its frame and shall be capable of being opened and closed by being properly and securely attached to jambs, headers or tracks as intended by the manufacturer of the attachment hardware.

SECTION 306 HANDRAILS AND GUARDRAILS

306.1 General. Every exterior and interior flight of stairs having more than four risers shall have a handrail on one side of the stair and every open portion of a stair, landing, balcony, porch, deck, ramp or other walking surface which is more than 30 inches (762 mm) above the floor or grade below shall have guards. Handrails shall not be less than 30 inches (762 mm) high or more than 42 inches (1067 mm) high measured vertically above the nosing of the tread or above the finished floor of the landing or walking surfaces. Guards shall not be less than 30 inches (762 mm) high above the floor of the landing, balcony, porch, deck, or ramp or other walking surface.

Exception: Guards shall not be required where exempted by the adopted building code.

SECTION 307 RUBBISH AND GARBAGE

Section 307 is hereby repealed. (see SMC 13.14 -- Garbage Code)

SECTION 308 EXTERMINATION

308.1 Infestation. All structures shall be kept free from insect and rodent infestation. All structures in which insects or rodents are found shall be promptly exterminated by approved processes that will not be injurious to human health. After extermination, proper precautions shall be taken to prevent reinfestation.

308.2 Owner. The owner of any structure shall be responsible for extermination within the structure prior to renting or leasing the structure.

308.3 Single occupant. The occupant of a one-family dwelling or of a single-tenant nonresidential structure shall be responsible for extermination on the premises.

308.4 Multiple occupancy. The owner of a structure containing two or more dwelling units, a multiple occupancy, a rooming house or a nonresidential structure shall be responsible for extermination in the public or shared areas of the structure and exterior property. If infestation is caused by failure of an occupant to prevent such infestation in the area occupied, the occupant shall be responsible for extermination.

308.5 Occupant. The occupant of any structure shall be responsible for the continued rodent and pest-free condition of the structure.

Exception: Where the infestations are caused by defects in the structure, the owner shall be responsible for extermination.

Deleted: 307.1 Accumulation of rubbish or garbage. All exterior
Deleted: property and premises, and the interior of every structure, shall
Deleted: be free from any accumulation of rubbish or garbage.¶
¶ 307.2 Disposal of rubbish. Every occupant of a structure shall
Deleted: dispose of all rubbish in a clean and sanitary manner by placing
Deleted: such rubbish in approved containers.¶
¶ 307.2.1 Rubbish storage facilities. The owner of every occupied
Deleted: premises shall supply approved covered containers
Deleted: for rubbish, and the owner of the premises shall be responsible
Deleted: for the removal of rubbish.¶
¶ 307.2.2 Refrigerators. Refrigerators and similar equipment
Deleted: not in operation shall not be discarded, abandoned or
Deleted: stored on premises without first removing the doors.¶
¶ 307.3 Disposal of garbage. Every occupant of a structure shall
Deleted: dispose of garbage in a clean and sanitary manner by placing
Deleted: such garbage in an approved garbage disposal facility or approved
Deleted: garbage containers.¶
¶ 307.3.1 Garbage facilities. The owner of every dwelling
Deleted: shall supply one of the following: an approved mechanical
Deleted: food waste grinder in each dwelling unit; an approved incinerator
Deleted: unit in the structure available to the occupants in each
Deleted: dwelling unit; or an approved leak proof, covered, outside
Deleted: garbage container.¶
¶ 307.3.2 Containers. The operator of every establishment
Deleted: producing garbage shall provide, and at all times cause to be
Deleted: utilized, approved leak proof containers provided with
Deleted: close-fitting covers for the storage of such materials until removed
Deleted: from the premises for disposal.¶

**CHAPTER 4
LIGHT, VENTILATION AND
OCCUPANCY LIMITATIONS**

(Note: subject to exception stated in 101.2)

**SECTION 401
GENERAL**

401.1 Scope. The provisions of this chapter shall govern the minimum conditions and standards for light, ventilation and space for occupying a structure.

401.2 Responsibility. The owner of the structure shall provide and maintain light, ventilation and space conditions in compliance with these requirements. A person shall not occupy as owner-occupant, or permit another person to occupy, any premises that do not comply with the requirements of this chapter.

401.3 Alternative devices. In lieu of the means for natural light and ventilation herein prescribed, artificial light or mechanical ventilation complying with the *International Building Code* shall be permitted.

**SECTION 402
LIGHT**

402.1 Habitable spaces. Every habitable space shall have at least one window of approved size facing directly to the outdoors or to a court. The minimum total glazed area for every habitable space shall be 8 percent of the floor area of such room. Wherever walls or other portions of a structure face a window of any room and such obstructions are located less than 3 feet (914 mm) from the window and extend to a level above that of the ceiling of the room, such window shall not be deemed to face directly to the outdoors nor to a court and shall not be included as contributing to the required minimum total window area for the room.

Exception: Where natural light for rooms or spaces without exterior glazing areas is provided through an adjoining room, the unobstructed opening to the adjoining room shall be at least 8 percent of the floor area of the interior room or space, but not less than 25 square feet (2.33m²). The exterior glazing area shall be based on the total floor area being served.

402.2 Common halls and stairways. Every common hall and stairway in residential occupancies, other than in one- and two family dwellings, shall be lighted at all times with at least a 60- watt standard incandescent light bulb for each 200 square feet (19 m²) of floor area or equivalent illumination, provided that the spacing between lights shall not be greater than 30 feet (9144 mm). In other than residential occupancies, means of egress, including exterior means of egress stairways shall be illuminated at all times the building space served by the means of egress is occupied with a minimum of 1 foot candle (11 lux) at floors, landings and treads.

402.3 Other spaces. All other spaces shall be provided with natural or artificial light sufficient to permit the maintenance of sanitary conditions, and the safe occupancy of the space and utilization of the appliances, equipment and fixtures.

**SECTION 403
VENTILATION**

403.1 Habitable spaces. Every habitable space shall have at least one openable window. The total openable area of the window in every room shall be equal to at least 45 percent of the minimum glazed area required in Section 402.1.

Exception: Where rooms and spaces without openings to the outdoors are ventilated through an adjoining room, the unobstructed opening to the adjoining room shall be at least 8 percent of the floor area of the interior room or

space, but not less than 25 square feet (2.33m²). The ventilation openings to the outdoors shall be based on a total floor area being ventilated.

403.2 Bathrooms and toilet rooms. Every bathroom and toilet room shall comply with the ventilation requirements for habitable spaces as required by Section 403.1, except that a window shall not be required in such spaces equipped with a mechanical ventilation system. Air exhausted by a mechanical ventilation system from a bathroom or toilet room shall discharge to the outdoors and shall not be recirculated.

403.3 Cooking facilities. Unless approved through the certificate of occupancy, cooking shall not be permitted in any rooming unit or dormitory unit, and a cooking facility or appliance shall not be permitted to be present in a rooming unit or dormitory unit.

Exception: Where specifically approved in writing by the code official.

403.4 Process ventilation. Where injurious, toxic, irritating or noxious fumes, gases, dusts or mists are generated, a local exhaust ventilation system shall be provided to remove the contaminating agent at the source. Air shall be exhausted to the exterior and not be recirculated to any space.

403.5 Clothes dryer exhaust. Clothes dryer exhaust systems shall be independent of all other systems and shall be exhausted in accordance with the manufacturer's instructions.

SECTION 404 OCCUPANCY LIMITATIONS

404.1 Privacy. Dwelling units, hotel units, housekeeping units, rooming units and dormitory units shall be arranged to provide privacy and be separate from other adjoining spaces.

404.2 Minimum room widths. A habitable room, other than a kitchen, shall not be less than 7 feet (2134 mm) in any plan dimension. Kitchens shall have a clear passageway of not less than 3 feet (914 mm) between counterfronts and appliances or counterfronts and walls.

404.3 Minimum ceiling heights. Habitable spaces, hallways, corridors, laundry areas, bathrooms, toilet rooms and habitable basement areas shall have a clear ceiling height of not less than 7 feet (2134 mm).

Exceptions:

1. In one- and two-family dwellings, beams or girders spaced not less than 4 feet (1219 mm) on center and projecting not more than 6 inches (152 mm) below the required ceiling height.
2. Basement rooms in one- and two-family dwellings occupied exclusively for laundry, study or recreation purposes, having a ceiling height of not less than 6 feet 8 inches (2033 mm) with not less than 6 feet 4 inches (1932 mm) of clear height under beams, girders, ducts and similar obstructions.
3. Rooms occupied exclusively for sleeping, study or similar purposes and having a sloped ceiling over all or part of the room, with a clear ceiling height of at least 7 feet (2134 mm) over not less than one-third of the required minimum floor area. In calculating the floor area of such rooms, only those portions of the floor area with a clear ceiling height of 5 feet (1524 mm) or more shall be included.

404.4 Bedroom requirements. Every bedroom shall comply with the requirements of Sections 404.4.1 through 404.4.5.

404.4.1 Area for sleeping purposes. Every bedroom occupied by one person shall contain at least 70 square feet (6.5 m²) of floor area, and every bedroom occupied by more than one person shall contain at least 50 square feet (4.6 m²) of floor area for each occupant thereof.

404.4.2 Access from bedrooms. Bedrooms shall not constitute the only means of access to other bedrooms or habitable spaces and shall not serve as the only means of egress from other habitable spaces.

Exception: Units that contain fewer than two bedrooms.

404.4.4 Prohibited occupancy. Kitchens and nonhabitable spaces shall not be used for sleeping purposes.

404.4.5 Other requirements. Bedrooms shall comply with the applicable provisions of this code including, but not limited to, the light, ventilation, room area, ceiling height and room width requirements of this chapter; the plumbing facilities and water-heating facilities requirements of Chapter 5; the heating facilities and electrical receptacle requirements of Chapter 6; and the smoke detector and emergency escape requirements of Chapter 7.

Deleted: 404.4.3 Water closet accessibility. Every bedroom shall have access to at least one water closet and one lavatory without passing through another bedroom. Every bedroom in a dwelling unit shall have access to at least one water closet and lavatory located in the same story as the bedroom or an adjacent story.

404.6 Efficiency unit. Nothing in this section shall prohibit an efficiency living unit from meeting the following requirements:

1. A unit occupied by not more than two occupants shall have a clear floor area of not less than 220 square feet (20.4 m²). A unit occupied by three occupants shall have a clear floor area of not less than 320 square feet (29.7 m²). These required areas shall be exclusive of the areas required by Items 2 and 3.
2. The unit shall be provided with a kitchen sink, cooking appliance and refrigeration facilities, each having a clear working space of not less than 30 inches (762 mm) in front. Light and ventilation conforming to this code shall be provided.
3. The unit shall be provided with a separate bathroom containing a water closet, lavatory and bathtub or shower.
4. The maximum number of occupants shall be three.

404.7 Food preparation. All spaces to be occupied for food preparation purposes shall contain suitable space and equipment to store, prepare and serve foods in a sanitary manner. There shall be adequate facilities and services for the sanitary disposal of food wastes and refuse, including facilities for temporary storage.

CHAPTER 5 PLUMBING FACILITIES AND FIXTURE REQUIREMENTS

(Note: subject to exception stated in 101.2)

SECTION 501 GENERAL

501.1 Scope. The provisions of this chapter shall govern the minimum plumbing systems, facilities and plumbing fixtures to be provided.

501.2 Responsibility. The owner of the structure shall provide and maintain such plumbing facilities and plumbing fixtures in compliance with these requirements. A person shall not occupy as owner-occupant or permit another person to occupy any structure or premises which does not comply with the requirements of this chapter.

[P] SECTION 502 REQUIRED FACILITIES

502.1 Dwelling units. Every dwelling unit shall contain its own bathtub or shower, lavatory, water closet and kitchen sink which shall be maintained in a sanitary, safe working condition. The lavatory shall be placed in the same room as the water closet or located in close proximity to the door leading directly into the room in which such water closet is located. A kitchen sink shall not be used as a substitute for the required lavatory.

Deleted: 404.5 Overcrowding. Dwelling units shall not be occupied by more occupants than permitted by the minimum area requirements of Table 404.5.

TABLE 404.5 MINIMUM AREA REQUIREMENTS MINIMUM AREA IN SQUARE FEET	
SPACE	1-2 occupants . 3-5 occupants . 6 or more occupants
Living room (a,b)	No requirements . . 120 . . 150
Dining room (b)	No requirements . . 80 . . 100
Bedrooms	----- Shall comply with Section 404.4 -----

For SI: 1 square foot = 0.093 m².

a. See Section 404.5.2 for combined living room/dining room spaces.

b. See Section 404.5.1 for limitations on determining the minimum occupancy area for sleeping purposes.

404.5.1 Sleeping area. The minimum occupancy area required by Table 404.5 shall not be included as a sleeping area in determining the minimum occupancy area for sleeping purposes. All sleeping areas shall comply with Section 404.4.

404.5.2 Combined spaces. Combined living room and dining room spaces shall comply with the requirements of Table 404.5 if the total area is equal to that required for separate rooms and if the space is located so as to function as a combination living room/dining room.

502.2 Rooming houses. At least one water closet, lavatory and bathtub or shower shall be supplied for each four rooming units.

502.3 Hotels. Where private water closets, lavatories and baths are not provided, one water closet, one lavatory and one bathtub or shower having access from a public hallway shall be provided for each ten occupants.

**[P] SECTION 503
TOILET ROOMS**

503.1 Privacy. Toilet rooms and bathrooms shall provide privacy and shall not constitute the only passageway to a hall or other space, or to the exterior. A door and interior locking device shall be provided for all common or shared bathrooms and toilet rooms in a multiple dwelling.

503.2 Location. Toilet rooms and bathrooms serving hotel units, rooming units or dormitory units or housekeeping units, shall have access by traversing not more than one flight of stairs and shall have access from a common hall or passageway.

Deleted: 502.4 Employees' facilities. A minimum of one water closet, one lavatory and one drinking facility shall be available to employees.¶
502.4.1 Drinking facilities. Drinking facilities shall be a drinking fountain, water cooler, bottled water cooler or disposable cups next to a sink or water dispenser. Drinking facilities shall not be located in toilet rooms or bathrooms

**[P] SECTION 504
PLUMBING SYSTEMS AND FIXTURES**

504.1 General. All plumbing fixtures shall be properly installed and maintained in working order, and shall be kept free from obstructions, leaks and defects and be capable of performing the function for which such plumbing fixtures are designed. All plumbing fixtures shall be maintained in a safe, sanitary and functional condition.

504.2 Fixture clearances. Plumbing fixtures shall have adequate clearances for usage and cleaning.

504.3 Plumbing system hazards. Where it is found that a plumbing system in a structure constitutes a hazard to the occupants or the structure by reason of inadequate service, inadequate venting, cross connection, back siphonage, improper installation, deterioration or damage or for similar reasons, the code official shall require the defects to be corrected to eliminate the hazard.

**SECTION 505
WATER SYSTEM**

505.1 General. Every sink, lavatory, bathtub or shower, drinking fountain, water closet or other plumbing fixture shall be properly connected to either a public water system or to an approved private water system. All kitchen sinks, lavatories, laundry facilities, bathtubs and showers shall be supplied with hot or tempered and cold running water in accordance with the *Plumbing Code adopted by the City of Shoreline*.

[P] 505.2 Contamination. The water supply shall be maintained free from contamination, and all water inlets for plumbing fixtures shall be located above the flood-level rim of the fixture. Shampoo basin faucets, janitor sink faucets and other hose bibs or faucets to which hoses are attached and left in place, shall be protected by an approved atmospheric-type vacuum breaker or an approved permanently attached hose connection vacuum breaker.

505.3 Supply. The water supply system shall be installed and maintained to provide a supply of water to plumbing fixtures, devices and appurtenances in sufficient volume and at pressures adequate to enable the fixtures to function properly, safely, and free from defects and leaks.

505.4 Water heating facilities. Water heating facilities shall be properly installed, maintained and capable of providing an adequate amount of water to be drawn at every required sink, lavatory, bathtub, shower and laundry facility at a

Deleted: 503.3 Location of employee toilet facilities. Toilet facilities shall have access from within the employees' working area. The required toilet facilities shall be located not more than one story above or below the employees' working area and the path of travel to such facilities shall not exceed a distance of 500 feet (152 m). Employee facilities shall either be separate facilities or combined employee and public facilities.¶
Exception: Facilities that are required for employees in storage structures or kiosks, which are located in adjacent structures under the same ownership, lease or control, shall not exceed a travel distance of 500 feet (152 m) from the employees' regular working area to the facilities.¶
503.4 Floor surface. In other than dwelling units, every toilet room floor shall be maintained to be a smooth, hard, nonabsorbent surface to permit such floor to be easily kept in a clean and sanitary condition.¶

Deleted: International

temperature of not less than 110°F (43°C). A gas-burning water heater shall not be located in any bathroom, toilet room, bedroom or other occupied room normally kept closed, unless adequate combustion air is provided. An approved combination temperature and pressure-relief valve and relief valve discharge pipe shall be properly installed and maintained on water heaters.

**[P] SECTION 506
SANITARY DRAINAGE SYSTEM**

506.1 General. All plumbing fixtures shall be properly connected to either a public sewer system or to an approved private sewage disposal system.

506.2 Maintenance. Every plumbing stack, vent, waste and sewer line shall function properly and be kept free from obstructions, leaks and defects.

**[P] SECTION 507
STORM DRAINAGE**

507.1 General. Drainage of roofs and paved areas, yards and courts, and other open areas on the premises shall not be discharged in a manner that creates a public nuisance.

**CHAPTER 6
MECHANICAL AND ELECTRICAL REQUIREMENTS**

(Note: subject to exception stated in 101.2)

**SECTION 601
GENERAL**

601.1 Scope. The provisions of this chapter shall govern the minimum mechanical and electrical facilities and equipment to be provided.

601.2 Responsibility. The owner of the structure shall provide and maintain mechanical and electrical facilities and equipment in compliance with these requirements. A person shall not permit another person to occupy any premises which does not comply with the requirements of this chapter.

Deleted: occupy as owner-occupant or

**SECTION 602
HEATING FACILITIES**

602.1 Facilities required. Heating facilities shall be provided in structures as required by this section.

602.2 Residential occupancies. Dwellings shall be provided with permanently installed, safe, functioning heating facilities and an approved power or fuel supply system capable of maintaining a room temperature of 65°F (18°C) in all habitable rooms, bathrooms and toilet rooms. Cooking appliances shall not be used to provide space heating to meet the requirements of this section.

Deleted: based on the winter outdoor design temperature for the locality indicated in Appendix D of the *International Plumbing Code*

602.3 Heat supply. Every owner and operator of any building who rents, leases or lets one or more dwelling unit, rooming unit, dormitory or guestroom on terms, either expressed or implied, to furnish heat to the occupants thereof shall supply heat during the period from [DATE] to [DATE] to maintain a temperature of not less than 65°F (18°C) in all habitable rooms, bathrooms, and toilet rooms.

Deleted: Exception: In areas where the average monthly temperature is above 30°F (-1°C), a minimum temperature of 65°F (18°C) shall be maintained.¶

Deleted: 68

Deleted: 20

Exceptions:

When the outdoor temperature is below the winter outdoor design temperature for the locality, maintenance of the minimum room temperature shall not be required provided that the heating system is operating at its full design capacity. The winter outdoor design temperature for the locality shall be as indicated in *the Plumbing Code adopted by the City of Shoreline*.

