

**CITY OF MAPLE VALLEY, WASHINGTON
ORDINANCE NO. O-25-867**

AN ORDINANCE OF THE CITY OF MAPLE VALLEY, WASHINGTON, AMENDING CERTAIN SECTIONS AND ONE CHAPTER WITHIN TITLE 18 OF THE MAPLE VALLEY MUNICIPAL CODE ENTITLED “DEVELOPMENT REGULATIONS” RELATING TO CB ZONES ABUTTING RESIDENTIAL ZONES (R-4 - R-12) AND ALLOWED USES IN THE PRO AND NB ZONES; PROVIDING FOR SEVERABILITY; ESTABLISHING AN EFFECTIVE DATE; AND PROVIDING FOR CORRECTIONS.

WHEREAS, in an effort to provide for better transitions between commercial and residential zones, the City Council desires improved consideration of uses and buffers in areas where commercial properties immediately abut single-family residential properties; and

WHEREAS, the City of Maple Valley is amending Maple Valley Municipal Code (MVMC) Chapters 18.30, and 18.40 regulating allowed uses and densities and dimensions; and

WHEREAS, the Planning Commission reviewed draft code amendments over the course of seven meetings; and

WHEREAS, the Planning Commission held a public hearing on September 17, 2025, receiving three public comments; and

WHEREAS, the City notified the Department of Commerce on October 7, 2025, and completed the expedited 15-day review period with no comments received; and

WHEREAS, the City received no comments during the comment period held from October 1, 2025, to October 16, 2025; and

WHEREAS, the City issued a SEPA Determination of Non-Significance (DNS) on October 29, 2025, receiving no comments; and

WHEREAS, the Planning Commission Chair provided the hand-off of the Planning Commission recommendations to the City Council on October 27, 2025, at a regular City Council meeting; and

WHEREAS, City staff introduced the proposed code amendments at the October 27, 2025, regular City Council meeting and made recommended adjustment based on feedback from City Council;

WHEREAS, City Council would like to adopt amendments to Title 18 as set forth in Attachment A, attached hereto;

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

Section 1. Amendment. Section 18.20.020 entitled “Definitions,” Chapter 18.30 entitled “Permitted Use Tables,” Section 18.40.030 entitled “Densities and dimensions – Residential zones,” and Section 18.40.040 entitled “Densities and Dimensions – Commercial zones” of the Maple Valley Municipal Code are hereby amended as set forth in Attachment A: (new text shown in underline; deleted text shown in strikethrough):

Section 2. Severability. If any section, subsection, clause, sentence, or phrase of this ordinance should be held invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 3. Effective Date. This ordinance, being an exercise of a power specifically delegated to the City legislative body, is not subject to referendum and shall take effect five (5) days after passage and publication of an approved summary thereof consisting of the title.

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

ADOPTED BY THE CITY COUNCIL AT A MEETING THEREOF ON THE 24TH DAY
OF NOVEMBER 2025.

CITY OF MAPLE VALLEY

Sean P. Kelly

Sean P. Kelly, Mayor

ATTEST/AUTHENTICATED:

Andrew Dacuag

Andrew Dacuag, City Clerk

APPROVED AS TO FORM:

Patricia Taraday

Patricia Taraday, City Attorney

Date of Publication: December 3, 2025
Effective Date: December 8, 2025

Attachment A

18.20.020 Definitions.

A. "A" Definitions.

1. "Abandon" means knowing relinquishment of right or claim to the subject property or structure on that property by the owner without any intention of transferring rights to the property to another owner or of resuming the use of the property (such as sale, loss of lease, eviction, etc.).
2. "Accessory dwelling unit" means a second dwelling unit added to or created within a single-family detached dwelling for use as a completely independent unit.
3. "Accessory use or structure" means a use or structure on the same lot with, and of a nature customarily incidental and subordinate to, and smaller than, the principal use or structure.
4. "Adjacent" means directly next to, touching, as in a common property line, or directly across a street.
5. "Adult entertainment" means:
 - a. Any exhibition, performance or dance of any type conducted in a premises where such exhibition, performance or dance involves a person who is unclothed or in such costume, attire or clothing as to expose any portion of the nipple, the areola, or the lower half of the female breast or any portion of the pubic region, anus, buttocks, vulva or genitals, or wearing any device or covering exposed to view which simulates the appearance of any portion of the nipple, the areola, or the lower half of the female breast or any portion of the pubic region, anus, buttocks, vulva or genitals, or human male genitals in a discernibly turgid state, even if completely and opaquely covered; or
 - b. Any exhibition, performance or dance of any type conducted in a premises where such exhibition, performance or dance is distinguished or characterized by a predominant emphasis on the depiction, description, simulation or relation to the following specified sexual activities:
 - i. Human genitals in a state of sexual stimulation or arousal;
 - ii. Acts of human masturbation, sexual intercourse or sodomy; or
 - iii. Fondling or other erotic touching of human genitals, pubic region, buttocks or female breast; or

c. Any exhibition, performance or dance intended to sexually stimulate any patron and conducted in a premises where such exhibition, performance or dance is performed for, arranged with or engaged in with fewer than all patrons on the premises at that time, with separate consideration paid, either directly or indirectly, for such performance, exhibition or dance. For purposes of example and not limitation, such exhibitions, performances or dances are commonly referred to as table dancing, couch dancing, taxi dancing, lap dancing, private dancing or straddle dancing.

6. "Adult use facility" means an enterprise predominantly involved in the selling, renting, or presenting for commercial purposes of books, magazines, motion pictures, films, video cassettes, cable television, live entertainment, performance or activity distinguished or characterized by a predominant emphasis on the depiction, simulation or relation to "specified sexual activities" as defined by this chapter for observation by patrons therein. Examples of such establishments include, but are not limited to, adult book or video stores and establishments offering panoramas, peep shows or topless or nude dancing.

7. "Affordable housing" means residential housing reserved for occupancy as a primary residence by eligible households where total monthly housing expenses do not exceed 30 percent of the monthly income of the household. Unless otherwise specified, eligible households shall have an annual income of no more than 80 percent of the area median income for owner-occupied housing or 60 percent for rental housing, adjusted for household size, as determined by the Department of Housing and Urban Development (HUD) for King County. For owner-occupied housing, housing expenses include mortgage payments, mortgage insurance, property taxes, property insurance, and homeowners' association dues. Housing expenses for rental housing include rent and an allowance for utilities (excluding telephone and internet) obtained from the King County Housing Authority.

8. "Agriculture" means the use of land for agriculture purposes, including farming, dairying, pasturage, horticulture, floriculture, viticulture, apiaries, and animal and poultry husbandry, and the necessary accessory uses for storing produce; provided, however, that the operation of any such accessory use shall be incidental to that of normal agriculture activities.

9. "Alley" or "lane" means a public or private way not more than 30 feet wide affording only secondary means of access to abutting property.

10. "Allowable density" means the maximum number of lots or primary residential units allowed, determined by multiplying the gross acreage of the development or designated site by the maximum number of dwelling units allowed by the zoning district or designation.

11. "Animal, large" means cattle, horses, donkeys, sheep, goats, hogs, llamas, emus and any animals comparable in size.

12. "Animal, small" means any domesticated animal not considered to be a "large animal," including household pets, poultry, bees and other animals of similar size and type.

13. "Apartment" means a dwelling unit in a multifamily building.

14. "Apartment house" (also see "Dwelling, multiple-family") means any building, or portion thereof, which is designed, built, rented, leased, let or hired out to be occupied, or which is occupied, as the home or residence of three or more families living independently of each other and doing their own cooking in the said building, and shall include flats and apartments.

15. "Assisted living facility" means any home or institution that provides housing, assists with activities of daily living and is responsible for the safety and well-being of the residents. Assisted living shall not include independent senior housing, independent living units in continuing care retirement communities, or other similar living situations including those subsidized by the Department of Housing and Urban Development.

16. "Automobile wrecking or motor vehicle wrecking" means the dismantling or disassembling of motor vehicles or the storage, sale or dumping of dismantled, partially dismantled, obsolete or wrecked motor vehicles or their parts.

17. Awning. See "Canopy."

B. "B" Definitions.

1. "Basement" means that portion of a story partly underground and having at least one-half, or more than five feet, below the adjacent finish grade.

2. "Bed and breakfast" means any single-family dwelling in use as a residence and also containing no more than three guest rooms in which travelers are lodged for no more than two consecutive weeks and for which compensation of any kind is paid. (For the purpose of this definition, a bed and breakfast is not a hotel, inn, motel, or boarding or lodging home.)

