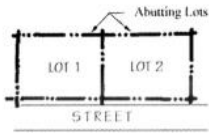


Chapter 17.06

DEFINITIONS & USE SPECIFIC REGULATIONS ¹

17.06.010 A definitions.

“Abutting” means to have boundaries that touch. When two parcels have a street or alley that runs between the two parcels, the two parcels are not abutting.



“Accessory Building” means a subordinate building, the use of which is incidental to the use of the main building on the same lot where the building shall not exceed the height of and 50 percent of the existing gross floor area of the principal or main building.

“Accessory Dwelling Unit” means a dwelling unit located on the same lot as a single-family housing unit, duplex, triplex, townhome, or other housing unit. Accessory Dwelling Units are not “Accessory Buildings” or “Accessory Uses” as defined within this Chapter. All Accessory Dwelling Units must comply with the below-listed regulations:

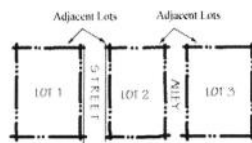
1. Accessory dwelling units may be established in or attached to a single-family, duplex, or multi-family dwelling unit(s), or in or attached to a detached structure on a legal lot by any one or by a combination of the following methods:
 - a. Alteration or conversion of interior space of a dwelling; or
 - b. Addition of attached living area onto an existing dwelling or accessory structure; or
 - c. Construction of a detached living area.
2. Not more than two (2) accessory dwelling units can be located on a legal building lot.
3. The floor area of each accessory dwelling unit shall not exceed 1,000 square feet.
4. One off-street parking space shall be provided for each accessory dwelling unit. This parking shall be in addition to other parking requirements codified within Chapter 17.84 MVMC for other uses on the same lot as the accessory dwelling unit.
5. Accessory dwelling units detached from a single-family, duplex, or multi-family dwelling unit(s) can be located on a property line abutting an alley.
6. Accessory dwelling units must be created at the same time, or following, the construction of a primary/principal use on a site in the form of a single-family detached, duplex, or multi-family residential structure(s) depending on the site zoning.

“Accessory use” means a use incidental and subordinate in area, extent and purpose to the principal use and located on the same lot or in the same building as the principal or main use served on the same lot. This does not preclude the subject property from being subdivided through a binding site plan process at the time of development, or following the development of the proposed primary and accessory uses. Construction or initiation of an accessory use shall be concurrent with the primary permitted use or following the development and/or the commencement of the primary permitted use.

“Adult Family Home” means a residential home in which a person or persons provide personal care, special care, room, and board to more than one but not more than six adults who are not related by blood or marriage to the person or persons providing the services. An adult family home may provide services to up to eight adults upon approval from the Washington State Department of Social and Health Services under RCW 70.128.066 as it is currently written and as it may be amended in the future.

1. All Adult Family Homes are required to obtain a state license in accordance with Chapter 70.128 RCW and the following:
 - a. Compliance with all building, fire, safety, health code, and city licensing requirements; and,
 - b. Conformance to lot size, setbacks, building coverage, hard surface coverage, and other design and dimensional standards of the zoning classification in which the home is located.

“Adjacent” means lots located across a public street, railroad, or right-of-way.



“Agricultural use” means:

1. The growing of crops, except marijuana;
2. The sale of products produced on the premises except marijuana; provided, that the lot area is greater than two acres; and provided, that only one sales stand, 450 square feet or less, shall be permitted; and
3. The raising of livestock, except commercial hogs; provided, that the operation conforms to all applicable health laws; and provided, that no more than one hooved animal (excluding sucklings) shall be permitted for each one-half acre lot area. In no case shall any building housing livestock be located less than 200 feet from any property line.

“Alley” see the definition of “Street” within this Chapter of the MVMC.

“Alteration” means a change or rearrangement of structural parts, or an enlargement by extension of the existing structural parts, of a building, or the moving of a building from one location to another, or any change in addition to or modification of occupancy, business, commercial, industrial or similar uses. The installation or rearrangement of partitions affecting more than one-third of a single floor area shall be considered an alteration.

Area, Building. “Building area” means the total ground coverage of a building or structure which provides shelter, measured from the outside of its external walls or supporting members or from a point four feet in from the outside edge of a cantilevered roof.

“Area median income” or “AMI,” means an income estimate developed with U.S. Census data and an inflation factor based on the Congressional Budget Office (CBO) forecast of the national Consumer Price Index (CPI). The U.S. Department of Housing and Urban Development (HUD) calculates and releases this data on a yearly basis.

Area, Site. “Site area” means the total horizontal area within the property lines.

“Average Building Elevation” means the weighted average elevation of the topography, prior to any development activity, either (1) under the footprint of a building as measured by delineating the smallest rectangle which can enclose the building footprint and then averaging the elevations taken at the midpoint of each side of the rectangle, or (2) at the center of all exterior walls of a building or structure.

“Awning” means a shelter, typically for a pedestrian walkway, that projects from and is supported by the exterior wall of a building. Awnings have noncombustible frames, but may have combustible coverings. Awnings may be fixed, retractable, folding or collapsible. Any structure which extends above any adjacent parapet or roof of a supporting building is not included within the definition of awning.

17.06.020 B definitions.

“Bakery” means a store that bakes and sells products such as: Danish, muffins, breads, cookies, cakes, and other similar products.

“Bar” or “liquor bar” means a table or counter where alcohol is stored or prepared and served to customers who sit or stand at the bar. Bars or liquor bars are in lounges or in premises where minors are not allowed at any time.

“Basement” means any floor level below the first story in a building.

“Bed and breakfast establishment” means an owner-occupied single-family residential unit which provides transient rental lodging normally limited to four guest rooms or less. Bed and breakfast establishments must comply with the below-listed requirements:

1. The structure shall be “owner-occupied” and serve as the primary residence of the owner;
2. Adequate off-street parking of one parking space per guest room plus two spaces for the owner shall be provided but shall not be in the required front yard unless it is screened and is compatible with the surrounding neighborhood;
3. The structure shall meet all city building and fire codes to protect the safety of customers;
4. Individual rooms that are rented shall not contain cooking facilities;
5. The only meal to be provided to guests shall be breakfast and it shall only be served to guests taking lodging in the facility;
6. There shall not be any other bed and breakfast establishments within a 300-foot radius;
7. The maximum number of days that a guest may stay shall be limited to 14 consecutive days. Guests may not stay more than 60 days in any one year;
8. The building structure may not be altered or remodeled to the extent that the resulting structure would be incompatible with the residential character of the neighborhood.

“Bedroom” means a room in a dwelling unit which is intended to be used primarily for sleeping, or a room which, in the judgment of the development services director, is likely to serve primarily as a room for sleeping.

“Building” means a structure having a roof supported by columns or walls used for supporting or sheltering a use of any kind.

“Building line” means the line of that face or corner or part of a building nearest the property line.

Building Site. For “building site,” see “area, site.”

17.06.030 C Definitions.

“Cafe” means a small restaurant. Also referred to as a bistro or coffeehouse.

“Card room” means a use governed pursuant to the provisions of Chapter 9.46 RCW, 1973 Gaming Act, and licensed by the Washington State Gambling Commission that is an accessory use to a permitted restaurant or drinking establishment. Card rooms shall not offer slot machine play or other table games such as blackjack, craps, or roulette. A card room is not a casino. Card rooms can be open no later than 2:00 a.m. and they are not allowed to be located adjacent to or abutting the R-1, R-2, R-3 or R-4 zoning districts.

“Caretaker’s residence” means a dwelling unit located on the site of a nonresidential use and occupied only by a caretaker or guard employed on the premises, and consisting of only one residence per permitted establishment.

Cellar. For “cellar,” see “basement.”

“Certificate of occupancy” means a document issued by the building official stating that a newly constructed use may be legally occupied.

“Child Daycare Center” means a building or structure within which an agency, person, or persons regularly provide care for a group of children for periods of less than 24 hours a day. Child day-care center include family child care homes, out-of-home child mini-day-care centers, and child day-care centers regulated by the Washington State Department of Social and Health Services.