Deleted: 1.

Deleted: Appendix D of the International

602.5 Room temperature measurement. The required room temperatures shall be measured 3 feet (914mm) above the floor near the center of the room and 2 feet (610 mm) inward from the center of each exterior wall.

Deleted: 2. In areas where the average monthly temperature is above 30°F (-1°C) a minimum temperature of 65°F (18°C) shall be maintained.¶

602.4 Occupiable work spaces. Indoor occupiable work

**SECTION 603
MECHANICAL EQUIPMENT**

603.1 Mechanical appliances. All mechanical appliances, fireplaces, solid fuel-burning appliances, cooking appliances and water heating appliances shall be properly installed and maintained in a safeworking condition, and shall be capable of performing the intended function.

Deleted: spaces shall be supplied with heat during the period from

603.2 Removal of combustion products. All fuel-burning equipment and appliances shall be connected to an approved chimney or vent.

Deleted: [DATE] to [DATE] to maintain a temperature of not less than 65°F

Exception: Fuel-burning equipment and appliances which are labeled for unvented operation.

Deleted: (18°C) during the period the spaces are occupied.

603.3 Clearances. All required clearances to combustible materials shall be maintained.

Deleted: ¶
¶ Exceptions:¶
¶

603.4 Safety controls. All safety controls for fuel-burning equipment shall be maintained in effective operation.

1. Processing, storage and operation areas that require

603.5 Combustion air. A supply of air for complete combustion of the fuel and for ventilation of the space containing the fuel-burning equipment shall be provided for the fuel-burning equipment.

Deleted: cooling or special temperature conditions.¶
¶

603.6 Energy conservation devices. Devices intended to reduce fuel consumption by attachment to a fuel-burning appliance, to the fuel supply line thereto, or to the vent outlet or vent piping therefrom, shall not be installed unless labeled for such purpose and the installation is specifically approved.

2. Areas in which persons are primarily engaged in vigorous

Deleted: physical activities.¶

**SECTION 604
ELECTRICAL FACILITIES**

604.1 Facilities required. Every occupied building shall be provided with an electrical system in compliance with the requirements of this section and Section 605.

604.2 Service. The size and usage of appliances and equipment shall serve as a basis for determining the need for additional facilities in accordance with the *Electrical Code as adopted by the City of Shoreline*. Dwelling units shall be served by a three-wire, 120/240 volt, single phase electrical service having a rating of not less than 60 amperes.

Deleted: ICC

604.3 Electrical system hazards. Where it is found that the electrical system in a structure constitutes a hazard to the occupants or the structure by reason of inadequate service, improper fusing, insufficient receptacle and lighting outlets, improper wiring or installation, deterioration or damage, or for similar reasons, the code official shall require the defects to be corrected to eliminate the hazard.

**SECTION 605
ELECTRICAL EQUIPMENT**

605.1 Installation. All electrical equipment, wiring and appliances shall be properly installed and maintained in a safe and approved manner.

605.2 Receptacles. Every habitable space in a dwelling shall contain at least two separate and remote receptacle outlets. Every laundry area shall contain at least one grounded-type receptacle or a receptacle with a ground fault circuit interrupter. Every bathroom shall contain at least one receptacle. Any new bathroom receptacle outlet shall have ground fault circuit interrupter protection.

605.3 Lighting fixtures. Every public hall, interior stairway, toilet room, kitchen, bathroom, laundry room, boiler room and furnace room shall contain at least one electric lighting fixture.

SECTION 606 ELEVATORS, ESCALATORS AND DUMBWAITERS

606.1 General. Elevators, dumbwaiters and escalators shall be maintained to sustain safely all imposed loads, to operate properly, and to be free from physical and fire hazards. The most current certificate of inspection shall be on display at all times within the elevator or attached to the escalator or dumbwaiter; or the certificate shall be available for public inspection in the office of the building operator.

606.2 Elevators. In buildings equipped with passenger elevators, at least one elevator shall be maintained in operation at all times when the building is occupied.

Exception: Buildings equipped with only one elevator shall be permitted to have the elevator temporarily out of service for testing or servicing.

SECTION 607 DUCT SYSTEMS

607.1 General. Duct systems shall be maintained free of obstructions and shall be capable of performing the required function.

CHAPTER 7 FIRE SAFETY REQUIREMENTS

SECTION 701 GENERAL

701.1 Scope. The provisions of this chapter shall govern the minimum conditions and standards for fire safety relating to structures and exterior premises, including fire safety facilities and equipment to be provided.

701.2 Responsibility. The owner of the premises shall provide and maintain such fire safety facilities and equipment in compliance with these requirements. A person shall not occupy as owner-occupant or permit another person to occupy any premises that do not comply with the requirements of this chapter.

[F] SECTION 702 MEANS OF EGRESS

702.1 General. A safe, continuous and unobstructed path of travel shall be provided from any point in a building or structure to the public way. Means of egress shall comply with the *International Fire Code*.

702.2 Aisles. The required width of aisles in accordance with the *International Fire Code* shall be unobstructed.

702.3 Locked doors. All means of egress doors shall be readily openable from the side from which egress is to be made without the need for keys, special knowledge or effort, except where the door hardware conforms to that permitted by the *International Building Code*.

702.4 Emergency escape openings. Required emergency escape openings shall be maintained in accordance with the code in effect at the time of construction, and the following. Required emergency escape and rescue openings shall be operational from the inside of the room without the use of keys or tools. Bars, grilles, grates or similar devices are permitted to be placed over emergency escape and rescue openings provided the minimum net clear opening size complies with the code that was in effect at the time of construction and such devices shall be releasable or removable from the inside without the use of a key, tool or force greater than that which is required for normal operation of the escape and rescue opening.

[F] SECTION 703 FIRE-RESISTANCE RATINGS

703.1 Fire-resistance-rated assemblies. The required fire-resistance rating of fire-resistance-rated walls, fire stops, shaft enclosures, partitions and floors shall be maintained.

703.2 Opening protectives. Required opening protectives shall be maintained in an operative condition. All fire and smokestop doors shall be maintained in operable condition. Fire doors and smoke barrier doors shall not be blocked or obstructed or otherwise made inoperable.

[F] SECTION 704 FIRE PROTECTION SYSTEMS

704.1 General. All systems, devices and equipment to detect a fire, actuate an alarm, or suppress or control a fire or any combination thereof shall be maintained in an operable condition at all times in accordance with the *International Fire Code*.

704.2 Smoke alarms. Single or multiple-station smoke alarms shall be installed and maintained in Groups R-2, R-3, R-4 and in dwellings not regulated in Group R occupancies, regardless of occupant load at all of the following locations:

1. On the ceiling or wall outside of each separate sleeping area in the immediate vicinity of bedrooms.
2. In each room used for sleeping purposes.
3. In each story within a dwelling unit, including basements and cellars but not including crawl spaces and uninhabitable attics. In dwellings or dwelling units with split levels and without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than one full story below the upper level.

Single or multiple-station smoke alarms shall be installed in other groups in accordance with the *International Fire Code*.

704.3 Power source. In Group R occupancies and in dwellings not regulated as Group R occupancies, single-station smoke alarms shall receive their primary power from the building wiring provided that such wiring is served from a commercial source and shall be equipped with a battery backup. Smoke alarms shall emit a signal when the batteries are low. Wiring shall be permanent and without a disconnecting switch other than as required for overcurrent protection.

Exception: Smoke alarms are permitted to be solely battery operated in buildings where no construction is taking place, buildings that are not served from a commercial power source and in existing areas of buildings undergoing alterations or repairs that do not result in the removal of interior wall or ceiling finishes exposing the structure, unless there is an attic, crawl space or basement available which could provide access for building wiring without the removal of interior finishes.

704.4 Interconnection. Where more than one smoke alarm is required to be installed within an individual dwelling unit in Group R-2, R-3, R-4 and in dwellings not regulated as Group R occupancies, the smoke alarms shall be interconnected in such a manner that the activation of one alarm will activate all of the alarms in the individual unit. The alarm shall be clearly audible in all bedrooms over background noise levels with all intervening doors closed.

Exceptions:

- 1. Interconnection is not required in buildings which are not undergoing alterations, repairs, or construction of any kind.
- 2. Smoke alarms in existing areas are not required to be interconnected where alterations or repairs do not result in the removal of interior wall or ceiling finishes exposing the structure, unless there is an attic, crawl space or basement available which could provide access for interconnection without the removal of interior finishes.

**CHAPTER 8
REFERENCED STANDARDS**

This chapter lists the standards that are referenced in various sections of this document. The standards are listed herein by the promulgating agency of the standard, the standard identification, the effective date and title and the section or sections of this document that reference the standard. The application of the referenced standards shall be as specified in Section 102.7.

ICC	International Code Council 5203 Leesburg Pike, Suite 600 Falls Church, VA 22041	
Standard reference number	Title	Referenced in code section number
ICC EC—03	ICC Electrical Code™ — Administrative Provisions	
.	201.3, 604.2	
IBC—03	International Building Code®	201.3,
	302.7.1, 401.3, 702.3, 702.4	
IEBC—03	International Existing Building Code™	
	101.3, 102.3, 201.3	
IFC—03	International Fire Code®	
	201.3, 702.1, 702.2, 704.1, 704.2	
IMC—03	International Mechanical Code®	
	201.3	
IPC—03	International Plumbing Code®	
	201.3, 505.1, 602.2, 602.3	
IZC—03	International Zoning Code®	
	102.3, 201.3	

Deleted: INDEX¶	
A¶	
ACCEPTED ENGINEERING METHODS	104.2¶
ACCESS¶	
Egress	
. . . 702¶	
From bedrooms	
404.4.2¶	
Plumbing fixtures, access for cleaning	
. . . 504.2¶	
To public way	
. . . 702.1¶	
Toilet room as passageway	
. . . 503.1¶	
Water closet	
404.4.3¶	
ADJACENT¶	
Privacy (hotel units, rooming units)	
. . . 404.1¶	
ADMINISTRATION¶	
Scope	
. . . 101.2¶	
AGENT (See also OPERATOR)	
. 202¶	
(See OWNER)¶	
AIR¶	
Combustion air	
. . . 603.5¶	
AISLES¶	
Minimum width	
. . . 702.2¶	
ALTERATION¶	
Applicability of other codes	
. . . 102.3¶	
Condemnation	
108.1, 108.2¶	
Inspection	
. . . 104.3¶	
Prosecution	
. . . 106.3¶	
Unlawful acts	
. . . 106.1¶	
ANCHOR¶	
Architectural trim	
. . . 304.8¶	
Signs, marquees and awnings	
. . . 304.9¶	
APPEAL¶	
Application	
. . . 111.1¶	
Board decision	
. . . 111.6¶	
Board of appeals	
. . . 111.2¶	
Court review	
. . . 111.7¶	
Disqualification	
. . . 111.2.3¶	
Financial interest	
. . . 111.2.3¶	
Hardship	
. . . 111.1¶	
Hearing, emergency orders	
. . . 109.6¶	
Membership	
. . . 111.2¶	
Notice of appeal	
. . . 111.1¶	
Postponed hearing	
. . . 111.5¶	
Records	
. . . 104.7¶	
Right to appeal	
. . . 111.1¶	
Vote	
. . . 111.6¶	
APPLIANCE¶	

Page 15: [1] Deleted **rmarkle** **6/7/2005 3:18 PM**

The imposition of the penalties herein prescribed shall not preclude the legal officer of the jurisdiction from instituting appropriate action to restrain, correct or abate a violation, or to prevent illegal occupancy of a building, structure or premises, or to stop an illegal act, conduct, business or utilization of the building, structure or premises.

Page 15: [2] Deleted **kanderson** **3/17/2004 2:37 PM**

code. Notices for condemnation procedures shall also comply

Page 15: [3] Deleted **kanderson** **3/17/2004 2:37 PM**

1. Be in writing.
- dwelling unit or structure into compliance with the provisions of this code.
5. Inform the property owner of the right to appeal.
6. Include a statement of the right to file a lien in accordance with Section 106.3.

Page 15: [4] Deleted **kanderson** **3/17/2004 2:37 PM**

1. Delivered personally;
2. Sent by certified or first-class mail addressed to the last known address; or
3. If the notice is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice.

Page 18: [5] Deleted **kanderson** **4/2/2004 10:00 AM**

shall possess the qualifications required for board membership.

111.2.2 Chairman. The board shall annually select one of

Page 18: [6] Deleted **kanderson** **4/2/2004 10:00 AM**

its members to serve as chairman.

111.2.3 Disqualification of member. A member shall not

Page 18: [7] Deleted **kanderson** **4/2/2004 10:00 AM**

ear an appeal in which that member has a personal, professional

Page 18: [8] Deleted **kanderson** **4/2/2004 10:00 AM**

or financial interest.

111.2.4 Secretary. The chief administrative officer shall

Page 18: [9] Deleted **kanderson** **4/2/2004 10:00 AM**

designate a qualified person to serve as secretary to the

Page 18: [10] Deleted **kanderson** **4/2/2004 10:00 AM**

board. The secretary shall file a detailed record of all proceedings

Page 18: [11] Deleted **kanderson** **4/2/2004 10:00 AM**

in the office of the chief administrative officer.

111.2.5 Compensation of members. Compensation of

Page 18: [12] Deleted **kanderson** **4/2/2004 10:00 AM**

members shall be determined by law.

111.3 Notice of meeting. The board shall meet upon notice

Page 18: [13] Deleted **kanderson** **4/2/2004 10:00 AM**

from the chairman, within 20 days of the filing of an appeal, or

Page 18: [14] Deleted	kanderson	4/2/2004 10:00 AM
-----------------------	-----------	-------------------

at stated periodic meetings.

111.4 Open hearing. All hearings before the board shall be

Page 18: [15] Deleted	kanderson	4/2/2004 10:00 AM
-----------------------	-----------	-------------------

open to the public. The appellant, the appellant's representative,

Page 18: [16] Deleted	kanderson	4/2/2004 10:00 AM
-----------------------	-----------	-------------------

the code official and any person whose interests are affected

Page 18: [17] Deleted	kanderson	4/2/2004 10:00 AM
-----------------------	-----------	-------------------

shall be given an opportunity to be heard. A quorum

Page 18: [18] Deleted	kanderson	4/2/2004 10:00 AM
-----------------------	-----------	-------------------

shall consist of not less than two-thirds of the board membership.

111.4.1 Procedure. The board shall adopt and make available

Page 18: [19] Deleted	kanderson	4/2/2004 10:00 AM
-----------------------	-----------	-------------------

to the public through the secretary procedures under

Page 18: [20] Deleted	kanderson	4/2/2004 10:00 AM
-----------------------	-----------	-------------------

which a hearing will be conducted. The procedures shall not

Page 18: [21] Deleted	kanderson	4/2/2004 10:00 AM
-----------------------	-----------	-------------------

require compliance with strict rules of evidence, but shall

Page 18: [22] Deleted	kanderson	4/2/2004 10:00 AM
-----------------------	-----------	-------------------

mandate that only relevant information be received.

111.5 Postponed hearing. When the full board is not present to

Page 18: [23] Deleted	kanderson	4/2/2004 10:00 AM
-----------------------	-----------	-------------------

hear an appeal, either the appellant or the appellant's representative

Page 18: [24] Deleted	kanderson	4/2/2004 10:00 AM
-----------------------	-----------	-------------------

shall have the right to request a postponement of the hearing.

111.6 Board decision. The board shall modify or reverse the

Page 18: [25] Deleted	kanderson	4/2/2004 10:00 AM
-----------------------	-----------	-------------------

decision of the code official only by a concurring vote of a majority

Page 18: [26] Deleted	kanderson	4/2/2004 10:00 AM
-----------------------	-----------	-------------------

of the total number of appointed board members.

111.6.1 Records and copies. The decision of the board

Page 18: [27] Deleted	kanderson	4/2/2004 10:00 AM
-----------------------	-----------	-------------------

shall be recorded. Copies shall be furnished to the appellant

Page 18: [28] Deleted	kanderson	4/2/2004 10:00 AM
-----------------------	-----------	-------------------

and to the code official.

111.6.2 Administration. The code official shall take immediate

Page 18: [29] Deleted	kanderson	4/2/2004 10:00 AM
-----------------------	-----------	-------------------

action in accordance with the decision of the board.

Page 18: [30] Deleted	kanderson	6/7/2005 9:40 AM
-----------------------	-----------	------------------

111.7 Court review. Any person, whether or not a previous party of the appeal, shall have the right to apply to the appropriate court for a writ of certiorari to correct errors of law. Application for review shall be made in the manner and time required by law following the filing of the decision in the office of the chief administrative officer.

111.8 Stays of enforcement. Appeals of notice and orders (other than Imminent Danger notices) shall stay the enforcement of the notice and order until the appeal is heard by the appeals board.

Page 18: [31] Deleted **kanderson** **6/7/2005 9:40 AM**
, or any duly authorized representative

Page 34: [32] Deleted **rmarkle** **6/7/2005 11:43 AM**

INDEX

A
ACCEPTED ENGINEERING METHODS 104.2
ACCESS
Egress 702
From bedrooms 404.4.2
Plumbing fixtures, access for cleaning 504.2
To public way 702.1
Toilet room as passageway 503.1
Water closet. 404.4.3
ADJACENT
Privacy (hotel units, rooming units) 404.1
ADMINISTRATION
Scope 101.2
AGENT (See also OPERATOR) 202
(See OWNER)
AIR
Combustion air 603.5
AISLES
Minimum width 702.2
ALTERATION
Applicability of other codes. 102.3
Condemnation. 108.1, 108.2
Inspection 104.3
Prosecution 106.3
Unlawful acts 106.1
ANCHOR
Architectural trim 304.8
Signs, marquees and awnings 304.9
APPEAL
Application 111.1
Board decision 111.6
Board of appeals 111.2
Court review 111.7
Disqualification 111.2.3
Financial interest 111.2.3
Hardship 111.1
Hearing, emergency orders 109.6
Membership 111.2
Notice of appeal 111.1

This page intentionally left blank

INTERNATIONAL PROPERTY
MAINTENANCE CODE (IPMC) WITH
PROPOSED AMENDMENTS
INCORPORATED

2003 International Property Maintenance Code®

First Printing: December 2002

ISBN # 1-892395-69-X (soft)
ISBN # 1-892395-91-6 (e-document)

COPYRIGHT © 2002
by
INTERNATIONAL CODE COUNCIL, INC.

ALLRIGHTSRESERVED. This 2003 International Property Maintenance Code® is a copyrighted work owned by the International Code Council, Inc. Without advance written permission from the copyright owner, no part of this book may be reproduced, distributed or transmitted in any form or by any means, including, without limitation, electronic, optical or mechanical means (by way of example and not limitation, photocopying, or recording by or in an information storage retrieval system). For information on per-mission to copy material exceeding fair use, please contact: Publications, 4051 West Flossmoor Road, Country Club Hills, IL 60478-5795 (Phone 800-214-4321).

Trademarks: "International Code Council," the "International Code Council" logo and the "International Property Maintenance Code" are trademarks of the International Code Council, Inc.

PRINTED IN THE U.S.A.

PREFACE

Introduction

Internationally, code officials recognize the need for a modern, up-to-date property maintenance code governing the maintenance of existing buildings. The *International Property Maintenance Code*, in this 2003 edition, is designed to meet this need through model code regulations that contain clear and specific property maintenance requirements with required property improvement provisions.