3. "Boarding or lodging home" means a building with not more than five guest rooms (with or without meals) which are provided for compensation for not more than 10 persons. Guest rooms numbering six or more shall constitute a hotel.

4. "Buffer" means a landscaped strip that may be required to be of a frequency, width, length, location, density and height of planting, as specified by regulations, conditions and/or recommendations of City staff.

5. "Building" means any structure having a roof supported by columns or walls used or intended to be used for the shelter or enclosure of persons, animals or property of any kind.

6. "Building height" means the vertical distance from the "grade" to the highest point of the coping of a flat roof or to the deck line of a mansard roof or to the average height of the highest gable of a pitched or hip roof; provided, that driveway entrances to underground parking shall be excluded from the elevation used to calculate "grade."

7. "Building, principal or main" means a building devoted to the principal use of the lot on which it is situated.

8. "Business activity" means any activity carried out for the purpose of financial gain for an individual or organization, whether profit or nonprofit.

9. "Business or commerce" means the purchase, sale, or other transaction involving the handling or disposition of any article, service, substance, or commodity for the livelihood or profit; or the management of office buildings, offices, recreational or amusement enterprises; or the maintenance and use of buildings, offices, structures, and premises by professions and trades rendering services.

C. "C" Definitions.

1. "Canopy" means a roof-like projection.

2. "Car wash" means a structure with machine-operated or hand-operated facilities used principally for the cleaning, washing, polishing, or waxing of motor vehicles.

3. "Clinic" means a facility designed for use by medical or dental professionals for outpatient diagnosis and treatment.

4. "Commercial kitchen" means a facility containing a kitchen in which food is prepared for sale, such as a restaurant, cafe, hotel, catering establishment, or other food preparation establishment.

54. "Commercial zone" means any nonresidential zone, including Neighborhood Business, Community Business, and Town Center.

65. "Comprehensive plan" means the plans, map, and reports that have been adopted by the City Council in accordance with applicable State law.

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

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

98. "Congregant residence" means a type of housing in which each individual or household has a private bedroom or living quarters but shares with other residents a common dining room, recreational room, or other facilities.

109. "Correctional facility" means a State-operated facility for the incarceration and/or rehabilitation of adult or juvenile inmates.

1140. "Court" means, for building code purposes, a space, open and unobstructed to the sky, located at or above grade level on a lot and bounded on three or more sides by walls of a building.

D. "D" Definitions.

1. "Day care center, adult" means a State-licensed facility which provides supervision and care for a group of elderly or disabled adults who cannot safely be left alone, for a period of less than 24 hours per day.
2. "Day care center, child" means a facility, licensed by the State, which regularly provides care for a group of children for a period less than 24 hours per day. The term shall include, but is not limited to, facilities commonly known as "day care facilities," "day care centers," and "preschools." See "Family child care home" for child care located in a residence.
3. "Density" means the number of dwelling units or lots within a specified area calculated by dividing the number of dwelling units or lots by the gross acres (see "gross acreage").
4. "Department" means the City of Maple Valley Community Development Department.
5. "Development" means any manmade change to improved or unimproved real property, including, but not limited to, buildings or other structures, placement of manufactured homes/mobile homes, mining, dredging, clearing, filling, grading, paving, excavation, drilling or the subdivision of property.
6. "Development Permit" means any document granting, or granting with conditions, an application for a land use designation or redesignation, zoning or rezoning, subdivision, site plan, Building Permit, variance or any other official action of the City having the effect of authorizing the development of land.
7. "Development plan" means a plan drawn to scale, indicating the proposed use, the actual dimensions and shape of the lot to be built upon, the exact sizes and locations on the lot of buildings already existing, if any, and the location on the lot of the proposed building or alteration, yards, setbacks, landscaping, off-street parking, ingress and egress, and signs.
8. "Development standards" means regulations including but not limited to setbacks, landscaping, screening, building height, site coverage, signs, building layout, parking and site design and related features of land use.
9. "Director" means the Director of the Community Development Department or designee.
10. "Discretionary Land Use Permit" means a document granted by official action of the City which authorizes the development or use of land pursuant to the final development plan approval.
11. "District" means an area designated by the Maple Valley Development Code and zoning map with specific boundaries in which lie specific zones that are described in the Development Code.

12. "Dormitory" means a residence hall providing sleeping rooms for students enrolled in a secondary boarding or post-secondary educational institution to which it is an accessory use.

13. "Dripline" means the maximum circumference of the existing tree crown as located on site.

14. "Drive-through windows/facilities" means any portion of a building or structure from which business is transacted directly with customers located in a motor vehicle during such business transactions. This definition shall not include retail fueling stations and car washes.

15. "Dwelling" means a building or portion thereof designed exclusively for human habitation, including single-family, two-family and multiple-family dwellings, accessory dwelling units, modular homes, manufactured homes and mobile homes, but not including congregate residences, nursing homes, dormitories, hotels, motels, or public facilities such as fire stations.

16. "Dwelling, multiple-family" means a dwelling containing three or more dwelling units.

17. "Dwelling, single-family" means a dwelling unit that may or may not be attached to any other dwelling unit.

18. "Dwelling, two-family" means a building containing two dwelling units, but not including a single-family dwelling with an approved accessory dwelling unit.

19. "Dwelling unit" means a room, or rooms, within a dwelling configured as described herein and occupied or intended to be occupied by one household only as living accommodations independent from any other household on a monthly or longer basis. A dwelling unit shall be a separate area that includes:

a. A complete food preparation area containing a sink, a stove or range, a refrigerator, and a countertop;

b. A bathroom containing a toilet, sink, and a shower or bathtub; and

c. One or more sleeping rooms (or studio apartment).

For the purposes of this definition, a separate area is an area having direct access to the exterior of the building or access to the exterior via hallways, stairways, and elevators that are primarily ingress/egress routes to the exterior rather than leading to common kitchens and living areas.

E. "E" Definitions.

1. "Emergency amendment" means a revision to the comprehensive plan that arises from a situation that necessitates the immediate preservation of public health, safety, and welfare.

2. "Emergency housing" means temporary indoor accommodations for individuals or families who are homeless or at imminent risk of becoming homeless that is intended to address the basic health, food, clothing, and personal hygiene needs of individuals or families. Emergency housing may or may not require occupants to enter into a lease or an occupancy agreement.

3. "Emergency shelter" means a facility that provides a temporary shelter for individuals or families who are currently homeless. Emergency shelter may not require occupants to enter into a lease or an occupancy agreement. Emergency shelter facilities may include day and warming centers that do not provide overnight accommodations.

4. "Examiner" means the City of Maple Valley Hearing Examiner.

F. "F" Definitions.

1. "Factory-built home" means manufactured home, mobile home or modular home.

2. "Family child care home" means a facility meeting the requirements of Chapter 388-155 WAC and providing care for 12 or fewer children in the residence of the licensed provider.

3. "Farmers market" means the temporary, seasonal or occasional sale of fresh agricultural products, arts and crafts, and food and beverages directly to the consumer at an open-air market not to exceed 104 days per year. A farmers market is generally recognized as a community activity that does not charge entry admission fees for public attendance and the operations are managed by a not-for-profit organization.

4. "Fence, sight-obscuring" means a fence designed to provide a solid sight barrier between incompatible land uses. The minimum for a sight-obscuring fence is a chain-link fence with woven slats in every row or available space of the fence.

5. "Frontage, building or occupancy" means the length of that portion of a building or ground floor occupancy which abuts a street, publicly used parking area, or mall appurtenant to said building or occupancy expressed in lineal feet and fractions thereof.

6. "Fueling station, commercial" means a building or lot having pumps and storage tanks where fuels, oils or accessories for motor vehicles are dispensed, sold or offered for sale on a wholesale or membership basis, principally although not exclusively for commercial vehicles.

7. "Fueling station, retail" means a building or lot having pumps and storage tanks where fuels, oils or accessories for motor vehicles are dispensed, sold or offered for sale at retail only, principally for cars, light trucks, and other passenger vehicles; repair service is incidental; and no long-term storage or parking space is offered for rent.

