

PLANNING COMMISSION MEETING AGENDA



City of Lake Stevens Vision Statement

By 2030, we are a sustainable community around the lake with a vibrant economy, unsurpassed infrastructure and exceptional quality of life.

May 17, 2023 - 6:00 PM

HYBRID at The Mill's Sawyers room, 1808 Main Street or Via Zoom

<https://us02web.zoom.us/j/9398505755>

- 1. Call to Order**
- 2. Roll Call**
- 3. Guest Business**
- 4. Action Items**
 - A. Approval of May 3, 2023 Minutes
- 5. Discussion Items**
 - A. 2021 International Building and Fire Code Update
Russ Wright,
Carol Manus
 - B. Code Cleanup Phase 1 Update
Nico Faz
- 6. Commissioner Report**
- 7. Planning Director's Report**
- 8. Adjourn**

THE PUBLIC IS INVITED TO ATTEND

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PLANNING COMMISSION MEETING MINUTES



Hybrid-via Zoom or in the Mill's Sawyers Room

5-3-2023

CALL TO ORDER:	6:00 pm by Co-Chair Jennifer Davis
MEMBERS PRESENT:	Vice Chair Jennifer Davis, Todd Welch, Linda Hoult, Bruce Morton and Todd Welch
MEMBERS ABSENT:	Conner Davis, Chair Mike Duerr
STAFF PRESENT:	Community Development Director Russ Wright, Assistant Planner Nico Faz, Associate Planner Jill Needham and Clerk Jennie Fenrich
OTHERS PRESENT:	Councilmember Ryan Donahue

Vice Chair Jennifer Davis called the meeting to order at 6:00 p.m. and led the Pledge of Allegiance.

Roll Call: Absences for Chair Duerr and Commissioner Conner Davis were excused.

Guest business: None

Action Items: Minutes for April 19, 2023, motion to approve made by Commissioner Welch, seconded by Commissioner Hoult as written (5-0-0-2).

Code Cleanup:

1. Assistant Planner Faz gave an update to code clean up. Cleanup is done periodically. There are three sections: housekeeping, update, and substantial changes. Planner Faz gave an overview of each change. After commissioner discussion, he will come back to Planning Commission with updates.

Canvassers, Peddlers, and Solicitors Code Revision:

Associate Planner Needham brought forth some suggested changes to our current Municipal Code. There are some outdated procedures that need to be updated. Brief discussion was had by the Commission. Associate Planner Needham will take the suggested changes for Council discussion.

Commissioner Report: None

Director Report: Community Development Director Wright did not have a report but offered to field any questions from the Commission.

Adjourn: Commissioner Hoult moved to close the meeting, seconded by Commissioner Welch to adjourn at 6:27 p.m. The motion carried (5-0-0-2).

Jennie Fenrich, Planning Commission Clerk

PLANNING COMMISSION STAFF REPORT



Agenda Date: 5/17/2023

Subject: 2021 International Building and Fire Code Update

Contact Person/Department: Russ Wright, Carol Manus, Community Development

Budget Impact:

Legal Review: No

RECOMMENDATION(S)/ACTION REQUESTED:

Hold informational discussion regarding adopting updated Washington State Building & Construction and Fire Codes.

SUMMARY/BACKGROUND:

The International Code Council publishes new and/or updated construction codes every three years. The State Building Code Council subsequently adopts these codes, often with amendments, and requires jurisdictions to adopt these codes.

The Lake Stevens Municipal Code has two chapters related to the model codes: Chapter 14.80: Building & Construction and Chapter 14.84: Fire Code. In addition to the state adopted amendments, minor local amendments are proposed to both chapters. Pursuant to WAC 197-11-800 (19), this code amendment is exempt from SEPA but is subject to review from the Department of Commerce per RCW 36.70A.106(3)(b).

The last adoption of model codes was in 2021 with the adoption of the 2018 edition of the International Code group. This adoption is of the 2021 edition of the International Code Group, which was adopted by the State Building Code Council in 2022 and the effective date is July 1, 2023. The regulations are instrumental in protecting personal property, the health and the safety of the general public.

The City is adopting the following 2021 editions, consistent with the state's adoption:

- International Building Code, including ICC A117.1 – (ADA Accessible Standards)
- International Existing Building Code
- International Residential Code
- Uniform Plumbing Code
- International Mechanical Code
- International Fuel Gas Code
- Washington State Energy Code
- International Swimming Pool and Spa Code
- International Property Maintenance Code
- International Wildland-Urban Interface Code (*new*)
- International Fire Code (including all adoptable Appendices, except “A”, “J”, and “L”)

Pursuant to LSMC 14.16C.075(e)(2) and (3), amendments to Chapters 14.80 and 14.84 LSMC are not required to be reviewed before the Planning Commission, however this draft is being brought to you as stakeholders.

A few minor edits as adopted by the state are proposed in the Building & Construction Codes and Fire Codes. The City does not have the authority to change or diminish the State amendments. In addition, minor local amendments are proposed for consistency with the fire code, remove conflicts with LSMC, complete the climatic table as required by the IRC, and clarify the adoption of language of other codes. Additional language has been added to Section 14.80.010.2(b) International Residential Code to clarify two additional permit exemptions.

For your reference, the most substantial changes to the new building codes are updates to the energy code, mandated by the State of Washington and the inclusion of wildland urban interface requirements.

APPLICABLE CITY POLICIES:

ATTACHMENTS:

1. Attachment 1 - 2023 LSMC 14.80
2. Attachment 2 - 2023 LSMC 14.84

Attachment 1

Chapter 14.80 BUILDING AND CONSTRUCTION

Sections:

Part I. Washington State Building Codes Adopted

14.80.010 Washington State Building Codes Adopted

- (a) International Building Code and International Existing Building Code
- (b) International Residential Code
- (c) Uniform Plumbing Code
- (d) International Mechanical Code and International Fuel Gas Code
- (e) Washington State Energy Code
- (f) International Property Maintenance Code
- (g) International Swimming Pool and Spa Code
- (h) [International Wildfire-Urban Interface Code](#)

Part II. Building Official

14.80.020 Building Official

Part III. Building Code

14.80.030 Building Permits

14.80.040 Fees

14.80.050 Building Sewer Permits

14.80.060 Construction and Use

14.80.070 Repealed

14.80.080 Repealed

14.80.090 Signs

14.80.100 Repairs and Maintenance

14.80.110 Certificate of Occupancy

14.80.120 Inspection of Improvements

14.80.150 *Repealed*

14.80.160 *Repealed*

14.80.170 *Repealed*

14.80.180 *Repealed*

Part I. Washington State Building Codes Adopted

14.80.010 Washington State Building Codes Adopted.

The below-listed model codes, as approved, adopted and amended by the State Building Code Council (SBCC) are hereby adopted by this reference. These codes shall apply to all new construction, remodeling, or repairs. Copies of the codes are on file in the office of the Building Official.

- (a) The ~~2018~~ 2021 Edition of the International Building Code (IBC) including Appendix E, and the adoption of ICC/ANSI A117.1-~~2009~~ 2017, Requirements for Accessible and Useable Buildings and Facilities, as adopted and amended by the State Building Code Council in Chapter 51-50 WAC, as published by the International Code Council with the following amendments and additions. The ~~2018~~ 2021 International Existing Building Code (IEBC) is included in the adoption of the International Building Code as provided by IBC Section 101.4.7 as adopted and amended by the State Building Code Council, in ~~WAC 51-50-480000~~

(1) IBC Section 501.2 Amended – General Building Heights and Areas, General, Address Identification. Section 501.2 of the International Building Code is hereby amended to read as follows:

In addition to the requirements of IBC 501.2, address identification shall comply with Section 14.84.190 of the Lake Stevens Municipal Code.

Exception. Group R-3 occupancies, townhomes, and one & two family dwellings

(2) IBC Section 903 Addition. In addition to the requirements of IBC Section 903, automatic systems shall also comply with Section 14.84.150 of the Lake Stevens Municipal.

- (b) The ~~2018~~ 2021 edition of the International Residential Code as published by the International Code Council with the following additions, deletions, and exceptions: Provided that chapters 11 and 25 through 43 of this code are not adopted. Energy Code is regulated by chapter 51-11R WAC; Plumbing Code is regulated by chapter 51-56 WAC; Electrical Code is regulated by chapter 296-46B WAC or Electrical Code as adopted by the local jurisdiction. Appendix F, Radon Control Methods, and Appendix Q, Tiny Homes, are included in adoption of the International Residential Code. The following additions are included in adoption of the International Residential Code.