This 2003 edition is fully compatible with all the *International Codes* (“I-Codes”) published by the International Code Council (ICC), including the *International Building Code*, *ICC Electrical Code*, *International Energy Conservation Code*, *International Existing Building Code*, *International Fire Code*, *International Fuel Gas Code*, *International Mechanical Code*, *ICC Performance Code*, *International Plumbing Code*, *International Private Sewage Disposal Code*, *International Residential Code*, *International Urban-Wildland Interface Code* and *International Zoning Code*.

The *International Property Maintenance Code* provisions provide many benefits, among which is the model code development process that offers an international forum for code officials and other interested parties to discuss performance and prescriptive code requirements. This forum provides an excellent arena to debate proposed revisions. This model code also encourages international consistency in the application of provisions.

Development

The first edition of the *International Property Maintenance Code* (1998) was the culmination of an effort initiated in 1996 by a development committee appointed by ICC and consisting of the representatives of the three statutory members of the International Code Council: Building Officials and Code Administrators International, Inc. (BOCA), International Conference of Building Officials (ICBO) and Southern Building Code Congress International (SBCCI). The committee drafted a comprehensive set of regulations for existing buildings that was consistent with the existing model property maintenance codes at the time. This 2003 edition presents the code as originally issued, with changes approved through the ICC Code Development Process through 2002. A new edition such as this is promulgated every three years.

With the development and publication of the family of *International Codes* in 2000, the continued development and maintenance of the model codes individually promulgated by BOCA (“BOCA National Codes”), ICBO (“Uniform Codes”) and SBCCI (“Standard Codes”) was discontinued. This 2003 *International Property Maintenance Code*, as well as its predecessor—the 2000 edition, is intended to be the successor property maintenance code to those codes previously developed by BOCA, ICBO and SBCCI.

The development of a single set of comprehensive and coordinated family of *International Codes* was a significant milestone in the development of regulations for the built environment. The timing of this publication mirrors a milestone in the change in structure of the model codes, namely, the pending Consolidation of BOCA, ICBO and SBCCI into the ICC. The activities and services previously provided by the individual model code organizations will be the responsibility of the Consolidated ICC.

This code is founded on principles intended to establish provisions consistent with the scope of a property maintenance code that adequately protects public health, safety and welfare; provisions that do not unnecessarily increase construction costs; provisions that do not restrict the use of new materials, products or methods of construction; and provisions that do not give preferential treatment to particular types or classes of materials, products or methods of construction.

Adoption

The *International Property Maintenance Code* is available for adoption and use by jurisdictions internationally. Its use within a governmental jurisdiction is intended to be accomplished through adoption by reference in accordance with proceedings establishing the jurisdiction's laws. At the time of adoption, jurisdictions should insert the appropriate information in provisions requiring specific local information, such as the name of the adopting jurisdiction. These locations are shown in bracketed words in small capital letters in the code and in the sample ordinance. The sample adoption ordinance on page v addresses several key elements of a code adoption ordinance, including the information required for insertion into the code text.

Maintenance

The *International Property Maintenance Code* is kept up to date through the review of proposed changes submitted by code enforcing officials, industry representatives, design professionals and other interested parties. Proposed changes are carefully considered through an open code development process in which all interested and affected parties may participate.

The contents of this work are subject to change both through the Code Development Cycles and the governmental body that enacts the code into law. For more information regarding the code development process, contact the Code and Standard Development Department of the International Code Council.

2003 INTERNATIONAL PROPERTY MAINTENANCE CODE

iii

While the development procedure of the *International Property Maintenance Code* assures the highest degree of care, ICC and the founding members of ICC—BOCA, ICBO, SBCCI—their members and those participating in the development of this code do not accept any liability resulting from compliance or noncompliance with the provisions because ICC and its founding members do not have the power or authority to police or enforce compliance with the contents of this code. Only the governmental body that enacts the code into law has such authority.

Letter Designations in Front of Section Numbers

In each code development cycle, proposed changes to this code are considered at the Code Development Hearing by the International Property Maintenance Code Development Committee, whose action constitutes a recommendation to the voting membership for final action on the proposed change. Proposed changes to a code section whose number begins with a letter in brackets are considered by a different code development committee. For instance, proposed changes to code sections which have the letter [F] in front (e.g., [F] 704.1), are considered by the International Fire Code Development Committee at the Code Development Hearing. Where this designation is applicable to the entire content of a main section of the code, the designation appears at the main section number and title and is not repeated at every subsection in that section.

The content of sections in this code which begin with a letter designation are maintained by another code development committee in accordance with the following: [F] = International Fire Code Development Committee; and [P] = International Plumbing Code Development Committee.

Marginal Markings

Solid vertical lines in the margins within the body of the code indicate a technical change from the requirements of the 2000 edition. Deletion indicators (.) are provided in the margin where a paragraph or item has been deleted.

TABLE OF CONTENTS

CHAPTER 1 ADMINISTRATION

Section

- 101 General
- 102 Applicability
- 103 Department of Property Maintenance Inspection
- 104 Duties and Powers of the Code Official . . .
- 105 Approval
- 106 Violations
- 107 Notices and Orders
- 108 Unsafe Structures and Equipment
- 109 Emergency Measures
- 110 Demolition
- 111 Means of Appeal

CHAPTER 2 DEFINITIONS

Section

- 201 General
- 202 General Definitions

CHAPTER 3 GENERAL REQUIREMENTS

Section

- 301 General
- 302 Exterior Property Areas
- 303 Swimming Pools, Spas and Hot Tubs
- 304 Exterior Structure
- 305 Interior Structure
- 306 Handrails and Guardrails
- 307 Rubbish and Garbage (repealed)
- 308 Extermination

CHAPTER 4 LIGHT, VENTILATION AND OCCUPANCY LIMITATIONS

Section

- 401 General
- 402 Light
- 403 Ventilation
- 404 Occupancy Limitations

CHAPTER 5 PLUMBING FACILITIES AND FIXTURE REQUIREMENTS

Section

- 501 General
- 502 Required Facilities
- 503 Toilet Rooms
- 504 Plumbing Systems and Fixtures
- 505 Water System
- 506 Sanitary Drainage System
- 507 Storm Drainage

CHAPTER 6 MECHANICAL AND ELECTRICAL REQUIREMENTS

Section

- 601 General
- 602 Heating Facilities
- 603 Mechanical Equipment
- 604 Electrical Facilities
- 605 Electrical Equipment

606 Elevators, Escalators and Dumbwaiters
607 Duct Systems

CHAPTER 7 FIRE SAFETY REQUIREMENTS..... 19

Section

701 General
702 Means of Egress
703 Fire-Resistance Ratings
704 Fire Protection Systems.....

CHAPTER 8 REFERENCED STANDARDS.....

CHAPTER 1 ADMINISTRATION

SECTION 101 GENERAL

101.1 Title. These regulations shall be known as the *Property Maintenance Code* of City of Shoreline, hereinafter referred to as “this code.”

101.2 Scope. The provisions of this code shall apply to all existing residential and nonresidential structures and all existing premises and constitute minimum requirements and standards for premises, structures, equipment and facilities for light, ventilation, space, heating, sanitation, protection from the elements, life safety, safety from fire and other hazards, and for safe and sanitary maintenance; the responsibility of owners, operators and occupants; the occupancy of existing structures and premises, and for administration, enforcement and penalties.

EXCEPTION: the minimum standards set forth in section 305 and in chapters 4, 5 and 6 shall be advisory only for all housing units that are owner-occupied and in which no rooms are rented or leased to others, except that each dwelling unit shall contain its own water closet which shall be properly connected to an approved water system and an approved sewage disposal system.

101.3 Intent. This code shall be construed to secure its expressed intent, which is to ensure public health, safety and welfare insofar as they are affected by the continued occupancy and maintenance of structures and premises. Existing structures and premises that do not comply with these provisions shall be altered or repaired to provide a minimum level of health and safety as required herein. Repairs, alterations, additions to and change of occupancy in existing buildings shall comply with the *International Building Code*.

101.4 Severability. If a section, subsection, sentence, clause or phrase of this code is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this code.

SECTION 102 APPLICABILITY

102.1 General. The provisions of this code shall apply to all matters affecting or relating to structures and premises, as set forth in Section 101. Where, in a specific case, different sections of this code specify different requirements, the most restrictive shall govern.

102.2 Maintenance. Equipment, systems, devices and safeguards required by this code or a previous regulation or code under which the structure or premises was constructed, altered or repaired shall be maintained in good working order. No owner, operator or occupant shall cause any service, facility, equipment or utility which is required under this section to be removed from or shut off from or discontinued for any occupied dwelling, except for such temporary interruption as necessary while repairs or alterations are in progress. The requirements of this code are not intended to provide the basis for removal or abrogation of fire protection and safety systems and devices in existing structures. Except as otherwise specified herein, the owner or the owner’s designated agent shall be responsible for the maintenance of buildings, structures and premises.

102.3 Application of other codes. Repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of *Title 15 of the City of Shoreline Municipal Code*. Nothing in this code shall be construed to cancel, modify or set aside any provision of *Title 20 of the City of Shoreline Municipal Code (Shoreline Development Code)*.

102.4 Existing remedies. The provisions in this code shall not be construed to abolish or impair existing remedies of the jurisdiction or its officers or agencies relating to the removal or demolition of any structure which is dangerous, unsafe and unsanitary.

102.5 Workmanship. Repairs, maintenance work, alterations or installations which are caused directly or indirectly by the enforcement of this code shall be executed and installed in a workmanlike manner and installed in accordance with the manufacturer's installation instructions.

102.6 Historic buildings. The provisions of this code shall not be mandatory for existing buildings or structures designated as historic buildings when such buildings or structures are judged by the code official to be safe and in the public interest of health, safety and welfare.

102.7 Referenced codes and standards. The codes and standards referenced in this code shall be those that are listed in Chapter 8 and considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between provisions of this code and the referenced standards, the provisions of this code shall apply.

102.8 Requirements not covered by code. Requirements necessary for the strength, stability or proper operation of an existing fixture, structure or equipment, or for the public safety, health and general welfare, not specifically covered by this code, shall be determined by the code official.

SECTION 103 CODE ENFORCEMENT

103.1 General. The code enforcement is charged with carrying out the provisions of this code, and the City Manager or designee thereof shall be known as the code official.

103.4 Liability. The code official, officer or employee charged with the enforcement of this code, while acting for the jurisdiction, shall not thereby be rendered liable personally, and is hereby relieved from all personal liability for any damage accruing to persons or property as a result of an act required or permitted in the discharge of official duties.

Any suit instituted against any officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by the legal representative of the jurisdiction until the final termination of the proceedings. The code official or any subordinate shall not be liable for costs in an action, suit or proceeding that is instituted in pursuance of the provisions of this code; and any officer of the department of property maintenance inspection, acting in good faith and without malice, shall be free from liability for acts performed under any of its provisions or by reason of any act or omission in the performance of official duties in connection therewith.

103.5 Fees. The fees for activities and services performed by the department in carrying out its responsibilities under this code shall be as indicated in the following schedule.

Reinspection fees may be assessed if work is incomplete, corrections not completed or the allotted time is depleted. All City of Shoreline fees shall be established by Shoreline Municipal Code Chapter 3.01.010. Fees will be assessed at the hourly charge in minimum fifteen (15) minute increments.

SECTION 104 DUTIES AND POWERS OF THE CODE OFFICIAL

104.1 General. The code official shall enforce the provisions of this code.

104.2 Rule-making authority. The code official shall have authority as necessary in the interest of public health, safety and general welfare, to adopt and promulgate rules and procedures; to interpret and implement the provisions of this code; to secure the intent thereof; and to designate requirements applicable because of local climatic or other conditions. Such rules shall not have the effect of waiving structural or fire performance requirements specifically provided for in this code, or of violating accepted engineering methods involving public safety.

104.3 Inspections. The code official shall make all of the required inspections, or shall accept reports of inspection by approved agencies or individuals. All reports of such inspections shall be in writing and be certified by a responsible officer of such approved agency or by the responsible individual. The code official is authorized to engage such expert opinion as deemed necessary to report upon unusual technical issues that arise, subject to the approval of the appointing authority.

104.4 Right of entry. The code official is authorized to enter the structure or premises at reasonable times to inspect subject to constitutional restrictions on unreasonable searches and seizures. If entry is refused or not obtained, the code official is authorized to pursue recourse as provided by law.

104.5 Identification. The code official shall carry proper identification when inspecting structures or premises in the performance of duties under this code.

104.6 Notices and orders. The code official shall issue all necessary notices or orders to ensure compliance with this code.

104.7 Department records. The code official shall keep official records of all business and activities of the department specified in the provisions of this code. Such records shall be retained in the official records as long as the building or structure to which such records relate remains in existence, unless otherwise provided for by other regulations.

104.8 Coordination of inspections. Whenever in the enforcement of this code or another code or ordinance, the responsibility of more than one code official of the jurisdiction is involved, it shall be the duty of the code officials involved to coordinate their inspections and administrative orders as fully as practicable so that the owners and occupants of the structure shall not be subjected to visits by numerous inspectors or multiple or conflicting orders. Whenever an inspector from any agency or department observes an apparent or actual violation of some provision of some law, ordinance or code not within the inspector's authority to enforce, the inspector shall report the findings to the code official having jurisdiction.

SECTION 105 APPROVAL

105.1 Modifications. Whenever there are practical difficulties involved in carrying out the provisions of this code, the code official shall have the authority to grant modifications for individual cases, provided the code official shall first find that special individual reason makes the strict letter of this code impractical and the modification is in compliance with the intent and purpose of this code and that such modification does not lessen health, life and fire safety requirements. The details of action granting modifications shall be recorded and entered in the department files.

105.2 Alternative materials, methods and equipment. The provisions of this code are not intended to prevent the installation of any material or to prohibit any method of construction not specifically prescribed by this code, provided that any such alternative has been approved. An alternative material or method of construction shall be approved where the code official finds that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this code in quality, strength, effectiveness, fire resistance, durability and safety.

105.3 Required testing. Whenever there is insufficient evidence of compliance with the provisions of this code, or evidence that a material or method does not conform to the requirements of this code, or in order to substantiate claims for alternative materials or methods, the code official shall have the authority to require tests to be made as evidence of compliance at no expense to the jurisdiction.

105.3.1 Test methods. Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized and accepted test methods, the code official shall be permitted to approve appropriate testing procedures performed by an approved agency.

105.3.2 Test reports. Reports of tests shall be retained by the code official for the period required for retention of public records.

105.4 Material and equipment reuse. Materials, equipment and devices shall not be reused unless such elements are in good repair or have been reconditioned and tested when necessary, placed in good and proper working condition and approved.

SECTION 106 VIOLATIONS

106.1 Unlawful acts. It shall be unlawful for a person, firm or corporation to be in conflict with or in violation of any of the provisions of this code.

106.2 Notice of violation. The code official shall serve a notice of violation order in accordance with Shoreline Municipal Code, Title 20, Chapter 30, subchapter 9.

106.3 Prosecution of violation. Prosecution of violations shall be in accordance with Shoreline Municipal Code Title 20, Chapter 30.

106.4 Violation penalties. Penalties shall be assessed in accordance with Shoreline Municipal Code Title 20, Chapter 30.

106.5 Abatement of violation. Abatement of violations shall be in accordance with Shoreline Municipal Code Title 20, Chapter 30.

SECTION 107 NOTICES AND ORDERS

107.1 Notice to person responsible. Whenever the code official determines that there has been a violation of this code or has grounds to believe that a violation has occurred, notice shall be given in the manner prescribed in Shoreline Municipal Code, Title 20, Chapter 30, subchapter 9..

107.2 Form. Such notice prescribed in Section 107.1 shall be in accordance with: Shoreline Municipal Code, Title 20, Chapter 30, subchapter 9.

107.3 Method of service. Such notice shall be deemed to be properly served: if delivered in accordance with Shoreline Municipal Code, Title 20, Chapter 30, subchapter 9.

107.4 Penalties. Penalties for noncompliance with orders and notices shall be as set forth in Shoreline Municipal Code, Title 20, Chapter 30, subchapter 9.

107.5 Transfer of ownership. It shall be unlawful for the owner of any dwelling unit or structure who has received a notice and order or upon whom a notice and order has been served to sell, transfer, mortgage, lease or otherwise dispose of such dwelling unit or structure to another until the provisions of the notice and order has been complied with, or until such owner shall first furnish the grantee, transferee, mortgagee or lessee a true copy of any notice and order issued by the code official and shall furnish to the code official a signed and notarized statement from the grantee, transferee, mortgagee or lessee, acknowledging the receipt of such notice and order and fully accepting the responsibility without condition for making the corrections or repairs required by such notice and order.

SECTION 108 UNSAFE STRUCTURES AND EQUIPMENT

108.1 General. When a structure or equipment is found by the code official to be unsafe, or when a structure is found unfit for human occupancy, or is found unlawful, such structure shall be condemned pursuant to the provisions of this code.

108.1.1 Unsafe structures. An unsafe structure is one that is found to be dangerous to the life, health, property or safety of the public or the occupants of the structure by not providing minimum safeguards to protect or warn occupants in the event of fire, or because such structure contains unsafe equipment or is so damaged, decayed, dilapidated, structurally unsafe or of such faulty construction or unstable foundation, that partial or complete collapse is possible.

108.1.2 Unsafe equipment. Unsafe equipment includes any boiler, heating equipment, elevator, moving stairway, electrical wiring or device, flammable liquid containers or other equipment on the premises or within the structure which is in such disrepair or condition that such equipment is a hazard to life, health, property or safety of the public or occupants of the premises or structure.

108.1.3 Structure unfit for human occupancy. A structure is unfit for human occupancy whenever the code official finds that such structure is unsafe, unlawful or, because of the degree to which the structure is in disrepair or lacks maintenance, is unsanitary, vermin or rat infested, contains filth and contamination, or lacks ventilation, illumination, sanitary or heating facilities or other essential equipment required by this code, or because the location of the structure constitutes a hazard to the occupants of the structure or to the public.

108.1.4 Unlawful structure. An unlawful structure is one found in whole or in part to be occupied by more persons than permitted under this code, or was erected, altered or occupied contrary to law.

108.2 Closing of vacant structures. If the structure is vacant and unfit for human habitation and occupancy, and is not in danger of structural collapse, the code official is authorized to post a placard of condemnation on the premises and order the structure closed up so as not to be an attractive nuisance. Upon failure of the owner to close up the premises within the time specified in the order, the code official shall cause the premises to be closed and secured through any available public agency or by contract or arrangement by private persons and the cost thereof shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate and may be collected by any other legal resource.

108.3 Notice. Whenever the code official has condemned a structure or equipment under the provisions of this section, notice shall be posted in a conspicuous place in or about the structure affected by such notice and served on the owner or the person or persons responsible for the structure or equipment in accordance with Section 107.3. If the notice pertains to equipment, it shall also be placed on the condemned equipment. The notice shall be in the form prescribed in Section 107.2.

108.4 Placarding. Upon failure of the owner or person responsible to comply with the notice provisions within the time given, the code official shall post on the premises or on defective equipment a placard bearing the word "Condemned" and a statement of the penalties provided for occupying the premises, operating the equipment or removing the placard.

108.4.1 Placard removal. The code official shall remove the condemnation placard whenever the defect or defects upon which the condemnation and placarding action were based have been eliminated. Any person who defaces or removes a condemnation placard without the approval of the code official shall be subject to the penalties provided by this code.