“Church” means a building or structure, or groups of buildings or structures, which by design and construction are primarily intended for the conducting of organized religious services and accessory uses associated therewith.

“Clinic” means a building designed and used by two or more doctors for the medical, dental and surgical diagnosis and treatment of patients.

“Co-Living Housing” means a residential development with sleeping units that are independently rented and lockable and provide living and sleeping space, and residents share kitchen facilities with other sleeping units in the building. Co-Living Housing shall comply with the below-listed regulations:

1. The maximum number of co-housing sleeping units is calculated by multiplying the density allowed by the zoning district the use is located within by four (4).
2. The minimum size of co-housing sleeping units shall be that which is required under the State Building Code as it is currently written and as it may be amended in the future.
3. Off-street parking shall not be required if the use is located within ½ mile walking distance of a major transit stop.
4. Off-street parking for this use shall be calculated by multiplying the number of sleeping units by .25.

“Community association office” means a building, or portion thereof, used as an office engaged in the overall on-site management including sales and leasing, maintenance, and construction activities of the neighborhood or development in which it is located and approved as an integral part of the project.

“Community clubhouse” means a building, or portion thereof, used by residents of the neighborhood or development in which it is located for social, recreational, cultural, and educational purposes and approved as an integral part of the project.

“Conditional use” means a use which is allowed in a particular district only if approved by the hearing examiner. The conditional use permit process is described in Chapter 17.108 MVMC.

Conditional Use, Administrative. “Administrative conditional use” means a use that is approved by the development services director.

“Conference centers” means facilities where large gatherings of people converge to meet on a variety of subjects. These facilities are characterized by one large space where exhibits are set up and numerous adjoining meeting rooms. This definition excludes sports arenas, auditoriums, and exhibition halls.

“Court” means an unoccupied open space bounded on three or more sides by buildings or lot lines on which walls are permitted.

“Coverage, lot” or “lot coverage” means the percentage of the area of a lot which is built upon or covered by structures which are open and/or enclosed.

“Crops” means cultivated plants or agricultural produce, such as grain, vegetables, or fruit. Marijuana plants and marijuana products shall not be included within this definition.

17.06.040 D definitions.

“Delicatessen” means a store that sells foods that are already prepared, or require little preparation for serving, such as cooked meats, cheese, salads, and the like.

“Density” is expressed in dwelling units per acre (du/acre) and is computed by dividing the minimum lot size of a parcel of property allowed by zoning district the property is located within without rounding the answer up.

“Density for multifamily zoned developments” is computed by multiplying the total acreage of a parcel of property by the density allowed by the zoning district the property is located within without rounding the answer up.

“Detached building” means a building surrounded on all sides by open space.

“Developer” means a person, individual, corporation or partnership proposing, constructing or causing to construct improvements within the city limits. Such improvements include, but are not limited to, homes, buildings, subdivisions, streets and utilities.

Director. Unless another department head is specifically referenced, “director” shall mean the Development Services or the Community and Economic Development Director, or his/her designee.

“Drinking establishment” means a business where the primary use is dedicated to a bar or liquor bar.

Dwelling, Multifamily. “Multifamily dwelling” means a building designed to house three or more families living independently of each other. All buildings containing 10 or more (this number needs to be decided upon) multi-family dwellings shall be required to make no less than ten percent (10%) (this percent needs to be decided upon) of the overall number of dwelling units affordable housing units and shall comply with the regulations for affordable housing units codified under Chapter 17.73 MVMC.

Dwelling, Single-Family. “Single-family dwelling” means a detached dwelling unit containing but one kitchen, designed for and occupied exclusively by one family and the household employees of that family.

Dwelling, Two-Family or Duplex. “Two-family dwelling” or “duplex” means a building containing two one-family dwellings attached by a common wall, and designed to be occupied by two families living independently of each other.

“Dwelling unit” means a building or portion thereof providing complete housekeeping facilities for one family.

Dwelling Unit, Detached. “Detached dwelling unit” means a dwelling unit that is not attached or physically connected to any other dwelling unit or other use.

17.06.050 E definitions.

Elderly – Adult Residency Requirement. “Elderly” means that an adult residency requirement is in place that specifies that no person shall reside in a dwelling unit specified as “specialized housing units for the elderly” unless such a person is 55 years of age or older, or the spouse of a resident adult.

“Electrical distribution substation” means an assembly of equipment designed to receive energy from a high-voltage distribution supply system, to convert it to a form suitable for local distribution, and to distribute the energy to feeders through switching equipment designed to protect the service from the effects of faults.

“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.

“Essential public facility” (EPF) means any public facility or facilities owned or operated by a unit of local or state government, public or private utility, transportation company, or any other entity that provides a public service as its primary mission, and is difficult to site. EPFs include those facilities listed in RCW 36.70A.200.

“Emergency shelter” means temporary indoor accommodations providing 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.

17.06.060 F definitions.

“Family” means two or more persons related by blood, marriage, domestic partnership, or adoption including foster children and exchange students. For the purposes of this definition, and notwithstanding any other provision of this code, children with familial status within the meaning of 42 U.S.C. 3602(k), and persons with handicaps within the meaning of 42 U.S.C. 3602(h), will not be counted as unrelated persons.

“Fence” means an artificially constructed barrier of any material or combination of materials erected to enclose, screen, or separate areas, excluding vine arbors and trellises used for landscaping purposes and approved by the building department.

“Floor area” means the sum of the gross horizontal areas of the floors of a building or buildings, measured from the exterior faces of exterior walls and from the centerline of division walls. “Floor area” includes: basement space, elevator shafts and stairwells at each floor, mechanical equipment rooms or attic spaces with headroom of seven feet six inches or more, penthouse floors, interior balconies and mezzanines, and enclosed porches. “Floor area” does not include: accessory water tanks and cooling towers, mechanical equipment or attic spaces with headroom of less than seven feet six inches, exterior steps, terraces, breezeways and open spaces.

17.06.070 G definitions.

Garage, Parking Commercial or Public. “Commercial or public parking garage” means a building or structure which may be located above or below ground, with stalls accessed via interior aisles, and used for temporary storage of motor vehicles. Structured parking can be a stand-alone use or a part of a building containing other uses. This definition excludes commercial or public surface parking, RV storage, the long-term parking or storage for any motor vehicle, and park and ride facilities.

Garage, Private. “Private garage” means a sheltered or enclosed space designed and used for the storage of motor vehicles, boats, or household items of the occupants of the principal building(s) of the lot the private garage is located on. A private garage can be attached to another building or detached. When a private garage is detached from a primary use just one (1) shall be permitted on a lot.

“Gardening” means to lay out, cultivate or tend to a plat of ground where flowers, shrubs, vegetables, or fruits are grown for personal use. This term does not allow growing of marijuana in any form.

“Gas station” means any area of land, including the structures thereon, that is used for the sale of gasoline or other motor fuels, oils, lubricants and auto accessories, and which may or may not include washing, lubricating and other minor servicing, but no painting operation.

“Grade” means the lowest point of elevation of the finished surface of the ground, paving, or sidewalk within the area between the building and the property line, or when the property line is more than five feet (5') from the building, between the building and a line five feet (5') from the building.

“Greenhouse” means a structure, or portion of a structure, made primarily of glass or other translucent material, for which the primary purpose is the cultivation or protection of plants

“Group home” means a residence for the handicapped, physically, mentally or developmentally disabled, homeless, or otherwise dependent persons. Group homes are intended to provide residential facilities in a home-like environment. Such homes range from licensed establishments operated with 24-hour supervision to non-licensed facilities offering only shelter. They shall not include correctional facilities, nursing homes, Type III group care facilities, emergency housing, emergency shelter, permanent supportive housing, or adult family homes as defined within this Chapter of the Mount Vernon Municipal Code and by the Washington State Department of Social and Health Services or its successor agency.