(1) IRC Section R105.2 Addition. In addition to the requirements of IRC Section R105.2, add exemption item 11. Light weight roof or reroof covering. Light weight roof covering includes composition, or metal roof covering and similar materials where the installed unit is less than 4 pounds per square foot.

(2) IRC Section R105.2 Addition. In addition to the requirement of IRC Section R105.2, add exemption item 12. Removal and replacement of exterior windows in existing window openings. The size of opening may not be altered and operable opening size may not be decreased.

(4)-(3) IRC Table R301.2(1) Amended. International Residential Code Table R301.2(1) is hereby amended to read as follows:

TABLE R301.2(1)
CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA

Ground SNOW LOAD ^a (psf)	WIND DESIGN				SEISMIC DESIGN CATEGORY ^f	SUBJECT TO DAMAGE FROM			OUTDOOR DESIGN TEMP ^a (F) Heat/Cool	ICE BARRIER UNDERLAYMENT REQUIRED ^h	FLOOD HAZARD ^g	AIR FREEZING INDEX ⁱ	MEAN ANNUAL TEMP ^j
	Speed ^a (mph)	Topographic effects ^k	Special wind region ^l	Windborne debris zone ^m		Weathering ^a	Frost line depth ^b	Termite ^c					
25	110	No	No	No	D2	Moderate	12"	Slight to Moderate	23/79	No	Per LSMC	175	50.5
MANUAL J DESIGN CRITERIA ⁿ													
Elevation		Latitude		Winter heating	Summer cooling	Altitude correction factor		Indoor design temperature	Design temperature cooling		Heating temperature difference		
217		47°00'54"		72°F max	75°F min	0.99		72°F	75°F		56°F		
Cooling temperature difference		Wind velocity heating		Wind velocity cooling	Coincident wet bulb	Daily range		Winter humidity	Summer humidity				
8°F		N.A.		N.A.	66	Medium		75%	68%				

For SI: 1 pound per square foot = 0.0479 kN/m², 1 mile = 1.609 km/h.

- Weathering may require a higher strength concrete or grade of masonry than necessary to satisfy the structural requirements of this code. The weathering column shall be filled in with the weathering index (i.e., "negligible," "moderate" or "severe") for concrete as determined from the Weathering Probability Map [Figure R301.2(3)]. The grade of masonry units shall be determined from ASTM C 34, C 55, C 62, C 73, C 90, C 129, C 145, C 216 or C 652.
- The frost line depth may require deeper footings than indicated in Figure R403.1(1). The city shall fill in the frost line depth column with the minimum depth of footing below finish grade.
- The city shall fill in this part of the table to indicate the need for protection depending on whether there has been a history of local subterranean termite damage.
- The city shall fill in this part of the table with the wind speed from the basic wind speed map [Figure R301.2(5)A]. Wind exposure category shall be determined on site-specific basis in accordance with Section R301.2.1.4.
- The outdoor design temperature shall be selected from the Washington State Energy Code, Appendix C. Deviations from the Appendix C temperatures shall be permitted to reflect local climates or local weather experience as determined by the building official.
- The city shall fill in this part of the table with the Seismic Design Category determined from Section R301.2.2.1.
- The city shall fill in this part of the table with (a) the date of the city's entry into the National Flood Insurance Program (date of adoption of the first code or ordinance for management of flood hazard areas), (b) the date(s) of the currently effective FIRM and FBFM, or other flood hazard map adopted by the community, as may be amended.
- In accordance with Sections R905.2.7.1, R905.4.3.1, R905.5.3.1, R905.6.3.1, R905.7.3.1 and R905.8.3.1, where there has been a history of local damage from the effects of ice damming, the city shall fill in this part of the table with "YES." Otherwise, the city shall fill in this part of the table with "NO."
- The city shall fill in this part of the table with the 100-year return period air freezing index (BF-days) from Figure R403.3(2) or from the 100-year (99%) value on the National Climatic Data Center data table "Air Freezing Index-USA Method (Base 32° Fahrenheit)" at <http://www.ncdc.noaa.gov/oa/fpsf/AFI-pubreturn.pdf>.
- The city shall fill in this part of the table with the mean annual temperature from the National Climatic Data Center data table "Air Freezing Index-USA Method (Base 32° Fahrenheit)" at <http://www.ncdc.noaa.gov/oa/fpsf/AFI-pubreturn.pdf>.
- In accordance with Section R301.2.1.5, where there is local historic data documenting structural damage to buildings due to topographic wind speed-up effects, the city shall fill in this part of the table with "YES." Otherwise, the city shall indicate "NO" in this part of the table.
- In accordance with Figure R301.2(4)A, where there is no local historical data documenting unusual wind conditions, the jurisdiction shall fill in this part of the table with "YES" and identify any specific requirements. Otherwise, the jurisdiction shall

indicate "NO" in this part of the table.

m. In accordance with Section R301.2.1.2.1, the jurisdiction shall indicate the wind-borne debris wind zone(s). Otherwise, the jurisdiction shall indicate "NO" in this part of the table.

n. The jurisdiction shall fill in these sections of the table to establish the design criteria using Table 1a or 1b from ACCA Manual J or established criteria determined by the jurisdiction

o. The jurisdiction shall fill in this section of the table using the Ground Snow Load in Figure R301.1(6)

(c) 2018 [2021](#) Edition of the Uniform Plumbing Code, including Appendices A, B and I, published by the International Association of Plumbing and Mechanical Officials, with additions, deletions and exceptions noted in Chapter 51-56 WAC; provided, that Chapters 12 and 15 of this code are not adopted; provided further, that those requirements relating to venting and combustion air of fuel-fired appliances as found in Chapter 5 and portions of the code addressing building sewers are not adopted (WAC 51-56-003).

(d) 2018 [2021](#) Edition of the International Mechanical Code published by the International Code Council, including 2018 [2021](#) International Fuel Gas Code, ~~2017~~ [2020](#) National Fire Protection Association (NFPA) 58 (Liquefied Petroleum Gas Code) and 2018 [2021](#) NFPA 54 (National Fuel Gas Code) with exceptions noted in WAC 51-52-003.

(e) 2018 [2021](#) International Energy Conservation Code of the State of Washington regulated by Chapters 51-11C and 51-11R WAC.

(f) The 2018 [2021](#) Edition of the International Property Maintenance Code (IPMC), including Sections 107.4 & 107.6 (IPMC) as published by the International Code Council is adopted by reference with the following deletions, exceptions, and amendments. Provided, Sections 103.5, 106, 111, and 112 are not adopted. References in the IPMC to other codes not adopted by LSMC 14.80.010 shall be deemed to refer to the most closely corresponding adopted codes and sections.

(1) IPMC Section 102.3 is hereby amended as follows:

Repairs, additions, or alterations to a structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of the *International Building Code*, *International Existing Building Code*, *Washington State Energy Code*, *International Fire Code*, *International Fuel Gas Code*, *International Mechanical Code*, *International Residential Code*, *Uniform Plumbing Code*, and *NFPA 70*. Nothing in this code shall be construed to cancel, modify, or set aside any provision of the *International Zoning Code*.

(2) IPMC Section 103.5 Fees. This section is not adopted. Fees for civil code violations shall be assessed per LSMC Section 17.20.040(b) or resolution set by City Council

(3) IPMC Section 106 Violations. This section is not adopted. Violations and penalties shall be as set forth in LSMC Title 17.20

(4) IMPC Section 107. Notices and Orders. This section shall only retain the provisions of Section 107.4 Unauthorized Tampering and Section 107.6 Transfer of Ownership. Any other

sections of 107 are not adopted. Violations and penalties shall be as set forth in LSMC Title 17.20

(5) IPMC Section 111 Means of Appeal. This section is not adopted. Appeals shall be per LSMC 17.20

(6) IPMC Section 112 Stop Work Orders. This section is not adopted. Stop work orders shall be per LSMC 17.20.040

(g) The 2018 [2021](#) International Swimming Pool and Spa Code (ISPSC) is included in the adoption of the International Building Code as provided by IBC Section 3109.1 and amended in WAC 51-50-3109, and as provided by IRC Section R328 and amended in WAC 51-51-0328.

