

Title 16

DEVELOPMENT REGULATIONS*

* Prior ordinance history: Ords. 381, 381A, 381B, 381C, 381D, 381F, 381J, 381K, 381L, 381M, 381T, 395, 428, 501, 506, 510, 513, 520, 521, 527 and 532.

Chapter 16.04 GENERAL PROVISIONS AND DEFINITIONS

16.04.010 Title.

This title shall be known as the "Coupeville development regulations."

(Ord. 566 § 2 Exh. A (part), 1998)

16.04.020 Purpose.

The text of this title and official maps herein adopted are established as one means of implementing the comprehensive plans for the Town of Coupeville; to serve the public health, safety and general welfare and to provide economic, social and aesthetic advantages resulting from a planned use of land resources; to provide for orderly growth within the Town and its extraterritorial planning area; and to retain the unique and open character of Coupeville's small town qualities and the area's historic rural land use patterns.

(Ord. 566 § 2 Exh. A (part), 1998)

16.04.030 Applicability.

This title shall be applicable to all lands within the Town of Coupeville.

(Ord. 566 § 2 Exh. A (part), 1998)

16.04.040 Authority.

The Coupeville development regulations are enacted under the authority granted the Town of Coupeville by the Constitution of the state of Washington, the Municipal Code (RCW 35) and other sections of the Revised Code of Washington.

(Ord. 566 § 2 Exh. A (part), 1998)

16.04.050 Severability.

The Coupeville development regulations enacted under divisions, chapters, sections, clauses and other portions, is declared to be severable. If any division, chapter, section, paragraph, clause or other portion or any part adopted by reference is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining portions of the development regulations.

(Ord. 566 § 2 Exh. A (part), 1998)

16.04.060 Definitions.

A. Interpretation Generally. General interpretation as used in this title:

1. Words in the present tense include the future tense;
2. Words in the singular number include the plural;
3. The word "person" may be taken for "persons," "association," "firm," "partnership" or "corporation";
4. The word "shall" is always mandatory. The words "may" or "should" are permissive;
5. The word "lot" includes the words "plot" or "parcel";
6. The word "used" or "occupied" as applied to any land or building, shall be construed to include the words "intended, arranged, or designed to be used or occupied."

B. Specific Definitions:

"Accessory building or structure" means a building or structure, or part of a building or structure which is subordinate to, and customarily incidental to that of the main building or structure on the same lot.

"Accessory dwelling unit" (ADU) means a building or portion of a building, containing provisions for sleeping, eating, cooking and sanitation for not more than one ~~family~~ household, which is accessory to a ~~single-family dwelling~~ residential principal use.

- "Detached ADU": A separate and standalone residential unit located on the same lot as the principal building.
- "Attached ADU": A residential unit added as an addition to the principal residential building.
- "Internal ADU": Conversion of existing space within the principal residential building into a sperate living space that is a fully functional. These units must meet all building codes and shall be considered separate and independent residential units from the primary structure.

"Adequate" means at or above the level of service standard specified in the current version of the Coupeville comprehensive plan.

"Adjacent" means the condition where a property shares a common border or portion of a border with another property or is across a public right-of-way or private access tract and would abut if the property lines are extended across the public right-of-way or private access tract.

"Administrator" means the town planner or his/her authorized agent, who is authorized to administer the provisions of this title.

"Adult business" means an establishment consisting, or including or having characteristics involving conduct or materials depicting, describing or relating to sexual activities or anatomical genital areas.

"Adult family home" means a residential care facility for six or fewer adults, and operated under a license as provided for in RCW 18.48.010.

"Affordable housing" means, unless the context clearly indicates otherwise, residential housing whose monthly costs, including utilities other than telephone, do not exceed thirty percent of the gross monthly income of a household:

(a) [For rental housing, 60 percent of the median household income adjusted for household size, for the county where the household is located, as reported by the United States department of housing and urban development; or](#)

(b) [For owner-occupied housing, 80 percent of the median household income adjusted for household size, for the county where the household is located, as reported by the United States department of housing and urban development.](#)

Agriculture, Small-Scale. "Small-scale agriculture" means the tilling of soil, raising of crops, horticulture, viticulture, livestock, farming, poultry, dairying, and animal husbandry including all uses customarily incidental thereto.

"Alteration" means a change or rearrangement of the structural parts of existing facilities, or an enlargement by extending the size or increasing the height or depth, or the moving from one location to another. In buildings for 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.

"Applicant" means a person or entity that has applied for a project permit.

"Aquaculture" means the culture or farming for fish food, shellfish or other aquatic plants and animals but not including the harvesting of natural resources.

"Assisted care facility" means an establishment which provides living quarters and a variety of personal care and supportive health care to individuals who are unable to live independently due to infirmity of age, physical or mental handicap, but who do not need the skilled nursing care of an extended care facility.

"Automobile sales" means a place outside a building where four or more automobiles, used or new, are offered for sale.

"Basement" means that portion of a building partly underground and having at least one-half of its perimeter length more than five feet below the adjoining finished grade.