17.06.080 H definitions.

(This definition needs additional research and an updated definition will be provided with the next revision)

“Height, Building” or “Building Height” means the vertical distance measured from the finished grade to:

- the highest point of the roof for flat roofs,
- the deck line of mansard roofs, or
- the mean height between eaves and ridge for gable, hip and gambrel roofs.

If a structure has none of the above roof features, then height shall be measured from finished grade to the highest portion of the structure.

1. Vents and chimneys on detached dwelling units may exceed the maximum height limit.
2. Skylights may exceed the height limit by a maximum of six (6)-inches.
3. Solar panels on roofs with less than 2:12 pitch may exceed the height limit by a maximum of six (6)-inches
4. Radio tower and antenna structure use by a noncommercial, licensed amateur operator so long as a reasonable effort is made to minimize the radio tower and antenna structure visibility from adjacent properties while still permitting effective operation, they do not extend higher than reasonably necessary to operate effectively, and they do not physically interfere with nearby utility lines.

Hogs, Commercial. “Commercial hogs” means more than one sow, one boar and their one-year-old litter.

“Home Occupation” means limited commercial activity incidental and accessory to the residential use of a dwelling unit. Additional regulations for home occupations are codified within Chapter 17.96 MVMC.

“Hospital” means a building designed and used for the medical and surgical diagnosis, treatment and/or housing of persons under the care of doctors and nurses. This would include kidney centers, cancer centers, and outpatient treatment clinics associated with surgical centers. Specialized housing units for the elderly, convalescent homes, rehabilitation centers and clinics are not included within the definition of a “hospital.”

“Hotel” means a building or portion thereof designed or used by guests for the transient rental of five or more units for sleeping purposes for less than thirty consecutive days. A central kitchen and dining room and accessory shops and services catering to the general public can be provided. Not included are institutions housing persons under legal restraint or requiring medical attention or care, or structures occupied by tenants used primarily for living or dwelling purposes.

“Housing of Small Animals” means an accessory building used for the housing of small animals or fowl shall not exceed 36 square feet in floor area when located on a minimum lot and neither the building nor the fenced area for their roaming shall be closer than 25 feet to a property line, except by the recorded agreement of adjacent owners; provided, however, that MVMC 6.14.013 shall govern the requirements for housing of chickens. The keeping of mink, goats, foxes or hogs is prohibited.

17.06.090 I definitions.

Reserved.

17.06.100 J definitions.

“Junkyard” means a lot, land or structure, or part thereof, used for the collection, storage and sale of wastepaper, rags, scrap metal or discarded material; or for the collecting, dismantling, storage, salvaging or sale of parts of machinery or vehicles not in running condition

17.06.110 K definitions.

Kennel. More than three dogs constitute a “kennel.” (Two dogs and an unweaned litter do not constitute a kennel.)

17.06.120 L definitions.

“Lot Coverage” see Coverage, Lot.

“Level of service” or “LOS” means a minimum standard established by the city of Mount Vernon to ensure the adequacy and safety of the various public services (utilities and drainage) facilities and infrastructure (i.e., utilities, streets and drainage) to accommodate anticipated utilization.

“Live-work building” means a building used jointly for commercial and residential purposes. The residential use shall be limited to one dwelling unit per leasable commercial space and the dwelling unit within the building shall be the primary dwelling of the person(s) operating the commercial use.

“Lot” see the definition of such found within Chapter 16.04 MVMC.

Lot, Corner. “Corner lot” means a lot at the junction of and fronting on two or more intersecting streets. The minimum width of both property lines that abut a street shall be 60 feet.

“Lot depth” means the mean dimension of the lot from the front street line to the rear line.

Lot, Flag. “Flag lot” means a lot with access to a road only by a private accessway. The entire length of the private accessway of a flag lot shall be no less than 20 feet in width. The entire length of the private accessway shall not be included in calculating the minimum lot area.

Lot, Interior. “Interior lot” means a lot fronting on one street.

Lot, Through. “Through lot” means a lot fronting on two streets.

“Lot width” means the dimension of the lot line at the street; or in an irregular shaped lot, the dimension across the lot at the building line; or in a corner lot, the narrow dimension of the lot at a street or building line.

17.06.130 M definitions.

“Major transit stop” means:(a) A stop on a high capacity transportation system funded or expanded under the provisions of chapter 81.104 RCW, except for any stop that solely serves express bus service or serves express bus service and other bus services not otherwise meeting the definition of major transit stop; (b) Commuter rail stops; (c) Stops on rail or fixed guideway systems; or (d) Stops on bus rapid transit routes, including those stops that are under construction.

“Manufactured home” means a home required to be titled under RCW Title 46, which has not been previously titled to a retail purchaser, and is not a “used home.” A used home is defined as a home that has been previously sold at retail and has been subjected to tax under Chapter 82.08 RCW, or which has been previously used and has been subjected to tax under Chapter 82.12 RCW, and which has substantially lost its identity as a manufactured home unit at the time of sale by virtue of its being fixed in location upon land owned or leased by the owner of the home and placed on a foundation (posts or blocks) with fixed pipe connections with sewer, water, and other utilities. Manufactured homes shall be set upon a permanent foundation as specified by the manufacturer. A permanent foundation is defined as a slab or strip footings. The space from the bottom of the home to the ground shall be enclosed by concrete or an approved concrete product, which can be either load bearing or decorative. The home shall be thermally equivalent to the State Energy Code, shall comply with all local design and development standards applicable to all other homes within the neighborhood in which it is to be located, and shall meet all other requirements for a designated manufactured home as defined in RCW 35.63.160.

“Market” means a small-scale business selling a limited selection of goods and merchandise including, but not limited to, groceries, wares, or prepared food.

“Master plan” is intended to show how proposed development will comply with the development standards in the applicable zoning. It also is intended to show compatibility of development within the master plan area, and compatibility of anticipated uses in areas adjacent to and abutting the master plan area. It provides long-term guidance for a smaller area than a conceptual redevelopment plan, but a larger area than a detailed site plan.

“Mean depth” means the depth of such lot measured on a line approximately perpendicular to the fronting street and midway between the side lines of such lot.

“Mini-storage facility” means a building or group of buildings in a controlled access and fenced compound that contains varying sizes of individual compartmentalized and controlled-access stalls or lockers for the dead storage of customers’ goods or wares.

“Middle housing” means buildings that are compatible in scale, form, and character with single-family houses and contain two or more attached, stacked, or clustered homes including duplexes, triplexes, fourplexes, fiveplexes, sixplexes, townhouses, stacked flats, courtyard apartments, and cottage housing. Each of the housing types identified herein are further defined as follows *(additional regulations regarding each of the middle housing types will be added, if needed, before the next version is distributed to the PC and CAC)*:

“Duplex” means a residential building with two attached dwelling units.

“Triplex” means a residential building with three attached dwelling units.

“Fourplex” means a residential building with four attached dwelling units.

“Fiveplex” means a residential building with five attached dwelling units.

“Sixplex” means a residential building with six attached dwelling units.

“Townhouse” means buildings that contain three or more attached single-family dwelling units that extend from foundation to roof and that have a yard or public way on not less than two sides.

“Stacked Flat” means dwelling units in a residential building of no more than three stories on a residential zoned lot in which each floor may be separately rented or owned.

“Courtyard Apartment” means attached dwelling units arranged on two or three sides of a yard or court.

“Cottage Housing” means residential units on a lot with a common open space that either: (a) Is owned in common; or (b) has units owned as condominium units with property owned in common and a minimum of 20 percent of the lot size as open space.

“Mixed use building” means a building that contains at least one floor devoted to nonresidential uses allowed within the zone the building is located within and at least one floor devoted to residential uses allowed within the zone the building is located within.

“Mobile food van and espresso stand” means a vehicular-type unit designed for the preparation and dispensing of food and drink products, which either has its own motive power or is mounted on or drawn by another vehicle.