(h) [The 2021 International Wildland-Urban Interface Code \(WUIC\) as published by the International Code Council adopted and amended by the State Building Code Council in Chapter 51-55 WAC; provided, that it includes adoption of Appendix B as chapter 7, Appendix C as chapter 8, Appendix D as chapter 9 and re-numbers referenced standard as chapter 10.](#)

Part II. Building Official

14.80.020 Building Official.

It shall be the duty of the Building Official to administer and enforce the code. If the Building Official shall find that any of the provisions of this code are being violated, the person responsible for such violations shall be notified in writing indicating the nature of the violation and ordering the action necessary to correct it. The Building Official shall order discontinuance of illegal use of buildings or structures; removal of illegal buildings or structures or of additions, alterations or structural changes thereto; discontinuance of any illegal work being done; or shall take any other action authorized by this code to ensure compliance with or to prevent violations of its provisions. (Ord. 972, Sec. 2 (Exh. A), 2017; Ord. 897, Sec. 2 (Exh. A), 2013; Ord. 833, Sec. 2 (Exh. A), 2010; Ord. 778, Sec. 2, 2008)

Part III. Building Code

14.80.030 Building Permits.

(a) No building or other structure shall be constructed, enlarged, altered, moved, demolished or change occupancy without a permit issued by the Building Official. No building permit shall be issued except in conformity with the provisions of this code.

(b) All applications for building permits shall be accompanied by plans ~~in duplicate~~, drawn to scale, showing the actual dimensions and shape of the lot to be built upon; the exact sizes and locations of

existing buildings on the lot, if any; and the location and dimensions of the proposed building or alteration. The application shall include such other information as lawfully may be required by the Building Official, including existing or proposed building or alteration; existing or proposed uses of the building and land; the number of units, or rental units, the building is designed to accommodate; conditions existing on the lot; and such other matters as may be necessary to determine conformance with, and provide for the enforcement of, this code. ~~One copy of~~ The plans shall be returned to the applicant by the Building Official after marking such copy approved or disapproved and attesting to same by having signed such copy. ~~The second copy of~~ The plans shall be retained by the Building Official for 180 days.

(c) If work described in any building permit has not begun within 180 days from the date of issuance thereof, said permit shall expire. It may be cancelled by the Building Official, and written notice shall be given to the applicant.

(d) The applicant may request in writing an extension of the building permit from the Building Official. The Building Official may approve one or more 180-day extensions if justifiable cause is demonstrated pursuant to IBC Chapter 1, Section 105.

(e) In place of the Board of Appeals per the IBC, appeals of orders, decisions or determinations made by the Building Official have an administrative appeal to the Hearing Examiner as set forth in the following procedures:

(1) Appellant. The project applicant may appeal the decision.

(2) Form of Appeal. The applicant appealing a building permit decision must submit a completed appeal form which sets forth:

(i) A claim that the true intent of the building and construction code or the rules legally adopted thereunder have been incorrectly interpreted;

(ii) The provisions of the building and construction code do not fully apply; or

(iii) An equally good or better form of construction is proposed.

(3) Time to Appeal. The written appeal and the appeal fee, if any, must be received by the Department of Planning and Community Development no later than 4:00 p.m. on the fourteenth day following the date of the notice of decision.

(4) Notice of Appeal. If a building permit decision is appealed, a hearing before the Hearing Examiner shall be set and notice of the hearing shall be mailed or emailed to the

appellant/applicant by the Building Official. Notice shall be mailed or emailed no less than 10 days prior to the appeal hearing.

(i) Public Hearing. The Hearing Examiner shall conduct an open record hearing on a building permit decision appeal. The appellant/applicant and the City shall be designated parties to the appeal. Each party may participate in the appeal hearing by presenting testimony or calling witnesses to present testimony.

(ii) Decision on Appeal.

a. Within 14 days after the close of the record for the appeal of orders, decisions or determinations made by the Building Official, the Hearing Examiner shall issue a written decision to grant, grant with modifications, or deny the appeal. The Hearing Examiner may grant the appeal or grant the appeal with modification if:

1. The appellant/applicant has carried the burden of proof for meeting subsection (e)(2) of this section; and

2. The Examiner finds that the building permit decision is not supported by a preponderance of the evidence.

b. The Hearing Examiner shall accord substantial weight to the decision of the Building Official.

(5) Time Period to Complete Appeal Process. In all cases, except where the parties to an appeal have agreed to an extended time period, the administrative appeal process generally shall be completed within 90 days from the date the original administrative appeal period closed. The administrative appeal process shall be deemed complete on the date of issuance of the Hearing Examiner's decision.

(6) Appeal of Hearing Examiner Decision. An appeal from the Hearing Examiner's decision shall be brought before the Superior Court of Snohomish County in accordance with the Land Use Petition Act, Chapter [36.70C](#) RCW, as amended. (Ord. 972, Sec. 2 (Exh. A), 2017; Ord. 903, Sec. 50, 2013; Ord. 897, Sec. 2 (Exh. A), 2013; Ord. 833, Sec. 2 (Exh. A), 2010; Ord. 778, Sec. 2, 2008; Ord. 746, Sec. 8, 2007)

14.80.040 Fees.

The City shall collect fees for all services rendered and activities performed in reviewing and issuing building permits. Said fees shall be set by resolution. (Ord. 972, Sec. 2 (Exh. A), 2017; Ord. 897, Sec. 2 (Exh. A), 2013; Ord. 833, Sec. 2 (Exh. A), 2010; Ord. 778, Sec. 2, 2008)

14.80.050 Building Sewer Permits.

No building permits for primary use structures shall be issued without the applicant having first secured a sewage disposal permit per Chapter [14.60](#) (Utilities). (Ord. 972, Sec. 2 (Exh. A), 2017; Ord. 897, Sec. 2 (Exh. A), 2013; Ord. 833, Sec. 2 (Exh. A), 2010; Ord. 778, Sec. 2, 2008)

14.80.060 Construction and Use.

Building permits issued on the basis of plans and applications approved by the Building Official authorize only the construction set forth in such approved plans and applications and no other construction. Nor does the issuance of building plans authorize use or arrangement of structures or property. Authorization of use of property or arrangement of structures is authorized by the issuance of required land use approvals pursuant to Section [14.16A.215](#) (Land Use Permits Required). Construction different than that authorized shall be deemed a violation of this code and punishable as provided by Chapter [14.28](#) (Enforcement and Review). (Ord. 972, Sec. 2 (Exh. A), 2017; Ord. 897, Sec. 2 (Exh. A), 2013; Ord. 833, Sec. 2 (Exh. A), 2010; Ord. 811, Sec. 70, 2010; Ord. 778, Sec. 2, 2008)

14.80.070 Accessory Buildings.

Accessory buildings shall not be constructed prior to the commencement of construction of the main building and shall comply with Chapter [14.48](#) (Density and Dimensional Regulations). (Ord. 972, Sec. 2 (Exh. A), 2017; Ord. 897, Sec. 2 (Exh. A), 2013; Ord. 833, Sec. 2 (Exh. A), 2010; Ord. 778, Sec. 2, 2008)

14.80.080 Docks and Over-Water Structures.

Building permits shall be required for all docks, bridges or other over-water structures and shall comply with the regulations of this title. (Ord. 972, Sec. 2 (Exh. A), 2017; Ord. 897, Sec. 2 (Exh. A), 2013; Ord. 833, Sec. 2 (Exh. A), 2010; Ord. 778, Sec. 2, 2008)

14.80.090 Signs.

Building permits shall be required for sign installations and shall comply with the regulations of Chapter [14.68](#) (Signs). (Ord. 1063, Sec. 2 (Exh. B), 2019; Ord. 972, Sec. 2 (Exh. A), 2017; Ord. 897, Sec. 2 (Exh. A), 2013; Ord. 833, Sec. 2 (Exh. A), 2010; Ord. 778, Sec. 2, 2008. Formerly 14.80.110)

14.80.100 Repairs and Maintenance.

Nothing in this code shall be deemed to prevent the strengthening or restoring to a safe condition of any building or part thereof declared to be unsafe by any official charged with protecting public safety, upon order of such official, nor to prevent the improvement of a single-family house without expanding its

exterior dimensions. (Ord. 1063, Sec. 2 (Exh. B), 2019; Ord. 972, Sec. 2 (Exh. A), 2017; Ord. 897, Sec. 2 (Exh. A), 2013; Ord. 833, Sec. 2 (Exh. A), 2010; Ord. 778, Sec. 2, 2008. Formerly 14.80.120)

14.80.110 Certificate of Occupancy.

No building or structure shall be used or occupied until the Building Official has issued a certificate of occupancy except for accessory structures. Prior to the issuance of a certificate of occupancy all completed projects shall be accepted by the Planning and Public Works Departments. No certificate of occupancy may be issued for any dwelling units in a subdivision until all improvements required by a permit or this title have been completed, even where a completion security has been posted. (Ord. 1063, Sec. 2 (Exh. B), 2019; Ord. 972, Sec. 2 (Exh. A), 2017; Ord. 897, Sec. 2 (Exh. A), 2013; Ord. 833, Sec. 2 (Exh. A), 2010; Ord. 778, Sec. 2, 2008; Ord. 746, Sec. 13, 2007. Formerly 14.80.130)

14.80.120 Inspection of Improvements.

Prior to signing off the final inspection, the Building Official shall inspect all improvements on or adjacent to the site installed as a requirement of this title or as a condition of a permit. Any improvements found to be damaged by the builder shall be repaired prior to receiving final inspection sign-off. (Ord. 1063, Sec. 2 (Exh. B), 2019; Ord. 972, Sec. 2 (Exh. A), 2017; Ord. 897, Sec. 2 (Exh. A), 2013; Ord. 833, Sec. 2 (Exh. A), 2010; Ord. 778, Sec. 2, 2008. Formerly 14.80.140)

14.80.150 Fire-Extinguishing Systems.

Repealed by Ord. 778.