"Battery electric vehicle (BEV)" means any vehicle that operates exclusively on electrical energy from an off-board source that is stored in the vehicle's batteries, and produces zero tailpipe emissions or pollution when stationary or operating.

"Bed and breakfast inn" means a private residence, portion thereof, or accessory structure, where sleeping quarters are provided as transient accommodation and food service may be provided to guests consistent with requirements and limitations in this title.

"Binding site plan" means a drawing to a scale specified by local ordinance which: (a) identifies and shows the areas and locations of all streets, roads, improvements, utilities, open spaces, and any other matters specified by Town regulations; (b) contains inscriptions or attachments setting forth such appropriate limitations and conditions for the use of the land as are established by the local government body having authority to approve the site plan; and (c) contains provisions making any development be in conformity with the site plan.

"Boarding or rooming house" means a dwelling in which not more than four roomers, lodgers and/or boarders are housed or fed.

"Building" means any structure having a roof for the shelter of persons or property, but excluding all forms of vehicles even though immobilized. When a use is required to be within a building, or where special authority granted pursuant to this title requires that a use shall be within an entirely enclosed building, then the term "building" means one so designed and constructed that all exterior walls of the structure shall be solid from the ground to the roof line, and shall contain no openings except for windows and doors which are designed so that they may be closed.

"Building area" means the portion of a lot within which a principal or accessory building or structure may be built, bounded by the minimum required setbacks.

"Building footprint" means the portion of a lot covered by a principal or accessory building, measure from the outside edge of all structural components greater than forty-two (42) inches in height.

Building, nonconforming. "Nonconforming building" means a building which was lawful at the time the ordinance codified in this title became effective but which use, because of the passage of said ordinance, does not conform to the regulations of the district in which the building exists.

"Building official" means officer charged with enforcement and administration of the building codes or his or her regular authorized deputy.

"Bulk storage of flammable liquids" means flammable liquid stored in a tank or other container of over three hundred (300) gallons capacity.

"Capacity" means the maximum extent to which a concurrency facility or service provider can supply that facility or service without further expansion.

"Capacity, available" means facility or service capacity above and beyond the minimum levels of service established in the comprehensive plan.

"Capacity, notice of" means notification issued by the Coupeville town planner indicating that the anticipated need for concurrency facilities and services by a specific project permit can be accommodated within the available and planned capacity. The notice of capacity may be conditioned or have an expiration date.

"Capacity, planned" means capacity for a concurrency facility or service which does not yet exist, but for which construction, expansion or modification is identified as a capital improvement project in the capital facilities element of the comprehensive plan and scheduled to be completed within six years.

"Capital improvement" means any expenditure for physical facilities for government.

"Carport" means a structure to house or protect motor vehicles owned or operated by occupants of the main building and which is at least forty (40) percent of the total area of its sides, open to the weather.

"Certificate of occupancy" means a permit to occupy a premises issued by the building official after inspection has verified compliance with the requirements and provisions of this title and applicable building and fire codes.

"Certificate to plat" means a certificate prepared by a title company authorized by the laws of the state of Washington to write the same, showing the names of all persons having any record title interest in the land to be platted together with the nature of their respective interests therein.

["Class I Group Home" means a small residential facility that provides care, supervision, or treatment to a limited number of individuals in a non-institutional setting and are generally integrated into residential neighborhoods and offer services for people with special needs, such as individuals with physical or developmental disabilities, mental health conditions, or those recovering from substance abuse.](#)

["Class II Group Home" means a residential facility that typically houses individuals who may have physical or developmental disabilities, mental health issues, or other special needs and are licensed and regulated by the Washington State Department of Social and Health Services \(DSHS\) or other appropriate agencies, depending on the specific population served.](#)

"Clinic" means a building or portion of a building containing offices for providing medical, dental or psychiatric services for out-patient only.

"Closed record appeal" means an administrative appeal to the town council based on the existing record. No or limited new evidence or information is allowed to be submitted.

"Club" means an incorporated or unincorporated association of persons organized for a social, fraternal, athletic, educational, literary or charitable purpose. Property occupied by a club shall be deemed to be semiprivate in character and shall be subject to the regulations governing public buildings and places, excluding groups organized primarily to render a service which is normally considered a business.

"Commercial use" means an activity with goods, merchandise or services for sale or involving a rental fee.

"Commercial vehicle" means a motor vehicle used for purposes other than a ~~family~~ household car, such as a taxi, delivery or service vehicle.

"Commission" means the planning commission of the Town of Coupeville.

"Common Area" means portion of a Unit Lot Subdivision or subdivision that are not owned by individual unit lot owners but are owned and maintained by a collective ownership entity.

"Comprehensive plan" means the adopted guide for land use development and for the design and location of public facilities which sets forth goals and policies for future development of the community.

"Concurrency facilities and services" means those public facilities and services for which a concurrency test is required in accordance with the provisions of this chapter. The list of concurrency facilities and services may be found in the capital facilities element of the comprehensive plan.

"Concurrency test" means an evaluation of a project permit which compares the anticipated impact on concurrency facilities and services against the available and planned capacity of the concurrency facilities and services.

"Conditional use permit" means a documental evidence of authority granted by the town council to locate a conditional use at a particular location.