108.5 Prohibited occupancy. Any occupied structure condemned and placarded by the code official shall be vacated as ordered by the code official. Any person who shall occupy a placarded premises or shall operate placarded equipment, and any owner or any person responsible for the premises who shall let anyone occupy a placarded premises or operate placarded equipment shall be liable for the penalties provided by this code.

SECTION 109 EMERGENCY MEASURES

109.1 Imminent danger. When, in the opinion of the code official, there is imminent danger of failure or collapse of a building or structure which endangers life, or when any structure or part of a structure has fallen and life is endangered by the occupation of the structure, or when there is actual or potential danger to those in the proximity of any structure/premise. Potentially dangerous conditions include explosives, explosive fumes or vapors or the presence of toxic fumes, gases or materials, or operation of defective or dangerous equipment, open pits, wells, shafts, or other dangerous excavations unprotected or inadequately protected. The code official is hereby authorized and empowered to order and require the occupants to vacate the premises forthwith. The code official shall cause to be posted a notice reading as follows: "This Structure/Premise Is Unsafe and Its Occupancy/Use Has Been Prohibited by the Code Official." It shall be unlawful for any person to enter upon this property except for the purpose of securing the property, making the required repairs, removing the hazardous condition or of demolishing the same.

109.2 Temporary safeguards. Notwithstanding other provisions of this code, whenever, in the opinion of the code official, there is imminent danger due to an unsafe condition, the code official shall order the necessary work to be done, including the boarding up of openings and/or the fencing of premises, to render such structure/premise temporarily safe whether or not the legal procedure herein described has been instituted; and shall cause such other action to be taken as the code official deems necessary to meet such emergency.

109.3 Closing streets. When necessary for public safety, the code official shall temporarily close structures and close, or order the authority having jurisdiction to close, sidewalks, streets, public ways and places adjacent to unsafe structures, and prohibit the same from being utilized.

109.4 Emergency repairs. For the purposes of this section, the code official shall employ the necessary labor and materials to perform the required work as expeditiously as possible.

109.5 Costs of emergency repairs. Costs incurred in the performance of emergency work shall be paid by the jurisdiction. The legal counsel of the jurisdiction shall institute appropriate action against the owner of the premises where the unsafe structure is or was located for the recovery of such costs.

109.6 Hearing. Any person ordered to take emergency measures shall comply with such order forthwith. Any affected person shall thereafter, be afforded a hearing as prescribed in Shoreline Municipal Code, Title 20, Chapter 30, subchapter 9.

SECTION 110 DEMOLITION

110.1 General. The code official shall order the owner of any premises upon which is located any structure, which in the code official's judgment is so old, dilapidated or has become so out of repair as to be dangerous, unsafe, unsanitary or otherwise unfit for human habitation or occupancy, and such that it is unreasonable to repair the structure, to demolish and remove such structure; or if such structure is capable of being made safe by repairs, to repair and make safe and sanitary or to demolish and remove at the owner's option; or where there has been a cessation of normal construction of any structure for a period of more than two years, to demolish and remove such structure.

110.2 Notices and orders. All notices and orders shall comply with Section 107.

110.3 Failure to comply. If the owner of a premises fails to comply with a demolition order within the time prescribed, the code official shall cause the structure to be demolished and removed, either through an available public agency or by contract or arrangement with private persons, and the cost of such demolition and removal shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

SECTION 111 MEANS OF APPEAL

111.1 Application for appeal. Any person directly affected by a decision of the code official or a notice or order issued under this code shall have the right to appeal as prescribed in Shoreline Municipal Code, Title 20, Chapter 30, subchapter 9. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or the requirements of this code are adequately satisfied by other means.

CHAPTER 2 DEFINITIONS

SECTION 201 GENERAL

201.1 Scope. Unless otherwise expressly stated, the following terms shall, for the purposes of this code, have the meanings shown in this chapter.

201.2 Interchangeability. Words stated in the present tense include the future; words stated in the masculine gender include the feminine and neuter; the singular number includes the plural and the plural, the singular.

201.3 Terms defined in other codes. Where terms are not defined in this code and are defined in the *International Building Code, International Fire Code, International Zoning Code, International Plumbing Code, International Mechanical Code, International Existing Building Code* or the *ICC Electrical Code*, such terms shall have the meanings ascribed to them as in those codes.

201.4 Terms not defined. Where terms are not defined through the methods authorized by this section, such terms shall have ordinarily accepted meanings such as the context implies.

201.5 Parts. Whenever the words “dwelling unit,” “dwelling,” “premises,” “building,” “rooming house,” “rooming unit” “housekeeping unit” or “story” are stated in this code, they shall be construed as though they were followed by the words “or any part thereof.”

SECTION 202 GENERAL DEFINITIONS

APPROVED. Approved by the code official.

BASEMENT. That portion of a building which is partly or completely below grade.

BATHROOM. A room containing plumbing fixtures including a bathtub or shower.

BEDROOM. Any room or space used or intended to be used for sleeping purposes.

CODE OFFICIAL. The City Manager or his/her designee is charged with the administration and enforcement of this code.

CONDEMN. To adjudge unfit for occupancy or use.

DWELLING UNIT. A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

EASEMENT. That portion of land or property reserved for present or future use by a person or agency other than the legal fee owner(s) of the property. The easement shall be permitted to be for use under, on or above a said lot or lots.

EXTERIOR PROPERTY. The open space on the premises and on adjoining property under the control of owners or operators of such premises.

EXTERMINATION. The control and elimination of insects, rats or other pests by eliminating their harborage places; by removing or making inaccessible materials that serve as their food; by poison spraying, fumigating, trapping or by any other approved pest elimination methods.

GARBAGE. The animal or vegetable waste resulting from the handling, preparation, cooking and consumption of food.

GUARD. A building component or a system of building components located at or near the open sides of elevated walking surfaces that minimizes the possibility of a fall from the walking surface to a lower level.

HABITABLE SPACE. Space in a structure for living, sleeping, eating or cooking. Bathrooms, toilet rooms, closets, halls, storage or utility spaces, and similar areas are not considered habitable spaces.

HOUSEKEEPING UNIT. A room or group of rooms forming a single habitable space equipped and intended to be used for living, sleeping, cooking and eating which does not contain, within such a unit, a toilet, lavatory and bathtub or shower.

IMMINENT DANGER. A condition which could cause serious or life-threatening injury or death at any time.

INFESTATION. The presence, within or contiguous to, a structure or premises of insects, rats, vermin or other pests.

INOPERABLE MOTOR VEHICLE. A vehicle which cannot be driven upon the public streets for reason including but not limited to being unlicensed, wrecked, abandoned, in a state of disrepair, or incapable of being moved under its own power.

LABELED. Devices, equipment, appliances, or materials to which has been affixed a label, seal, symbol or other identifying mark of a nationally recognized testing laboratory, inspection agency or other organization concerned with product evaluation that maintains periodic inspection of the production of the above-labeled items and by whose label the manufacturer attests to compliance with applicable nationally recognized standards.

LET FOR OCCUPANCY OR LET. To permit, provide or offer possession or occupancy of a dwelling, dwelling unit, rooming unit, building, premise or structure by a person who is or is not the legal owner of record thereof, pursuant to a written or unwritten lease, agreement or license, or pursuant to a recorded or unrecorded agreement of contract for the sale of land.

OCCUPANCY. The purpose for which a building or portion thereof is utilized or occupied.

OCCUPANT. Any individual living or sleeping in a building, or having possession of a space within a building.

OPENABLE AREA. That part of a window, skylight or door which is available for unobstructed ventilation and which opens directly to the outdoors.

OPERATOR. Any person who has charge, care or control of a structure or premises which is let or offered for occupancy.

OWNER. Any person, agent, operator, firm or corporation having a legal or equitable interest in the property; or recorded in the official records of the state, county or municipality as holding title to the property; or otherwise having control of the property, including the guardian of the estate of any such person, and the executor or administrator of the estate of such person if ordered to take possession of real property by a court.

PERSON. An individual, corporation, partnership or any other group acting as a unit.

PREMISES. A lot, plot or parcel of land, easement or public way, including any structures thereon.

PUBLIC WAY. Any street, alley or similar parcel of land essentially unobstructed from the ground to the sky, which is deeded, dedicated or otherwise permanently appropriated to the public for public use.

ROOMING HOUSE. A building arranged or occupied for lodging, with or without meals, for compensation and not occupied as a one- or two-family dwelling.

ROOMING UNIT. Any room or group of rooms forming a single habitable unit occupied or intended to be occupied for sleeping or living, but not for cooking purposes.

RUBBISH. Combustible and noncombustible waste materials, except garbage; the term shall include the residue from the burning of wood, coal, coke and other combustible materials, paper, rags, cartons, boxes, wood, excelsior, rubber, leather, tree branches, yard trimmings, tin cans, metals, mineral matter, glass, crockery and dust and other similar materials.

STRICT LIABILITY OFFENSE. An offense in which the prosecution in a legal proceeding is not required to prove criminal intent as a part of its case. It is enough to prove that the defendant either did an act which was prohibited, or failed to do an act which the defendant was legally required to do.

STRUCTURE. That which is built or constructed or a portion thereof.

TENANT. A person, corporation, partnership or group, whether or not the legal owner of record, occupying a building or portion thereof as a unit.

TOILET ROOM. A room containing a water closet or urinal but not a bathtub or shower.

VENTILATION. The natural or mechanical process of supplying conditioned or unconditioned air to, or removing such air from, any space.

WATER CLOSET. A water-flushed plumbing fixture designed to receive human waste directly from the user of the fixture.

WORKMANLIKE. Executed in a skilled manner; e.g., generally plumb, level, square, in line, undamaged and without marring adjacent work.

YARD. An open space on the same lot with a structure.

CHAPTER 3 GENERAL REQUIREMENTS

SECTION 301 GENERAL

301.1 Scope. The provisions of this chapter shall govern the minimum conditions and the responsibilities of persons for maintenance of structures, equipment, premises and exterior property.

301.2 Responsibility. The owner of the premises shall maintain the structures, premises and exterior property in compliance with these requirements, except as otherwise provided for in this code. A person shall not occupy as owner-occupant or permit another person to occupy premises which are not in a sanitary and safe condition and which do not comply with the requirements of this chapter. Occupants of a dwelling unit, rooming unit or housekeeping unit are responsible for keeping in a clean, sanitary and safe condition that part of the dwelling unit, rooming unit, housekeeping unit or premises which they occupy and control.

301.3 Vacant structures and land. All vacant structures and premises thereof or vacant land shall be maintained in a clean, safe, secure and sanitary condition as provided herein so as not to cause a blighting problem or adversely affect the public health or safety.

SECTION 302 EXTERIOR PROPERTY AREAS

302.1 Sanitation. All exterior property and premises shall be maintained in a clean, safe and sanitary condition. The occupant shall keep that part of the exterior property which such occupant occupies or controls in a clean and sanitary condition.

302.2 Grading and drainage. All premises shall be graded and maintained to prevent the erosion of soil and to prevent the accumulation of stagnant water thereon, or within any structure located thereon.

Exception: Approved retention areas and reservoirs.

302.3 Sidewalks and driveways. All sidewalks, walkways, stairs, driveways, parking spaces and similar areas shall be kept in a proper state of repair, and maintained free from hazardous conditions.

302.5 Rodent harborage. All structures and exterior property shall be kept free from rodent harborage and infestation. Where rodents are found, they shall be promptly exterminated by approved processes which will not be injurious to human health. After extermination, proper precautions shall be taken to eliminate rodent harborage and prevent reinfestation.

302.6 Exhaust vents. Pipes, ducts, conductors, fans or blowers shall not discharge gases, steam, vapor, hot air, grease, smoke, odors or other gaseous or particulate wastes directly upon abutting or adjacent public or private property or that of another tenant.

302.7 Accessory structures. All accessory structures, including detached garages, fences and walls, shall be maintained structurally sound and in good repair.

302.8 Motor vehicles, recreational vehicles, and boats. Except as provided for in other regulations, no inoperative or unlicensed motor vehicle, recreational vehicle or boat shall be parked, kept or stored on any premises, and no vehicle, recreational vehicle or boat shall at any time be in a state of major disassembly, disrepair, damaged to the extent it prevents normal operation, or in the process of being stripped or dismantled. Painting of vehicles is prohibited unless conducted inside an approved spray booth.

Exception: A vehicle of any type is permitted to undergo major overhaul, including body work, provided that such work is performed inside a structure or similarly enclosed area designed and approved for such purposes.

302.9 Defacement of property. No person shall willfully or wantonly damage, mutilate or deface any exterior surface of any structure or building on any private or public property by placing thereon any marking, carving or graffiti. It shall be the responsibility of the owner to restore said surface to an approved state of maintenance and repair.

SECTION 303 SWIMMING POOLS, SPAS AND HOT TUBS

303.1 Enclosures. Private swimming pools, hot tubs and spas, containing water more than 24 inches (610 mm) in depth shall be completely surrounded by a fence or barrier at least 48 inches (1219 mm) in height above the finished ground level measured on the side of the barrier away from the pool. Gates and doors in such barriers shall be self-closing and self-latching. Where the self-latching device is less than 54 inches (1372 mm) above the bottom of the gate, the release mechanism shall be located on the pool side of the gate. Self-closing and self-latching gates shall be maintained such that the gate will positively close and latch when released from an open position of 6 inches (152 mm) from the gatepost. No existing pool enclosure shall be removed, replaced or changed in a manner that reduces its effectiveness as a safety barrier.

SECTION 304 EXTERIOR STRUCTURE

304.1 General. The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety or welfare.

304.2 Protective treatment. All exterior surfaces, including but not limited to, doors, door and window frames, cornices, porches, trim, balconies, decks and fences shall be maintained in good condition. Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Peeling, flaking and chipped paint shall be eliminated and surfaces repainted. All siding and masonry joints as well as those between the building envelope and the perimeter of windows, doors, and skylights shall be maintained weather resistant and water tight. All metal surfaces subject to rust or corrosion shall be coated to inhibit such rust and corrosion and all surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion. Oxidation stains shall be removed from exterior surfaces. Surfaces designed for stabilization by oxidation are exempt from this requirement.

304.3 Premises identification. Buildings shall have approved address numbers placed in a position to be plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters. Numbers shall be a minimum of 4 inches (102 mm) high with a minimum stroke width of 0.5 inch (12.7 mm).

304.4 Structural members. All structural members shall be maintained free from deterioration, and shall be capable of safely supporting the imposed dead and live loads.

304.5 Foundation walls. All foundation walls shall be maintained plumb and free from open cracks and breaks and shall be kept in such condition so as to prevent the entry of rodents and other pests.

304.6 Exterior walls. All exterior walls shall be free from holes, breaks, and loose or rotting materials; and maintained weatherproof and properly surface coated where required to prevent deterioration.

304.7 Roofs and drainage. The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates a public nuisance.

304.8 Decorative features. All cornices, belt courses, corbels, terra cotta trim, wall facings and similar decorative features shall be maintained in good repair with proper anchorage and in a safe condition.

304.9 Overhang extensions. All overhang extensions including, but not limited to canopies, marquees, signs, metal awnings, fire escapes, standpipes and exhaust ducts shall be maintained in good repair and be properly anchored so as to be kept in a sound condition. When required, all exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or similar surface treatment.

304.10 Stairways, decks, porches and balconies. Every exterior stairway, deck, porch and balcony, and all appurtenances attached thereto, shall be maintained structurally sound, in good repair, with proper anchorage and capable of supporting the imposed loads.

304.11 Chimneys and towers. All chimneys, cooling towers, smoke stacks, and similar appurtenances shall be maintained structurally safe and sound, and in good repair. All exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or similar surface treatment.

304.12 Handrails and guards. Every handrail and guard shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.

304.13 Window, skylight and door frames. Every window, skylight, door and frame shall be kept in sound condition, good repair and weather tight.

304.13.1 Glazing. All glazing materials shall be maintained free from cracks and holes.

304.13.2 Openable windows. Every window, other than a fixed window, shall be easily openable and capable of being held in position by window hardware.

304.15 Doors. All exterior doors, door assemblies and hardware shall be maintained in good condition. Locks at all entrances to dwelling units, rooming units and guestrooms shall tightly secure the door. Locks on means of egress doors shall be in accordance with Section 702.3.

304.16 Basement hatchways. Every basement hatchway shall be maintained to prevent the entrance of rodents, rain and surface drainage water.

304.17 Guards for basement windows. Every basement window that is openable shall be supplied with rodent shields, storm windows or other approved protection against the entry of rodents.

304.18 Building security. Doors, windows or hatchways for dwelling units, room units or housekeeping units shall be provided with devices designed to provide security for the occupants and property within.

304.18.1 Doors. Doors providing access to a dwelling unit, rooming unit or housekeeping unit that is rented, leased or let shall be equipped with a deadbolt lock meeting specifications set forth herein. Such deadbolt locks shall be operated only by the turning of a knob or a key and shall have a lock throw of not less than 1-inch. For the purpose of this section, a sliding bolt shall not be considered an acceptable deadbolt lock. Such deadbolt locks shall be installed according to manufacturer's specifications and maintained in good working order. All deadbolt locks required by this section shall be designed and installed in such a manner so as to be operable inside of the dwelling unit, rooming unit or housekeeping unit without the use of a key, tool, combination thereof or any other special knowledge or effort.

304.18.2 Windows. Operable windows located in whole or in part within 6 feet (1828 mm) above ground level or a walking surface below that provide access to a dwelling unit, rooming unit or housekeeping unit that is rented, leased or let shall be equipped with a window sash locking devices.

304.18.3 Basement hatchways. Basement hatchways that provide access to a dwelling unit, rooming unit or housekeeping unit that is rented, leased or let shall be equipped with devices that secure the units from unauthorized entry.

SECTION 305 INTERIOR STRUCTURE

(Note: subject to exception stated in 101.2)

305.1 General. The interior of a structure and equipment therein shall be maintained in good repair, structurally sound and in a sanitary condition. Occupants shall keep that part of the structure which they occupy or control in a clean and sanitary condition. Every owner of a structure containing a rooming house, housekeeping units, a hotel, a dormitory, two or more dwelling units or two or more nonresidential occupancies, shall maintain, in a clean and sanitary condition, the shared or public areas of the structure and exterior property.

305.2 Structural members. All structural members shall be maintained structurally sound, and be capable of supporting the imposed loads.

305.3 Interior surfaces. All interior surfaces, including windows and doors, shall be maintained in good, clean and sanitary condition. Peeling, chipping, flaking or abraded paint shall be repaired, removed or covered. Cracked or loose plaster, decayed wood and other defective surface conditions shall be corrected.

305.4 Stairs and walking surfaces. Every stair, ramp, landing, balcony, porch, deck or other walking surface shall be maintained in sound condition and good repair.

305.5 Handrails and guards. Every handrail and guard shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.

305.6 Interior doors. Every interior door shall fit reasonably well within its frame and shall be capable of being opened and closed by being properly and securely attached to jambs, headers or tracks as intended by the manufacturer of the attachment hardware.

SECTION 306 HANDRAILS AND GUARDRAILS

306.1 General. Every exterior and interior flight of stairs having more than four risers shall have a handrail on one side of the stair and every open portion of a stair, landing, balcony, porch, deck, ramp or other walking surface which is more than 30 inches (762 mm) above the floor or grade below shall have guards. Handrails shall not be less than 30 inches (762 mm) high or more than 42 inches (1067 mm) high measured vertically above the nosing of the tread or above the finished floor of the landing or walking surfaces. Guards shall not be less than 30 inches (762 mm) high above the floor of the landing, balcony, porch, deck, or ramp or other walking surface.