“Mobile home” means a factory-built structure, transportable in one or more sections, built on a chassis and designed to be a dwelling without a permanent foundation, that was constructed prior to the enactment of the National Manufactured Home Construction and Safety Standards Act of 1974. This definition does not include recreational vehicles or manufactured homes.

Modular Home. See definition of “Manufactured home”.

“Modulation” means the recessing back or projecting forward of a portion of a building face or roof within specified intervals of building width and depth, as a means of breaking up the apparent bulk of the building’s continuous exterior walls.

“Multi-Family Dwelling without Ground-Floor Residential Units” means “Multi-Family Dwelling” within this Chapter under MVMC 17.06.040 not having ground floor residential units.

“Municipal Parks and playgrounds” means a combination playground and park areas designed primarily for non-supervised, nonorganized recreation activities that are less than ½ acre in size and are owned and maintained by the City of Mount Vernon.

17.06.140 N definitions.

“Neighborhood convenience use” means a use that is clearly intended for convenient, daily use by residents of the surrounding neighborhood, including uses such as a beauty shop, barbershop, grocery store, delicatessen, dry cleaning, pharmacy, laundry pickup or bakery for sale of products only and excluding sale of gasoline or other automobile-related products.

“Nonconforming building” means a building or structure which does not conform in its construction, area, yard requirements or height to the regulations of the district in which it is located.

“Nonconforming building use” means the use of a building or structure which does not conform to the regulations of the district in which the use exists.

“Nonconforming land use” means the use of land which does not conform to the regulations of the district in which the use exists.

17.06.150 O definitions.

“Office use” means a place of employment providing services other than production, distribution or sale or repair of goods or commodities. The following is a nonexclusive list of office uses: medical, dental or other health care; veterinary, accounting, architectural, engineering, consulting or other similar professional services; management, administrative, secretarial, marketing, advertising, personnel or other similar personnel services; sales offices where no inventories or limited goods are available on the premises, real estate, insurance, travel agent, brokerage or other similar services. The following uses are specifically excluded from the definition of office: banks, loan companies and similar financial institutions.

“Open space” means land that is reserved for recreational purposes or for the preservation of particular vegetative or topographic features. Such land shall not include buildings, streets, drives or parking areas.

“Common” open space is that which is reserved for use by the residents of a neighborhood or development. “Private” open space is that reserved for use by residents of individual dwellings and is not part of “common” open space. “Usable” open space are those areas which have appropriate topography, soils, drainage and size to be considered for development as active and passive recreation areas for all residents within the development. Detention areas may be considered under this category providing the design of the area incorporates enhancement features making the detention area an amenity. Recreational facilities such as playground equipment, ball fields, court games, picnic tables, pedestrian and bike trails, garden areas, and enhanced stream corridors may be considered as meeting part of the open space requirement. Facilities and equipment developed as usable open space shall meet the minimum requirements of the Consumer Product Safety Guidelines for Public Playgrounds and the American Society for Testing and Materials F1487. Chapter 17.69 MVMC provides detailed definitions of open space types for PUDs and shall be referred to for open space compliance for PUDs. Chapter 17.70 MVMC provides detailed definitions of open space types when design review is necessary, and shall be referred to for open space compliance for design review.

“Oriented” means facing or directed toward.

“Outdoor or outside storage” means any material, including items for storage or sale, lease, processing and repair (including vehicles), not in an enclosed structure.

17.06.160 P definitions.

“Parcel” see the definition of “Lot” within this Chapter of the MVMC.

“Park” means a tract of land, designated and used by the public for active and passive recreation.

“Park and ride” means a surface parking lot or structured parking garage used for parking of vehicles for commuters using any form of transit or ridesharing. This definition excludes commercial or public surface parking and commercial or public structured parking garages.

Park, Community/Regional. “Community/regional park” means a park that is larger than neighborhood parks, these are designed for organized activities and sports, although individual and family activities are also encouraged. Where there are no neighborhood parks, the community or regional park can serve this function. Larger parks often include one specific use or feature that makes the park unique. This definition includes but is not limited to community and regional parks as defined by the city of Mount Vernon parks plan, trails for nonmotorized travel, and accessory uses normal and incidental to parks.

Park, Neighborhood. “Neighborhood park” means a combination playground and park designed primarily for non-supervised, nonorganized recreation activities. They are generally small in size. This definition includes but is not limited to community gardens and other accessory uses normal and incidental to parks.

“Parking space” means an off-street space used to temporarily park a motor vehicle and having access to a public street or alley.

Parking, Surface, Commercial or Public. “Surface, commercial or public parking” means open lots or grounds with at-grade parking improvements. This definition excludes commercial and public structured parking garages, RV storage, the long-term parking or storage for any motor vehicle, and park and rides.

“Permanent supportive housing” means housing that is subsidized, leased housing 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 “Permitted use” means any use authorized or permitted alone or in conjunction with another use in a specified district and subject to the limitations of the regulations of such use district 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 chapter 59.18 RCW.

“Permitted use” means any use authorized or permitted alone or in conjunction with another use in a specified district and subject to the limitations of the regulations of such use district.

“Personal services” means establishments primarily engaged in providing services involving the care of a person or his or her personal goods or apparel, i.e., laundry, including cleaning and pressing service, linen supply, diaper service, beauty shops, barbershops, shoe repair, steam baths, reducing salons and health clubs, clothing rental, locker rental, porter service, and domestic services.

“Planned unit development (PUD) density” or “density” when used in the context of a residential PUD shall be expressed in dwelling units per acre (du/acre), and shall be computed the same way that density for standard or short subdivisions are. See the definition for “Density” within MVMC 17.06.040.

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

“Play structure” means a facility or structure intended for play and enjoyment by children. These structures should contain elements such as: slides, balance features, swings, climbing features and/or other enjoyable elements, and may include natural elements such as rocks, logs, or stumps safely installed, anchored and arranged in such a manner as to create a play space for enjoyment by children.

1. Play structures shall not be located within the minimum front yard or street setback.

“Playhouse” means a one-story detached residential structures used for play and enjoyment by children that have a gross floor area not exceeding 120 square feet.

1. Playhouses shall not be located within the minimum front yard or street setback.

“Primary use” or “principal use” means the principal use of a property, structure or building, and is the main or principal activity for which the property is designed and used. A primary use shall utilize over 50 percent of the gross building and lot area.

17.06.170 Q definitions.

Reserved.

17.06.180 R definitions.

“Raising Livestock” means the care of livestock as defined within Revised Code of Washington 16.36.005 as it is currently written and as it may be amended in the future. Following are additional regulations for raising livestock:

1. Raising commercial hogs is not allowed.
2. Those operations raising livestock shall conform to all applicable health laws.
3. No more than one hoofed animal (excluding sucklings) shall be permitted for each one-half acre of lot area.
4. In no case shall any building housing livestock be located less than 200 feet from any property line.
5. Roaming animals shall be securely fenced.

Recreation, Active. “Active recreation” means leisure-time activities, usually of a formal nature and often performed with others, requiring equipment and taking place at prescribed places, sites, or fields. Includes golf, swimming, tennis and other court games, skateboard facilities, baseball, football, soccer and other field sports, track and playground activities.

Recreation, Passive. “Passive recreation” means activities that involve relatively inactive or less energetic activities, such as walking, hiking, biking, sitting, picnicking, card games, chess, checkers, and similar table games, open space and critical areas for nature walks and observation.

“Recreational vehicle” means a vehicular-type unit, built on a single chassis, designed as temporary living quarters for recreational, camping or travel, which either has its own motive power or is mounted on or drawn by another vehicle.

“Recreational vehicle park” means a development providing rental spaces for occupancy by recreational vehicles together with certain accessory buildings and uses provided for the benefit and enjoyment of the park.

“Religious organization” means the federally protected practice of a recognized religious assembly, school or institution that owns or controls real property.

“Reverse corner lot” means a corner lot, the rear of which abuts the side of another lot.