"Condominium" means real property, portions of which are designated for separate ownership and the remainder of which is designated for common ownership solely by the owners of those portions. Real property is not a condominium unless the undivided interests in the common elements are vested in the unit owners, and unless a declaration and a survey map and plans have been recorded pursuant to RCW 64.34.

"Condominium apartment" means the building or portion of a building arranged or designed to be occupied as three or more separate dwelling units where units are for purchase or lease.

"Congregate care retirement facility" means an establishment which provides self-contained efficiency living quarters and the option of a range of personal care and support offered on a congregate level, such as eating or leisure services. Limited health care may also be available to individuals who require periodic care.

"Contiguous property" means land adjoining and touching other property having the same owner regardless of whether or not portions of the property have separate tax lot numbers or were purchased at different times.

"Continuing care retirement facility" means a place or residence for several families or individuals in dwelling units or rooms, either rented, cooperative, or condominium, which may feature services to retired persons ranging from semi-independent living to extended care and support.

"Contract rezone" means a technique which attaches specific conditions in connection to a rezoning which binds both the contractor and the Town to terms not specifically spelled out in the zoning ordinance.

"Cottage" means a small, detached dwelling unit, ~~not greater than one thousand (1,000) square feet in total floor area~~ that is developed at a density greater than or equal to the underlying zone.

"Cottage housing development" means detached single-~~family~~ household ~~housing dwelling~~ in a cluster of ~~no less than six nor no more than twelve (12)~~ dwelling units around a central open space and has the following characteristics:

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1. Each unit is of a size and function suitable for a single person or ~~very~~ small [family household](#);
 2. Each unit has the construction characteristics of a [traditional "single-family" house](#);
 3. Cottages are units in a condominium [or common interest community](#) and may share use of a community building that may include such common uses as a party room, a tool shed, a workshop, a studio or similar types of uses. Separate covered common parking structures shall also be owned in common;
 4. The site is designed with a coherent concept in mind, including: shared functional open space, off-street parking, access within the site and from the site, and consistent landscaping.

"Council" means the town council of the Town of Coupeville.

"Covenant" means a private legal restriction on the use of land contained in the deed to the property or otherwise formally recorded.

"Critical areas" means the following areas and ecosystems: wetlands, critical aquifer recharge areas, fish and wildlife habitat conservation areas, frequently flooded areas and geologically hazardous areas.

"Cul-de-sac" means a street opening at one end and having a turnaround at the other end.

"Day" means one calendar day for the purpose of counting days.

"Day care center" means a state-licensed facility, which may or may not be located in a residence, providing supervised care for thirteen (13) or more children for periods of less than twenty-four (24) hours.

"Dedication" means the deliberate appropriation of land or rights in land by its owner for the general or public use, reserving to the owner no other rights than such as are compatible with the full exercise and enjoyment of the public use to which the property has been devoted. The intention to dedicate shall be evidenced by the owner by the presentment for filing of final plat or short plat showing the dedication thereon; and the acceptance by the public shall be evidenced by the approval of such plat for filing by the Town of Coupeville.

"Density" means the number of permitted dwelling units allowed to exist on each acre of land or fraction thereof, in accordance with Section 16.16.070(C) of this title.

["Development regulations" or "regulation" means the controls placed on development or land use activities by a county or city, including, but not limited to, zoning ordinances, critical areas ordinances, shoreline master programs, official controls, planned unit development ordinances, subdivision ordinances, and binding site plan ordinances together with any amendments thereto. A development regulation does not include a decision to approve a project permit application, as defined in RCW 36.70B.020, even though the decision may be expressed in a resolution or ordinance of the legislative body of the county or city.](#)

["Development standards" means controls placed by the city on building or site design and development including parking requirements, floor area allowances, density allowances, minimum lot coverage, and other dimensional standards.](#)

"Duplex" means a building containing exactly two dwelling units.

"Dwelling unit" means a building or portion of a building that contains living facilities, including provisions for sleeping, eating, cooking and sanitation, for not more than one [family household](#). The term "dwelling unit" does not include rooms in a motel, hotel, bed and breakfast inn, rooming house, continuing care facility, adult family home, or group home.

Dwelling unit, multifamily. "Multifamily dwelling unit" means a room or suite of two or more rooms in a multiple-family or commercial building, occupied or suitable for occupancy as a residence for one [family household](#).

"Easement" means a grant by the property owner to the public, a corporation, or persons of the use of a strip or parcel of land for a specific purpose and on or over which the owner will not place or erect any permanent improvements which would interfere with the free exercising of that right.

"Electric scooters and motorcycles" means any two-wheel vehicle that operates exclusively on electrical energy from an off-board source that is stored in the vehicle's batteries and produces zero emissions or pollution when stationary or operating.

"Electric vehicle" means any vehicle that operates, either partially or exclusively, on electrical energy from the grid or an off-board source that is stored onboard for motive purpose. "Electric vehicle" includes: (1) a battery electric vehicle; (2) a plug-in hybrid electric vehicle; (3) a neighborhood electric vehicle; and (4) a medium-speed electric vehicle.