Exception: Guards shall not be required where exempted by the adopted building code.

SECTION 307 RUBBISH AND GARBAGE

Section 307 is hereby repealed. (see SMC 13.14 -- Garbage Code)

SECTION 308 EXTERMINATION

308.1 Infestation. All structures shall be kept free from insect and rodent infestation. All structures in which insects or rodents are found shall be promptly exterminated by approved processes that will not be injurious to human health. After extermination, proper precautions shall be taken to prevent reinfestation.

308.2 Owner. The owner of any structure shall be responsible for extermination within the structure prior to renting or leasing the structure.

308.3 Single occupant. The occupant of a one-family dwelling or of a single-tenant nonresidential structure shall be responsible for extermination on the premises.

308.4 Multiple occupancy. The owner of a structure containing two or more dwelling units, a multiple occupancy, a rooming house or a nonresidential structure shall be responsible for extermination in the public or shared areas of the structure and exterior property. If infestation is caused by failure of an occupant to prevent such infestation in the area occupied, the occupant shall be responsible for extermination.

308.5 Occupant. The occupant of any structure shall be responsible for the continued rodent and pest-free condition of the structure.

Exception: Where the infestations are caused by defects in the structure, the owner shall be responsible for extermination.

CHAPTER 4 LIGHT, VENTILATION AND OCCUPANCY LIMITATIONS

(Note: subject to exception stated in 101.2)

SECTION 401 GENERAL

401.1 Scope. The provisions of this chapter shall govern the minimum conditions and standards for light, ventilation and space for occupying a structure.

401.2 Responsibility. The owner of the structure shall provide and maintain light, ventilation and space conditions in compliance with these requirements. A person shall not occupy as owner-occupant, or permit another person to occupy, any premises that do not comply with the requirements of this chapter.

401.3 Alternative devices. In lieu of the means for natural light and ventilation herein prescribed, artificial light or mechanical ventilation complying with the *International Building Code* shall be permitted.

SECTION 402 LIGHT

402.1 Habitable spaces. Every habitable space shall have at least one window of approved size facing directly to the outdoors or to a court. The minimum total glazed area for every habitable space shall be 8 percent of the floor area of such room. Wherever walls or other portions of a structure face a window of any room and such obstructions are located less than 3 feet (914 mm) from the window and extend to a level above that of the ceiling of the room, such window shall not be deemed to face directly to the outdoors nor to a court and shall not be included as contributing to the required minimum total window area for the room.

Exception: Where natural light for rooms or spaces without exterior glazing areas is provided through an adjoining room, the unobstructed opening to the adjoining room shall be at least 8 percent of the floor area of the interior room or space, but not less than 25 square feet (2.33m²). The exterior glazing area shall be based on the total floor area being served.

402.2 Common halls and stairways. Every common hall and stairway in residential occupancies, other than in one- and two family dwellings, shall be lighted at all times with at least a 60- watt standard incandescent light bulb for each 200 square feet (19 m²) of floor area or equivalent illumination, provided that the spacing between lights shall not be greater than 30 feet (9144 mm). In other than residential occupancies, means of egress, including exterior means of egress stairways shall be illuminated at all times the building space served by the means of egress is occupied with a minimum of 1 foot candle (11 lux) at floors, landings and treads.

402.3 Other spaces. All other spaces shall be provided with natural or artificial light sufficient to permit the maintenance of sanitary conditions, and the safe occupancy of the space and utilization of the appliances, equipment and fixtures.

SECTION 403 VENTILATION

403.1 Habitable spaces. Every habitable space shall have at least one openable window. The total openable area of the window in every room shall be equal to at least 45 percent of the minimum glazed area required in Section 402.1.

Exception: Where rooms and spaces without openings to the outdoors are ventilated through an adjoining room, the unobstructed opening to the adjoining room shall be at least 8 percent of the floor area of the interior room or space, but not less than 25 square feet (2.33m²). The ventilation openings to the outdoors shall be based on a total floor area being ventilated.

403.2 Bathrooms and toilet rooms. Every bathroom and toilet room shall comply with the ventilation requirements for habitable spaces as required by Section 403.1, except that a window shall not be required in such spaces equipped with a mechanical ventilation system. Air exhausted by a mechanical ventilation system from a bathroom or toilet room shall discharge to the outdoors and shall not be recirculated.

403.3 Cooking facilities. Unless approved through the certificate of occupancy, cooking shall not be permitted in any rooming unit or dormitory unit, and a cooking facility or appliance shall not be permitted to be present in a rooming unit or dormitory unit.

Exception: Where specifically approved in writing by the code official.

403.4 Process ventilation. Where injurious, toxic, irritating or noxious fumes, gases, dusts or mists are generated, a local exhaust ventilation system shall be provided to remove the contaminating agent at the source. Air shall be exhausted to the exterior and not be recirculated to any space.

403.5 Clothes dryer exhaust. Clothes dryer exhaust systems shall be independent of all other systems and shall be exhausted in accordance with the manufacturer's instructions.

SECTION 404 OCCUPANCY LIMITATIONS

404.1 Privacy. Dwelling units, hotel units, housekeeping units, rooming units and dormitory units shall be arranged to provide privacy and be separate from other adjoining spaces.

404.2 Minimum room widths. A habitable room, other than a kitchen, shall not be less than 7 feet (2134 mm) in any plan dimension. Kitchens shall have a clear passageway of not less than 3 feet (914 mm) between counterfronts and appliances or counterfronts and walls.

404.3 Minimum ceiling heights. Habitable spaces, hallways, corridors, laundry areas, bathrooms, toilet rooms and habitable basement areas shall have a clear ceiling height of not less than 7 feet (2134 mm).

Exceptions:

1. In one- and two-family dwellings, beams or girders spaced not less than 4 feet (1219 mm) on center and projecting not more than 6 inches (152 mm) below the required ceiling height.
2. Basement rooms in one- and two-family dwellings occupied exclusively for laundry, study or recreation purposes, having a ceiling height of not less than 6 feet 8 inches (2033 mm) with not less than 6 feet 4 inches (1932 mm) of clear height under beams, girders, ducts and similar obstructions.
3. Rooms occupied exclusively for sleeping, study or similar purposes and having a sloped ceiling over all or part of the room, with a clear ceiling height of at least 7 feet (2134 mm) over not less than one-third of the required minimum floor area. In calculating the floor area of such rooms, only those portions of the floor area with a clear ceiling height of 5 feet (1524 mm) or more shall be included.

404.4 Bedroom requirements. Every bedroom shall comply with the requirements of Sections 404.4.1 through 404.4.5.

404.4.1 Area for sleeping purposes. Every bedroom occupied by one person shall contain at least 70 square feet (6.5 m²) of floor area, and every bedroom occupied by more than one person shall contain at least 50 square feet (4.6 m²) of floor area for each occupant thereof.

404.4.2 Access from bedrooms. Bedrooms shall not constitute the only means of access to other bedrooms or habitable spaces and shall not serve as the only means of egress from other habitable spaces.

Exception: Units that contain fewer than two bedrooms.

404.4.4 Prohibited occupancy. Kitchens and nonhabitable spaces shall not be used for sleeping purposes.

404.4.5 Other requirements. Bedrooms shall comply with the applicable provisions of this code including, but not limited to, the light, ventilation, room area, ceiling height and room width requirements of this chapter; the plumbing facilities and water-heating facilities requirements of Chapter 5; the heating facilities and electrical receptacle requirements of Chapter 6; and the smoke detector and emergency escape requirements of Chapter 7.

404.6 Efficiency unit. Nothing in this section shall prohibit an efficiency living unit from meeting the following requirements:

1. A unit occupied by not more than two occupants shall have a clear floor area of not less than 220 square feet (20.4 m²). A unit occupied by three occupants shall have a clear floor area of not less than 320 square feet (29.7 m²). These required areas shall be exclusive of the areas required by Items 2 and 3.
2. The unit shall be provided with a kitchen sink, cooking appliance and refrigeration facilities, each having a clear working space of not less than 30 inches (762 mm) in front. Light and ventilation conforming to this code shall be provided.
3. The unit shall be provided with a separate bathroom containing a water closet, lavatory and bathtub or shower.
4. The maximum number of occupants shall be three.

404.7 Food preparation. All spaces to be occupied for food preparation purposes shall contain suitable space and equipment to store, prepare and serve foods in a sanitary manner. There shall be adequate facilities and services for the sanitary disposal of food wastes and refuse, including facilities for temporary storage.

CHAPTER 5 PLUMBING FACILITIES AND FIXTURE REQUIREMENTS

(Note: subject to exception stated in 101.2)

SECTION 501 GENERAL

501.1 Scope. The provisions of this chapter shall govern the minimum plumbing systems, facilities and plumbing fixtures to be provided.

501.2 Responsibility. The owner of the structure shall provide and maintain such plumbing facilities and plumbing fixtures in compliance with these requirements. A person shall not occupy as owner-occupant or permit another person to occupy any structure or premises which does not comply with the requirements of this chapter.

[P] SECTION 502 REQUIRED FACILITIES

502.1 Dwelling units. Every dwelling unit shall contain its own bathtub or shower, lavatory, water closet and kitchen sink which shall be maintained in a sanitary, safe working condition. The lavatory shall be placed in the same room as the water closet or located in close proximity to the door leading directly into the room in which such water closet is located. A kitchen sink shall not be used as a substitute for the required lavatory.

502.2 Rooming houses. At least one water closet, lavatory and bathtub or shower shall be supplied for each four rooming units.

502.3 Hotels. Where private water closets, lavatories and baths are not provided, one water closet, one lavatory and one bathtub or shower having access from a public hallway shall be provided for each ten occupants.

[P] SECTION 503 TOILET ROOMS

503.1 Privacy. Toilet rooms and bathrooms shall provide privacy and shall not constitute the only passageway to a hall or other space, or to the exterior. A door and interior locking device shall be provided for all common or shared bathrooms and toilet rooms in a multiple dwelling.

503.2 Location. Toilet rooms and bathrooms serving hotel units, rooming units or dormitory units or housekeeping units, shall have access by traversing not more than one flight of stairs and shall have access from a common hall or passageway.

[P] SECTION 504 PLUMBING SYSTEMS AND FIXTURES

504.1 General. All plumbing fixtures shall be properly installed and maintained in working order, and shall be kept free from obstructions, leaks and defects and be capable of performing the function for which such plumbing fixtures are designed. All plumbing fixtures shall be maintained in a safe, sanitary and functional condition.

504.2 Fixture clearances. Plumbing fixtures shall have adequate clearances for usage and cleaning.

504.3 Plumbing system hazards. Where it is found that a plumbing system in a structure constitutes a hazard to the occupants or the structure by reason of inadequate service, inadequate venting, cross connection, back siphonage, improper installation, deterioration or damage or for similar reasons, the code official shall require the defects to be corrected to eliminate the hazard.

SECTION 505 WATER SYSTEM

505.1 General. Every sink, lavatory, bathtub or shower, drinking fountain, water closet or other plumbing fixture shall be properly connected to either a public water system or to an approved private water system. All kitchen sinks, lavatories, laundry facilities, bathtubs and showers shall be supplied with hot or tempered and cold running water in accordance with the *Plumbing Code adopted by the City of Shoreline*.

[P] 505.2 Contamination. The water supply shall be maintained free from contamination, and all water inlets for plumbing fixtures shall be located above the flood-level rim of the fixture. Shampoo basin faucets, janitor sink faucets and other hose bibs or faucets to which hoses are attached and left in place, shall be protected by an approved atmospheric-type vacuum breaker or an approved permanently attached hose connection vacuum breaker.

505.3 Supply. The water supply system shall be installed and maintained to provide a supply of water to plumbing fixtures, devices and appurtenances in sufficient volume and at pressures adequate to enable the fixtures to function properly, safely, and free from defects and leaks.

505.4 Water heating facilities. Water heating facilities shall be properly installed, maintained and capable of providing an adequate amount of water to be drawn at every required sink, lavatory, bathtub, shower and laundry facility at a

temperature of not less than 110°F (43°C). A gas-burning water heater shall not be located in any bathroom, toilet room, bedroom or other occupied room normally kept closed, unless adequate combustion air is provided. An approved combination temperature and pressure-relief valve and relief valve discharge pipe shall be properly installed and maintained on water heaters.

[P] SECTION 506 SANITARY DRAINAGE SYSTEM

506.1 General. All plumbing fixtures shall be properly connected to either a public sewer system or to an approved private sewage disposal system.

506.2 Maintenance. Every plumbing stack, vent, waste and sewer line shall function properly and be kept free from obstructions, leaks and defects.

[P] SECTION 507 STORM DRAINAGE

507.1 General. Drainage of roofs and paved areas, yards and courts, and other open areas on the premises shall not be discharged in a manner that creates a public nuisance.

CHAPTER 6 MECHANICAL AND ELECTRICAL REQUIREMENTS

(Note: subject to exception stated in 101.2)

SECTION 601 GENERAL

601.1 Scope. The provisions of this chapter shall govern the minimum mechanical and electrical facilities and equipment to be provided.

601.2 Responsibility. The owner of the structure shall provide and maintain mechanical and electrical facilities and equipment in compliance with these requirements. A person shall not permit another person to occupy any premises which does not comply with the requirements of this chapter.

SECTION 602 HEATING FACILITIES

602.1 Facilities required. Heating facilities shall be provided in structures as required by this section.

602.2 Residential occupancies. Dwellings shall be provided with permanently installed, safe, functioning heating facilities and an approved power or fuel supply system capable of maintaining a room temperature of 65°F (18°C) in all habitable rooms, bathrooms and toilet rooms. Cooking appliances shall not be used to provide space heating to meet the requirements of this section.

602.3 Heat supply. Every owner and operator of any building who rents, leases or lets one or more dwelling unit, rooming unit, dormitory or guestroom on terms, either expressed or implied, to furnish heat to the occupants thereof shall supply heat during the period from [DATE] to [DATE] to maintain a temperature of not less than 65°F (18°C) in all habitable rooms, bathrooms, and toilet rooms.

Exceptions:

When the outdoor temperature is below the winter outdoor design temperature for the locality, maintenance of the minimum room temperature shall not be required provided that the heating system is operating at its full design capacity. The winter outdoor design temperature for the locality shall be as indicated in *the Plumbing Code adopted by the City of Shoreline*.

602.5 Room temperature measurement. The required room temperatures shall be measured 3 feet (914mm) above the floor near the center of the room and 2 feet (610 mm) inward from the center of each exterior wall.

SECTION 603 MECHANICAL EQUIPMENT

603.1 Mechanical appliances. All mechanical appliances, fireplaces, solid fuel-burning appliances, cooking appliances and water heating appliances shall be properly installed and maintained in a safeworking condition, and shall be capable of performing the intended function.

603.2 Removal of combustion products. All fuel-burning equipment and appliances shall be connected to an approved chimney or vent.

Exception: Fuel-burning equipment and appliances which are labeled for unvented operation.

603.3 Clearances. All required clearances to combustible materials shall be maintained.

603.4 Safety controls. All safety controls for fuel-burning equipment shall be maintained in effective operation.

603.5 Combustion air. A supply of air for complete combustion of the fuel and for ventilation of the space containing the fuel-burning equipment shall be provided for the fuel-burning equipment.

603.6 Energy conservation devices. Devices intended to reduce fuel consumption by attachment to a fuel-burning appliance, to the fuel supply line thereto, or to the vent outlet or vent piping therefrom, shall not be installed unless labeled for such purpose and the installation is specifically approved.

SECTION 604 ELECTRICAL FACILITIES

604.1 Facilities required. Every occupied building shall be provided with an electrical system in compliance with the requirements of this section and Section 605.

604.2 Service. The size and usage of appliances and equipment shall serve as a basis for determining the need for additional facilities in accordance with the *Electrical Code* as adopted by the City of Shoreline. Dwelling units shall be served by a three-wire, 120/240 volt, single phase electrical service having a rating of not less than 60 amperes.

604.3 Electrical system hazards. Where it is found that the electrical system in a structure constitutes a hazard to the occupants or the structure by reason of inadequate service, improper fusing, insufficient receptacle and lighting outlets, improper wiring or installation, deterioration or damage, or for similar reasons, the code official shall require the defects to be corrected to eliminate the hazard.

SECTION 605 ELECTRICAL EQUIPMENT

605.1 Installation. All electrical equipment, wiring and appliances shall be properly installed and maintained in a safe and approved manner.

605.2 Receptacles. Every habitable space in a dwelling shall contain at least two separate and remote receptacle outlets. Every laundry area shall contain at least one grounded-type receptacle or a receptacle with a ground fault circuit interrupter. Every bathroom shall contain at least one receptacle. Any new bathroom receptacle outlet shall have ground fault circuit interrupter protection.

605.3 Lighting fixtures. Every public hall, interior stairway, toilet room, kitchen, bathroom, laundry room, boiler room and furnace room shall contain at least one electric lighting fixture.

SECTION 606 ELEVATORS, ESCALATORS AND DUMBWAITERS

606.1 General. Elevators, dumbwaiters and escalators shall be maintained to sustain safely all imposed loads, to operate properly, and to be free from physical and fire hazards. The most current certificate of inspection shall be on display at all times within the elevator or attached to the escalator or dumbwaiter; or the certificate shall be available for public inspection in the office of the building operator.

606.2 Elevators. In buildings equipped with passenger elevators, at least one elevator shall be maintained in operation at all times when the building is occupied.

Exception: Buildings equipped with only one elevator shall be permitted to have the elevator temporarily out of service for testing or servicing.

SECTION 607 DUCT SYSTEMS

607.1 General. Duct systems shall be maintained free of obstructions and shall be capable of performing the required function.

CHAPTER 7 FIRE SAFETY REQUIREMENTS

SECTION 701 GENERAL

701.1 Scope. The provisions of this chapter shall govern the minimum conditions and standards for fire safety relating to structures and exterior premises, including fire safety facilities and equipment to be provided.

701.2 Responsibility. The owner of the premises shall provide and maintain such fire safety facilities and equipment in compliance with these requirements. A person shall not occupy as owner-occupant or permit another person to occupy any premises that do not comply with the requirements of this chapter.

[F] SECTION 702 MEANS OF EGRESS

702.1 General. A safe, continuous and unobstructed path of travel shall be provided from any point in a building or structure to the public way. Means of egress shall comply with the *International Fire Code*.

702.2 Aisles. The required width of aisles in accordance with the *International Fire Code* shall be unobstructed.

702.3 Locked doors. All means of egress doors shall be readily openable from the side from which egress is to be made without the need for keys, special knowledge or effort, except where the door hardware conforms to that permitted by the *International Building Code*.

702.4 Emergency escape openings. Required emergency escape openings shall be maintained in accordance with the code in effect at the time of construction, and the following. Required emergency escape and rescue openings shall be operational from the inside of the room without the use of keys or tools. Bars, grilles, grates or similar devices are permitted to be placed over emergency escape and rescue openings provided the minimum net clear opening size complies with the code that was in effect at the time of construction and such devices shall be releasable or removable from the inside without the use of a key, tool or force greater than that which is required for normal operation of the escape and rescue opening.

[F] SECTION 703 FIRE-RESISTANCE RATINGS

703.1 Fire-resistance-rated assemblies. The required fire-resistance rating of fire-resistance-rated walls, fire stops, shaft enclosures, partitions and floors shall be maintained.