17.06.190 S definitions.

“Sale of products produced on Premises” means the sale of products allowed to be produced on property zoned Residential Agricultural (R-A). This use is subject to the below-listed additional regulations:

1. The lot area of the subject site shall greater than two acres.
2. Only one sales stand that is 300 square feet or less, shall be permitted.
3. Marijuana and marijuana products shall not be permitted to be produced or sold on the property.

“School” means any building or part thereof which is licensed by the state and is designed, constructed, or used for elementary and secondary education.

“Secure community transition facility” (SCTF) means, under RCW 71.09.020, a residential facility for persons civilly committed and conditionally released to a less restrictive alternative under Chapter 71.09 RCW. A secure community transition facility has supervision and security, and either provides or ensures the provision of sex offender treatment services. Secure community transition facilities include but are not limited to the facility established pursuant to RCW 71.09.250 and any community-based facilities established under this chapter and operated by the Washington State Secretary of Social and Health Services or under contract with the Secretary.

“Setback” means the horizontal distance from the property line of the lot, or street or vehicular access easement or tract, to the building line of the structure.

“Shed” means a small, single-story building used to store tools or other household items. Sheds shall comply with the below-listed regulations:

1. The total building area shall be no more than 120 square feet.
2. It shall not exceed the height of any primary structure on the site.
3. It must be located in the rear yard and is required to maintain a minimum five-foot setback from all property lines and all other structures.
4. It cannot have a permanent heat source.
5. It cannot be a space that is slept in.
6. It is not allowed in critical areas or their associated buffers regulated under Chapter 15.40 MVMC.
7. Only one (1) shall be permitted on a lot.

“Sight-obscuring” is an adjective applied to a fence or wall meaning that the view from outside the subject property is substantially blocked by an opaque construction such as abutting wood boards or masonry.

“Sign” means any commercial communication device, structure or fixture, visible from a public right-of-way and using graphics, pictures, symbols or written copy that is intended to aid an establishment or business in promoting the sale of a product, goods or services. For the purpose of this title, a sign shall not be considered to be building or structural design, national flags or flags of political subdivisions, symbolic flags or insignias of an institution, point of purchase product dispensers, holiday decorations, gravestones, historical site plaques, holiday displays, works of art, murals, and supergraphics as defined in Chapter 17.87 MVMC, that contain no sign copy.

“Special uses” means certain uses which because of special requirements, unique characteristics, or infrequent occurrence may be allowed in certain use districts only if approved by the hearing examiner or city council, pursuant to the criteria and procedures established in this title.

“Specified anatomical areas” means both of the following:

1. Less than completely and opaquely covered:
 - a. Human genitals, pubic region;
 - b. Buttock;
 - c. Breast below a point immediately above the top of the areola;
2. Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

“Specified sexual activities” means all of the following:

1. Human genitals in a state of sexual stimulation or arousal;
2. Acts of masturbation, sexual intercourse, or sodomy;
3. Fondling or other erotic touching of human genitals, pubic region, buttock, or breast.

“STEP Housing” is Emergency Housing, Emergency Shelters, Permanent Supportive Housing, and Transitional Housing as defined in this chapter.

1. The purpose of the STEP Housing provisions is to:
 - a. Support housing stability and individual safety for those experiencing or who are close to experiencing homelessness;
 - b. Ensure that housing is accessible to all economic segments of the population;
 - c. Ensure compliance with the State of Washington’s Growth Management Act;
 - d. Support the implementation of the City’s comprehensive plan; and,
 - e. Protect the health, safety and welfare of the individuals served by these use types and the broader community.
2. Development standards.
 - a. Parking and other development standards are subject to the least restrictive and most similar land use in the respective zone, consistent with RCW 124 36.130.020.
3. Permitting.
 - a. No construction permit or occupancy permit for any structure or other improvements for STEP Housing can be issued by the City until a permit for the unit or development is approved pursuant to Chapter 14.05 MVMC.

Storage, Indoor. “Indoor storage” means a use engaged in the storage of goods and/or materials characterized by infrequent pick-up and delivery, and located within a building. The definition excludes hazardous material storage, self-service storage, warehousing and distribution.

Storage, Outdoor. “Outdoor storage” means a use engaged in outdoor storage, wholesale sales, rental, and distribution of products, supplies, and equipment. This definition excludes hazardous material storage, and warehousing and distribution.

“Story” means that portion of a building including between the upper surface of any floor and the upper surface of the floor 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 under-floor space is more than six feet above grade, as defined in this chapter, for more than 50 percent of the total perimeter, or is more than 12 feet above grade at any point, such basement, cellar or unused under-floor space shall be considered as a story.

“Street” see the definition of such found within Chapter 16.04 MVMC.

“Structure” means a combination of materials constructed and erected permanently on the ground or attached to something having a permanent location on the ground. Not included are mobile homes, recreational vehicles (e.g., motor homes, travel trailers, fifth wheel trailers, popup trailer, or truck camper), residential fences, retaining walls less than three feet in height, rockeries and similar improvements of a minor character.

“Swimming pool and/or hot tubs, Private” means any swimming, wading, spa or spray pool maintained by an individual, the use of which is confined to members of his/her family or invited guests.

17.06.200 T definitions.

“Tiny house” and “tiny houses on wheels” means dwellings to be used as permanent housing with permanent provisions for living, sleeping, eating, cooking and sanitation built in accordance with the state building code.

“Tiny shelters” means temporary shelters that do not have the amenities of a single dwelling unit and rely on shared facilities for dining, laundry and bathrooms. The structure may or may not be on a foundation.

“Townhouse” or “townhouse style units” means a one-family, ground-related dwelling attached to one or more such units in which each unit has its own exterior, ground-level access to the outside, no unit is located over another unit, and each unit is separated from any other unit by one or more vertical common walls. The common wall that separates the units shall have no doors, windows, or other provisions for passage or visibility. Typically the units are multistory. Townhomes shall consist of not more than a series of five attached units when developed within the R-2 district.

“Transitional housing” means a project providing indoor housing and supportive services to homeless persons or families and that has as its purpose facilitating the movement of homeless persons and families into independent living, generally in less than two years.

“Tract” see the definition of “Lot” within this Chapter of the MVMC.

17.06.210 U definitions.

“Unit density” means the number of dwelling units allowed on a lot, regardless of lot size.

17.06.220 V definitions.

Reserved.

17.06.230 W definitions.

“Warehouses and distribution and wholesale uses” means uses engaged in short-term storage in preparation for rerouting, reshipment, or distribution of manufactured products, supplies, and equipment. This could include a use in connection with an industrial activity where incoming and outgoing shipments are a continuing operation. This use excludes hazardous material storage, indoor storage, outdoor storage, self-service storage, mini-storage, and vehicle storage.

17.06.240 X definitions.

Reserved.

17.06.250 Y definitions.

“Yard” means an unoccupied space, open to the sky, on the same lot with a building or structure.

Yard, Allowed Projections Into. The following may project into required yard setbacks subject to the provisions of the applicable Building Code:

1. Covered porches and entries may project up to five (5) feet into required front and rear setbacks.

2. Balconies and bay windows may project up to three (3) feet into required front and rear setbacks.
3. Fireplace structures, bay windows, garden windows, enclosed stair landings, closets, framed fireplace shafts or similar items may project no more than 18-inches into required front and rear setbacks.
4. Uncovered porches and platforms which do not extend above the floor level of the first floor may project up to six (6) feet into the front yard and rear yard;
5. The eaves of a structure may project up to 24-inches into required front and rear setbacks.

Yard, Front. “Front yard” means an open, unoccupied space extending from the street right-of-way or easement line to the nearest point of a roofed building on the lot and including the full width of the lot to its side lines.

Yard, Rear. “Rear yard” means an open, unoccupied space extending from the rear lot line to the nearest point of the roofed main building on the lot and including the full width of the lot to its side lines.

Yard, Side. “Side yard” means an open, unoccupied space extending from the front yard to the rear yard and from the nearest point of the roofed main building to the side lot line.