"Electric vehicle charging station" means a public or private parking space that is served by battery charging station equipment that has as its primary purpose the transfer of electric energy (by conductive or inductive means) to a battery or other energy storage device in an electric vehicle. An electric vehicle charging station equipped with level 1 or level 2 charging equipment is permitted outright as an accessory use to any principal use.

"Electric vehicle charging station—Public" means an electric vehicle charging station that is (1) publicly owned and publicly available (e.g., park-and-ride parking, public library parking lot, on-street parking) or (2) privately owned and publicly available (e.g., shopping center parking, non-reserved parking in multi-family parking lots).

"Electric vehicle charging station—Restricted" means an electric vehicle charging station that is (1) privately owned and restricted access (e.g., single-family household home, executive parking, designated employee parking) or (2) publicly owned and restricted (e.g., fleet parking with no access to the general public).

"Electric vehicle parking space" means any marked parking space that identifies the use to be exclusively for the parking of an electric vehicle.

"Engineer" means a registered professional civil engineer authorized to practice engineering in the state of Washington.

"Extended care retirement facility" means a congregate care facility in which nursing, dietary and other personal services are furnished to convalescents, invalids, and aged persons but in which congregate care facilities are kept no persons suffering from an acute mental sickness or from a contagious or communicable disease and in which no persons are kept or served who normally would be admitted to a mental hospital.

~~"Family" means one or more persons related by blood, marriage, adoption or a group of not more than five persons not related by blood or marriage, living together as a single housekeeping unit in a dwelling unit. For the purposes of this definition and notwithstanding any other provision of this code, children with familial status within the meaning of Title 42 United States Code Section 3602(k) and persons with handicaps within the meaning of Title 42 United States Code Section 3602(h) will not be counted as unrelated persons. Adult family homes, as defined herein, shall be included within this definition of family. Facilities housing individuals who are incarcerated as the result of a conviction or other court order shall not be included within this definition of "family".~~

"Facility and service provider" means the department, district or entity responsible for providing concurrency facilities and services identified in the comprehensive plan. Examples include, but are not limited to, the Town of Coupeville, Coupeville School District No. 204, Central Whidbey Fire and Rescue, Sno-Isle Regional Library District and the Port of Coupeville.

"Family day care center" means a state-licensed home which provides supervision for twelve (12) or fewer children for periods of less than twenty-four (24) hours.

"Final plat" means the final drawing of the subdivision and dedication prepared for filing of record with the Island County auditor, and containing all elements and requirements set forth in Chapter 16.16 of the Coupeville Town Code.

"Floor area" means the sum or the gross horizontal areas of the floors of a building or buildings, measured from the exterior faces of exterior walls and from the centerline or division walls. Floor area shall include: 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 shall not include: accessory water tanks and cooling towers, mechanical equipment or attic spaces with headroom of less than seven feet six inches, exterior steps or stairs, terraces, breezeways and open spaces.

Garage, commercial. "Commercial garage" means a building or portion thereof designed and used for storage, repair or servicing of motor vehicles.

Garage, private. "Private garage" means an accessory building or an accessory portion of the main building designed and/or used for noncommercial shelter or storage of vehicles.

"Gasoline service station" means any area of land, including the structure thereon, that is used for the sale of gasoline or other motor vehicles, oil, lubricants or auto accessories and other minor servicing.

"Grade" means the average of the finished ground level at the center of all walls of a building. In case walls are parallel to and within five feet of the street side of a sidewalk, the above-ground level shall be measured at the sidewalks.

"Greenbelts or buffer parks" means a strip or parcel of land, privately restricted or publicly dedicated as open space for the purpose of protecting and enhancing the environment.

Greenhouse, commercial. "Commercial greenhouse" means an establishment where flowers, shrubbery, vegetables, trees and other horticultural products are grown in the open and in an enclosed building for sale on a retail or wholesale basis.

"Group home" means a facility, including foster family homes, halfway houses and group homes, licensed by the state of Washington Department of Social and Health Services and maintained and operated for the care of juveniles, adults or both on a twenty-four (24) hour basis.

"Guest room" means a separate room or suite that may be separately rented for transient accommodation sleeping quarters as part of a hotel, motel, or licensed bed and breakfast inn.

"Height" means the measurement from the vertical datum to the highest point of the roof line. On any building constructed seaward of mean higher high water, the vertical datum shall be the elevation of the extreme high tide, as shown on the official United States tide table for the year in which the permit is issued.

"Historic buildings and structures" means those buildings and structures determined to be significant in the Building and Landscape Inventory (1995) prepared for the Ebey's Landing National Historical Reserve as updated by the Town and County. The Building and Landscape Inventory may be updated by the Town and County on an annual basis, following review by the trust board.

Home occupation, Class I. "Class I home occupation" means an accessory and subordinate use carried out for gain or profit within a principal dwelling unit or building accessory to the principal dwelling unit. Class I home occupations have a negligible impact on the surrounding residential properties.

Home occupation, Class II. "Class II home occupation" means an accessory and subordinate use carried out for gain or profit within a principal dwelling unit or a building accessory to the principal dwelling unit. Class II home occupations have a minor impact on the surrounding residential properties.