G. "G" Definitions.

1. "Garage or carport, private" means a building or a portion of a building principally for vehicular equipment such as automobiles, watercraft, etc., in which only motor vehicles used by the tenants of the building or buildings on the premises are stored or kept.
2. "Grade" is the median of the finished ground elevations of a building measured at one-foot intervals along the base of all exterior building walls greater than four feet wide.
3. "Gross acreage" means the total area before the area for required public improvements such as street rights-of-way, open space, parks, and stormwater facilities have been subtracted.
4. "Gross floor area" means the area included within the surrounding exterior walls of a building expressed in square feet and fractions thereof. The floor area of a building not provided with surrounding exterior walls shall be the usable area under the horizontal projections of the roof or floor above.
5. "Group home" means living quarters for handicapped persons within the meaning of 42 U.S.C. 3602(h), or children with familial status within the meaning of 42 U.S.C. 3602(k), meeting applicable federal and State standards, that function as a single housekeeping unit and provide supportive services, including but not limited to counseling, rehabilitation, and medical supervision, excluding drug and alcohol detoxification facilities.

H. "H" Definitions.

1. "Hazardous substance" means a substance as defined in RCW 70.105.010.
2. "Height." See "Building height."
3. "Home-based day care, adult" means a State-licensed facility, located in a dwelling unit, that regularly provides care for a period of less than 24 hours per day for no more than 12 elderly or disabled adults who cannot safely be left alone.
4. "Home occupations" must meet the requirements of MVMC 18.30.030(B)(7).
5. "Homeowners' association" means an incorporated, nonprofit organization operating under recorded land agreements through which:
 - a. Each lot owner is automatically a member; and
 - b. Each member is subject to the requirements of conditions, covenants and restrictions as adopted by the association.
6. "Hospital" means a building or group of buildings designed and used for a full range of medical and surgical diagnosis and treatment, and where patients remain in residence for observation and recuperation.

7. "Hotel" means a site which does not qualify as a bed and breakfast or a boarding or lodging home on which there are any number of guest rooms where lodging with or without meals is provided for compensation.

8. "Household" means any number of people living together as a single non-transient housekeeping unit.

9. "Household pets" means any small animals that are kept within a dwelling unit.

I. "I" Definitions.

1. "Impervious surfaces" means that hard surface area which either prevents or retards the entry of water into the soil mantle as it entered under natural conditions preexistent to development, and/or that hard surface area which causes water to run off the surface in greater quantities or at an increased rate of flow from that present under natural conditions preexistent to development. Common impervious surfaces include, but are not limited to, roof tops, concrete or asphalt paving, paved walkways, patios, driveways, parking lots or storage areas, and oiled, macadam or other surfaces which similarly impede the natural infiltration of surface water.

J. "J" Definitions.

1. "Jail" means a municipal holding facility located in conjunction with police offices.

2. "Junk yard" means a place where waste, discarded or salvaged materials are bought, sold, exchanged, stored, baled, cleaned, packed, disassembled, or handled, including auto and motor vehicle wrecking yards, house wrecking yards, used-lumber yards and yards for use of salvaged house wrecking and structural steel materials and equipment.

K. "K" Definitions.

1. "Kennel" means any premises on which domestic animals are kept on a temporary basis for compensation, or on which small animals exceeding the number allowed as an accessory use are kept.

L. "L" Definitions.

1. "Light Industrial" activities that are less intensive and have minimal environmental impact compared to heavy industrial zones. These activities typically include small-scale manufacturing, assembly plants, and research and development facilities. The primary characteristics of light industrial zones are:

2. "Lot," for the purposes of this code, is a parcel of land of at least sufficient size to meet minimum zoning requirements for use, coverage and area and to provide such setbacks and other open spaces as are herein required. Such lot shall have frontage on an improved public street, or on an approved private street or easement, and may consist of:

a. A single lot of record;

- b. A portion of a lot of record;
- c. A combination of complete lots of record, and portions of lots of record;
- d. A parcel of land described by metes and bounds;

Provided, that in no case of division or combination shall any residual lot or parcel be created which does not meet the requirements of this code.

23. "Lot, corner" means a lot abutting upon two or more public streets at their intersection, or upon two parts of the same street, such streets or parts of the same street forming an interior angle of less than 135 degrees within the lot lines.

34. "Lot coverage" means that portion of a lot covered by buildings or structures.

45. "Lot frontage" means the portion of a lot abutting a public right-of-way.

56. "Lot line" means a line of record bounding a lot that divides one lot from another lot or from a public right-of-way or private street or any other public space.

6.7 Lot Measurements.

a. Depth of a lot shall be considered to be the mean or average distance from the front lot line to the rear lot line.

b. Width of a lot shall be considered to be the mean or average distance between the side lines connecting front and rear lot lines; provided, however, that width between side lot lines at their foremost points (where they intersect with the street line) shall not be less than 80 percent of the required lot width except in the case of lots on the turning circle of cul-de-sacs, where the 80 percent requirement shall not apply.

78. "Lot of record" means a lot which is part of a subdivision recorded in the office of the County Assessor, or a lot or parcel described by metes and bounds and/or bearings, the description of which has been so recorded.

89. "Lot, pipestem" means a lot which gains street right-of-way access by way of a driveway easement or lot extension which is less than 80 percent of the minimum lot width. When a pipestem-shaped lot abuts two or more street rights-of-way, it shall not be considered a pipestem lot. Lot width and setback requirements shall be exclusive of the access stem.

910. "Lot, through" means a lot that has both ends abutting on a street. Either end may be considered the front.

M. "M" Definitions.

1. "Manufactured home" means a factory-assembled structure intended solely for human habitation, which has sleeping, eating and plumbing facilities, that is being used for

residential purposes, that was constructed in accordance with the HUD Federal Manufactured Housing Construction and Safety Standards Act in effect at the time of construction, and that is constructed in a way suitable for movement along public highways.

2. "Mobile home" means a factory-constructed residential unit with its own independent sanitary facilities, that is intended for year-round occupancy, and is composed of one or more major components which are mobile in that they can be supported by wheels attached to their own integral frame or structure and towed by an attachment to that frame or structure over the public highway under trailer license or by special permit.

3. "Modular home" means a dwelling that is designed for human habitation and is either entirely or substantially prefabricated or assembled at a place other than a building site and meets all of the requirements of Chapter 296-150A WAC. Modular homes are also commonly referred to as factory-built housing, and for purposes of this title a modular home is considered single- and two-family housing.

4. "Motel" means a group of attached or detached buildings containing individual sleeping units where a majority of such units open individually and directly to the outside, and where a garage is attached to or a parking space is conveniently located to each unit, all for the temporary use by tourists or transients, and not including bed and breakfasts or boarding or lodging homes.

N. "N" Definitions.

1. "Net acreage" means the buildable area after the area for required public improvements such as street rights-of-way, open space, parks, and stormwater facilities has been subtracted.

2. "Nonconforming development site" means a site developed, operated and maintained as a single entity accommodating commercial, business park or multifamily uses, or a combination of such uses, with common areas, accessory uses, or site improvements which were legal when established but which do not now conform to the current parking, loading, access, landscaping, screening, open space, impervious surface, or design requirements of this code.

3. "Nonconforming lot of record" means any validly recorded lot which at the time it was recorded fully complied with the applicable laws and ordinances but which does not fully comply with the lot requirements of this code.

4. "Nonconforming structure" means a building or structure which conformed to applicable dimensional standards in effect when the structure was built, including height, setback, density, and lot coverage, but which no longer complies because of changes in applicable regulations. For structures not conforming to building code requirements, see MVMC Title [15](#).

5. "Nonconforming use" means the use of land or a structure which conformed to applicable codes in effect on the date of creation or inception of the use, but which no longer complies because of changes in applicable regulations.

6. "Nursing home" means a medically staffed facility intended for the long-term residential care of individuals not related by blood or marriage to the operator of the facility who are incapable of independent living, because of age or medical condition. This definition shall also include care of mentally incompetent and community-based care but shall exclude hospitals and assisted living facilities. "Nursing home" shall also include "nursing facility," "skilled nursing facility" or "long-term care facility."

O. "O" Definitions.

1. "Occupancy" means the purpose for which a building is used or intended to be used. The term shall also include the building or room housing such use.

2. "Official map" means maps showing the designation, location and boundaries of the various districts that have been adopted and made part of this code.

3. "Open space" means land that is reserved for recreational purposes or for the preservation of particular vegetative or topographic features.

4. "Outside storage" means all or part of a lot that is used for the keeping of materials or products in an open, uncovered yard or in an unwallled building. Such materials shall include, but not be limited to, tractors, backhoes, heavy equipment, construction materials and other similar items.