¹ Once all of the definitions for Title 17 are listed additional reference information will be added and cross-referenced, in full, within the use Tables in each of the zoning designations in this Title. Use specific dimensional requirements need to be added to some non-residential uses within this Chapter. Definitions for Nursing Homes and Assisted Living Facilities need to be added to this Chapter and the zoning districts herein.

R-A RESIDENTIAL AGRICULTURAL DISTRICT

Sections:

17.12.005 Intent and Purpose

17.12.010 Permitted, Accessory and Conditional Uses

17.12.015 Dimensional Requirements

17.12.020 Design, Parking, Landscaping and Sign Requirements

17.12.005 Intent and Purpose

The intent of this chapter is to provide for uses and activities more rural in character than those found in more concentrated, urban residential neighborhoods. Properties zoned R-A that do not have an associated comprehensive plan designation of agricultural (AG) shall be rezoned to be consistent with their existing comprehensive plan designation when a development project for anything other than one single-family house or an accessory use per lot is proposed.

17.12.010 Permitted, Accessory and Conditional Uses

Use Table 17.12.010A, below, determines whether a use is allowed in the R-A zoning district. Instructions for using this table follow:

- A. Where the letter “P” appears in this Table the subject use is permitted. Permitted uses are those that are not Accessory Uses, do not require a Conditional Use Permit.
- B. Where the letter “A” appears in the use table the subject use is an accessory use. Accessory uses are those that are required to meet the standards for Accessory uses but do not require a Conditional Use Permit.
- C. Where the letter “C” appears in the use table the subject use is allowed with approval of a Conditional Use Permit.
- D. Where the letter “X” appears in the use table, the subject use is prohibited in the R-A zone.
- E. The “reference” column in the use table contains code citations containing additional regulations regarding the identified uses.

Use Table 17.12.010A, below, determines whether a use is allowed in the residential districts included in this Chapter.

Table 17.12.010A Permitted Principal, Accessory and Conditional Uses

Uses	USE TYPES	Reference & Additional Requirements
Accessory Dwelling Units	A	MVMC 17.06.010
Animal and Implement Barns, Silos, Sheds and other Similar Buildings needed for agricultural activities	P	
Adult Family Home	P	MVMC 17.06.010

Bed and Breakfast	C	MVMC 17.06.020 MVMC 17.108
Child Daycare Center	P	MVMC 17.06.030
Emergency Housing (STEP Housing)	P	MVMC 17.06.050
Emergency Shelters (STEP Housing)	P	MVMC 17.06.050
Garage, Private	A	MVMC 17.06.070
Gardening and Fruit Raising	A	MVMC 17.06.070
Greenhouse	A	MVMC 17.06.070
Group Home	P	MVMC 17.06.070
Growing of Crops Except Marijuana in any Form	P	
Home Occupations	A	MVMC 17.06.080 MVMC 17.96
Housing of Small Animals	A	MVMC 17.06.080
Kennels	C	MVMC 17.06.110 MVMC 17.108
Manufactured Home	P	MVMC 17.06.130
Middle housing - a maximum of two (2) dwelling units on existing lots 1,000 sf or larger	P	MVMC 17.06.130
Middle housing - a maximum of four (4) dwelling units when located within ½ mile of major transit or when at least one (1) affordable housing units is provided on existing lots 1,000 sf or larger	P	MVMC 17.06.130
Municipal Parks and Playgrounds	P	MVMC 17.06.130
Permanent Supported Housing (STEP Housing)	P	MVMC 17.06.160
Play structures or playhouses	A	MVMC 17.06.160
Raising livestock,	P	MVMC 17.06.180
Sale of Products Produced on Premises	P	MVMC 17.06.190
Single-Family Dwelling	P	MVMC 17.06.040
Shed	A	MVMC 17.06.190
Swimming Pool and/or Hot Tub, Private	A	MVMC 17.06.190
Transitional housing (STEP Housing)	P	MVMC 17.06.200

17.12.015 Dimensional Requirements

Table 17.12.015A Dimensional Standards in the R-A Zoning District

DIMENSIONAL REQUIREMENTS	
Lot Coverage	
Maximum Lot Coverage	35%
Setbacks ¹	
Minimum Front and Street Setback abutting a Principal or Minor Arterial	35 feet
Minimum Front and Street Setback	30 feet
Minimum Side Setback	10 feet
Minimum Rear Setback	20 feet
Building Height	
Minimum Building Height	35 feet

¹See MVMC 17.06.250 for additional regulations regarding allowed projections into setbacks.

17.12.020 Design, Parking, Landscaping and Sign Requirements

- A. Design Standards shall be required pursuant to the terms of Chapter 17.70 MVMC
- B. Parking shall be required pursuant to the terms of Chapter 17.84 MVMC.
- C. Landscaping shall be required pursuant to the terms of Chapter 17.93 MVMC.
- D. Dumpsters shall be required pursuant to the terms of Chapter 17.85 MVMC.
- E. Signs shall be required pursuant to the terms of Chapter 17.87 MVMC.

Chapter 17.15
R-1 SINGLE-FAMILY DETACHED RESIDENTIAL DISTRICT

Sections:

- 17.15.005 Intent and Purpose
- 17.15.010 Subdistricts
- 17.15.015 Permitted, Accessory and Conditional Uses
- 17.15.020 Dimensional Requirements
- 17.15.025 Design, Parking, Landscaping and Sign Requirements

17.15.005 Intent and Purpose

The intent of this chapter is to provide for single-family residential housing in neighborhoods of varying densities.

17.15.010 Subdistricts

District R-1 is further subdivided into districts as provided in the following table.

(Please note maximum density has been removed from this table and has been replaced with Minimum Lot Sizes previously permitted versus the lot sizes associated with the previous maximum densities. For example in the R-1, 4.0 the existing code requires a maximum density of 4.54 dwelling units per acre which would be a 9,600 sf lot versus the 7,500 sf lot identified in the table below)

Table 17.15.010A Subdistricts

ZONING DESIGNATION	COMPREHENSIVE PLAN DESIGNATION	MINIMUM LOT SIZE ¹
R-1, 7.0 Single-Family Residential	High Density Single-Family (SF-HI)	4,500 square feet
R-1, 5.0 Single-Family Residential	High Density Single-Family (SF-HI)	6,000 square feet
R-1, 4.0 Single-Family Residential	Medium Density Single-Family (SF-MED)	7,500 square feet
R-1, 3.0 Single-Family Residential	Medium Density Single-Family (SF-MED)	9,000 square feet

¹ The zones within the table above are all authorized through Chapters [17.73](#), Regulations to Encourage Affordable Housing 17.69, Planned Unit Development, and 17.119 MVMC, Transfer or Purchase of Development Rights, to decrease the minimum lot sizes identified in the table above.

17.15.015 Permitted, Accessory and Conditional Uses

Use Table 17.10.020A, below, determines whether a use is allowed in the identified zoning districts included in this Chapter. Instructions for using this table follow:

- A. Where the letter “P” appears in this Table the subject use is permitted. Permitted uses are those that are not Accessory Uses, do not require a Conditional Use Permit.
- B. Where the letter “A” appears in the use table the subject use is an accessory use. Accessory uses are those that are required to meet the standards for Accessory uses but do not require a Conditional Use Permit.
- C. Where the letter “C” appears in the use table the subject use is allowed with approval of a Conditional Use Permit.
- D. Where the letter “X” appears in the use table, the subject use is prohibited in the residential zones.
- E. The “reference” column in the use table contains code citations containing additional regulations regarding the identified uses.