["Homeowner's Association" A legal entity created to manage and maintain common areas and shared facilities.](#)

"Hospital" means a quasi-public establishment which provides accommodations, facilities and services over a continuous period of twenty-four (24) hours or more, for observation, diagnosis and care, of individuals, suffering from illness, injury, deformity, or abnormality, or from any condition requiring obstetrical, medical or surgical services.

"Hotel" means a building, or portion thereof, in which guest rooms are provided and offered to the public for compensation as transient accommodation. A hotel is distinguished from a motel by the provision of common entrances, which lead to interior corridors giving access to guest rooms.

"Household" mean one or more persons living together in a single dwelling unit as a family, or the functional equivalent of a family, sharing common access to and use of the living, cooking, eating, and sanitation facilities within the dwelling unit. The persons comprising a household may include:

- A family, which typically consists of one or more individuals related by blood, marriage, adoption, or legal guardianship.
- For the purposes of this definition and notwithstanding any other provision of this code, children with familial status within the meaning of Title 42 United States Code Section 3602(k) and persons with handicaps within the meaning of Title 42 United States Code Section 3602(h) will not be counted as unrelated persons.
- Adult family homes, as defined herein, shall be included within this definition of family.
- Facilities housing individuals who are incarcerated as the result of a conviction or other court order shall not be included within this definition of "Household".

Industry, light. "Light industry" means the manufacture and assembly of light and small items made from previously repaired materials and includes operations which do not create noise, smoke, odor, vibration or other objectionable nuisances to the extent that they are detrimental to surrounding uses.

"Junk yard" means a lot, land or structure, or part thereof, used for the collecting, storage and sale of waste paper, rags, scrap metal or discarded material or for the collecting, dismantling, storage, salvaging, handling or sale of parts of machinery or vehicles not in running condition. "Junk yard" includes an auto wrecking yard but does not include uses established entirely within an enclosed building.

"Landscape plan" means a component of a development plan on which is shown proposed landscape species, proposals for protection of existing vegetation during and after construction, proposed treatment of hard and soft surfaces, proposed decorative features, existing and proposed topography, buffers and screening devices.

"Legal access" means access to a dedicated street or road which is connected to and a part of the legally dedicated improved transportation network of the Town.

"Level of service standard" means the minimum level of service specified for a particular concurrency facility or service in the current comprehensive plan.

"Local improvement district (LID)" means a special district whereby property owners representing a majority can make an improvement benefiting their neighborhood and distribute the costs equitably among all owners.

"Lot" means a single tract of land no matter how legally described, whether by metes and bounds and/or by lot or lots and block designations in a recorded plat, which at the time of applying for a building permit is designated by its owner or developer as the tract to be used, developed or built upon as a unit of land under single ownership or control and assigned to the particular use for which the building permit is being secured and having frontage on or access to a public street.

"Lot area" means the total horizontal area within the boundary lines of a lot, excluding access easements.

"Lot combination" means the elimination of interior lot lines not involving the vacation of dedicated streets, easements or public areas

Lot, conforming. "Conforming lot" means a fractional part of subdivided lands having fixed boundaries and being of sufficient area and dimension to meet minimum zoning requirements for width and area. The term shall include tracts, parcels or combinations of tracts or parcels, meeting the requirements of Chapter 16.12 of the Coupeville Town Code.

Lot, corner. "Corner lot" means a lot at the junction of and fronting on two or more intersecting streets.

"Lot coverage" means that portion of a lot covered by buildings or structures over forty-two (42) inches in height.

"Lot depth" is the mean dimension of the lot from the front street line to the rear line. The depth of such lot is measured on a line approximately perpendicular to the front street and midway between the side lines of such lot.

Lot, interior. "Interior lot" means a lot that fronts on one street only.

"Lot line" means the fixed boundaries of a lot described by survey located on a plat filed for record.

[Lot, Parent "Parent Lot" means a lot or parcel from which unit lots are created within a unit lot subdivision.](#)

Lot line, rear. "Rear lot line" means that boundary of a lot which is most parallel to the street lot line and does not intersect the front lot line. In the case of a triangular lot, a line twenty (20) feet in length within the lot parallel to and at the maximum distance from the street lot line.

Lot line, side. "Side lot line" means that boundary of a lot which is neither a street or rear lot line.

Lot line, street. "Street lot line" means that boundary of a lot measured along the edge of the right-of-way of a dedicated street, private street or access easement, which abuts that line. In the case of a corner lot, either line which meets the above description provided the other is considered to be a side lot line.

Lot, nonconforming. "Nonconforming lot" means a lawfully subdivided lot which does not conform to the provisions of this title which pertain to the zoning district in which the lot is located.

Lot, through. "Through lot" means a lot that fronts on two streets that do not intersect on the parcel's lot lines.

Lot, Unit "Unit lot" or "Child lot" means a [legally defined portion of Unit Lot Subdivision intended for individual ownership or common ownership between unit lot owners.](#)

"Lot width" means the dimension of the lot line at the street or in an irregularly 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.