14.80.160 Automatic Fire-Extinguishing Systems Required.

Repealed by Ord. 778.

14.80.170 Installation.

Repealed by Ord. 778.

14.80.180 Sprinkler System Monitoring and Alarms.

Repealed by Ord. 778. (Ord. 694, Sec. 1, 2004; Ord. 657, Sec. 2, 2001; Ord. 501, 1995; Ord. 468, 1995)

Attachment 2

Chapter 14.84 FIRE CODE

Sections:

- 14.84.010 Definitions
- 14.84.020 Washington State Fire Code 2018 [2021](#) Edition Adopted
- 14.84.030 Applicability
- 14.84.040 [Office of the](#) Fire Marshal ~~Approval~~
- 14.84.050 Hydrants to Be Served by Recognized Water Purveyor
- 14.84.060 Hydrant Standards
- 14.84.070 Piping and Flow Standards
- 14.84.080 Plan Approval Required
- 14.84.090 Plan Submittal Review
- 14.84.100 Modification
- 14.84.110 Obstruction Prohibited - Declared Nuisance - Abatement
- 14.84.120 Authority of Water Purveyor
- 14.84.130 Repealed
- 14.84.140 Key Box System
- 14.84.150 Automatic Sprinkler Systems
- 14.84.160 Repealed
- 14.84.170 Fire Alarm and Detection Systems
- 14.84.180 Fire Apparatus Access Roads
- 14.84.190 Address Identification

14.84.010 Definitions.

Chapter 14.08 contains definitions of terms and abbreviations used in this chapter if more specific than those in the Washington State Fire Code. (Ord. 897, Sec. 3 (Exh. B), 2013; Ord. 833, Sec. 3 (Exh. B), 2010; Ord. 775, Sec. 16, 2008)

14.84.020 Washington State Fire Code 2018 [2021](#) Edition Adopted.

(a) Except for those portions specified in this chapter, the Washington State Fire Code 2018 [2021](#) Edition is hereby adopted in its entirety as adopted by the State of Washington [in accordance with WAC 51-54A](#) for the purpose of ~~describing regulations governing conditions hazardous to life and property, fire or explosion.~~ [providing a reasonable level of life safety and property protection from the hazards of fire, explosion or dangerous conditions in new and existing buildings, structures and premises, and to provide a reasonable level of safety to fire fighters and emergency responders during emergency operations.](#) Henceforth, the ~~International Washington State~~ Fire Code 2018 [2021](#) Edition shall be referred to as the ~~IFC~~ [WSFC](#) and shall [be the Fire Code of the City of Lake Stevens.](#)

(b) ~~The IFC is changed in the following respects:~~

(1) All adoptable appendices to the IFC [WSFC](#), except Appendices A, J, and L ~~L~~ [M](#) are hereby adopted, incorporated by reference, and made a part hereof as if fully set forth in ~~this section~~ [the WSFC](#). Where conflicts occur between the adopted appendices and the Lake Stevens Municipal Code, the provisions of the Lake Stevens Municipal Code shall apply. (Ord. 897, Sec. 3 (Exh. B), 2013; Ord. 833, Sec. 3 (Exh. B), 2010; Ord. 775, Sec. 16, 2008)

14.84.030 Applicability.

The provisions of this chapter shall be in addition to the IFC [WSFC](#) 2018 [2021](#) Edition or current edition as adopted by the City of Lake Stevens pursuant to Section 14.84.020, and shall apply to all buildings, structures, conditions and operations in accordance with section 102 of the IFC [WSFC](#) constructed or developed within the City limits, wherein the same shall be served by water mains and fire hydrants capable of delivering the required fire flow and installed as required by this chapter unless specifically exempted thereby, or unless waived or modified by the Fire Marshal pursuant to Section 14.84.100 (Modification). Decisions of the Fire Marshal are deemed to be made in the best interest, and with the concurrence, of the affected Fire District in the absence of any credible evidence to the contrary. ~~A final determination of any dispute relating to an aforementioned Fire Marshal decision shall be made by an Appeals Board established by the City Council.~~ [All appeals of orders, decisions, interpretations or determinations made by the Fire Marshal relative to the application and interpretation of the WSFC shall be to the City of Lake Stevens Hearing Examiner in accordance with LSMC 14.16A.265. The Hearing Examiner shall have no authority to waive requirements of this code.](#) (Ord. 897, Sec. 3 (Exh. B), 2013; Ord. 833, Sec. 3 (Exh. B), 2010; Ord. 775, Sec. 16, 2008)

14.84.040 [Office of the Fire Marshal Approval.](#)

[The Snohomish Regional Fire and Rescue Office of the Fire Marshal is hereby created and the official in charge thereof shall be known as the Fire Marshal. The function of the agency shall be the implementation, administration, and enforcement of the provision of this code.](#)

No ~~matters project~~ subject to this chapter [or the WSFC](#) shall have final approval until the Fire Marshal has verified that the provisions of this chapter [and the WSFC](#) ~~is-are~~ satisfied. (Ord. 897, Sec. 3 (Exh. B), 2013; Ord. 833, Sec. 3 (Exh. B), 2010; Ord. 775, Sec. 16, 2008)

14.84.050 Hydrants to Be Served by Recognized Water Purveyor.

All water mains and fire hydrants required here under shall be served by a recognized water purveyor or, in the absence of such, by alternate method(s) as approved by the Fire Marshal, except residential accessory buildings classified under the Washington State Building Code as U with a lot size of 20,000 square feet or greater, whether platted or un-platted, provided there is no conflict with the requirements of the recognized water purveyor serving the building site. (Ord. 897, Sec. 3 (Exh. B), 2013; Ord. 833, Sec. 3 (Exh. B), 2010; Ord. 775, Sec. 16, 2008)

14.84.060 Hydrant Standards.

(a) Every development (subdivided or un-subdivided) that is served by a public water system shall include a system of fire hydrants sufficient to provide adequate fire protection for the buildings located or intended to be located within such development.

(b) The presumption established by this chapter is that to satisfy the standards set forth in subsection (c) of this section.

(c) The following hydrant standards shall apply as set forth herein unless waived or modified pursuant to Section 14.84.100 (Modification).

(1) Type. Any new hydrant installations under this chapter shall have not less than a five-inch main valve opening, two hose outlets having nominal diameters of two and one-half inches National Standard Thread (NST), and one engine port outlet having a nominal diameter of four and one-half inches NST fitted with a four-inch Storz coupling. All hydrant threads shall be National Standard Threads with seven and one-half threads per inch for two-and-one-half-inch hose outlets and four threads per inch for four-and-one-half-inch engine port outlets. Water lines that serve hydrants shall be at least six-inch lines, and, unless no other practicable alternative is available, no such lines shall be dead-end lines. If the hydrant is connected to a dead-end main line, the dead-end lines shall be a minimum of eight inches to the hydrant tee, or larger if necessary to provide required fire flows and be approved by the local water purveyor and the Fire Marshal.

(2) Spacing.

(i) Within areas exclusively developed or being developed for one-and two-family dwellings, ~~and U occupancy,~~ the maximum distance from a fire hydrant to a dwelling unit shall be 300 feet ~~along a roadway.~~ as measured from the hydrant to the nearest point of construction along a roadway accessible by fire apparatus. The maximum distance between hydrants in these areas shall be no greater than 600 feet.

(ii) For all other occupancy types, the maximum distance from a fire hydrant to a structure shall be 150 feet ~~along a roadway~~ as measured from the hydrant to the nearest point of construction along a roadway accessible by fire apparatus. The maximum distance between hydrants in these areas shall be no greater than 300 feet.