P. "P" Definitions.

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

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

3. "Permanent supportive housing" is one or more subsidized, leased dwelling units with no limit on length of stay that prioritizes people who need comprehensive support services to retain tenancy and utilizes admissions practices designed to use lower barriers to entry than would be typical for other subsidized or unsubsidized rental housing, especially related to rental history, criminal history, and personal behaviors. Permanent supportive housing is paired with on-site or off-site voluntary services designed to support a person living with a complex and disabling behavioral health or physical health condition who was experiencing homelessness or was at imminent risk of homelessness prior to moving into housing to retain their housing and be a successful tenant in a housing arrangement, improve the resident's health status, and connect the resident of the housing with community-based health care, treatment, or employment services. Permanent supportive housing is subject to all of the rights and responsibilities defined in the Residential Landlord Tenant Act, Chapter 59.18 RCW.

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

5. "Printing /Publishing" means activities related to the production and distribution of printed materials. These activities typically include the operation of printing presses, binding, and publishing facilities.

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

67. "Public sanitary sewer" means any sewer facility other than a side sewer, either owned or operated by, or within the jurisdiction of, the City.

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

Q. "Q" Definitions. Reserved.

R. "R" Definitions.

1. "Recreation instruction" means programmed instruction for indoor or outdoor sports or arts-related activities including but not limited to dance studios, martial arts schools, pottery or ceramics studios, and tennis or soccer clubs.

2. "Recreational use" means interior or exterior areas dedicated for public or private active or passive recreational use, or amenity, including sports and recreational services and activities. A recreational use may be operated as a nonprofit or for-profit entity, and may include recreation clubs restricting use to members and their guests (i.e., country, golf, tennis, and amateur sports and recreation clubs), recreational amusement uses, trails, special purpose recreation facilities such as ice arenas, equestrian centers, swimming pools, golf courses or live performance theaters, and recreational uses not elsewhere classified. Subject to code restrictions, accessory uses may be allowed in conjunction with a primary recreational use that includes: temporary housing, residential uses, eating and drinking establishments, small conference facilities, and associated retail, i.e., pro shops.

3. "Recreation space" means interior or exterior areas located and designed for common use by residents of a development. Exterior areas include lands unoccupied by buildings, roads or parking areas, such as woodlands, fields, gardens, courtyards, landscaped areas, lawns and trails, as well as swimming pools, tennis courts, and picnic areas.

4. "Recreational vehicles" means motorized vehicles that include a cabin for living accommodations and are commonly used for recreational travel and touring. Vehicles included in this category come in several forms: travel trailers, tent trailers and camping trailers, all of which must be towed by an automobile or truck; and truck campers, motor homes and camper vans, all of which have the motor within the body of the vehicle.

5. "Religious institution" means a facility operated for worship, prayer, meditation or similar activity by an organization granted tax-exempt status by the Federal Internal Revenue Service.

6. "Replacement value" means the cost to rebuild or replace a structure, minus deferred maintenance. The Director of Community Development shall provide rules and determine which valuation service to use for determining replacement value.

7. "Retail vehicle sales/rentals – motor vehicle, boat, and recreational vehicle, retail" means an establishment engaged in the retail sale of new and/or used automobiles, boats, recreational vehicles, and other motorized passenger vehicles.

8. "Retirement community – Continuing care" means a single facility that provides a range of services by one organization which includes independent living services, or boarding home or assisted living services and skilled nursing services. The number of licensed nursing home beds must be 60 percent or less of the total number of beds available in the entire continuing care retirement community.

9. "Retirement home" means a building or group of buildings designed for the occupancy of three or more families, living semi-independently from each other, and containing private sleeping units with some common kitchen, dining, and recreation facilities; provided, a retirement home may contain one or more dwelling units utilized solely by resident staff.

10. "Revegetation" means the planting of vegetation to cover any land areas which have been disturbed during construction.

11. "Right-of-way" means land which is occupied or dedicated to be occupied by a public street or railroad, together with public property reserved for utilities, transmission lines and extensions, walkways, sidewalks, bikeways, equestrian trails, and other similar uses.

S. "S" Definitions.

1. "Self-storage" means a facility designed for the temporary off-site storage of property, accessible by the user.

2. "Senior assisted housing" means dwellings exclusively designed for and occupied by families each of which have at least one person of age 62 or older, and as may be modified by the requirements of State or federal programs or regulations to include individuals who are classified as head-of-household and are disabled or handicapped regardless of age. Senior assisted housing may include support services, including but not limited to:

- a. Food preparation and dining areas;
- b. Group activity areas;
- c. Medical supervision; and

d. Similar activities.

3. "Services, on-site" means establishments primarily engaged in providing individual or professional services within the place of business, such as beauty salons and barber shops, retail laundry and dry cleaning including coin-operated, garment alterations and repair, photo studios, shoe repair, pet grooming, photography and photo reproduction, entertainment media rental or other indoor rental services, repair of personal items or household items, and nonmotorized vehicle repair. This definition excludes automotive repair or automotive service and miscellaneous repair.

4. "Setback" means the minimum required distance between any structure and a specified line such as a lot line, public right-of-way, private road, easement or buffer line that is required to remain free of structures unless otherwise provided herein.

5. "Setback, front" means space abutting a street right-of-way, access easement or private road either from which the lot is addressed or from which the lot gains primary access and extending the full width of the lot. For pipestem lots, the front setback shall be located in the area of the lot nearest the street or private road, exclusive of the pipestem area. On a corner lot, the front setback shall be provided on the narrowest part of the lot that abuts a street, except in Commercial zones, in which cases the Director shall determine the location of the front setback.

6. "Setback, interior" means the setback from interior property lines, i.e., those property lines not abutting a public street, access easement or private road, a side setback or rear setback.

7. "Setback, rear" means space abutting a property line and opposite to the front setback or as nearly so as the lot shape permits, and extending the full width of the lot. If more than one rear setback is possible, the setback furthest from the front lot line shall be the required rear setback.

8. Setback, Side. Any setback not defined as a front or rear setback shall be treated as a side setback; provided, that on corner lots the setback abutting the street not designated as the front shall be a "side street setback" and shall require a setback of twice the distance for an interior or side setback.

9. "Sewage system, on-site" means any system of piping, treatment devices, or other facilities that convey, store, treat, or dispose of sewage on the property where it originates or on adjacent or nearby property under control of the user where the system is not connected to a public or approved private sewer system.

10. "Shopping center" means more than three commercial establishments that are planned, owned or managed as a single entity with on-site parking provided.

11. "Sign" Definitions. See MVMC 18.50.010, Signs, for definitions related to signs and signage.

12. "Sleeping unit" means a room or area within a building specifically designed for sleeping only, which contains no cooking or sanitary facilities.

13. "Special purpose recreation facility" means an area operated and devoted to facilities and equipment for recreational purposes, including swimming pools, tennis courts, playgrounds, ice arenas, golf courses and other similar uses whether the use of such area is limited to private membership or whether open to the public upon the payment of a fee.

14. "Specified sexual activities" means human genitalia in a state of sexual stimulation or arousal; acts of human masturbation, sexual intercourse or sodomy; or erotic fondling, touching or display of human genitalia, pubic region, buttock, or female breast.

15. "Stable" means a structure or facility in which horses or other livestock are kept for the purpose of boarding, training, riding lessons, breeding, rental or personal use.

16. "Story" means that portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above. If the finished floor level directly above a basement, cellar or unused underfloor space is more than six feet above grade as defined herein for more than 50 percent of the total perimeter or is more than 12 feet above grade as defined herein at any point, such basement, cellar or unused underfloor space shall be considered a story.

17. "Street" means a public or recorded private thoroughfare providing pedestrian and vehicular access through neighborhoods and communities and to abutting property.

18. "Structure" means that which is built or constructed, an edifice or building of any kind or any piece of work composed of parts joined together in some definite manner and includes posts for fences and signs, but does not include mounds of earth or debris.

T. "T" Definitions.

1. "Townhouse" means single-family attached dwelling units that occupy space from the ground to the roof and share a common wall with one or more adjacent dwelling unit(s), having ~~open space~~ a yard on at least two sides, but not necessarily having a side yard.

2. "Tract" means any parcel of land, lot, building site, or contiguous combination thereof devoted to or intended to be devoted to a principal use and any other uses customarily accessory thereto.

3. "Trade, retail" means the sale or rental of goods and merchandise for final use or consumption.

4. "Transitional housing" means a project that provides housing and supportive services to homeless persons or families for up to two years and that has as its purpose facilitating the movement of homeless persons and families into independent living.