"Manufactured home" means a structure, transportable in one or more sections upon the public streets and highways on its own running gear, which, when erected on site, is designed to be connected to required utilities and utilized as a dwelling which is built to HUD standards and manufactured after June 15, 1976, and bears the insignia of Washington State Department of Labor and Industries.

"Manufactured home park" means any tract of land that is divided into rental spaces under common ownership or management for the purpose of locating two or more manufactured homes for dwelling purposes.

"Marina" means a facility which provides boat launching, storage, supplies and services for boats.

"Medium-speed electric vehicle" means a self-propelled, electrically-powered four-wheeled motor vehicle, equipped with a roll cage or crush-proof body design, whose speed attainable in one mile is more than

twenty-five (25) miles per hour but not more than thirty-five (35) miles per hour and otherwise meets or exceeds the federal regulations set forth in 49 C.F.R. Sec. 571.500.

"Microbrewery" means an establishment or premises designed for the manufacture of beer, and using ten thousand (10,000) or less gallons of water during an average month.

"Middle housing" means buildings that are compatible in scale, form, and character with traditional "single-family" houses and contain two or more attached, stacked, or clustered homes including duplexes, triplexes, fourplexes, townhouses, cottage housing, and Accessory Dwelling Units.

"Mixed use" means a combination of residential and nonresidential uses within the same building or site as part of an integrated development with functional interrelationships and coherent physical design.

"Monument" means a permanent survey control point.

"Moorage" means a place to tie up or anchor a boat or vessel.

"Motel" means a building or buildings, or portions thereof, in which guest rooms are provided and offered to the public for compensation as transient accommodation. A motel is distinguished from a hotel by the provision of a separate outside entrance to each guest room.

"Multifamily" means a single building ~~or group of buildings~~, which contains three four or more dwelling units or ~~any~~ two or more residential dwelling units in a mixed-use ~~development~~ building.

"Museum" means a building or room used primarily for preserving and exhibiting artistic, cultural, historical or scientific objects, and is operated by a non-profit, tax exempt organization.

"Neighborhood electric vehicle" means a self-propelled, electrically-powered four-wheeled motor vehicle whose speed attainable in one mile is more than twenty (20) miles per hour and not more than twenty-five (25) miles per hour and conforms to federal regulations under Title 49 C.F.R. Part 571.500.

"Non-electric vehicle" means any motor vehicle that does not meet the definition of "electric vehicle."

"Nursery school" means a school or organized program for the care and instruction of preschool aged children whether public or private and whether operated for profit or not.

"Off-street parking" means parking facilities for motor vehicles on other than a public street, right-of-way or alley.

"Open record public hearing" means a hearing that creates a record on proposed land use actions through testimony and submission of evidence and information. An open record public hearing may be held on an appeal if no previous hearing has been held on the proposed action.

"Open space" means any part of a lot unobstructed from the ground upward including areas dedicated to the public or deeded to a nonprofit corporation under the laws of the state that has the power to control and funds to maintain said open area.

"Outdoor display" means an open air area used for the display or sale of goods or materials that are being actively marketed for sale, rent or lease. Plant materials kept in open air for sale, rent or lease shall not be considered outdoor display.

"Outdoor storage" means the keeping of goods and materials that are not actively marketed for sale, rent, or lease in an open air or non-walled building or membrane structure in the same place for more than twenty-four (24) hours, excluding the storage of debris or junk.

"Overlay zone" means a set of zoning requirements that are described in the ordinance text, are mapped, and then subsequently imposed in addition to those of the underlying zoning district. The requirements of the overlay zone shall take precedence over similar requirements in the underlying zoning district.

"Owner" means the person or persons, corporation, or other legal entity, holding title to land, or as vendees under land contract, or holding other title or interest in land whether said interest be equitable, legal, joint, reputed, recorded or otherwise.

"Parcel" means an area of land shown as a unit or as continuous units on the last preceding county real property tax roll.

"Parking space" means a space within or outside a building used to temporarily park a motor vehicle and having access to a public street or alley.

"Person" means and includes individual, individuals, association, firm, partnership or corporation.

"Planned unit development (PUD)" means a development which is designed and developed as a single entity for a number of dwelling units, the plan for which clusters buildings, provides common open space density increases, and land uses.

"Planning commission" means the planning commission of the Town of Coupeville.

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

"Plug-in hybrid electric vehicle (PHEV)" means an electric vehicle that (1) contains an internal combustion engine and also allows power to be delivered to drive wheels by an electric motor; (2) charges its battery primarily by connecting to the grid or other off-board electrical source; (3) may additionally be able to sustain battery charge using an on-board internal-combustion-driven generator; and (4) has the ability to travel powered by electricity.

"Preliminary short subdivision approval" means approval of the basic design features of a short subdivision, authorizing the preparation and submittal of a short plat for final approval by the Town and recording with the Island County auditor.

"Preliminary subdivision approval" means approval of the basic design features of a subdivision, authorizing the preparation and submittal of a plat for final approval by the Town and recording with the Island County auditor.

"Premises" means a structure or object and grounds to its property lines.