(iii) Where a measurement to a hydrant from a structure bifurcates a roadway where any of the following are present, the hydrant shall be deemed inaccessible for use:

1. Where roads are provided with center medians, dividers, and/or turn lanes.
2. Where traffic counts average greater than 5,000 trips per day.
3. When the roadway is identified as any type of collector or greater.

4. When the roadway is greater than 28 feet in width.

(iii) (iiii) When any portion of a commercial structure to be protected is in excess of 150 feet from a hydrant on a public street and when required by the Fire Marshal, there shall be provided on-site fire hydrants and mains capable of supplying the required fire flow. Water supply may consist of reservoirs, pressure tanks, elevator tanks, water mains or other fixed systems capable of supplying the required fire flow as approved by the Fire Marshal and the recognized water purveyor having jurisdiction over said project.

(3) Location.

(i) Hydrants shall be located at street intersections; provided, that when such location results in spacing distances greater than allowed by this section, additional hydrants may be required between intersections; provided further, that when the required fire flow is greater than 2,000 gallons per minute (GPM), the number and location of hydrants shall be approved by the Fire Marshal.

(ii) For commercial buildings:

a. The minimum number of public and private hydrants required shall be determined by Table C102.1 of the ~~IFC~~ WSFC.

b. Hydrants shall be located no less than 40 feet from the building to be protected. Where hydrants cannot be located in accordance with this section, hydrant placement to include the use of wall hydrants shall be coordinated with the Fire Marshal.

c. A hydrant shall be located not more than 25 feet from a fire department connection (FDC).

(iii) All hydrants shall be accessible to Fire District apparatus by roadways meeting the requirements of Appendix D of the ~~IFC~~ WSFC and LSMC 14.84.180.

(iv) When fire protection facilities are to be installed by the developer or permittee, such facilities shall be installed prior to any combustible construction being installed on site. Water mains and fire hydrants shall be capable of delivering the required fire flow to the site and shall remain the responsibility of the developer until accepted by the recognized water purveyors. When alternate provisions for protection are provided pursuant to Section 14.84.100 (Modification) the above requirements may be modified.

(v) When locating hydrants, consideration shall be given to:

- a. Hazardous operations and the practicality of sound fire service practices (fences, roadways, barriers to operation, etc.);
- b. The recommended location preferred by the water purveyor;
- c. The required ~~five~~ fifteen-foot vehicle clear zone on each side of each hydrant per RCW 46.61.570.

(4) Installation. Hydrants shall stand plumb and be set to the finished grade. The bottom of the lowest outlet of the hydrant shall be no less than 18 inches or more than 36 inches above the grade. There shall be a 36-inch radius of clear area about the hydrant for the operation of hydrant wrench on the outlets and the control valve. The engine port shall face the street or, where the street cannot be clearly identified, shall face the most likely location of a fire truck while pumping, as determined by the Fire Marshal.

(d) Fire hydrants shall be protected from damage. Internal maintenance of public fire hydrants shall be the responsibility of the recognized water purveyor. Private hydrants shall be protected and maintained in accordance with NFPA 25. (Ord. 897, Sec. 3 (Exh. B), 2013; Ord. 833, Sec. 3 (Exh. B), 2010; Ord. 775, Sec. 16, 2008)

14.84.070 Piping and Flow Standards.

The following standards relating to water mains, hydrant branches, and fire flow shall apply, unless modified pursuant to Section [14.84.100](#) and approved by the Fire Marshal:

- (a) Hydrant Branches. Hydrant branches shall not have a domestic supply outlet and shall meet the design standards of the Snohomish County Public Utilities District No. 1.
- (b) Service Main. New or replaced water mains serving fire hydrants shall meet the design standards of the Snohomish County Public Utilities District No. 1.
- (c) Flow Requirements. Service mains supplying hydrants shall be designed to provide not less than 500 GPM at 20 pounds per square inch residual pressure over and above the computed maximum daily domestic consumption for the period of time specified in the Washington Survey and Rating Bureau's Grading Schedule, Table 4. In addition, service mains supplying hydrants shall provide the fire flow required to each building covered thereby at the number of GPM specified in ~~IFC~~ WSFC, Appendix B. The Fire Marshal may require data or design standards from a registered professional engineer, and construction in accordance therewith, in order to assure that the fire flow required will be achieved. (Ord. 897, Sec. 3 (Exh. B), 2013; Ord. 833, Sec. 3 (Exh. B), 2010; Ord. 775, Sec. 16, 2008)

14.84.080 Plan Approval Required.

- (a) Prior to the installation of any new hydrants or mains serving hydrants, the developer shall provide plans for review to the recognized water purveyor and Fire Marshal.
- (b) ~~Upon completed installation, and acceptance by the recognized water purveyor and the Fire Marshal, the Fire Marshall shall be provided with two copies of the accurate and identifiable as-built drawings or plans showing the location of all mains, hydrant branches, valves and fire hydrants installed.~~ No work shall commence until plans are approved by the water purveyor and fire marshal, and such permits are issued.

(Ord. 897, Sec. 3 (Exh. B), 2013; Ord. 833, Sec. 3 (Exh. B), 2010; Ord. 775, Sec. 16, 2008)

14.84.090 Plan Submittal Review.

The Fire Marshal, prior to the issuance of a construction permit for any new or ~~altered commercial permit, plat development or residential complex~~ improved land use, building, or fire protection system, shall certify that the plans have been reviewed for fire code compliance. If the plans are found to be in compliance with this chapter, ~~IFC~~ WSFC and applicable standards, a notice of approval for issuance of a ~~building~~ construction permit shall be forwarded to the ~~Building Official~~ permit technician. Such approval shall be based on the provisions of this chapter being satisfied ~~either~~ both:

- (a) Prior to start of any construction; and
- (b) Prior to the issuance of the certificate of occupancy for the building.
- (c) All applications for construction permits referenced in ~~IFC~~ WSFC Section 105.7 shall include the following:
 - (1) Completed City of Lake Stevens and/or Snohomish Regional Fire & Rescue Permit application.
 - (2) Cut sheets for all devices to be altered or installed
 - (3) Shop drawings, floor plans and working plans with all notes, legends and calculations per applicable NFPA standard as referenced in Chapter 9 of the ~~IFC~~ WSFC.
 - (4) Evidence of contractor/system designer qualification.
 - (i) Sprinkler system: System designer, installer, and ITM personnel qualifications shall be in compliance with WAC 12-80 and RCW 18.160.
 - (ii) Fire alarm system: System designer, installer and ITM personnel qualifications shall be in compliance with section 907.11 of the ~~IFC~~ WSFC.

(iii) Hood suppression system: System designer, installer and ITM personnel shall be trained and certified by the manufacturer of the system for which design, installation, or maintenance work is to be performed, and in compliance with WSFC 904.1.1.

14.84.100 Modification.

(a) Where there are practical difficulties involved in carrying out the provisions of this code or provisions of the ~~IFC~~-WSFC, the Fire Marshal shall have the authority to grant modifications for individual cases, provided the Fire Marshal shall first find that special individual reason makes the strict letter of this code or provisions of the ~~IFC~~-WSFC 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 files of the office of the fire marshal. The Fire Marshal does not have the authority to grant waivers to or variances of this chapter or the WSFC.

(b) Modification requests shall be in writing, state the reasons therefore, and be provided to the Fire Marshal for review. A completed fire code modification application is required to be submitted as notice of written request. (Ord. 897, Sec. 3 (Exh. B), 2013; Ord. 833, Sec. 3 (Exh. B), 2010; Ord. 775, Sec. 16, 2008)

14.84.110 Obstruction Prohibited - Declared Nuisance - Abatement.

Obstructing the view, by any means, of a fire hydrant for a distance of 75 feet from any direction of vehicular approach is prohibited. Any violation of this section is declared a public nuisance, subject to immediate abatement and application of the civil penalty provided for herein. (Ord. 897, Sec. 3 (Exh. B), 2013; Ord. 833, Sec. 3 (Exh. B), 2010; Ord. 775, Sec. 16, 2008)

14.84.120 Authority of Water Purveyor.

Nothing in this chapter, nor any rules and regulations as may be adopted by the Fire Marshal pursuant to this chapter, shall be construed to prohibit water purveyors from imposing more stringent requirements for the construction of water mains and fire hydrants. (Ord. 897, Sec. 3 (Exh. B), 2013; Ord. 833, Sec. 3 (Exh. B), 2010; Ord. 775, Sec. 16, 2008)

14.84.130 Repealed.

14.84.140 Key Box System.

(a) An approved key box system shall be required on all new and existing commercial buildings and shall meet the following requirements in addition to section 506 of the ~~IFC~~-WSFC.