703.2 Opening protectives. Required opening protectives shall be maintained in an operative condition. All fire and smokestop doors shall be maintained in operable condition. Fire doors and smoke barrier doors shall not be blocked or obstructed or otherwise made inoperable.

[F] SECTION 704 FIRE PROTECTION SYSTEMS

704.1 General. All systems, devices and equipment to detect a fire, actuate an alarm, or suppress or control a fire or any combination thereof shall be maintained in an operable condition at all times in accordance with the *International Fire Code*.

704.2 Smoke alarms. Single or multiple-station smoke alarms shall be installed and maintained in Groups R-2, R-3, R-4 and in dwellings not regulated in Group R occupancies, regardless of occupant load at all of the following locations:

1. On the ceiling or wall outside of each separate sleeping area in the immediate vicinity of bedrooms.
2. In each room used for sleeping purposes.
3. In each story within a dwelling unit, including basements and cellars but not including crawl spaces and uninhabitable attics. In dwellings or dwelling units with split levels and without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than one full story below the upper level.

Single or multiple-station smoke alarms shall be installed in other groups in accordance with the *International Fire Code*.

704.3 Power source. In Group R occupancies and in dwellings not regulated as Group R occupancies, single-station smoke alarms shall receive their primary power from the building wiring provided that such wiring is served from a commercial source and shall be equipped with a battery backup. Smoke alarms shall emit a signal when the batteries are low. Wiring shall be permanent and without a disconnecting switch other than as required for overcurrent protection.

Exception: Smoke alarms are permitted to be solely battery operated in buildings where no construction is taking place, buildings that are not served from a commercial power source and in existing areas of buildings undergoing alterations or repairs that do not result in the removal of interior wall or ceiling finishes exposing the structure, unless there is an attic, crawl space or basement available which could provide access for building wiring without the removal of interior finishes.

704.4 Interconnection. Where more than one smoke alarm is required to be installed within an individual dwelling unit in Group R-2, R-3, R-4 and in dwellings not regulated as Group R occupancies, the smoke alarms shall be interconnected in such a manner that the activation of one alarm will activate all of the alarms in the individual unit. The alarm shall be clearly audible in all bedrooms over background noise levels with all intervening doors closed.

Exceptions:

1. Interconnection is not required in buildings which are not undergoing alterations, repairs, or construction of any kind.
2. Smoke alarms in existing areas are not required to be interconnected where alterations or repairs do not result in the removal of interior wall or ceiling finishes exposing the structure, unless there is an attic, crawl space or basement available which could provide access for interconnection without the removal of interior finishes.

**CHAPTER 8
REFERENCED STANDARDS**

This chapter lists the standards that are referenced in various sections of this document. The standards are listed herein by the promulgating agency of the standard, the standard identification, the effective date and title and the section or sections of this document that reference the standard. The application of the referenced standards shall be as specified in Section 102.7.

ICC International Code Council
5203 Leesburg Pike, Suite 600
Falls Church, VA 22041

Standard reference number	Title	Referenced in code section number
ICC EC—03	ICC Electrical Code™ — Administrative Provisions	201.3, 604.2
IBC—03	International Building Code®	201.3, 302.7.1, 401.3, 702.3, 702.4
IEBC—03	International Existing Building Code™	101.3, 102.3, 201.3
IFC—03	International Fire Code®	201.3, 702.1, 702.2, 704.1, 704.2
IMC—03	International Mechanical Code®	201.3
IPC—03	International Plumbing Code®	201.3, 505.1, 602.2, 602.3
IZC—03	International Zoning Code®	102.3, 201.3

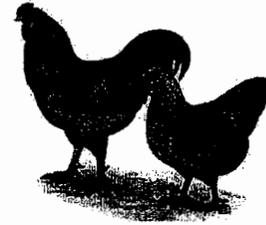
This page intentionally left blank

ATTACHMENT H

CHICKENS IN YOUR BACKYARD



Chickens in Your Backyard



Keeping chickens is becoming increasingly popular in urban areas. This flyer is provided to answer the most common questions related to backyard chickens in Shoreline.

Q. How many chickens can I have?

A. The City of Shoreline does not specify the number of chickens allowed on a property. However, you must comply with King County Animal Control regulations, which include protection against animal cruelty and neglect, and which provide for nuisance abatement for unreasonable noise disturbance and untreated diseased animals.

Q. Where can I keep my chickens?

A. Chicken coops must be at least 10 feet from any property line. Be considerate and consult with your neighbors before building. You don't want to infringe on others' enjoyment of their property



Q. What kind of coop do I need?

A. As with any animal, for happy and healthy chickens, provide plenty of air circulation and room to wander inside enclosures. Be sure the enclosure protects your chickens from the sun as well as from cats, dogs, and raccoons. There are many good books on raising backyard chickens with attractive designs for chicken houses. Chicken coops must provide at least one square-foot of space for each chicken.



Q. Can I have a rooster?

A. It is legal to keep roosters in Shoreline, but we recommend against it. If you do plan to have a rooster, consult with your neighbors first in order to avoid noise complaints.

Q. What if my neighbors' chickens are too noisy?

A. It is unlawful to maintain an animal that makes noises to an unreasonable degree which disturbs others. Try talking to your neighbors if there is a problem. Animal noise complaints should go to King County Animal Control at 296-PETS (7387).

Q. What if my neighbors' chicken coop is too smelly?

A. Talk to your neighbors about controlling odor by keeping their chicken enclosure clean. The only time chicken coops will smell bad is if they are not cleaned often enough or if the animals are sick. Suspected health code violations should be reported to King County Animal Control at 296-PETS (7387).

Laws related to keeping animals in Shoreline The below codes are available at the public library and on the Internet. Call the City Clerk's Office at (206) 546-5042 if you have trouble locating them.

Shoreline Municipal Code (www.cityofshoreline.com):
SMC Title 6 Animals
SMC Chapter 20.40.240 Animals
SMC Chapter 9.05 Public Disturbance Noise

The City of Shoreline has adopted the following sections of the Revised Code of Washington (RCW) that may relate to keeping chickens:

Public nuisances: RCW 9.66.010-050

Crimes relating to animals:

RCW 9.08.020 Diseased animals

RCW 9.08.030 False certificate of registration of animals
RCW 9.08.070 Pet animals -Taking, concealing, injuring, etc.
RCW 16.52.080 Transporting or confining an animal in an unsafe manner
RCW 16.52.100 Confining animals without food or water
RCW 16.52.117 Animal fighting
RCW 16.52.190-195 Poisoning animals
RCW 16.52.207 Animal cruelty

The RCW is available on the Internet at <http://leg.wa.gov> or at your public library.



Memorandum

DATE: June 16, 2005

TO: Planning Commission

FROM: Paul Cohen, Senior Planner *PLC*

RE: Additional Information for Cottage Housing Deliberations

The Planning Commission on June 2, 2005 held a public hearing on the Cottage Housing regulations. After the hearing the Commission deliberated and rejected the motion to repeal the cottage housing regulations by a 6 to 1 vote. The Commission requested from staff additional information in order to continue deliberations on possible amendments for the June 16, 2005 meeting. The additional information is:

1. Design review process that cottage housing could be reviewed under.
2. Synopsis of the cottage housing ordinances and public process of Kirkland and Redmond.
3. Cottage development comparison of size of units, density of units, lot area, common and private open space, square feet per floor.

1. The Commission debated the issue of design review for cottages during the 2003 review. Currently, the City relies on the Conditional Use criteria to review cottage housing (Attachment A). These criteria do not have specific design criteria. The City of Bellevue uses an administrative design review for large commercial and multifamily projects but has no cottage housing provisions. Their process is parallel to Shoreline's Conditional Use (Type B) process. Their criteria (Attachment B) are consistent with Shoreline's addressing consistency with the comprehensive plan, code requirements, design standards, compatibility to the site and vicinity, and the ability to be served by public facilities.

The SMC 2.20.060.D (Attachment C) states that the Planning Commission shall perform design review unless it is formally delegated. One option for the Commission to consider, which would not create a new procedural permit type, would be to authorize the Director to refer a proposed project to the Planning Commission for design review based upon some criteria. For example, new language might be added "to authorize the Director to refer a Cottage Housing Development Proposal to the Planning Commission for design review, if the Director determines that the project would benefit from such review. The

Planning Commission's design review recommendations shall then be considered by the Director in issuing administrative or ministerial permits. The target timeline for projects subject to design review shall be extended by 45 days." Another alternative would be to transfer the decision on Cottage Housing from a type "B" permit to a quasi judicial type "C" permit issued by the City Council, after Planning Commission review and recommendation.

2. The City of Kirkland has the Innovative Housing Demonstration Project (Attachment D). This program includes other housing such as compact single family, duplexes and triplexes. Their Process IIB is parallel to our Type B, CUP process that we use for cottage housing. Some of Kirkland's regulations are the same as Shoreline's and some are different. The regulations that are different are listed below with Shoreline's current regulations in parenthesis.

- Projects must not be within 1,500 feet of another demonstration project (no limit).
- Up to five projects within the adopted program (no limit).
- 400 square feet per unit of common open space (250 square feet).
- 300 square feet per unit of private open space (250 square feet).
- 80 square foot porches with minimum 8 foot dimension (100 square feet and 6 foot)
- 40 – 50% of cottages under 700 square feet on main floor (no limit on minimum main floor)
- Parking allowed between or adjacent to rear cottages if served by alley or driveway.

The City of Redmond has adopted and codified their cottage housing regulations with a similar review process as Shoreline (Attachment E). The key differences with the Shoreline regulations are listed below in parenthesis.

- Allow attached garages (no attached garages allowed).
- Units not to exceed 1.5 times the main floor area or 1,000 square feet, whichever is less (no proportion limit to floor area).
- Requires city staff to attend neighborhood meeting (no requirement)
- Supplemental requirements including a design review board for one neighborhood (no supplements).
- Maximum lot coverage by building 40% and 60% total site (35% building and 50% total).

3. City Staff compared the site data of the seven cottage developments built in Shoreline (Attachment F). In addition to this data, all projects were well below the maximum for lot coverage by building and total impervious surfaces, met or exceeded the minimum common and private open space requirement for cottage housing, and exceeded the tree preservation requirements for R-6 zoning. The Madrona and Greenwood Cottages had the greater majority (at least 65%) of the floor area on the main floor. The Ashworth, Hopper, and Reserve Cottages had

closer to a 50/50 ratio of main floor to upper floor areas. These three cottages developments received remarks as too tall. The Meridian cottages have greater density because the underlying zoning is R-8.

Attachments:

- A. Shoreline Conditional Use Criteria
- B. Bellevue Design Review Criteria
- C. SMC 2.20.060 D
- D. Kirkland Innovative Housing Demonstration Project
- E. Redmond Cottage Housing Code
- F. Cottage Development Comparison Data

This page intentionally left blank

- b. The variance is necessary because of special circumstances relating to the size, shape, topography, location or surrounding of the subject property in order to provide it with use rights and privileges permitted to other properties in the vicinity and in the zone in which the subject property is located;
- c. The granting of such variance is necessary for the preservation and enjoyment of a substantial property right of the applicant possessed by the owners of other properties in the same zone or vicinity. (Ord. 238 Ch. III § 7(a), 2000).

20.30.300 Conditional use permit-CUP (Type B action).

- A. **Purpose.** The purpose of a conditional use permit is to locate a permitted use on a particular property, subject to conditions placed on the permitted use to ensure compatibility with nearby land uses.
- B. **Decision Criteria.** A conditional use permit shall be granted by the City, only if the applicant demonstrates that:
 1. The conditional use is compatible with the Comprehensive Plan and designed in a manner which is compatible with the character and appearance with the existing or proposed development in the vicinity of the subject property;
 2. The location, size and height of buildings, structures, walls and fences, and screening vegetation for the conditional use shall not hinder neighborhood circulation or discourage the permitted development or use of neighboring properties;
 3. The conditional use is designed in a manner that is compatible with the physical characteristics of the subject property;
 4. Requested modifications to standards are limited to those which will mitigate impacts in a manner equal to or greater than the standards of this title;
 5. The conditional use is not in conflict with the health and safety of the community;
 6. The proposed location shall not result in either the detrimental over-concentration of a particular use within the City or within the immediate area of the proposed use, unless the proposed use is deemed a public necessity;
 7. The conditional use is such that pedestrian and vehicular traffic associated with the use will not be hazardous or conflict with existing and anticipated traffic in the neighborhood; and
 8. The conditional use will be supported by adequate public facilities or services and will not adversely affect public services to the surrounding area or conditions can be established to mitigate adverse impacts on such facilities. (Ord. 238 Ch. III § 7(b), 2000).

20.30.310 Zoning variance (Type B action).

- A. **Purpose.** A zoning variance is a mechanism by which the City may grant relief from the zoning provisions and standards of the Code, where practical difficulty renders compliance with the Code an unnecessary hardship.

This page intentionally left blank



Part 20.30F Design Review

20.30F.110 Scope.

This Part 20.30F establishes the procedure and criteria that the City will use in making a decision upon an application for Design Review.

20.30F.115 Applicability.

This Part 20.30F applies to each application for Design Review, except as provided in LUC 20.30F.116. (Ord. 3599B, 3-24-86, § 1)

20.30F.116 City Council Design Review.

Notwithstanding any provisions of the Code requiring that Design Review be conducted under this Part 20.30F, all projects for which a City Council approval is required and an opportunity for public comment has been provided shall be exempt from the Design Review process, but must comply with the applicable Design Review criteria and standards of this Code. (Ord. 5496, 11-17-03, § 5; Ord. 4972, 3-3-97, § 13; Ord. 4816, 12-4-95, § 112; Ord. 4207, 1-14-91, § 1; Ord. 3599B, 3-24-86, § 2)

20.30F.120 Purpose.

Design Review is a mechanism by which the City can ensure that site development and structures in specific zoning districts or in specific locations are of high design quality and conform to the requirements of the Land Use Code and the requirements of an applicable concomitant agreement.

20.30F.125 Who may apply.

The property owner may apply for a Design Review.

20.30F.145 Decision criteria.

The Director may approve or approve with modifications an application for Design Review if:

- A. The proposal is consistent with the Comprehensive Plan; and
- B. The proposal complies with the applicable requirements of this Code; and
- C. The proposal addresses all applicable design guidelines or criteria of this Code in a manner which fulfills their purpose and intent; and
- D. The proposal is compatible with and responds to the existing or intended character, appearance, quality of development and physical characteristics of the subject property

and immediate vicinity; and

E. The proposal will be served by adequate public facilities including streets, fire protection, and utilities. (Ord. 4972, 3-3-97, § 16; Ord. 4816, 12-4-95, § 115)

20.30F.165 Merger with Binding Site Plan.

A. General.

The applicant may request that the site plan approved with the Design Review constitute a Binding Site Plan pursuant to Chapter 58.17 RCW.

B. Survey and Recording Required.

If a site plan is approved as a Binding Site Plan, the applicant shall provide a recorded survey depicting all lot lines and shall record that site plan and survey with the King County Department of Records and Elections. No document may be recorded without the signature of each owner of the subject property.

C. Effect of Binding Site Plan.

Upon the approval and recording of a Binding Site Plan the applicant may develop the subject property in conformance with that Binding Site Plan and without regard to lot lines internal to the subject property. The applicant may sell or lease parcels subject to the Binding Site Plan.

20.30F.170 Planning Commission Design Review.

The authority designated in a land use approval or concomitant agreement for the Bellevue Planning Commission to review a Design Review proposal is transferred to the Director to review said Design Review proposal under this Part 20.30F. (Ord. 4972, 3-3-97, § 20; Ord. 4816, 12-4-95, § 119; Ord. 4255, 6-3-91, § 11)

20.30F.175 Modification or addition to an approved Design Review project or decision.

A. There are two ways to modify or add to an approved project or decision: process as a new decision, or process as a Land Use Exemption.

B. General.

Except as provided in subsection C of this section, an amendment of a previously approved project or decision is treated as a new application.

C. Land Use Exemption for Design Review Approval.

1. The Director may determine that an addition or modification to a previously approved project or decision is exempt from further review or review as a new application, provided the following criteria are met:

- a. The proposal does not result in any significant adverse impact beyond the site; and
- b. The proposal is within the general scope of the purpose and intent of the original approval; and

- c. The proposal complies with applicable Land Use Code requirements, and all applicable development standards, and is compatible with all applicable design criteria; and
 - d. The proposal does not add square footage that is more than 20 percent of existing gross square footage; and
 - e. If an addition or expansion has been approved within the preceding 24-month period, the combined additions will not add square footage that exceeds 20 percent of existing gross square footage.
2. The Director may determine that a new development outside the Downtown is exempt from review as a new application; provided, that the building form and scale of the new building or addition, regardless of size, is not visible from the right-of-way, a public park or zoned and developed single-family residential property.

D. Conditions.

The Director may impose conditions on a Land Use Exemption to ensure that the applicable decision criteria and any conditions of the original approval are met. (Ord. 5481, 10-20-03, § 9; Ord. 4972, 3-3-97, § 21; Ord. 4816, 12-4-95, § 120)



Code Publishing Co.

Code Publishing's website

Voice: (206) 527-6831

Fax: (206) 527-8411

E-mail Code Publishing

This page intentionally left blank

C. The commission shall adopt such rules and regulations as are necessary for the conduct of its business and shall keep a taped record of its proceedings and such written notes as the commission may from time to time direct. The taped record and any written notes shall be a public record. [Ord. 36 § 3, 1995]

2.20.040 Staff support.

Administrative staff support to the planning commission shall be provided by the city manager or designee. [Ord. 36 § 4, 1995]

2.20.050 Rezone hearings.

The planning commission shall conduct public hearings and make a recommendation to the council on rezones in the city of Shoreline. [Ord. 36 § 5, 1995]

2.20.060 Duties – Responsibilities.

A. The planning commission shall direct the preparation of a comprehensive plan and development regulations in compliance with Chapter 36.70A RCW. This includes establishing procedures providing for early and continuous public participation in the development and amendment of the comprehensive land use plan for the city and the development regulations implementing the plan and make recommendations concerning these matters to the city council.

B. The planning commission shall review land use management, shoreline management and environmental protection ordinances and regulations of the city and make recommendations regarding them to the city council.

C. The planning commission shall review potential annexations to the city as requested by the city council, and make recommendations concerning them.

D. Where design review is required by land use ordinances of the city, the planning commission shall perform such design review unless that review is delegated to some other appointed body or city staff.

E. The planning commission shall recommend, establish priorities for, and review studies of geographic subareas in the city.

F. The planning commission shall submit written periodic reports annually to the city

council setting forth its progress in completing its work program for the current fiscal year.

G. The planning commission shall be encouraged to maintain liaison with the planning staff of the city.

H. The planning commission may hold public hearings in the exercise of its duties and responsibilities as it deems necessary.

I. The planning commission shall make recommendations to the city council regarding the subdivision of land pursuant to RCW 58.17.100 and in conformity with other ordinances of the city.

J. The planning commission shall have such other duties and powers as may be conferred upon the commission from time to time by ordinance, resolution or motion of the city council.