"Preschool" means a school, public or private, whether operated for profit or not, giving preschool instruction to children under the age of seven years.

"Professional office" means an office maintained and used as a place of business, such as doctors, dentists, engineers, attorneys, architects, accountants and other persons providing services.

"Project permit" means any land use or environmental permit or license required from the Town of Coupeville for a project action, as defined in 36.70B.020(4) RCW.

"Public facility" means parks, government buildings, schools, libraries, utility buildings and structures and other capital improvements provided and maintained by public funds for public purposes.

"Public improvements" means street grading or graveling, permanent street and corner monuments, street pavement, curbs and sidewalks, pedestrian ways, water mains, storm and sanitary sewers.

"Public meeting" means an informal opportunity provided prior to a final decision by the planning commission, Ebey's Reserve Historic Preservation Commission (HPC), or town council to obtain public or agency comments on proposed land use actions or in the case of the HPC on the issuance of a certificate of appropriateness. A public meeting does not include an open record hearing, although the proceedings may be recorded and a report or recommendation may be included in the project application file.

"Public services" means schools, police and fire protection, maintenance of utilities, parks and other services, provided with public funds for public use.

"Public utility" means a public service corporation performing some public service and subject to special governmental regulations, or a governmental agency performing similar public services, the services by either of which are paid for directly by the recipients thereof. Such services shall include, but are not limited to, water supply, electric power, sanitary sewer and storm sewer systems for persons and freight.

"Quasi-public facility" means a facility operated by a nonprofit private community, educational, religious, charitable, medical institution or service organization having the primary purpose of serving the general public. Examples include religious institutions, churches, private schools and museums.

"Rapid charging station" means an industrial grade electrical outlet that allows for faster recharging of electric vehicle batteries through higher power levels and that meets or exceeds any standards, codes, and regulations set forth by chapter 19.28 RCW and consistent with rules adopted under RCW 19.27.540.

Recreation facility, commercial. "Commercial recreation facility" means a building or property designed and equipped for the conduct of sports and leisure-time activities which is operated as a business and open to the public or members for a fee.

Recreation facility, public. "Public recreation facility" means a facility providing for relaxation, play or amusement operated as a public benefit and not to make a profit. Examples include an assembly or recreation hall, park, playground or playfield, swimming pools or athletic, boat and golf club.

"Recreational vehicle park" means an area or tract of land used or designed to accommodate two or more trailers, or recreational vehicles used for travel, vacation, or recreational purposes, occupied in any one place for thirty (30) days or less.

"Residential development" means the development of land and/or the construction or erection of dwelling units for the purpose of residential occupancy.

"Restaurant" means an establishment where food and drink are prepared, served, and consumed primarily within the principal building.

Restaurant, drive-up. "Drive-up restaurant" means an establishment where food and drink are prepared and served, and consumed either within the principal building or picked up at an outside window and consumed off the premises.

"Resubdivision" means the redelineation of an existing lot, block, tract or parcel of a previously recorded subdivision involving the change of property lines and/or, after vacation, the altering of dedicated streets, easements or public areas.

"Retail sales and service" means establishments engaged in selling goods, merchandise or services to the general public for personal or household consumption.

"Rezone" means a change in classifications of an area from one zoning district to another.

"Riding stables" means any establishment where horses are kept for riding, driving or stabling for compensation or as an accessory use in the operation of a club, association, ranch or similar establishment.

"Right-of-way" means a strip of land dedicated or acquired for use as a road, path or for utility lines.

"Runoff, storm or surface water" means the amount of rain or other water which flows in excess of the amount absorbed by the ground.

"Sanitary sewage system" means the system which collects sewage from the plumbing systems of buildings and carries it to a sewage treatment plant.

"Scale" means representing proportionate size, amount and/or level of intensity.

"Setback" means the lot area between the lot lines and the building area.

Setback, rear. "Rear setback" means the lot area extending from forty-two (42) inches above the general ground level at the rear lot line to the building line and including the full width of the lot to its side lot lines.

Setback, side. "Side setback" means the lot area extending from eighteen (18) inches above the general level at the front setback to the rear setback and from the building line to the side lot line.

Setback, street. "Street setback" means the lot area extending from forty-two (42) inches above the general ground level at the principal and secondary street lot lines to the building line and including the full width of the lot to its side lot lines.

"Shore defense work" means the structures or modifications for the purpose of retarding shore erosion from wave or current action, encouraging deposition of beach materials, preventing shoreline overflow and retaining uplands.

"Shorelines" means all the water areas of the Town of Coupeville, more specifically Penn Cove, including those lands extending landward for two hundred (200) feet in all directions as measured on a horizontal plane from the ordinary high water line which are subject to the Shoreline Management Act.

"Short plat" means the map or representation of a short subdivision.

"Short subdivision" means the division or redivision of land into four or fewer lots, tracts, parcels, sites or divisions for the purpose of sale, lease, or transfer of ownership.

"Short-term rental" means a complete dwelling unit used for transient accommodation.