(1) The type and model key box system required *shall* be The Knox Company and based on the criteria listed below:

(i) Buildings with less than five stories: Model 3200 series with side hinge.

(ii) Hazardous Materials Facilities with site specific plans per Snohomish County LEPC: Data Storage Cabinet.

(iii) Buildings of five or more stories: Data Storage Cabinet.

The Fire Marshal *may* approve other data storage boxes and Hazardous Material Data Cabinets which are equivalent to those listed herein.

(iv) Keys to the riser room, main entrance, fire alarm control panel, pull stations, elevator and other building electrical, mechanical, and equipment rooms are to be locked inside the key box.

(v) Whenever the main entrance is located more than 100 feet away from the riser room key box, a second key box shall be installed at the main entrance.

(vi) Key boxes shall be mounted within 5 feet of the door to be served and at a height no more than 5 feet off of the finished floor or as approved by the fire marshal.

14.84.150 Automatic Sprinkler Systems.

(1) In addition to the requirements of section 903 of the ~~IFC~~ WSFC, approved automatic sprinkler systems shall be provided when any of the following conditions are met:

(1) All new commercial buildings ~~in excess of~~ greater than 10,000 square feet ~~shall be provided with an automatic sprinkler system.~~

(2) Any existing building that is modified to increase the square footage of the building shall be provided with an approved sprinkler system if the total square footage of the new and existing areas exceeds 10,000 square feet for commercial buildings.

(b) Fire department connections and fire sprinkler riser rooms shall comply with the following:

(1) The Fire Department Connections shall not be attached to an exterior wall of the protected structure. The location of the Fire Department Connections shall be approved by the Fire Marshal.

(2) Rooms housing the control valves and sprinkler riser(s) shall be located in such a manner as to allow the door to exit directly to the outside of the structure and be a separate and distinct room. The room shall not be used for the storage of any material. This standard is not required in R-3, R-4 or one- and two-family dwelling occupancies.

14.84.160 Repealed.

14.84.170 Fire Alarm and Detection System.

(a) Systems. All new fire alarm systems shall be addressable systems. When an existing fire alarm control panel is replaced, it shall be replaced with an addressable fire alarm system. Only one fire alarm control panel per building, a fire wall or other means of separation for this purpose does not constitute two separate spaces requiring individual panels, unless approved by the Fire Marshal. Combination alarms shall not be allowed within the City Limits. For purpose of this section, combination alarms shall include devices combining burglary and fire alarms, devices combining burglary and hold-up alarms, and devices combining burglary and trouble alarms. There must be a distinct separation in the transmittal of any specific alarm activation. Fire alarm control panels shall be installed in the sprinkler riser room and an annunciator panel shall be installed at the main entrance. For non-sprinklered buildings, the FACP location shall be in the electrical room or approved by the Fire Marshal.

(b) Repealed by Ord. 1109

(c) Signals. Alarm, supervisory and trouble signals shall be distinctly different and shall be automatically transmitted to a UL listed central station, ~~remote supervising station~~ or proprietary supervising station as defined in NFPA 72.

Exceptions:

- (1) Underground key or hub valves in roadway boxes provided by the City of Lake Stevens or public utility are not required to be monitored.
 - (2) Backflow prevention device test valves, located in limited area sprinkler system supply piping, shall be locked in the open position. In occupancies required to be equipped with a fire alarm system, the backflow preventer valves shall be electrically supervised by a tamper switch installed in accordance with NFPA 72 and separately annunciated.
- (d) Occupant Notification. Where a fire alarm control panel is installed for the purpose of sprinkler water flow or alternative automatic fire-extinguishing system monitoring, the protected premise shall be provided with occupant notification in accordance with NFPA 72.

14.84.180 Fire Apparatus Access Roads.

(a) Where Required. Fire apparatus access roads shall be provided and maintained in accordance with Sections (a)(1) through (a)(3).

- (1) Buildings and facilities. Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet (45 720 mm) of all portions of the

facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility. For the purpose of this section, residential private drives and residential shared access drives shall not constitute as an approved fire apparatus access road.

Exceptions:

1. The Fire Marshal is authorized to increase the dimension of 150 feet (45,720 mm) where any of the following conditions occur:

1.1. The building is equipped throughout with an approved automatic sprinkler system installed in accordance with LSMC 14.84.150

1.2. Fire apparatus access roads cannot be installed because of location on property, topography, waterways, nonnegotiable grades or other similar conditions, and an *approved* alternative means of fire protection is provided.

2. Where approved by the Fire Marshal, fire apparatus access roads shall be permitted to be exempted or modified for solar photovoltaic power generation facilities.

(2) Additional access. The Fire Marshal is authorized to require more than one fire apparatus access road based on the potential for impairment of a single road by vehicle congestion, condition of terrain, climatic conditions or other factors that could limit access.

(3) High-piled storage. Fire department vehicle access to buildings used for high-piled combustible storage shall comply with the applicable provisions of Chapter 32 of the ~~IFC 2018 Edition~~ [WSFC](#).

(b) Specifications. Fire apparatus access roads shall be installed and arranged in accordance with Sections (b)(1) through (b)(8).

(1) Dimensions. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet (6,096mm), exclusive of shoulders, except for approved security gates in accordance with Section 503.6 of the WAFC 2018 Edition, and an unobstructed vertical clearance of not less than 13 feet 6 inches (4,115 mm).

(2) Authority. The Fire Marshal shall have the authority to require or permit modifications to the required access widths where they are inadequate for fire or rescue operations or where necessary to meet the public safety objectives of the jurisdiction.

(3) Surface. Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all-weather driving capabilities.

- (4) Turning radius. The required turning radius of a fire apparatus access road shall be determined by the Fire Marshal.
 - (5) Dead ends. Dead-end fire apparatus access roads in excess of 150 feet (45 720 mm) in length shall be provided with an approved area for turning around fire apparatus.
 - (6) Bridges and elevated surfaces. Where a bridge or an elevated surface is part of a fire apparatus access road, the bridge shall be constructed and maintained in accordance with AASHTO HB-17. Bridges and elevated surfaces shall be designed for a live load sufficient to carry the imposed loads of fire apparatus. Vehicle load limits shall be posted at both entrances to bridges where required by the Fire Marshal. Where elevated surfaces designed for emergency vehicle use are adjacent to surfaces that are not designed for such use, approved barriers, approved signs or both shall be installed and maintained where required by the Fire Marshal.
 - (7) Grade. The grade of the fire apparatus access road shall be within the limits established by the Fire Marshal based on the fire department's apparatus.
 - (8) Angles of approach and departure. The angles of approach and departure for fire apparatus access roads shall be within the limits established by the Fire Marshal based on the fire department's apparatus.
- (c) Marking. Fire lanes shall be marked with painting/outlining or signage or a combination thereof as outlined below. Requirements for fire lanes to be marked using both paint and signs in conjunction shall be determined by the Fire Marshal. Said specifications shall include, but are not limited to the following:
- (1) Signs shall measure 12 inches by 18 inches and have red letters on a white reflective background.
 - (2) Signs shall be metal construction only. Plastic or wooden signs are not acceptable.
 - (3) Signs shall be mounted at a minimum height of four (4) feet to the maximum of seven (7) feet.
 - (4) Signs shall be placed along the fire lane at intervals not to exceed one hundred (100) feet and as designated by the Fire Marshal.
 - (5) Signs and striping shall be required on both sides of a fire lane when the fire lane is less than twenty-six (26) feet in width.
 - (6) Outlining or painting the fire lane and hydrant zone on the roadway surfaces shall be done as follows:

(i) Curb top ~~and~~or side shall be painted red and the words, “NO PARKING-FIRE LANE” shall be stenciled in reflective white on the top and side of all red curbs at a maximum interval of 50 feet. Letters shall be a minimum of three inches (3”) in height with a minimum $\frac{3}{4}$ inch stroke.

(ii) Alternatively, if the roadway has no curbing, a 6 inch wide red stripe with the words “NO PARKING-FIRE LANE” in reflective white may be painted along the curb and parallel with the roadway. The lettering shall be a minimum 3 inches high with a $\frac{3}{4}$ inch stroke.

NO PARKING-FIRE LANE

(7) Existing fire lanes shall continue in effect as installed until such time as they need re-stripping due to wear or re-paving. Responsibility for properly maintaining the fire lanes and signs shall be that of the owner of the property or owner’s designee.