K. Unless otherwise assigned by ordinance to another body, all public hearings required to be held in the course of adoption or amendment to the comprehensive plan, the zoning code, adoption or amendment of the zoning map, or adoption or amendment of regulations for the subdivision of land, shorelines management and environmental protection regulations shall be heard by the planning commission. [Ord. 36 § 6, 1995]

This page intentionally left blank

10.A Attachment D

ORDINANCE 3893

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO INNOVATIVE HOUSING DEMONSTRATION PROJECTS, AND EXTENDING AN INTERIM ZONING ORDINANCE TO REGULATE SUCH PROJECTS TO DECEMBER 1, 2003.

WHEREAS, the City has the authority to adopt an interim zoning ordinance pursuant to RCW 35A.63.220 and 36.70A.390; and

WHEREAS, the Kirkland City Council has determined that there is a need for an interim zoning ordinance to regulate innovative housing demonstration projects; and

WHEREAS, pursuant to RCW 35A.63.220 and 36.70A.390, a public hearing on the interim zoning ordinance herein established was held prior to the adoption of this ordinance; and

WHEREAS, the City Council desires to extend the interim zoning ordinance which was part of Ordinance 3856 passed on September 3, 2002;

NOW, THEREFORE, the City Council of the City of Kirkland do ordain as follows:

Section 1. Pursuant to Ordinance 3856, two proposals for innovative housing demonstration projects have been selected to be allowed to apply for Process IIB permits. The City Council finds that renewal or extension of an interim zoning ordinance until December 1, 2003 is necessary to regulate the two demonstration projects. Sections 2, 3, and 4 of this Ordinance shall serve as the interim zoning ordinance for the two projects.

Section 2. Process IIB permit.

a. The City shall use Process IIB as described in Chapter 152 of the Kirkland Zoning Code to review and decide on innovative housing demonstration projects, except that the notice of the application shall be given to property owners within 500 feet of any boundary of the subject property. In addition, a neighborhood meeting following guidelines established by the Planning Department and including attendance by City staff shall be required prior to application submittal.

b. In addition to complying with the approval criteria stated in Section 152.70.3 of the Kirkland Zoning Code, the applicant must demonstrate that:

i. The impacts of the proposed development will be no greater than the traditional development that could be constructed on the property with respect to total floor area of structures and structure sizes.

ii. The proposal is not larger in scale and is compatible with surrounding development with respect to size of units, building heights, roof forms, building setbacks from each other and property lines, number of parking spaces, parking location and screening, access, and lot coverage.

iii. The proposal provides elements that contribute to a sense of community within the development by including elements

such as front entry porches, common open space, and common buildings or common spaces within buildings.

iv. Any proposed modifications to requirements of the Kirkland Zoning Code or KMC Title 22 (subdivision ordinance), other than those specifically identified in Paragraph c. of this Section or in Sections 3 or Section 4 of this ordinance, are important to the success of the proposal as an innovative housing project.

c. In order to meet the goals of the innovative housing demonstration program, there will be flexibility with regard to some normally applicable regulations and requirements. Standards listed in this Paragraph c. as well as parameters identified in Sections 3 and 4 of this ordinance will apply to innovative housing demonstration projects and will prevail if they conflict with normal regulations. All other regulations and requirements of the City of Kirkland will continue to apply, except that applicants may propose additional modifications to the Kirkland Zoning Code or KMC Title 22 (subdivision ordinance), as provided for in Paragraph b. of this Section.

i. The minimum lot size, restriction of not more than one dwelling unit per lot, maximum Floor Area Ratio, and minimum number of required parking spaces found in Kirkland Zoning Code Section 15.10 and 17.10 shall be replaced by the standards identified in Sections 3 or 4 of this ordinance.

ii. The vehicular access standards of Kirkland Zoning Code Section 105.10 shall be determined based on the number of single-family units that the equivalent innovative housing units are replacing. The modification provisions of Kirkland Zoning Code Section 105.103 may be used to allow further flexibility to the vehicular access requirements for the proposed project.

iii. The density limitations identified in the Land Use Map of the Kirkland Comprehensive Plan shall be determined to have been met as long as the proposed project does not exceed the equivalent unit calculation identified in Sections 3 or 4 of this ordinance.

iv. Application fees for the Process IIB review of the proposed project shall be based on the number of single-family units that the equivalent innovative housing units are replacing.

v. Impact fees under Kirkland Municipal Code Chapters 27.04 and 27.06 for the proposed project shall be assessed at the rates for multifamily dwelling units, as identified in Appendix A of Kirkland Municipal Code Chapters 27.04 and 27.06.

d. The City's approval of an innovative housing project does not constitute approval of a subdivision, a short plat, or a binding site plan.

Section 3. This table sets forth parameters applicable to innovative housing project applications.

Parameters	
Housing Types	<ul style="list-style-type: none"> ▪ Cottages ▪ Compact Single-Family ▪ Duplexes or Triplexes designed to look like Single-Family as part of a development that includes at least one other housing type (the other housing type may be traditional single-family) ▪ Combinations of the above types

Unit Size Limits	<ul style="list-style-type: none"> ▪ Cottages = 1,000 square foot maximum gross floor area ▪ Compact Single-Family = 1,500 square foot maximum gross floor area ▪ Duplexes and Triplexes = 1,200 square foot maximum gross floor area per unit, total gross floor area for structure (including garages) not to exceed 40% of the minimum lot size in zone or actual lot size, whichever is less (e.g. 7,200 sq. ft. x 0.4 = 2,880 sq. ft. maximum in RS 7.2 zone) ▪ A covenant restricting any increases in unit size after initial construction shall be recorded against the property
Equivalent Units	<ul style="list-style-type: none"> ▪ Cottages = 2 per each single-family unit that could be built on the property ▪ Compact SF = 1.5 per each single-family unit that could be built on the property ▪ Duplexes and Triplexes = 2 or 3 units per each single-family unit, number of units in overall development not to exceed 1.5 times the number of single-family units that could be built on the property ▪ Rounding up to the next whole number of equivalent units is allowed when the conversion from typical single-family units to equivalent units results in a fraction of 0.5 or above ▪ Existing single-family homes may remain on the subject property and will be counted as units in the equivalent unit calculation based on their gross floor area
Locations	<ul style="list-style-type: none"> ▪ City-wide, but not within 1,500' of another innovative housing proposal under this Ordinance ▪ Not more than two innovative housing proposals per city recognized neighborhood under this Ordinance
Number of Developments	<ul style="list-style-type: none"> ▪ Up to five, with no more than two projects demonstrating the same single housing type
Public Notice	<ul style="list-style-type: none"> ▪ Neighborhood meeting, including City staff attendance, required prior to application for Process IIB review ▪ Normal publishing and posting after application received ▪ Mailing of notice to adjacent residents and property owners within 500 feet of the proposed development after application received
Access Requirements	<ul style="list-style-type: none"> ▪ Determine flexibility for road widths, public vs. private, and turn-around requirements with input from Public Works and Fire Departments

Development Size	<ul style="list-style-type: none"> ▪ Minimum of 4 units, maximum of 24 units ▪ Cottages may have a maximum of 12 units per cluster
Parking Requirements	<ul style="list-style-type: none"> ▪ 1 stall per unit for units under 700 square feet in size ▪ 1.5 stalls per unit for units 700 to 1,000 square feet in size ▪ 2 stalls per unit for units over 1,000 square feet in size
Ownership Structure	<ul style="list-style-type: none"> ▪ Subdivision ▪ Condominium ▪ Single owner for entire project (to allow rental)

Section 4. This table sets forth additional parameters that supplement the parameters in Section 3 and are applicable to any cottage proposed to be part of an innovative housing project.

Additional Parameters: Cottages	
Front Setbacks	<ul style="list-style-type: none"> ▪ 20' minimum
Other Setbacks	<ul style="list-style-type: none"> ▪ 5' minimum from all property lines other than front property lines ▪ The average setback of all structures along any property line other than a front property line shall be 10'
Distance Between Structures	<ul style="list-style-type: none"> ▪ 10' minimum
Lot Coverage (all impervious surfaces)	<ul style="list-style-type: none"> ▪ 50% maximum
Common Open Space	<ul style="list-style-type: none"> ▪ 400 square feet minimum per cottage ▪ Cottages shall abut at least two sides ▪ Shall abut at least 50% of the cottages in the development and those units must be oriented to and have their main entry from the common open space ▪ All cottages shall be within 60' walking distance of the common open space
Private Open Space	<ul style="list-style-type: none"> ▪ 300 square feet minimum per cottage ▪ Shall be adjacent to each cottage and be for the exclusive use of the residents of that cottage ▪ Shall be in one contiguous and useable piece with a minimum dimension of 10' on all sides ▪ Shall be oriented to the common open space as much as is feasible
Attached Covered Porches	<ul style="list-style-type: none"> ▪ 80 square feet minimum per cottage ▪ Shall have a minimum dimension of 8' on all sides
Height	<ul style="list-style-type: none"> ▪ 18' maximum for all structures except 25' maximum for cottages with a minimum roof slope of 6:12 for all parts of the roof above 18'

Floor Area Limitations	<ul style="list-style-type: none"> ▪ 1,000 square foot maximum gross floor area ▪ 800 square foot maximum main floor area ▪ A minimum of 40% and no more than 50% of the cottages in a cluster shall have a main floor of 700 square feet or less
Exceptions to Floor Area Limitations	<ul style="list-style-type: none"> ▪ Attached porches up to 200 square feet in size ▪ Spaces with a ceiling height of 6' or less measured to the exterior walls, such as in a second floor area under the slope of the roof ▪ Unheated storage space located under the main floor of a cottage ▪ Architectural projections, such as bay windows, fireplaces or utility closets not greater than 18" in depth and 6' in width ▪ Detached garages or carports
Parking	<ul style="list-style-type: none"> ▪ Shall be provided on the subject property ▪ Shall be screened from public streets and adjacent residential uses by landscaping or architectural screening ▪ Shall be located in clusters of not more than 6 adjoining spaces ▪ Shall not be located in the front yard setback, except on a corner lot where it shall not be located in the front yard between the entrance to any cottage and the front property line ▪ Shall not be located within 40' of a public street except in a single loaded configuration where the stalls lie parallel to the street ▪ May be located between or adjacent to structures if it is located toward the rear of the structure and is served by an alley or driveway ▪ All parking structures shall have a pitched roof design with a minimum slope of 4:12
Community Buildings	<ul style="list-style-type: none"> ▪ Shall be clearly incidental in use and size to the cottages ▪ Shall be commonly owned by the residents of the cottages
Accessory Dwelling Units	<ul style="list-style-type: none"> ▪ Shall not be allowed as part of a cottage development

Section 5. Sections 2, 3, and 4 of this ordinance shall go into effect on June 1, 2003 as an interim zoning ordinance and then shall be effective for six months (until December 1, 2003) and thereafter may be renewed for one or more six month periods if a subsequent public hearing is held and findings of fact are made prior to each renewal.

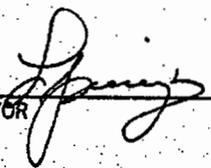
Section 6. If any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder of the ordinance, or the application of the provision to other persons or circumstances is not affected.

Section 7. This ordinance shall be in force and effect five days from and after its passage by the Kirkland City Council and publication pursuant to Section 1.08.107, Kirkland Municipal Code in the summary form attached to

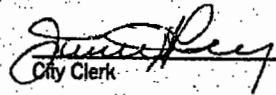
the original of this ordinance and by this reference approved by the City Council.

Passed by majority vote of the Kirkland City Council in open meeting this 20th day of May, 2003.

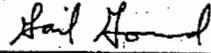
Signed in authentication thereof this 20th day of May, 2003.


MAYOR

Attest:


City Clerk

Approved as to Form:


City Attorney
Ord\thouert1

PUBLICATION SUMMARY
OF ORDINANCE NO. 3893

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO INNOVATIVE HOUSING DEMONSTRATION PROJECTS, AND EXTENDING AN INTERIM ZONING ORDINANCE TO REGULATE SUCH PROJECTS TO DECEMBER 1, 2003.

SECTION 1. Provides for regulation of selected demonstration projects by interim zoning ordinance.

SECTIONS 2. - 4. Set forth content of interim zoning ordinance to regulate innovative housing demonstration projects.

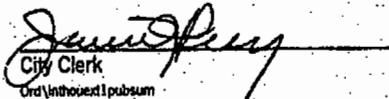
SECTION 5. Makes interim zoning ordinance effective for 6 months.

SECTION 6. Provides a severability clause for the ordinance.

SECTION 7. Authorizes publication of the ordinance by summary, which summary is approved by the City Council pursuant to Section 1.08.017 Kirkland Municipal Code and establishes the effective date as five days after publication of summary.

The full text of this Ordinance will be mailed without charge to any person upon request made to the City Clerk for the City of Kirkland. The Ordinance was passed by the Kirkland City Council at its meeting on the 20th day of May, 2003.

I certify that the foregoing is a summary of Ordinance 3893 approved by the Kirkland City Council for summary publication.


City Clerk
Ord\Inthouert\pubsum

This page intentionally left blank

10.A Attachment E



20C.30.52 Cottage Housing Developments.

20C.30.52-010 Purpose.

The purpose of this section is to:

- (1) Provide a housing type that responds to changing household sizes and ages (e.g., retirees, small families, single person households);
- (2) Provide opportunities for ownership of small, detached dwelling units within a single-family neighborhood;
- (3) Encourage creation of more usable open space for residents of the development through flexibility in density and lot standards;
- (4) Support the growth management goal of more efficient use of urban residential land; and
- (5) Provide guidelines to ensure compatibility with surrounding land uses. (Ord. 2126)

20C.30.52-020 Applicability.

Cottage housing developments are allowed in all areas of the City designated Low-Moderate Density Residential, when permitted through a neighborhood plan. See RCDG 20C.30.52-060 Supplemental Neighborhood Requirements for cottage development standards specific to neighborhoods. (Ord. 2126)

20C.30.52-030 Cottage Housing Development Size.

Cottage housing developments shall contain a minimum of four and a maximum of 12 cottages located in a cluster to encourage a sense of community among the residents. A development site may contain more than one cottage housing development. (Ord. 2126)

20C.30.52-040 Special Site Requirements for Cottage Housing Developments.

(1) Density, Lot Coverage, Height, Setback and Parking Requirements.

- (a) Intent. The site requirements chart establishes the basic dimensional requirements for cottages. Development standards are intended to define design parameters of cottages to achieve compatibility with adjacent single-family residential uses. For site requirements not specified below that may apply, see RCDG 20C.30.25-140, Site Requirements Chart and Flexibility, for the R-6 zoning category.
- (b) Requirements – Cottage Housing Developments Site Requirements Chart.

	Site Requirement
Cottages Allowed in Place of Each Standard Single-Family Home Allowed by the Density of the Zone ¹	2
Minimum Lot Frontage (in feet) ²	20'

Setbacks for All Structures from Adjacent Property Lines Along the Perimeter of the Site (except front or any public street setback) ^{3, 4}	10'
Front or any Public Street Setback ⁵	15'
Minimum Distance Between Structures (including accessory structures) ⁴	10'
Maximum Lot Coverage for Structures	40 percent
Maximum Impervious Surface Area	60 percent
Minimum Open Space	See RCDG 20C.30.52-040(3), Required Minimum Open Space
Maximum Height for Cottages and Accessory Structures	18'
Maximum Height for Cottages with Minimum Roof Slope of 6:12 ⁶	25'
Parking Spaces per Cottage ⁷	1.5

¹ For the purpose of this calculation, fractional values shall be rounded to the nearest whole number (0.5 and above, round up; below 0.5, round down). In no case shall the number of cottages allowed in place of each standard sized house exceed two.

² For private streets and access corridors serving less than three lots and accessing directly onto a public street, lot frontage may be reduced to 14 feet.

³ When vehicular access to a cottage housing development is from an alley or access corridor, a four-foot minimum rear setback is allowed.

⁴ Except standard architectural projections up to a maximum of 18 inches in depth and six feet in width, and eaves up to 1.5 feet.

⁵ Front orientation shall be determined by the lot on which the cottage housing development is located as it addresses a public street or access corridor.

⁶ All parts of the roof above 18 feet shall be pitched. The maximum height of any portion of the roof, except chimneys or cupolas, shall not exceed 25 feet anywhere on the site.

⁷ The Technical Committee may reduce parking requirements based on the applicant's demonstration of site specific factors that justify a lower standard, such as opportunities for transit service or anticipated number of residents.

(2) Cottage Floor Area.

(a) Intent.

- (i) Scale of development. To ensure that the overall size, including bulk and mass of cottage structures and cottage housing developments, remain smaller and incur less visual impact than standard sized single-family dwellings, particularly given the allowed intensity of cottage dwellings.
- (ii) Variety. To provide variety in cottage housing developments through a mixture of building sizes and building footprints.

(b) Requirements.

- (i) The total floor area of each cottage shall not exceed either 1.5 times the area of the main floor or 1,000 square feet, whichever is less. Attached garages shall be included in the calculation of total floor area.
- (ii) Cottage areas that do not count toward the total floor area calculation are:
 - (A) Unheated storage space located under the main floor of the cottage.
 - (B) Architectural projections, such as bay windows, fireplaces or utility closets not greater than 18 inches in depth or six feet in width.
 - (C) Attached roofed porches.
 - (D) Detached garages or carports.
 - (E) Spaces with a ceiling height of six feet or less measured to the exterior walls, such as in a second floor area under the slope of the roof.
 - (F) The Code Administrator may approve other exemptions similar in nature provided the

intent of this section is met.

- (iii) The maximum main floor area for cottages is 800 square feet. For the purposes of this calculation, the area of interior stairway may be allocated between floors served.
- (iv) A minimum of 40 percent of the cottages and not more than 50 percent shall have main floors of 700 square feet or less. For example: in a five-cottage development, two of the cottages would need to have main floors of 700 square feet or less and the other three cottages could have main floors of up to 800 square feet. For fractional numbers, 0.5 and above, round up; below 0.5 round down.
- (v) The total square foot area of a cottage dwelling unit may not be increased. A note shall be placed on the title to the property for the purpose of notifying future property owners that any increase in the total square footage of a cottage is prohibited for the life of the cottage or duration of City cottage regulations.

(3) Required Minimum Open Space.

(a) Intent. The minimum open space requirements are intended to provide a sense of openness and visual relief in cottage housing developments. Common open space shall provide a centrally located, focal area for the cottage housing development. The common area shall be outside of wet stormwater ponds, wetlands, streams, lakes, and sensitive area buffers and on slopes of 10 percent or less and developed and maintained so it is usable for active or passive recreation activities. Private open space shall provide private area around the individual dwellings to enable diversity in landscape design.

(b) Requirements.

(i) Common open space shall:

- (A) Be a minimum of 400 square feet per cottage.
- (B) Abut at least 50 percent of the cottages in a cottage housing development.
- (C) Have cottages abutting on at least two sides.

(ii) Cottages shall:

- (A) Be oriented around and have the main entry from the common open space.
- (B) Be within 60 feet walking distance of the common open space.

(iii) Private open space shall:

- (A) Be a minimum of 300 square feet of private, contiguous, usable open space adjacent to each dwelling unit, for the exclusive use of the cottage resident. It shall be oriented toward the common open space as much as possible, with no dimension less than 10 feet.
- (B) Additionally, cottages shall have a roofed porch at least 80 square feet in size with a minimum dimension of eight feet on any side.

(4) Parking Location and Screening.

(a) Intent. To ensure minimal visual impact from vehicular use and storage areas for residents of the cottage housing development as well as adjacent properties, and to maintain a single-family character along public streets.