U. "U" Definitions.

1. "Use" means an activity for which land or premises or a building thereon is designed, arranged, intended, or for which it is occupied or maintained, let or leased.

2. "Use, change of" occurs when it is found that the building code occupancy changes or when a new use would require more parking spaces according to the requirements of this code than the previous use, or when a new use generates more than 120 percent of the vehicle trips of the former use.

3. "Use, permitted" means any use allowed in a zoning classification and subject to the restrictions applicable to the specific use.

4. "Use, temporary" means any activity and/or structure permitted under the provisions of this code which is intended to exist or operate for a limited period of time and which does not comply with the development standards and requirements as specified for the zoning district in which it is located.

5. "Utility" means a public or private agency which provides a service that is utilized or available to the general public (or a locationally specific population thereof). Such services may include, but are not limited to, stormwater detention and management, sewer, water, telecommunications, cable, electricity and natural gas.

6. "Utility infrastructure, major or regional" means above- or below-grade facilities for the transmission, distribution or provision of services to a wide area, often greater than the Maple Valley City limits, including but not limited to:

- a. Pump stations;
- b. Electrical substations;
- c. Electrical transmission lines;
- d. Lift stations;
- e. Water reservoirs;
- f. Treatment plants.

7. "Utility infrastructure, minor or local" means above- or below-grade facilities for the distribution or provision of services to a local area, including but not limited to:

- a. Distribution lines;
- b. Grinder pumps;
- c. Storm drainage facilities;
- d. Storm drainage culverts.

V. "V" Definitions.

1. "Variance" means a modification of dimensional standards of this code when authorized pursuant to MVMC [18.110.040](#).

2. "Vehicle repair, major" means servicing, repairing, or restoring of vehicles including but not limited to engine work, auto body work, or any other work that typically requires more than a day to accomplish, and including vehicle towing and impound lots.

3. "Vehicle repair, minor" means servicing and repairing vehicles including but not limited to oil changes, mini-lube facilities, tire changes, replacing headlights and windshield wipers, detail shops, and auto-related work that typically can be completed within one day.

4. "Veterinary clinic" means any premises to which animals are brought or where they are temporarily kept, solely for the purpose of diagnosis or treatment of any illness or injury.

W. "W" Definitions.

1. "Watercraft" means any recreational or commercial craft or device designed for use in or on a body of water.

X. "X" Definitions. Reserved.

Y. "Y" Definitions.

1. "Youth mental health services" means a counseling or therapy service provided by a nonprofit or governmental organization.

Z. "Z" Definitions. Reserved. (Ord. O-24-831 § 1 (Exh. C); Ord. O-23-774 § 1 (Exh. A); Ord. O-18-639 § 1; Ord. O-16-598 § 1(B) (Exh. B); Ord. O-13-545 § 1; Ord. O-12-499 § 2; Ord. O-12-490 § 2; Ord. O-10-415 § 1; Ord. O-07-351 § 4; Ord. O-06-333 § 1; Ord. O-05-304 § 1; Ord. O-03-235 § 1; Ord. O-02-186 § 1; Ord. O-99-109 § 1).

Chapter 18.30 PERMITTED USE TABLES

Sections:

- 18.30.010 Establishment of uses – Prohibited uses.**
- 18.30.015 Temporary uses.**
- 18.30.020 Interpretation of land use tables.**
- 18.30.030 Allowed uses by zoning district – Residential.**
- 18.30.040 Allowed uses by zoning district – Commercial.**
- 18.30.050 Allowed uses by zoning district – Business Park.**
- 18.30.060 Allowed uses by zoning district – Community services and institutions.**

18.30.010 Establishment of uses – Prohibited uses.

A. The use of property is defined by the activity for which the building or lot is intended, designed, arranged, occupied, or maintained. A use that will operate for less than 60 days may be considered a temporary use, and be subject to the requirements of MVMC 18.30.015 pertaining to temporary uses. All applicable requirements of this code, or other applicable State or federal requirements, shall govern a use located in the City of Maple Valley.

B. Any land use that violates a City ordinance, or the City municipal code, and/or State law, and/or federal law, is strictly prohibited; except, pursuant to Washington State Initiative 502, two Washington State Liquor and Cannabis Board licensed marijuana retail facilities shall be authorized to operate within the City limits even though inconsistent with federal law. (Ord. O-17-619 § 2; Ord. O-16-598 § 1(B) (Exh. B); Ord. O-12-504 § 1; Ord. O-03-235 § 1; Ord. O-99-109 § 1).

18.30.015 Temporary uses.

A. Purpose. The purpose of this section is to make allowances for certain types of temporary uses. Temporary uses are uses that do not require permanent construction and which are approved with a specified time limit.

B. Temporary Uses in All Zones. The Director may authorize temporary uses which do not involve the construction of a permanent structure as a Process 1 decision. Under no circumstance shall such a temporary use be authorized for a period exceeding 60 days. The Director must find that the proposed use is not in conflict with the goals and policies of the comprehensive plan and that no material detriment to surrounding properties will occur. In considering such proposals, the Director may:

1. Require modifications to the site plan, signage, lighting, limitations on hours of operation, or other measures to mitigate adverse impacts of the proposal;
2. Require that the proposed use have on-site staff whenever in operation;
3. Require the applicant post a bond or other financial guarantee for the removal of materials and restoration of the site; and
4. Modify certain development standards for the site if they will not serve a substantial purpose during the life of the temporary use.

C. Temporary Residential Structures.

1. The Director may authorize the installation of a manufactured home for use during the construction of a single-family residence, subject to the following:
 - a. The temporary dwelling shall be on the same parcel as the house under construction;
 - b. The permit shall be valid for the life of the Construction Permit, not to exceed one year;

c. The applicant shall post a bond or other financial guarantee sufficient to cover the removal of the unit;

d. The application shall be subject to the procedures for Process 1 decisions.

2. The Director may authorize manufactured homes as accessory to residential uses for the care of an elderly or disabled relative subject to the following:

a. The initial approval shall be for no more than one year;

b. The applicant shall post a bond or other financial guarantee sufficient to cover the removal of the unit;

c. The specific unit to be installed must be generally consistent with architecture and design of the surrounding residential structures;

d. Renewal may be sought on a year-by-year basis provided the previous criteria are satisfied and the unit is maintained and operated in a clean and safe manner; and

e. The initial application and any renewal shall be subject to the procedures for Process 1 decisions.

D. Temporary Nonresidential Structures and Uses.

1. The Director may authorize office and retail uses to occur in temporary structures during the period of construction of a permanent facility to house such activity subject to the following:

a. The approval of such activity shall be only during the life of the Building Permit and shall not exceed one year unless renewed;

b. The applicant shall post a bond or other financial guarantee sufficient to cover the removal of the unit;

c. Renewal may be sought on a year-by-year basis not to exceed the life of the Construction Permit;

d. The temporary structure shall comply with all applicable utility and construction standards; and

e. The initial application and any renewal shall be subject to the procedures for Process 1 decisions.

2. The Director may authorize the installation of small temporary structures for the use as contractor's offices, construction engineer's offices, real estate offices and other similar activities subject to the approval of the Building Official and City Engineer. If necessary, the Director may require that a bond be posted for the removal and may limit the duration

of the approval to a reasonable period (e.g., length of construction, completion of real estate sales).

3. The Director may authorize the use of temporary storage associated with an active, permitted, municipal construction project and other similar activities. In the event the use becomes inactive for 60 days, the permit shall expire. (Ord. O-16-598 § 1(B) (Exh. B); Ord. O-12-492 § 1; Ord. O-03-235 § 1; Ord. O-99-109 § 1).

18.30.020 Interpretation of land use tables.

A. The land use tables in this chapter determine whether a specific use is allowed in a zoning district. The zoning district is located on the vertical column and the specific use is located on the horizontal row of these tables. The administrative requirements of Chapter 18.100 MVMC apply to all applications.

B. If no land use is identified or no symbol appears in the box at the intersection of the column and the row, the use is not allowed in that district, except for certain temporary uses.

C. If the letter “P” appears in the box at the intersection of the column and the row, the use is allowed in that district subject to the review procedures and general requirements of the code. Design review or compliance with the Community Design Guidelines and requirements may be required pursuant to Chapter 18.70 MVMC. The process types and process steps tables of MVMC 18.100.040(A) and (B) apply.