(d) Obstruction of fire apparatus access roads. Fire apparatus access roads shall not be obstructed in any manner, including the parking of vehicles. The minimum widths and clearances established in Sections (b)(1) and (b)(2) shall be maintained at all times.

(1) Traffic calming devices. Traffic calming devices shall be prohibited unless approved by the Fire Marshal.

(e) Required gates or barricades. The Fire Marshal is authorized to require the installation and maintenance of gates or other approved barricades across fire apparatus access roads, trails or other accessways, not including public streets, alleys or highways. Electric gate operators, where provided, shall be listed in accordance with UL 325. Gates intended for automatic operation shall be designed, constructed, and installed to comply with the requirements of ASTM F2200.

(1) Secured gates and barricades. Where required, gates and barricades shall be secured in an approved manner. Roads, trails and other accessways that have been closed and obstructed in the manner prescribed by Section 503.5 shall not be trespassed on or used unless authorized by the owner and the Fire Marshal.

Exception: The restriction on use shall not apply to public officers acting within the scope of duty.

(f) Security gates. The installation of security gates across a fire apparatus access road shall be approved by the Fire Marshal. Where security gates are installed, they shall have an approved means of emergency operation. The security gates and the emergency operation shall be maintained operational at all times. Electric gate operators, where provided, shall be listed in accordance with UL 325. Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F2200.

(g) All new, and when modified or replaced, existing electric gates that cross a fire apparatus access road shall be provided with an Opticom (or compatible) receiver and a Knox model 3502 gate and key switch override for emergency operation.

14.84.190 Address Identification.

(a) In addition to the requirements of section 505 of the WSFC, new and existing buildings shall be provided with approved address numbers or letters. The size of each character shall be as specified in Table 14.84.190.1. They shall be installed on a contrasting background and be plainly visible from the street or road fronting the property. When required by the code official, address numbers shall be provided in additional approved locations to facilitate emergency response. Where access is by means of a private road and the building address cannot be viewed from the public way, a monument, pole or other approved sign or means shall be used to identify the structure. Address numbers shall be maintained.

Table 14.84.190.1 Address Numbering Size

DISTANCE FROM STREET OR ROAD	MINIMUM SIZE
0 – 50 feet	6" H x 3/4" Stroke Width
51 – 150 feet	8" H x 1" Stroke Width
151 – 200 feet	10" H x 1 1/4" Stroke Width
201 feet and farther	12" H x 1 1/2" Stroke Width

PLANNING COMMISSION STAFF REPORT



Agenda Date: 5/17/2023

Subject: Code Cleanup Phase 1 Update

Contact Person/Department: Nico Faz, Community Development

Budget Impact:

Legal Review: No

RECOMMENDATION(S)/ACTION REQUESTED:

This is an informational briefing only and no action is requested at this time. Commissioners are asked to review the draft narratives and strikethrough language and provide feedback for staff to incorporate in future revisions. These revisions and resulting code language will be brought for a public hearing summer 2023.

SUMMARY/BACKGROUND:

The purpose of this briefing is to propose land use code revisions which clarify intent, improve language consistency, and maximize administration efficiency. The proposed changes are organized into 3 phases: housekeeping, update, and substantial. The Housekeeping changes are defined as changes which don't alter the code's intent and focus on grammar, deletion, and accuracy of references. Today's meeting is centered on Phase 1 Housekeeping changes.

Phase 1 Housekeeping changes modify the following code sections:

14.08 Basic Definitions and Interpretations, 14.16C Land Use Actions, Permits, and Determinations, 14.18 Subdivisions, Boundary Line Adjustments, and Binding Site Plans, 14.38 Subarea Plans, 14.44 Supplementary Use Regulations, and 14.76 Screening and Trees.

The attachments include:

Narratives describing code problems and proposed solutions.

Strikethrough language identifying explicit code changes and providing context of existing wording.

APPLICABLE CITY POLICIES:

ATTACHMENTS:

1. Phase 1 Housekeeping Narratives
2. Phase 1 Housekeeping Draft Strikethrough Language

Attachment 1

Code Cleanup Narratives – Phase 1

1. Correct Planned Residential Developments references

Issue: The Planned Residential Development definition found in 14.08.010 is hyperlinked to a code section (LSMC 14.44.020), which was repealed and replaced from Ordinance 1069. The definition also needs to be corrected to meet code standards of LSMC 14.18.300 of a one acre minimum, not five. There are also references to the repealed PRD and cluster subdivision codes in LSMC 14.76.124 Shade Trees on Residential Lots and LSMC 14.16C.050 Design Review that need to be stricken.

Proposed Changes: Remove citation in definition found in LSMC 14.08.010. Update citation in LSMC 14.16C.050 to LSMC 14.18.300. Delete references to cluster subdivisions and PRDs in LSMC 14.76.124 as the underlying zone will dictate the number of trees required per lot..

2. Remove duplicate Home Occupation code

Issue: Home Occupation sections exist in both LSMC 14.44.015 (added in 2021) and LSMC 14.16C.070.

Proposed Change: Remove section LSMC 14.16C.070. This section has language on Type I reviews but that is no longer how Home Occupations are conducted. Section 14.44.015 added improvements in grammar and sections such as telecommuting, vehicles not associated with residential development and food related businesses.

3. Remove outdated language from Design Review code

Issue: LSMC 14.16C.050 Design Review has language on “hard copy” submittals. The city has undertaken steps recently to update the website and forms to reflect the move to digital permitting. The code should reflect this permit process.

Proposed Change: Revise the wording of LSMC 14.16C.050(c)(2) from “two color, hard copies” to “one digital copy.”

4. Remove language from Final Plat code

Issue: LSMC 14.18.040 provides requirements for final plat to include a declaration for consistency with the division. This note is required for both final short and long plats, the declaration specifically mentions conditions from preliminary short plats, only.

Proposed Change: Remove the word “short” from the declaration in LSMC 14.08.040(s).

5. Correct street name in Subarea code

Issue: The footnotes for the subarea dimensional regulation table incorrectly reference a street name. Footnote 10 creates a district for localized regulations by naming boundary streets. The mislabeled street name in footnote 10 creates confusion for customers reading the code.

Proposed Change: LSMC 14.38.040 footnote 10 should reference “16th Street NE” instead of “16th Street SE.”

6. Correct Boundary Line Adjustments title

Issue: LSMC 14.18.200, Boundary Line Adjustments, is mislabeled as 14.38.200.

Proposed Change: Rename the section to the correct number “14.18.200 Boundary Line Adjustments.”

7. Remove duplicate Temporary Public Structures code

Issue: In Ordinance 1031, Temporary Public Structures was placed within LSMC 14.16C.110 Temporary Use. The Ordinance failed to delete the existing section in LSMC 14.44.048. Both sections have identical wording.

Proposed Change: Remove LSMC 14.44.048 Temporary Public Structures.

8. Remove references to old zoning districts

Issue: References to outdated zoning districts confuses customers and creates problems tying properties to existing regulations. In cases where properties are vested to an old zoning district, their regulations are available in project decision documents.

Proposed Change: Remove references to SR, UR, and HUR from all sections of Title 14. Instances arise in Chapters 14.44 and 14.76 LSMC.

Attachment 2

2023 Code Cleanup Strikethrough Language

1. Correct Planned Residential Developments reference:

14.08.010 Definitions of Basic Terms.

Planned Residential Development. A development constructed on at least ~~five acres~~ one acre under a single application, planned and developed as an integral unit, and consisting of single-family detached residences and may be combined with two-family residences, multifamily residences, public/semi-public amenities (e.g., usable open space, a community center, recreational facilities, etc.), or a combination thereof, ~~all developed in accordance with Section 14.44.020, Planned Residential Developments.~~

14.16C.050 Design Review. (d)

(2) Structures are subject to the design guidelines or standards adopted per subsection (b) of this section when developed under specified regulations listed below, except when the project meets the limitations in Section [14.16C.020\(d\)](#):

- (i) Planned neighborhood developments (Section [14.16C.080](#));
- (ii) Planned residential developments (Section ~~14.44.020~~ [14.18.300](#)); and
- (iii) Innovative Housing Options Program (Chapter [14.46](#)).