Use Table 17.15.015A Uses Permitted in the Identified Subdistricts

USES	ZONING SUBDISTRICTS				REFERENCE & ADDITIONAL REQUIREMENTS
	R-1, 7.0	R-1, 5.0	R-1, 4.0	R-1, 3.0	
Accessory Dwelling Units	A	A	A	A	MVMC 17.06.010
Adult Family Home	P	P	P	P	MVMC 17.06.010
Bed and Breakfast	C	C	C	C	MVMC 17.06.020 & MVMC 17.108
Community clubhouses and/or association offices serving the immediate neighborhood	C	C	C	C	MVMC 17.06.030 & MVMC 17.108
Co-Living Housing	P	P	X	X	MVMC 17.06.030
Church	C	C	C	C	MVMC 17.06.030 & MVMC 17.108
Child Daycare Center	P	P	P	P	MVMC 17.06.040
Emergency Housing (STEP Housing)	P	P	P	P	MVMC 17.06.050 & MVMC 17.108
Emergency Shelters (STEP Housing)	P	P	P	P	MVMC 17.06.050 & MVMC 17.108
Garage, Private	A	A	A	A	MVMC 17.06.010 & MVMC 17.06.070G
Gardening and Fruit Raising	P	P	P	P	
Greenhouse	A	A	A	A	MVMC 17.06.010 & MVMC 17.06.070G
Group Home	P	P	P	P	MVMC 17.06.070
Home Occupations	A	A	A	A	MVMC 17.06.010, MVMC 17.06.070 & MVMC 17.96
Housing of Small Animals	A	A	A	A	MVMC 17.06.010 & MVMC 17.06.070

Middle housing - a maximum of two (2) dwelling units on existing lots 1,000 sf or larger	P	P	P	P	MVMC 17.06.130
Middle housing - a maximum of four (4) dwelling units on existing lots 1,000 sf or larger	NA – Phase I	NA – Phase I	NA – Phase I	NA – Phase I	MVMC 17.06.130
Middle housing - a maximum of four (4) dwelling units when located within ½ mile of major transit or when at least one (1) affordable housing units is provided on existing lots 1,000 sf or larger	P	P	P	P	MVMC 17.06.130
Middle housing - a maximum of six (6) dwelling units when located within 1/2 mile of major transit or when at least one (1) affordable housing units is provided on existing lots 1,000 sf or larger	NA – Phase I	NA – Phase I	NA – Phase I	NA – Phase I	MVMC 17.06.130
Manufactured Home	P	P	P	P	MVMC 17.06.130
Municipal Parks and Playgrounds	P	P	P	P	MVMC 17.06.130
Permanent Supported Housing (STEP Housing)	P	P	P	P	MVMC 17.06.160
Play structures or playhouses	A	A	A	A	MVMC 17.06.010 & MVMC 17.06.160
Single-Family Dwelling	P	P	P	P	MVMC 17.06.190
Shed	A	A	A	A	MVMC 17.06.010 & MVMC 17.06.190
Swimming Pool and/or Hot Tub, Private	A	A	A	A	MVMC 17.06.010 & MVMC 17.06.190
Transitional housing (STEP Housing)	P	P	P	P	MVMC 17.06.200

17.15.020 Dimensional Requirements

Table 17.15.020A Dimensional Standards in Residential Zoning Districts

DIMENSIONAL REQUIREMENTS		OTHER COMMENTS
Lot Coverage		
Maximum Lot Coverage with a unit density of up to (3) units per lot	45%	PC and CAC discussed up to 55%
Maximum Lot Coverage with a unit density of four (4) units per lot	50%	PC and CAC discussed 80%
Setbacks ^{1, 2}		

Minimum Front and Street Setback with a Unit Density of One (1) or Two (2)	15 feet	
Minimum Front and Street Setback with a Unit Density of Three (3) or More	10 feet	
Minimum Street Setback for Garage regardless of unit density	20 feet	
Minimum Side Setback	5 feet	
Minimum Side Setback for attached units internal to the development	0 feet	
Minimum Rear Setback for attached units internal to the development, not abutting an alley or street	0 feet	This was a suggestion from the PC/CAC
Minimum Rear Setback when not abutting an alley	15 feet	
Minimum Rear Setback abutting an Alley where a garage door is accessed from the alley	3 feet	
Minimum Rear Setback abutting an Alley	0 feet	
Minimum Rear Setback with a Minimum Unit Density of Three (3) or More	10 feet	
Building Height		
Maximum Building Height	35 feet	
Building Stories		
Maximum Building Stories	--	Staff suggestion to eliminate regulating the number of stories

¹See MVMC 17.06.250 for additional regulations regarding allowed projections into setbacks.

² Additional setback deviations for Accessory Dwelling Units are allowed and codified under the definition of Accessory Dwelling Units within MVMC 17.06.010.

17.15.025 Design, Parking, Landscaping and Sign Requirements

- A. Design Standards shall be required pursuant to the terms of Chapter 17.70 MVMC
- B. Parking shall be required pursuant to the terms of Chapter 17.84 MVMC.
- C. Landscaping shall be required pursuant to the terms of Chapter 17.93 MVMC.
- D. Dumpsters shall be required pursuant to the terms of Chapter 17.85 MVMC.
- E. Signs shall be required pursuant to the terms of Chapter 17.87 MVMC.

R-2 DUPLEX AND TOWNHOUSE RESIDENTIAL DISTRICT

Sections:

17.18.005 Intent and Purpose

17.18.010 Permitted, Accessory and Conditional Uses

17.18.015 Dimensional Requirements

17.18.020 Design, Parking, Landscaping and Sign Requirements

17.18.005 Intent and Purpose

The intent of this chapter is to provide for areas within neighborhoods containing attached dwellings in the form of duplexes, townhouses, and middle housing at a minimum density of 10 dwelling units per acre.

17.18.010 Permitted, Accessory and Conditional Uses

Use Table 17.18.010A, below, determines whether a use is allowed in the R-A zoning district. Instructions for using this table follow:

- F. Where the letter “P” appears in this Table the subject use is permitted. Permitted uses are those that are not Accessory Uses, do not require a Conditional Use Permit.
- G. Where the letter “A” appears in the use table the subject use is an accessory use. Accessory uses are those that are required to meet the standards for Accessory uses but do not require a Conditional Use Permit.
- H. Where the letter “C” appears in the use table the subject use is allowed with approval of a Conditional Use Permit.
- I. Where the letter “X” appears in the use table, the subject use is prohibited in the R-2 zone.
- J. The “reference” column in the use table contains code citations containing additional regulations regarding the identified uses.

Use Table 17.18.010A, below, determines whether a use is allowed in the residential districts included in this Chapter.

Table 17.18.010A Permitted Principal, Accessory and Conditional Uses

USES	USE TYPES	REFERENCE & ADDITIONAL REQUIREMENTS
Accessory Dwelling Units	A	MVMC 17.06.010
Adult Family Home	P	MVMC 17.06.010
Bed and Breakfast	C	MVMC 17.06.020 & MVMC 17.108
Community clubhouses and/or association offices serving the immediate neighborhood	C	MVMC 17.06.030 & MVMC 17.108
Co-Living Housing	P	MVMC 17.06.030

Church	C	MVMC 17.06.030 & MVMC 17.108
Child Daycare Center	P	MVMC 17.06.040
Emergency Housing (STEP Housing)	P	MVMC 17.06.050
Emergency Shelters (STEP Housing)	P	MVMC 17.06.050
Garage, Private	A	MVMC 17.06.010A & MVMC 17.06.070
Gardening and Fruit Raising	P	
Greenhouse	A	MVMC 17.06.010 & MVMC 17.06.070
Group Home	P	MVMC 17.06.070
Home Occupations	A	MVMC 17.06.070 & MVMC 17.96
Housing of Small Animals	A	MVMC 17.06.070
Middle housing - a maximum of six (6) dwelling units per lot greater than 1,000 sf in size ¹	P	MVMC 17.06.130
Manufactured Home	P	MVMC 17.06.130
Multi-Family Dwellings with a Maximum Density of 10 dwelling units per acre	P	
Municipal Parks and Playgrounds	P	MVMC 17.06.130
Permanent Supported Housing (STEP Housing)	P	MVMC 17.06.160
Play Structures or Playhouses	A	MVMC 17.06.160
Single-Family Detached Dwelling Unit	P	MVMC 17.06.190
Shed	A	MVMC 17.06.190
Swimming Pool and/or Hot Tub, Private	A	MVMC 17.06.190
Transitional housing (STEP Housing)	P	MVMC 17.06.200
¹ This middle housing is in addition to the multi-family dwellings also authorized under this Chapter of the MVMC		