D. If the letter “C” appears in the box at the intersection of the column and the row, the use is permitted subject to the conditional use permit review procedures and the general requirements of the code. The process types and process steps tables of MVMC 18.100.040(A) and (B) apply.

E. If the letter “A” appears in the box at the intersection of the column and the row, the use is allowed in that district as an accessory to the primary use.

F. If a number appears in the box at the intersection of the column and the row, the use may be allowed subject to the appropriate review process indicated above, the general requirements of the code and the specific conditions set forth in the corresponding number or section immediately following the permitted use table.

G. All applicable requirements shall govern a use whether or not they are cross-referenced in a section.

H. Property located within the Downtown Overlay District (Ordinance No. O-23-781, Exh. C) is subject to the use regulations contained in the Downtown Design Standards and Guidelines (Ordinance No. O-23-781, Exh. A, Section 1.4), as that ordinance may be amended from time to time. Ordinance No. O-23-781, Exh. A, Section 1.4 overrides the permitted use table of the underlying zone. To the extent that any conflict exists between Ordinance No. O-23-781 and this code, Ordinance No. O-23-781 shall control. (Ord. O-23-781 § 4 (Exh. D); Ord. O-16-598 § 1(B) (Exh. B); Ord. O-12-504 § 2; Ord. O-11-438 § 1; Ord. O-03-235 § 1; Ord. O-99-109 § 1).

18.30.030 Allowed uses by zoning district – Residential.

A. Table.

USE	ZONING DISTRICT										
	R-4/6 ¹⁶	R-8 ¹⁶	R-12 ¹⁶	R-18/24 ^{15, 16}	NB	CB	PUB	PRO	FCC	REC	RLTC
Dwelling, Single-Family	P	P ¹²	P ¹²	P ¹²							
Factory-Built Home	P ¹	P ¹	P ¹	P ¹							
Townhouse	C ⁴	P	P	P		P ^{2, 11}			A		
Group Home	P ³	P ³	P ³	P ³		P ³					
Bed and Breakfast	C ⁵	C ⁵	C ⁵	C ⁵							
Dwelling, Multiple-Family		C	P	P	P ⁶	P ^{2, 11}			P ^{2, 11}		
Permanent Supportive Housing	P ¹⁵	P ¹⁵	P ¹⁵	P ¹⁵	P ¹⁵	P ¹⁵			P ¹⁵	P ¹⁵	
Transitional Housing	P ¹⁵	P ¹⁵	P ¹⁵	P ¹⁵	P ¹⁵	P ¹⁵			P ¹⁵	P ¹⁵	
Retirement Home			P	P							
Senior Assisted Housing	P ³	P ^{3, 13}	P ^{3, 13}	P ^{3, 13}		P ³					
Nursing Home	P ³	P ³	P ³	P ³		P ³					
Home Occupation	A ⁷	A ⁷	A ⁷	A ⁷		A ⁷			A ⁷		
Accessory Dwelling Unit	A ⁸	A ⁸	A ⁸	A ⁸							
Dormitories										A	A
Caretaker Dwelling Unit					A ⁹	A ⁹			A ⁹	A ⁹	
Animals	A ¹⁰	A ¹⁰	A ¹⁰	A ¹⁰	A ¹⁰	A ¹⁰			A ¹⁰		

B. Specific Requirements.

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

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

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

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

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

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

2. Mixed-use developments in the CB and FCC zones with 10 or more residential units shall reserve at least 10 percent of the total units to be affordable to those making 70 percent or less of the King County Area Median Income (AMI). Fractional units shall be rounded to the nearest whole unit using standard rounding techniques. Developments shall record a covenant on title to alert future owners that this affordability covenant was required as a condition of approval of the development.

Affordable units are subject to the following requirements:

a. The affordable housing units shall be intermingled with all other dwelling units in the development.

b. The type of ownership of the affordable housing units shall be the same as the type of ownership for the rest of the housing units in the development.

c. The affordable housing units shall consist of a range of number of bedrooms that are comparable to units in the overall development.

d. The size of the affordable housing units must be no more than 10 percent smaller than comparable dwelling units in the development, based on number of bedrooms, or no less than 350 square feet for a studio, 500 square feet for a one-bedroom unit, 700 square feet for a two-bedroom unit, or 900 square feet for a three-bedroom unit, whichever would yield the larger unit.

e. The affordable housing units shall be available for occupancy in a time frame comparable to the availability of the rest of the dwelling units in the development.

f. The exterior design of the affordable housing units must be compatible and comparable with the rest of the dwelling units in the development.

g. The interior finish and quality of construction of the affordable housing units shall at a minimum be comparable to newly constructed entry level rental or ownership housing in the City of Maple Valley.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

a. The total area devoted to all home occupation(s) shall not exceed 20 percent of the floor area of the total dwelling unit with the exception of home occupation(s) in mixed-use structures;

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

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

d. The following activities shall be prohibited:

i. Automobile, truck and heavy equipment repair;

- ii. Auto body work or painting;
 - iii. Parking and storage of heavy equipment; and
 - iv. Storage of building materials for use on other properties;
- e. The home occupation(s) shall not generate pedestrian traffic or vehicular traffic or parking demand unreasonable for the district or neighborhood in which it is located;

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

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

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

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

- a. Only one accessory dwelling shall be permitted per lot;
- b. The accessory dwelling must be in the same building as the principal residence when the lot is less than 10,000 square feet in area;
- c. The primary residence or the accessory dwelling unit shall be owner occupied;
- d. The accessory dwelling unit shall not be larger than 50 percent of the living area of the primary residence;
- e. At least one additional off-street parking space shall be provided; and
- f. The accessory dwelling unit shall be converted to another permitted use or shall be removed if one of the dwelling units ceases to be owner occupied.

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

- a. Only one caretaker dwelling unit shall be permitted for each primary use or multi-tenant building;
- b. At least one additional off-street parking space shall be provided; and

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

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

a. Small Animals.

i. Small animals kept indoors as household pets shall not be limited in number.

ii. Small animals kept outdoors shall be limited to five, unless the resident obtains a hobby kennel license from King County Animal Control.

iii. Structures for the keeping of small animals outdoors such as aviaries, apiaries, kennels, runs, cages, etc., shall be set back from property lines a minimum of 10 feet.

b. Large Animals.

i. Large animals are limited to one per each one-half acre of property.

ii. Enclosures or structures for the housing of large animals shall be set back from property lines a minimum of 20 feet.

iii. Large animals not kept within enclosures shall be restricted to roaming areas which are set back a minimum of 10 feet from property lines.

iv. The keeping of large animals on properties containing streams, wetlands, shorelines or other protected water sources shall be in compliance with critical area requirements.

11. The first floor of vertical mixed uses in the CB and FCC zones shall have commercial uses on the entirety of the ground floor (with the exception of residential lobbies which are limited to a width of 40 feet). Horizontal mixed uses shall incorporate a minimum of 35 percent of the site building footprint to include commercial uses when the site has frontage on SR-169, SR-516, or Witte Road. Commercial uses shall be oriented to the street frontage. Horizontal mixed uses not fronting on the above streets shall incorporate a minimum of 25 percent of the site building footprint to include commercial uses. Retail and office uses shall be oriented to the street frontage. Rental offices, private gymnasiums, conference rooms, recreation areas, and other nonpublic spaces which only serve residential tenants shall not count toward the required commercial area for horizontal mixed use.

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

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

14. Senior housing and similar uses are required in the R-24 zone north of SE 240th Way.

15. The number of permanent supportive housing units and transitional housing units allowed on any given property shall be no more than the number of standard dwelling units that would be allowed under the zoning of the property (refer to 18.40.30 Table A). Each unit of permanent supportive housing or transitional housing shall be limited to occupancy by individual occupant load per square foot regardless of occupants' relation.

16. Applicants seeking required new building and land use permits for single-family development shall be required to connect to the public sewer if such connection can be made within 300 feet of the subject property. King County Board of Health Code 13.64.010, regarding corrective action for failing septic systems, as now or hereafter amended, is hereby incorporated by this reference. (Ord. O-24-831 § 1 (Exh. C); Ord. O-21-734 § 1; Ord. O-16-598 § 1(B) (Exh. B); Ord. O-12-499 § 3; Ord. O-12-490 § 3; Ord. O-11-438 § 2; Ord. O-07-351 § 5; Ord. O-03-235 § 1; Ord. O-01-169 § 1; Ord. O-00-133 § 1; Ord. O-99-109 § 1).