(b) Requirements. Parking shall be:

- (i) Located on the cottage housing development property.
- (ii) Screened from public streets and adjacent residential uses by landscaping or architectural screening.
- (iii) Located in clusters of not more than five adjoining spaces.
- (iv) Prohibited in the front yard setback area. (See Footnote 5, Cottage Housing

Developments Site Requirements Chart.)

- (v) Prohibited within 40 feet of a public street, except: single-loaded parking is allowed in a maximum 50 foot wide area when set back a minimum of 15 feet from a public street. (See Figure 1)
 - (vi) Allowed between or adjacent to structures only when it is located toward the rear of the principal structure and is served by an alley or private driveway.
 - (vii) A pitched roof design is required for all parking structures. If a parking structure is attached to a cottage unit, review by the Design Review Board shall be required.
 - (viii) The Code Administrator may approve other methods provided the intent of this section is met.
- (5) Accessory Dwelling Units. RCDG 20C.30.35 provides for accessory dwelling units (ADUs) in residential areas. For the purposes of this section, additional requirements for ADUs are as follows:
- (a) The number of accessory dwelling units (ADUs), either attached or detached, that are permitted in a cottage housing development shall be based on the underlying density calculation for standard sized dwellings that would be attributed to that site. For example, if the density calculation for a site indicates that three standard size homes would be allowed, then three ADUs plus the number of cottages allowed would be the total number of dwelling units permitted on the site. (For fractional values of 0.5 and above, round up; below 0.5, round down.)
 - (b) The size of an accessory dwelling unit shall be subordinate to that of the primary, or cottage dwelling. For any ADU, the total square footage of the ADU shall not exceed the lesser of (i) 500 square feet or (ii) 40 percent of the total square footage of the primary dwelling unit and the accessory dwelling unit combined. ADUs attached to a cottage shall count in the 1,000 square feet maximum floor area. ADUs in a detached structure do not count in the 1,000 square foot maximum floor area.

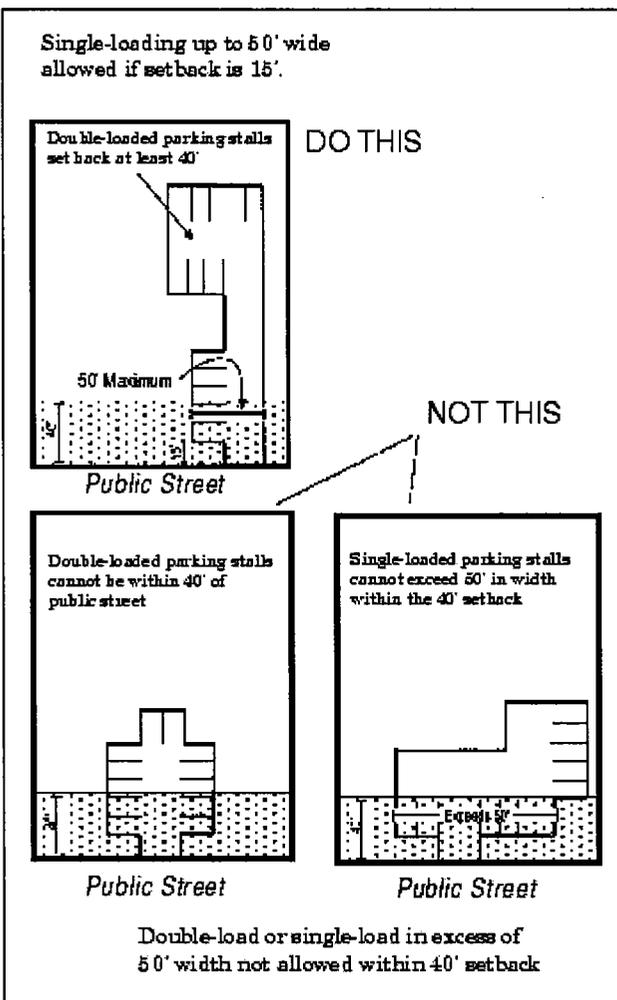


Figure 1. Cottage Housing Parking Requirements

- (c) Accessory dwelling units (ADUs) are allowed in cottage housing developments only when proposed at the time of initial cottage development application.
- (d) Review by the Design Review Board may be required.
- (e) Accessory dwelling units are not allowed with cottages in the Willows/Rose Hill Neighborhood.
- (6) Community Buildings. A cottage housing development may contain community building(s) that are clearly incidental in use or size and related to the dwelling units. Such community buildings shall be located on the same site as the cottage housing development and be commonly owned by the residents.
- (7) Existing Dwellings. An existing detached or attached single-family dwelling that is incorporated into a cottage housing development as a residence and is nonconforming with respect to the standards of this section shall be permitted to remain on a site used for a cottage housing development. However, the extent of the noncompliance may not be increased unless the proposed change is determined by the Code Administrator to be consistent in character, scale and design with the cottage housing development. If the existing dwelling meets the requirements of this section with regard to size and is able to conform to other site standards, it may be counted as a cottage in the density calculation for the site. If the existing dwelling does not meet the size limitation for a cottage, then it shall count as one standard size dwelling. (Ord. 2126)

- (1) Intent. The purpose of having neighborhood meetings is to provide residents who live adjacent and nearby the proposed cottage housing development with opportunities, in addition to those provided in RCDG Title 20F, to obtain information about the proposal and provide comment on the overall project design and concept before an applicant expends significant time and resources in developing the specific site and development features of the proposal.
- (2) Requirements.
 - (a) The project applicant for a cottage housing development is required to hold a minimum of one neighborhood meeting. The meeting shall be held early in the permit review process.
 - (b) Notification of the meeting shall be mailed to property owners within 500 feet of the proposal and a sign will be posted on site, according to the requirements of RCDG 20F.30.35-020(2), Notice of Application Requirements of Type II Review.
 - (c) The City shall participate in neighborhood meetings. (Ord. 2126)

20C.30.52-060 Supplemental Neighborhood Requirements: Willows/Rose Hill.

- (1) Applicability. Cottage housing developments are allowed in areas designated Low-Moderate Density Residential in the Willows/Rose Hill Neighborhood. Developments of less than four cottages are also allowed in the Willows/Rose Hill Neighborhood. All developments of cottage housing in this neighborhood shall conform to the requirements of RCDG 20C.30.52, Cottage Housing Developments, as well as the requirements listed below under subsection (2) of this section, General Requirements. Specific requirements for cottage developments in the Willows/Rose Hill Neighborhood of one, two or three cottages are provided under subsection (3) of this section, Requirements for Cottage Housing of Less Than Four Dwellings.
- (2) General Requirements.
 - (a) Density in the Residential Innovative Zone. When cottages are used to fulfill the requirements for smaller dwelling units in the Residential Innovative zone, 1.5 cottages will be allowed in place of each smaller unit. For the purpose of this calculation, fractional values shall be rounded to the nearest whole number (0.5 and above, round up; below 0.5, round down).
 - (b) Design Standards. Supplemental design standards applicable to cottages are contained in RCDG 20C.70.50-040 and 20C.70.50-050.
 - (c) Location Criteria for the NE Rose Hill Subarea. No more than five cottage housing development applications or 40 cottages (whichever occurs first) shall be accepted for sites within 500 feet of each other in the NE Rose Hill Subarea until an evaluation of compatibility with the neighborhood subarea is completed.
 - (i) The Technical Committee shall conduct the evaluation and make a recommendation in consultation with a representative neighborhood group and shall consider whether the number and character of cottage developments is compatible with surrounding land uses. This evaluation and recommendation should be completed within four to six months of the date of application of the cottage housing development triggering this evaluation.
 - (ii) The review and decision process for this evaluation shall occur through a Type IV process as a Community Development Guide Amendment. The decision on the evaluation shall result in either: (a) allowing submittal of new cottage housing applications, with or without amendments to the Community Development Guide in response to compatibility issues, or (b) suspending further cottage housing development.
- (3) Requirements for Cottage Housing of Less Than Four Dwellings. The requirements in RCDG 20C.30.52, Cottage Housing Developments, shall also apply to the development of one, two or three cottages in the Willows/Rose Hill Neighborhood with the following exceptions and conditions:

- (a) **Setbacks.** All setbacks shall conform to those listed under the R-6 zone in RCDG 20C.30.25-140, Site Requirements Chart and Flexibility. RCDG 20C.30.25-080(2)(f), Side/Interior Setbacks, shall apply. Refer to RCDG 20C.30.52-040(1)(b), Cottage Housing Developments Site Requirements Chart, for specific requirements concerning encroachments.
- (b) **Cottage Floor Area.** RCDG 20C.30.52-040(2)(b)(iv), concerning mix of building footprints, shall not apply.
- (c) **Required Minimum Open Space.** Open Space requirements shall conform to RCDG 20C.30.25-120, Minimum Open Space – Landscaping – Buffers, according to the underlying zoning in which the cottage is located. Additionally:
- (i) If the development consists of three cottages, the dwellings should be clustered around a common open space consistent with RCDG 20C.30.52-040(3).
 - (ii) Cottages shall have a roofed porch at least 80 square feet in size with a minimum dimension of eight feet on any side.
- (d) **Parking Location and Screening.** RCDG 20C.30.52-040(4)(b)(v) concerning parking location shall not apply.
- (e) **Neighborhood Meeting.** The requirement for a neighborhood meeting as described in 20C.30.52-050 shall be waived; however, communication with neighbors concerning a proposal is encouraged.
- (4) **Demonstration Project.** Consistent with Policy N-WR-E-4, a neighborhood demonstration project that incorporates innovative housing, including cottages, will undergo review of project design through community input and a Type III Review Process, including review by the Design Review Board. If the project can demonstrate adherence to the overall design intent of the cottage regulations, flexibility in standards for cottages may be allowed. (Ord. 2126)

**Code Publishing Company**Code Publishing's website

Voice: (206) 527-6831

Fax: (206) 527-8411

E-mail Code Publishing

This page intentionally left blank

Reserve Cottages

Living Space Analysis

Cottage/Building Number	Footprint Size (Includes Porches)	First Floor Living Area	Second Floor Living Area	Total Living Area	Total Lot Size	First Floor Living Area Ratio	Second Floor Living Area Ratio
1	624	504	488	992	20,041	0.51	0.49
2	624	504	488	992	20,041	0.51	0.49
3	624	504	488	992	20,041	0.51	0.49
4	624	504	488	992	20,041	0.51	0.49
5	624	504	488	992	20,041	0.51	0.49
6	624	504	488	992	20,041	0.51	0.49
Garage #1	984	N/A	N/A	N/A	20,041	N/A	N/A
Garage #2	290	N/A	N/A	N/A	20,041	N/A	N/A

Total Building Footprint Area: 5,018
 Percent Lot Coverage by Building: 25%

Open Space Analysis

Total Lot Area	Total Parking/Driveways (Non-Structure)	Total Building Footprint	Total Open Space	Percent Open Space
20,041	2,084	5,018	12,939	64.56%

Density Analysis

Total Units	Dwelling Units Per Acre
6	12

* All areas calculated in Square Feet and based on Site Plans as approved.
 ** Some numbers are calculated estimates when information not provided on plans or in files.

6/8/2005

Greenwood Cottages

Living Space Analysis

Cottage/Building Number	Footprint Size (Includes Porches)	First Floor Living Area	Second Floor Living Area	Total Living Area	Total Lot Size	First Floor Living Area Ratio	Second Floor Living Area Ratio
1	901	785	178	963	37,716	0.82	0.18
2	901	785	178	963	37,716	0.82	0.18
3	901	785	178	963	37,716	0.82	0.18
4	901	785	178	963	37,716	0.82	0.18
5	745	649	349	998	37,716	0.65	0.35
6	745	649	349	998	37,716	0.65	0.35
7	745	649	118	767	37,716	0.85	0.15
8	728	648	203	851	37,716	0.76	0.24
Garage #1	748	N/A	N/A	N/A	37,716	N/A	N/A
Garage #2	1,296	N/A	N/A	N/A	37,716	N/A	N/A

Total Building Footprint Area: 8,611
 Percent Lot Coverage by Building: 23%

Open Space Analysis

Total Lot Area	Total Parking/Dirveaways (Non-Structure)	Total Building Footprint Area	Total Open Space	Percent Open Space
37,716	7,231	8,611	21,874	58.00%

Density Analysis

Total Units	Dwelling Units Per Acre
8	9

* All areas calculated in Square Feet and based on Site Plans as approved.
 ** Some numbers are calculated estimates when information not provided on plans or in files.

6/8/2005

Madrona Cottages

Living Space Analysis

Cottage/Building Number	Footprint Size (Includes Porches)	First Floor Living Area	Second Floor Living Area	Total Living Area	Total Lot Size	First Floor Living Area Ratio	Second Floor Living Area Ratio
1	720	650	350	1,000	42,795	0.65	0.35
2	720	650	350	1,000	42,795	0.65	0.35
3	720	650	350	1,000	42,795	0.65	0.35
4	720	650	350	1,000	42,795	0.65	0.35
5	720	650	350	1,000	42,795	0.65	0.35
6	720	650	350	1,000	42,795	0.65	0.35
7	720	650	350	1,000	42,795	0.65	0.35
8	720	650	350	1,000	42,795	0.65	0.35
9	720	650	350	1,000	42,795	0.65	0.35
10	720	650	350	1,000	42,795	0.65	0.35
11	720	650	350	1,000	42,795	0.65	0.35
12	720	650	350	1,000	42,795	0.65	0.35
Garage #1	1,440	N/A	N/A	N/A	42,795	N/A	N/A
Garage #2	1,040	N/A	N/A	N/A	42,795	N/A	N/A

Total Building Footprint Area: 11,120
 Percent Lot Coverage by Building: 26%

Open Space Analysis

Total Lot Area	Total Parking/Driveways (Non-Structure)	Total Building Footprint	Total Open Space	Percent Open Space
42,795	4,500	11,120	38,295	89.48%

Density Analysis

Total Units	Dwelling Units Per Acre
12	12

* All areas calculated in Square Feet and based on Site Plans as approved.
 ** Some numbers are calculated estimates when information not provided on plans or in files.

Ashworth Cottages

Living Space Analysis

Cottage/Building Number	Footprint Size (Includes Porches)	First Floor Living Area	Second Floor Living Area	Total Living Area	Total Lot Size	First Floor Living Area Ratio	Second Floor Living Area Ratio
1	1,068	589	419	992	17,942	0.59	0.42
2	1,068	589	419	992	17,942	0.59	0.42
3	1,068	589	419	992	17,942	0.59	0.42
4	1,068	589	419	992	17,942	0.59	0.42
Garage #1	400	N/A	N/A	N/A	17,942	N/A	N/A
Garage #2	400	N/A	N/A	N/A	17,942	N/A	N/A

Total Building Footprint Area: 5,072
 Percent Lot Coverage by Building: 28%

Open Space Analysis

Total Lot Area	Total Parking/Driveways (Non-Structure)	Total Building Footprint	Total Open Space	Percent Open Space
17,942	2,084	5,072	10,786	60.12%

Density Analysis

Total Units	Dwelling Units Per Acre
4	10

* All areas calculated in Square Feet and based on Site Plans as approved.
 ** Some numbers are calculated estimates when information not provided on plans or in files.

6/8/2005

Meridian Cottages

Living Space Analysis

Cottage/Building Number	Footprint Size (Includes Porches)	First Floor Living Area	Second Floor Living Area	Total Living Area	Total Lot Size	First Floor Living Area Ratio	Second Floor Living Area Ratio
1	729	648	339	987	42,634	0.66	0.34
2	729	648	339	987	42,634	0.66	0.34
3	729	648	339	987	42,634	0.66	0.34
4	729	648	339	987	42,634	0.66	0.34
5	729	648	339	987	42,634	0.66	0.34
6	729	648	339	987	42,634	0.66	0.34
7	729	648	339	987	42,634	0.66	0.34
8	608	542	403	945	42,634	0.57	0.43
9	608	542	403	945	42,634	0.57	0.43
10	608	542	403	945	42,634	0.57	0.43
11	608	542	403	945	42,634	0.57	0.43
12	608	542	403	945	42,634	0.57	0.43
13	608	542	403	945	42,634	0.57	0.43
14	608	542	403	945	42,634	0.57	0.43
15	608	542	403	945	42,634	0.57	0.43
16	608	542	403	945	42,634	0.57	0.43
Carport #1	680	N/A	N/A	N/A	42,634	N/A	N/A
Carport #2	680	N/A	N/A	N/A	42,634	N/A	N/A
Carport #3	680	N/A	N/A	N/A	42,634	N/A	N/A
Carport #4	680	N/A	N/A	N/A	42,634	N/A	N/A

Total Building Footprint Area: 13,295
 Percent Lot Coverage by Building: 31%

Open Space Analysis

Total Lot Area	Total Parking/Driveways (Non-Structure)	Total Building Footprint	Total Open Space	Percent Open Space
42,634	6,037	13,295	23,302	54.66%

Density Analysis

Total Units	Dwelling Units Per Acre
16	16

* All areas calculated in Square Feet and based on Site Plans as approved.
 ** Some numbers are calculated estimates when information not provided on plans or in files.

Hopper Cottages

Living Space Analysis

Cottage/Building Number	Footprint Size (Includes Porches)	First Floor Living Area	Second Floor Living Area	Total Living Area	Total Lot Size	First Floor Living Area Ratio	Second Floor Living Area Ratio
1	649	589	419	1,008	18,225	0.58	0.42
2	649	589	419	1,008	18,225	0.58	0.42
3	649	589	419	1,008	18,225	0.58	0.42
4	649	589	419	1,008	18,225	0.58	0.42
5	649	589	419	1,008	18,225	0.58	0.42
Garage #1	600	N/A	N/A	N/A	18,225	N/A	N/A
Garage #2	400	N/A	N/A	N/A	18,225	N/A	N/A

Total Building Footprint Area: 4,245
 Percent Lot Coverage by Building: 23%

Open Space Analysis

Total Lot Area	Total Parking/Driveways (Non-Structure)	Total Building Footprint	Total Open Space	Percent Open Space
18,225	3,500	4,245	10,480	57.50%

Density Analysis

Total Units	Dwelling Units Per Acre
5	12

* All areas calculated in Square Feet and based on Site Plans as approved.
 ** Some numbers are calculated estimates when information not provided on plans or in files.

6/8/2005

Fremont Cottages

Living Space Analysis

Cottage/Building Number	Footprint Size (Includes Porches)	First Floor Living Area	Second Floor Living Area	Total Living Area	Total Lot Size	First Floor Living Area Ratio	Second Floor Living Area Ratio
1	697	601	397	998	18,034	0.60	0.40
2	697	601	397	998	18,034	0.60	0.40
3	697	601	397	998	18,034	0.60	0.40
4	697	601	397	998	18,034	0.60	0.40
5	697	601	397	998	18,034	0.60	0.40
Garage #1	740	N/A	N/A	N/A	18,034	N/A	N/A
Garage #2	800	N/A	N/A	N/A	18,034	N/A	N/A

Total Building Footprint Area: 5,025
 Percent Lot Coverage by Building: 28%

Open Space Analysis

Total Lot Area	Total Parking/Driveways (Non-Structure)	Total Building Footprint	Total Open Space	Percent Open Space
18,034	2,682	5,025	10,327	57.26%

Density Analysis

Total Units	Dwelling Units Per Acre
5	12

* All areas calculated in Square Feet and based on Site Plans as approved.
 ** Some numbers are calculated estimates when information not provided on plans or in files.