14.76.124 Shade Trees on Residential Lots.

(b) The minimum number of required trees depends on the zoning district in which the site falls, as follows:

Suburban Residential, Waterfront Residential - three trees/lot

Urban Residential, High Urban Residential - two trees/lot

~~Except: lots developed through a Planned Residential Development (Section 14.44.020) or a Cluster Subdivision (Section 14.48.070) — three trees/lot for lots greater than or equal to 9,600 square feet, two trees/lot for lots less than 9,600 square feet.~~

2. Remove duplicate Home Occupation code:

14.16C.070 Home Occupations

~~(a) The purpose of this section is to allow small-scale commercial occupations incidental to residential uses to be located in residences while guaranteeing all residents freedom from excessive noise, traffic, nuisance, fire hazard, and other possible effects of commercial uses being conducted in residential neighborhoods.~~

~~(b) Procedure. A home occupation permit is approved by the Planning Director for each home occupation. Home occupations shall be reviewed in the manner and following the procedures established in Chapters 14.16A and 14.16B for a Type I review.~~

~~(c) Standards. Home occupations are permitted as an accessory use to the residential use of a property only when all of the following conditions are met:~~

~~(1) The total area devoted to all home occupation(s) shall not exceed 25 percent of the floor area of the dwelling unit or 500 square feet, whichever is less. Areas within attached garages and storage buildings shall not be considered part of the dwelling unit for purposes of calculating allowable home occupation area but may be used for storage of goods associated with the home occupation;~~

~~(2) The home occupation may be located in the principal dwelling, except that those related to growing or storing of plants used by the home occupation(s) may be in an accessory structure. If located in an accessory structure, the area devoted to the occupation, as described in subsection (c)(1) of this section, shall be based upon the floor area of the dwelling only;~~

~~(3) No business activity may occur outside of any buildings on site, including displays of goods, stock in trade or other commodities;~~

~~(4) Not more than one person outside of the family shall be employed on the premises;~~

~~(5) The home occupation shall in no way alter the normal residential character of the premises;~~

~~(6) No objectionable noise, fumes, odor, or dust shall be allowed;~~

~~(7) The home occupation(s) shall not use electrical or mechanical equipment that results in:~~

~~(i) A change to the fire rating of the structure(s) used for the home occupation(s);~~

~~(ii) Visual or audible interference in radio or television receivers, or electronic equipment located off-premises; or~~

~~(iii) Fluctuations in line voltage off-premises;~~

~~(8) No equipment or material may be stored, altered or repaired on any exterior portion of the premises;~~

~~(9) Sales shall be limited to:~~

~~(i) Products accessory to the home occupation (e.g., shampoo for beauty shop, etc.);~~

~~(ii) Merchandise which is produced on the premises; and/or~~

~~(iii) Mail order, internet and telephone sales; and~~

~~(iv) With appointment for pick up or off-site delivery;~~

~~(10) Services to patrons shall be arranged by appointment or provided off site;~~

~~(11) In addition to required parking for the dwelling unit, one on-site parking stall shall be provided when services are rendered on-site;~~

~~(12) The home occupation(s) may use or store a vehicle for pickup of materials used by the home occupation(s) or the distribution of products from the site, provided:~~

~~(i) No more than two such vehicles shall be allowed;~~

~~(ii) Such vehicles shall not be parked within any required setback areas of the lot or on adjacent streets; and~~

~~(iii) Such vehicles shall not exceed the weight capacity of one ton;~~

~~(13) Signs in connection with the home occupation shall comply with the restrictions of Chapter 14.68, Signs; and~~

~~(14) No sales or services will be conducted on the premises which will generate more than 10 average daily round trips per day by customers except for day care.~~

~~(d) The following is a nonexhaustive list of examples of enterprises that may be granted a home occupation permit if they meet the foregoing standards:~~

~~(1) Office or studio of a physician, dentist, artist, musician, lawyer, architect, engineer, teacher, or similar professional;~~

~~(2) Workshops, greenhouses, or kilns;~~

~~(3) Dressmaking or hairdressing studios; and~~

~~(4) Day care.~~

~~(e) Prohibited home occupations are enterprises which may create objectionable noise, fumes, odor, dust or electrical interference and may involve hazardous materials or on-site storage of petroleum products, and which are not compatible with residential development. The following is a nonexhaustive list of examples of such prohibited enterprises:~~

~~(1) Automobile, truck and heavy equipment repair;~~

~~(2) Autobody work or painting;~~

~~(3) Parking and storage of heavy equipment;~~

~~(4) Storage of building materials for use on other properties;~~

~~(5) Marijuana production, processing or retail facility; or~~

~~(6) Similar types of enterprises.~~

~~(f) Transferability. A home occupation permit issued to one person shall not be transferable to any other person; nor shall a home occupation permit be valid at any other address than the one listed on the permit.~~

~~(g) Additional Conditions. In granting approval for a home occupation, the Planning Director may attach additional conditions to ensure the home occupation will be in harmony with, and not detrimental to, the character of the residential neighborhood.~~

~~(h) Inspections. Any home occupation authorized under the provisions of this chapter shall be open to inspection and review at all reasonable times by enforcement officials for purposes of verifying compliance with the conditions of approval and other provisions of this title.~~

~~(i) Modification. The Planning Director shall have authority to grant an administrative modification to the standards listed in subsection (c) of this section, provided the use is consistent with the purposes of this~~

~~chapter and will be operated in harmony with the character of and create no significant impact to the residential neighborhood. The Planning Director is authorized to approve administrative modifications only in cases of unique circumstances, such as large property acreage, remote site access or site location, or small scale of use, when these circumstances ensure the commercial operation remains incidental to the dwelling and in no way alters the normal residential character of the premises. No modification shall be granted which would be detrimental to the public health, or welfare or the environment.~~

~~(j) In-Home Day Care Standards.~~

~~(1) Home day care and adult family care facilities shall meet State licensing requirements, including those pertaining to building, fire safety, and health codes. A copy of the required State license, if applicable, shall be furnished by the applicant with the City business license application.~~

~~(2) There shall be minimal, if any, change in the outside appearance of the residence.~~

~~(3) Where outdoor recreation facilities are provided for children in day care facilities, they shall be screened by a fence at least four feet high, where abutting residentially zoned property.~~

~~(4) The facility shall provide a safe passenger loading area.~~

~~(5) The day care provider shall provide written notification to immediately adjoining property owners of the intent to locate and maintain a facility and provide a copy of the notification to the Planning Department. (Ord. 908, Sec. 5, 2014; Ord. 811, Sec. 4 (Exh. 3), 2010)~~

3. Remove outdated language from Design Review code

14.16C.050 Design Review. (c)

(2) Design Review Submittal Requirements. ~~Two color, hard copies and o~~One electronic copy ~~are is~~ required for each submittal for review.

Note: All other sections remain unchanged.

4. Remove language from Final Plat code

14.18.040 Content of the Final Plat.

(s) The following declaration: "All conditions of the preliminary ~~short~~-plat, embodied within the Form of Decision [recorded in Book ____, Page ____ of the Snohomish County Registry/which is attached hereto

as Exhibit ____], shall remain conditions of construction of the public improvements.” (Ord. 1069 § 2, 2020; Ord. 811, Sec. 5 (Exh. 4), 2010)

5. Correct street name in Subarea code

14.38.040 Dimensional Regulations.

10. Building heights in the CBD and P/SP zoning districts west of Main Street between North Lakeshore and 16th Street ~~SE~~ NE may not exceed 45 feet.

6. Correct Boundary Line Adjustments title

~~14.38.200~~ 14.18.200 **Boundary Line Adjustments**

Note: All other sections remain unchanged.

7. Remove duplicate Temporary Public Structures code

~~14.44.048 Temporary Public Structures.~~

~~Public agencies may erect and use temporary structures (e.g., portable school classrooms, civic uses, emergency command centers, health and social services centers, etc.) upon demonstrating that such a use is in the public benefit and that the use is temporary in nature. Permits for temporary public structures shall expire one year after issuance, but may be renewed annually by the Planning Director upon demonstration of demonstrated public benefit. (Ord. 468, 1995)~~

8. Remove references to old zoning districts

14.44.045 Accessory Dwelling Units (ADU).

(b) Development Standards.

(5) In ~~High Urban Residential~~ R8-12 and Multi-Family Residential zoning districts, ADUs may only be constructed on lots larger than 125 percent of the minimum lot size for that zone.

Note: All other sections remain unchanged.

14.76.124 Shade Trees on Residential Lots

(b) The minimum number of required trees depends on the zoning district in which the site falls, as follows:

~~Suburban Residential~~ R4, ~~Waterfront Residential~~ WR - three trees/lot

~~Urban Residential~~ R6, ~~High Urban Residential~~ R8-12 - two trees/lot