18.30.040 Allowed Commercial Uses by zoning district — Commercial.

A. Table.

USE	ZONING DISTRICT										
	R-4/6	R-8	R-12	R-18/24	NB ^{4, 7, 13}	CB ^{8, 9}	PUB	PRO	FCC ⁸	REC	RLTC
Adult Entertainment/Facility										P ¹	
Family Child Care Home	P	P	P	P		P					
Car Wash					C ¹²	P				P	A
Child Day Care/Adult Day Care	C	C	C	C	P	P			P	P	P
<u>Commercial Kitchen</u>						<u>P</u>			<u>P</u>	<u>P</u>	
Eating/Drinking Establishment					P	P		A ¹⁵	P	P ³	P ³
Electric Vehicle Charging Stations					P	P	P	P	P	P	P
Fueling Station – Retail					C ¹¹	P ^{6, 16}			P ¹⁶	P	
Fueling Station – Commercial										P	A
Funeral Home						P ¹⁹				P	
Hotel/Motel						P ²⁰				P	

USE	ZONING DISTRICT										
	R-4/6	R-8	R-12	R-18/24	NB ^{4, 7, 13}	CB ^{8, 9}	PUB	PRO	FCC ⁸	REC	RLTC
Medical/Dental Clinic					P	P			P	P	P
Veterinary Clinic					P ¹⁰	P			P	P	P
Self-Storage						G ¹⁸			A	P	
Office/Bank/Financial Institution					P	P			P	P	P
Graphics/Reproduction					P	P			P ⁹	P	P
Personal Services					P	P			P	P	P
Health Clubs, Fitness Centers, Spas					P ⁵	P		A ¹⁴	P	P	P
Retail – General					P ⁷	P		A ¹⁴	P	P ³	P ³
Retail – Vehicle Sales/Rental										P	
Theater/Bowling Alley/Arcade						P			P	P	P
Vehicle Repair – Major									P ¹⁷	P	A
Vehicle Repair – Minor						P			P ¹⁷	P	A
<u>Winery/Brewery</u>					<u>A</u>	<u>A/C</u>			<u>P</u>	<u>P</u>	<u>P</u>

B. Specific Requirements.

1. Adult uses are subject to the following conditions:

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

2. Reserved.

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

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

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

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

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

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

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

6. A 25-foot setback is required from gas pumps to property lines except that for Community Business zones abutting a parcel zoned R-4, R-6, R-8 or R-12 the setback shall be 50 feet.

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

8. The maximum size for an individual use in the Community Business and Four Corner Commercial zones is 200,000 square feet. Any individual use exceeding 60,000 square feet in gross floor area is considered a large commercial use and is subject to, and must comply with, the large commercial use requirements contained within MVMC 18.40.150.

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

10. Subject to the following:

a. Limited to small animals.

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

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

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

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

12. Subject to the following:

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

b. Limited to tunnel car washes.

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

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

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

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

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

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

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

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

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

f. Signage conforming to Chapter 18.50 MVMC may be located on the canopy.

g. The fueling station shall conform to the design standards contained in MVMC 18.70.040.

17. Major and minor vehicle repair is permitted on sites no larger than one acre in size. The maximum gross floor area of all uses related to vehicle repair on an individual site shall be no greater than 9,000 square feet.

18. New self-storage uses are not permitted on a parcel or parcels with frontage on Maple Valley Highway (SR-169), Kent-Kangley Rd. (SR-516), or Witte Road.

19. Funeral Homes are not allowed within 600 feet of an abutting parcel zoned R-4, R-6, R-8, or R-12.

20. Vehicular access and parking is not allowed between a hotel/motel structure in Community Business zoned parcels abutting a parcel zoned R-4, R-6, R-8, or R-12.

(Ord. O-24-831 § 1 (Exh. C); Ord. O-16-598 § 1(B) (Exh. B); Ord. O-12-499 § 4; Ord. O-12-492 § 2; Ord. O-12-490 § 4; Ord. O-11-438 § 3; Ord. 09-394 § 1; Ord. 09-391 § 1; Ord. O-09-378 § 1; Ord. O-08-362 § 1; Ord. O-07-351 § 6; Ord. O-03-235 § 1; Ord. O-02-186 § 2; Ord. O-01-154 § 1; Ord. O-01-150 § 1; Ord. O-00-143 § 2; Ord. O-00-134 § 1; Ord. O-00-133 § 1; Ord. O-99-109 § 1).

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

A. Table.

USE	ZONING DISTRICT										
	R-4/6	R-8	R-12	R-18/24	NB	CB	PUB	PRO	FCC	REC	RLTC
Construction Material Sales						P ¹				P	
Lumberyard						P ¹				P	
Heavy Equipment Sales/Storage									P	P	
Food Processing/Packaging										P	P
Hazardous Waste Disposal											
Nursery/Landscape Materials	C ^{2, 3}				<u>C^{2,3}</u>	P ¹	A ¹	A ¹	P ³	P ³	A
Light Manufacturing									P	P	P
Mineral Extraction/Processing											
Printing/Publishing						<u>P</u>			P	P	P
Warehouse/Distribution									P	P	
Welding/Fabrication									P	P	A
Winery/Brewery					A	A/G			P	P	P

B. Specific Requirements.

1. In conjunction with a permitted commercial, public or recreational use.

2. “Nursery use in single-family zones and Community Business Zones abutting parcels zoned R-4, R-6, R-8, or R-12 ~~is~~ are limited to the growing and sale of nursery stock and related materials. The storage or sale of bulk landscaping materials such as rock, dirt, and bark is prohibited in single-family and Community Business Zones abutting parcels zoned R-4, R-6, R-8, or R-12.”

3. Cannabis production and processing are not permitted. (Ord. O-24-831 § 1 (Exh. C); Ord. O-16-598 § 1(B) (Exh. B); Ord. O-12-499 § 5; Ord. O-12-490 § 5; Ord. O-11-438 § 4; Ord. O-07-351 § 7; Ord. O-03-235 § 1; Ord. O-00-133 § 1; Ord. O-99-109 § 1).

18.30.060 Allowed Community Services and Institutional Uses uses by zoning district – Community services and institutions.

A. Table.

USE	ZONING DISTRICT											
	R-4/6	R-8	R-12	R-18/24	NB ^{2,3}	CB ⁴	PUB	PRO	FCC	REC	RLTC	LEG
Religious Institution	C	C	C	C	C ⁵	C ⁵	A ⁵	A ⁵	C ⁵	C	C	
City Hall						P	P			P		
Courthouse/Jail						P	C			C		
Community College/Vocational						C	P ¹	C ¹	P	P	P	
Community/Senior Center			C	C		C	P ¹	P ¹	P	P	P	
Elementary School	C	C	C	C			P ¹	P ¹			P	
Emergency Housing						P ⁹				P ⁹		
Emergency Shelters						P ⁹				P ⁹		
Farmers Market							P					P
Fire Station	C	C	C	C	C	P	P ¹	P ¹		P	P	
Junior High/High School			C	C			P ¹	P ¹			P	
Hospital							P ¹			P	P	
Correctional Facility							C			P		
Recreational Use					P	P	P	P	P	P	P	
Library	C	C	C	C	P	P	P	P	P	P	P	
Museum							P	P	P	P	P	
Police Station						C ⁸	P ⁸		C ⁸	C	C	
Public Park, Passive	P	P	P	P	P	P	P	P	P	P	P	
Public Park, Active	C	C	C	C	P	P	P ¹	P	P	P	P	
Performing Arts Center				C			P ¹	P		P	P	
Public Transit Facilities						C	P ¹	A ⁷	P	P	P	
Utilities, Major or Regional	C	C	C	C		P	P	P	C	C	C	
Utilities, Minor or Local	P	P	P	P	P	P	P	P	P	P	P	
Municipal Public Works and Road Maintenance Facilities	C	C	C	C		C	P	C	P	P	C	
Youth Mental Health Services	P	P			P	P	P	P	P	P	P	

B. Specific Requirements.

1. Requires master plan approval.

2. Drive-through windows/facilities are limited to drugstores and banks or accessory to a food and beverage use providing in-store service with at least 500 square feet and not more than 2,000 square feet of gross floor area in the Neighborhood Business zone. One drive-through facility is allowed per contiguous NB zoning district that contains a minimum of 10,000 square feet of GLFA.

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

4. No individual use in the Community Business zone may exceed 60,000 square feet in gross floor area. Uses in the Town Center zone are limited to 100,000 square feet and shall comply with MVMC 18.40.150.