17.18.015 Dimensional Requirements

Table 17.18.015A Dimensional Standards in the R-2 Zoning District

DIMENSIONAL REQUIREMENTS		STAFF COMMENTS
Lot Coverage		
Maximum Lot Coverage	40%	
Setbacks^{1, 2}		
Middle Housing ³	--	--

Minimum Front and Street Setback	10 feet	Non-Multi-family uses: 25 feet for arterials and 20 feet on other streets
Minimum Street Setback for Garage regardless of unit density	20 feet	
Minimum Side Setback	10 feet for single- story buildings and 15 feet for multistory buildings	Existing code
Minimum Side Setback for attached units internal to the development	0 feet	Staff suggestion
Minimum Rear Setback for attached units internal to the development, not abutting an alley or street	0 feet	Staff suggestion
Minimum Rear Setback when not abutting an alley	10 feet for single- story buildings and 15 feet for multistory buildings	Existing code
Minimum Rear Setback abutting an Alley where a garage door is accessed from the alley	3 feet	Staff suggestion
Minimum Rear Setback abutting an Alley	10 feet for single- story buildings and 15 feet for multistory buildings	Existing code with the additional setbacks if next to sf zoning removed
Minimum Rear Setback	10 feet for single- story buildings and 15 feet for multistory buildings	Existing code with the additional setbacks if next to sf zoning removed
Building Height		
Maximum Building Height	35	Existing Code
Building Stories		
Maximum Building Stories	Staff suggestion to eliminate regulating the number of stories	Existing code limits this at 2 stories

¹See MVMC 17.06.250 for additional regulations regarding allowed projections into setbacks.

² Additional setback deviations for Accessory Dwelling Units are allowed and codified under the definition of Accessory Dwelling Units within MVMC 17.06.010.

³ Middle Housing developed in this zoning district shall comply with the Lot Coverage, Setbacks, Building Height, and Number of Stories outlined under MVMC 17.15.020A.

17.18.020 Design, Parking, Landscaping and Sign Requirements

- F. Design Standards shall be required pursuant to the terms of Chapter 17.70 MVMC
- G. Parking shall be required pursuant to the terms of Chapter 17.84 MVMC.
- H. Landscaping shall be required pursuant to the terms of Chapter 17.93 MVMC.
- I. Dumpsters shall be required pursuant to the terms of Chapter 17.85 MVMC.
- J. Signs shall be required pursuant to the terms of Chapter 17.87 MVMC.

C-2 GENERAL COMMERCIAL DISTRICT

Sections:

17.48.005 Intent and Purpose

17.48.010 Permitted, Accessory and Conditional Uses

17.48.015 Dimensional Requirements

17.48.020 Design, Parking, Landscaping and Sign Requirements

17.48.005 Intent and Purpose

The intent of this chapter is to establish and preserve general commercial areas having a variety of uses and accessible primarily by automobile.

17.48.010 Permitted, Accessory and Conditional Uses

Use Table 17.48.010A, below, determines whether a use is allowed in the C-2 zoning district. Instructions for using this table follow:

- A. Where the letter “P” appears in this Table the subject use is permitted. Permitted uses are those that are not Accessory Uses, do not require a Conditional Use Permit.
- B. Where the letter “A” appears in the use table the subject use is an accessory use. Accessory uses are those that are required to meet the standards for Accessory uses but do not require a Conditional Use Permit.
- C. Where the letter “C” appears in the use table the subject use is allowed with approval of a Conditional Use Permit.
- D. Where the letter “X” appears in the use table, the subject use is prohibited in the C-2 zone.
- E. The “reference” column in the use table contains code citations containing additional regulations regarding the identified uses.

Use Table 17.48.010A, below, determines whether a use is allowed in the residential districts included in this Chapter.

Table 17.48.010A Permitted Principal, Accessory and Conditional Uses

Uses	USE TYPES	Reference & Additional Requirements
Accessory structure	A	MVMC 17.06.010
Adult Family Home	P	MVMC 17.06.010
Art Galleries and Museums	P	
Auto wrecking yards and Junk Vehicle Storage	X	
Banks and Financial Institutions	P	
Card Room	X	MVMC 17.06.030
Child Daycare Center	P	MVMC 17.06.030

Churches	C	MVMC 17.06.030 MVMC 17.108
Co-Living	P	MVMC 17.06.030
Eating and Drinking Establishments	P	
Emergency Housing (STEP Housing)	P	MVMC 17.06.050
Emergency Shelter (STEP Housing)	P	MVMC 17.06.050
Gas Stations	P	MVMC 17.06.750
Government buildings, including fire, police, and administrative offices	P	
Home Occupations	A	MVMC 17.06.080
Hotels	P	MVMC 17.06.080
Junkyards	X	MVMC 17.06.100
Laundry and Dry-Cleaning Establishments	P	
Libraries, Clubs, Fraternal Societies, and Memorial Buildings	P	
Mini-Storage Facilities and Indoor Storage	A	MVMC 17.06.130 & MVMC 17.06.190 respectively
Mixed use and live-work buildings	P	MVMC 17.06.130
Multi-family Dwellings without ground-floor residential units	P	MVMC 17.06.130
Offices	P	MVMC 17.06.150
Outside sales of vehicles, boats, mobile homes or equipment	P	
Parking Garage, Commercial or Public	P	MVMC 17.06.160
Parking Lot, Surface, Commercial or Public	P	MVMC 17.06.160
Parks, plazas and other open spaces	P	MVMC 17.06.160
Permanent Supported Housing (STEP Housing)	P	MVMC 17.06.160
Personal Services	P	MVMC 17.06.160
Printing operations	P	
Residence for watchman, custodian, manager or property owner of a permitted use provided it is located within the same building as the principal use	A	
Residential care facilities	P	
Restricted limited manufacturing uses involving the processing or fabrication of commodities or products	C	MVMC 17.108
Retail stores	P	

Sales of Inoperable Vehicles or Used Parts	X	
Schools, public, private, and/or vocational	C	MVMC 17.06.190 MVMC 17.108
Storage Yard(s) for items not displayed for sale, lease or rent.	X	
Theaters, Bowling Alleys, Skating Rinks and other Entertainment Uses	P	
Transitional housing (STEP Housing)	P	MVMC 17.06.200
Upholstery and Furniture Repair Establishments	P	
Vehicle service and Repair Establishments	P	

17.48.015 Dimensional Requirements

Table 17.48.015A Dimensional Standards in the General Commercial Zoning District

DIMENSIONAL REQUIREMENTS	
Lot Coverage	
Maximum Lot Coverage	Not Applicable, there is no minimum lot coverage in this zone
Setbacks ¹	
Minimum Front and Street Setback abutting a Principal or Minor Arterial	25 feet
Minimum Front and Street Setback	10 feet
Minimum Street Setback for Garage	20 feet
Minimum Side Setback	0 feet
Minimum Side Setback for attached units internal to the development	0 feet
Minimum Rear Setback when not abutting an alley	0 feet
Minimum Rear Setback when abutting an Alley where a garage door is accessed from the alley	3 feet
Minimum Rear Setback abutting an Alley	0 feet
Building Height	
Building Height	Not Applicable, there is no building height limitation in this zone

¹See MVMC 17.06.250 for additional regulations regarding allowed projections into setbacks.

17.48.020 Design, Parking, Landscaping and Sign Requirements

- K. Design Standards shall be required pursuant to the terms of Chapter 17.70 MVMC
- L. Parking shall be required pursuant to the terms of Chapter 17.84 MVMC.
- M. Landscaping shall be required pursuant to the terms of Chapter 17.93 MVMC.
- N. Dumpsters shall be required pursuant to the terms of Chapter 17.85 MVMC.
- O. Signs shall be required pursuant to the terms of Chapter 17.87 MVMC.