5. Religious institutions/community/senior centers with a GFA of less than 2,000 square feet do not require a Conditional Use Permit.

6. Religious institutions may be permitted accessory to an existing or allowed PUB use, but must be contained within the structures dedicated toward the primary PUB use and may not occupy separate detached facilities.

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

8. The number of temporary holding cells is limited to six.

9. Note that reasonable limitations on intensity of uses for emergency housing and emergency shelters may be provided to protect health and safety as per RCW 35A.21.430. Unless otherwise specified, emergency housing and emergency shelters shall be regulated as per comparable requirements for hotels and motels.

10. Density Bonus for Affordable Housing – Religious Properties.

a. A density bonus is allowed for any affordable housing development located on property controlled by a religious organization in all zones where residential development is permitted.

i. The maximum density permitted by the bonus shall be two additional dwelling units above the maximum allowed density for the underlying zone.

ii. Affordable housing development is defined in MVMC 18.20.020(A)(7). (Ord. O-24-831 § 1 (Exh. C); Ord. O-20-692 § 1; Ord. O-18-639 § 2; Ord. O-16-598 § 1(B) (Exh. B); Ord. O-13-545 § 2; Ord. O-12-499 § 6; Ord. O-12-492 § 3; Ord. O-12-490 § 6; Ord. O-11-438 § 5; Ord. O-10-415 § 2; Ord. O-09-392 § 1; Ord. O-09-391 § 2; Ord. O-07-351 § 8; Ord. O-03-235 § 1; Ord. O-00-133 § 1; Ord. O-99-109 § 1).

18.40.030 Densities and dimensions – Residential zones.

A. Table.

Density and Dimensional Standards	Zones					
	R-4	R-6	R-8	R-12	R-18	R-24
Maximum Density	4 du/acre	6 du/acre	8 du/acre	12 du/acre	18 du/acre	24 du/acre
Minimum Lot Width ³	30 feet	30 feet	30 feet	30 feet	30 feet	30 feet
Minimum Front Setback ²	10 feet ¹	10 feet ¹	10 feet ¹	10 feet ¹	10 feet ¹	10 feet ¹
Minimum Side Setback ^{2, 3}	5 feet	5 feet	10 feet	10 feet	10 feet	10 feet
Minimum Rear Setback ^{2, 3}	10 feet	10 feet	20 feet ⁵	20 feet ⁵	20 feet ⁵	20 feet ⁵
Maximum Height ⁴	35 feet	35 feet	35 feet	35 feet	35 feet	60 feet
Maximum Impervious Surface Coverage	55%	70%	75% ⁵	80% ⁵	80% ⁵	80% ⁵

B. Specifications.

1. At least 20 linear feet of driveway shall be provided between any garage, carport, or other fenced parking area and the street property line. The linear distance shall be

measured along the centerline of the driveway from the access point to such garage, carport or fenced area to the street property line.

2. Projections may extend into required setbacks as follows:

a. Fireplace structures, bay or garden windows, enclosed stair landings, closets, utility meters or similar architectural features may project into any setback, provided such projections are:

i. Limited to two per facade;

ii. Not wider than 10 feet; and

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

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

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

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

e. Residential accessory structures, trellises, sheds and play equipment totaling less than 200 square feet per site may be located in the required setback when:

i. Located in the rear or side setback of a pipestem or alley load lot or in rear setback of any lot other than pipestem or alley load lot; and

ii. No portion of the building or structure is located closer than 40 inches to the property line, except that roof eaves may be located no closer than 36 inches; and

iii. The total amount of all such structures on site is limited to 25 percent or less of the length of the property lines associated with the setbacks in which the structure is located; and

iv. The height of residential accessory structures, trellises, sheds and play equipment containing enclosed areas is no more than eight and one-half feet; and

v. The height of play equipment containing no enclosed areas is no more than 10 and one-half feet.

3. These standards may be modified under the provisions for zero-lot-line and townhouse developments. Interior side setbacks may be eliminated in zero-lot-line and townhouse

developments. Rear setbacks may be reduced by up to 50 percent; provided, that any portion of a structure located in the standard (prereduction) rear setback area shall not exceed a height of 15 feet. The minimum lot width for townhomes is 16 feet.

4. The maximum height allowed may be increased pursuant to incentives in MVMC 18.40.140(G)(2).

5. Single-family detached developments in R-8 through R-24 zones shall be subject to the development standards applicable to the R-6 zone (MVMC 18.30.030(B)(12)).

C. Calculating Density. The allowed density, as shown in density and dimensional tables below, represents the maximum number of dwelling units that may occupy an acre of land, exclusive of accessory dwelling units.

1. Calculations. When calculating allowed density for any given site in the City, the gross area of the site is multiplied by the allowed density per acre that applies to the zone where the site is located. The result is the maximum number of units (other than ADUs) that may occupy that site. Results that include fractional or decimal values shall be rounded down to the nearest whole number for the purposes of calculating density. (Ord. O-17-620 § 2; Ord. O-16-598 § 1(B) (Exh. B); Ord. O-07-351 § 9; Ord. O-00-133 § 1; Ord. O-99-109 § 1).

18.40.040 Densities and dimensions – Commercial zones.

A. Table.

Density and Dimensional Standards	Zones						
	Neighborhood Business	Community Business	Public	Park, Recreation, Open Space	Four Corners Commercial	Regional Employment Center	Regional Learning and Technology Center
Maximum Density	12 du/ac ¹	24 du/ac ¹	N/A	N/A	24 du/ac ¹	N/A	N/A
Minimum Street Setback ^{5, 7}	10 feet ²	10 feet ²	20 feet	20 feet	10 feet ²	10 feet ²	10 feet ²
Minimum Interior Setback ⁵	20 feet ³	20 feet ³	20 feet	20 feet	20 feet ³	20 feet ³	20 feet ³
Maximum Height ⁶	35 feet	45 feet	35 feet 85 feet ¹⁰	35 feet	45 feet	45 feet ⁸ 85 feet ⁹	45 feet ⁸ 85 feet ⁹

Density and Dimensional Standards	Zones						
	Neighborhood Business	Community Business	Public	Park, Recreation, Open Space	Four Corners Commercial	Regional Employment Center	Regional Learning and Technology Center
Maximum Impervious Surface Coverage	80%	80%	80%	80%	80%	80%	80%

B. Specific Requirements.

1. These densities are allowed only in conjunction with a permitted principal use and not for stand-alone residential development.
2. Service station pump islands shall be placed no closer than 25 feet from the right-of-way.
3. This setback is required only from property lines abutting Residential zones. No interior setback is required from property lines in Commercial zones that abut nonresidential zones. Building code and fire code setback or building separation requirements may apply.
4. Structures, or those portions of structures, within 50 feet of property lines adjoining Residential zones shall not exceed 35 feet in height. An additional 10 feet of building height may be earned through the amenity incentive system, for a total of 55 feet for buildings greater than 100 feet from property lines adjoining Residential zones.
5. Projections may extend into required setbacks as follows:
 - a. Fireplace structures, bay or garden windows, enclosed stair landings, closets, utility meters and vaults or similar architectural features may project into any setback, provided such projections are:
 - i. Limited to two per facade;
 - ii. Not wider than 10 feet; and
 - iii. Not more than 18 inches into an interior setback or 24 inches into a street setback.
 - b. Uncovered porches and decks which exceed 18 inches above the finished grade may project 18 inches into interior setbacks and five feet into the street setback.
 - c. Uncovered porches and decks not exceeding 18 inches above the finished grade may project to the property line.

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

6. The maximum height allowed may be increased pursuant to incentives in MVMC 18.40.140(G)(2).

7. Street setbacks may be reduced or modified in accordance with the commercial design standards in MVMC 18.70.030.

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

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

a. On sites of 10 acres or more; and

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

c. The required landscape buffers in MVMC 18.40.130(F)(2) shall be increased 0.25 feet (three inches) for each foot of building height exceeding 35 feet.

10. Structures dedicated to senior high school educational uses located within Public zones may be allowed up to 85 feet in height. (Ord. O-24-831 § 1 (Exh. C); Ord. O-21-734 § 1; Ord. O-16-598 § 1(B) (Exh. B); Ord. O-14-564 § 2 (Exh. A); Ord. O-12-513 § 1; Ord. O-12-499 § 7; Ord. O-12-490 § 7; Ord. O-11-440 § 1; Ord. O-07-351 § 10; Ord. O-03-235 § 1; Ord. O-00-133 § 1; Ord. O-99-109 § 1).