"Single-family" means one dwelling unit serving as the principal use on one lot. ~~The term excludes manufactured/mobile homes lacking Washington State certification of compliance with a U.S. Department of Housing and Urban development standards, recreational vehicles, tents, and other forms of portable or temporary housing.~~

"Single Household" means one dwelling unit serving as the principal use on one lot.

"Site plan" means a detailed map, diagram or other physical means of communicating pictorially the arrangement of structures, streets, open spaces, landscaping or other features of a proposed development.

"Storm and surface water drainage system" means the method used to collect and carry rain or surface water in such a way as to prevent flooding.

"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 the building included between the upper surface of the topmost floor and the ceiling or roof above.

"Street" means a way of travel more than twenty (20) feet wide which has been dedicated or deeded to the public for public use.

"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 residential fences less than six feet in height, retaining walls, rockeries and similar improvements of a minor character less than three feet in height.

"Subdivider, proprietor or developer" means a person, firm, municipality, association, partnership, corporation or combination of any of these which may hold any recorded or unrecorded ownership interest in land being subdivided. The proprietor is also commonly referred to as the owner.

"Subdivision" means the division or redivision of land into five or more lots, tracts, parcels, sites or other divisions for the purpose, whether immediate or future, of sale, lease, or other conveyance or development.

Subdivision, unit lot. "Unit Lot Subdivision" means the division of a parent lot into two or more unit lots within a development and approved through the unit lot subdivision process.

"Surveyor" means either a land surveyor or a civil engineer who is registered in the state of Washington as a registered professional surveyor or engineer.

Structure, temporary. "Temporary structure" means a structure not having or requiring permanent attachment to the ground.

"Tattoo parlor" means an establishment providing tattooing services.

"Topographic map" means a map showing contour elevation lines and other significant physical and cultural features.

"Townhouse" means a building containing ~~two~~ three or more attached dwelling units that extend from foundation to roof and that have a yard or public way on not less than two sides and which share one or more common walls with other dwelling units and with each dwelling unit occupying individually owned parcel of land with no side yards between adjacent townhouses.

~~Townhouses" means a building containing 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.~~

"Tract" means an area of land which has been defined, but has not been designated by lot and block numbers.

"Transient accommodation" means a dwelling unit or sleeping unit provided for monetary compensation for periods of thirty (30) or fewer consecutive days.

"Travel trailer, recreation vehicle" means a recreational vehicle which is designed to be transported on public streets or highways and not designed for use as a permanent residence.

"Triplex" means a building containing exactly three dwelling units.

"Upland" means beach and land forms landward of a water body.

"Useable area" means that portion of a lot or parcel physically suited for supporting buildings. Land not considered useable area includes, but is not limited to, tidelands, shorelines, bluffs, unstable slopes, wetlands, areas of poor drainage, access easements to back lots, and areas devoted solely to utility purposes such as stormwater retention ponds. The extent of usable area of a lot or parcel shall be determined by the town planner.

"Use" means the purpose which land or buildings or structures now serve, or for which they are occupied, maintained, arranged, designed or intended.

Use, accessory. "Accessory use" means a use of property or of a building or portion thereof customarily incidental and subordinate to the principal use of the land or building, and located on the same lot with the principal use.

Use, conditional. "Conditional use" means a use permitted in one or more zones but which, because of characteristics peculiar to such use or because of size, technological processes or equipment, or because of the exact location with reference to surroundings, streets, and existing improvements or demands upon public facilities, requires a special degree of control to make such uses consistent with and compatible to other existing or permissible uses in the same zone or zones. A conditional use is a form of special exception.

Use, nonconforming. "Nonconforming use" means a use which lawfully occupies a building or land at the time the ordinance codified in this title became effective, and which does not conform with the use regulations of the zoning district in which it is located.

Use, principal. "Principal use" means the primary or predominant use to which the property or building is or may be devoted, and to which all other uses on the same lot are accessory.

Use, prohibited. "Prohibited use" means any use not specifically enumerated as a principal, accessory or conditional use in specific zones or areas.

"Vacation" means the act of making legally void any right-of-way, easement, public area, or other public interest.

"Variance" means an adjustment in the application of the specific regulations of this title to a particular piece of property, which property, because of special circumstances applicable to it, is deprived of privileges commonly enjoyed by other properties in the same zone or vicinity and which adjustment remedies disparity in privileges.

"Vertical datum" means the base elevation used for measuring height. It is calculated by adding the lowest elevation within five feet of an exterior wall to the highest elevation within five feet of an exterior wall on the same building, then dividing the result by two. The highest and lowest points shall be located on the historical or original grade, as determined by the building official.

"Veterinary clinic/hospital" means a building or premises for the medical or surgical treatment of animals or pets, including the indoor boarding of hospitalized animals, but excluding the boarding of animals not subjected to medical or surgical treatment.

Waste, hazardous. "Hazardous waste" means all dangerous and extremely hazardous waste as defined in RCW 70.105.010(15), except for moderate risk waste as defined in RCW 70.105.010(17).

Waste, hazardous—Off-site treatment and storage facility. "Off-site hazardous waste treatment and storage facility" means treatment and storage facilities which treat and store hazardous wastes generated on properties other than those on which the off-site facilities are located.

Waste, hazardous—On-site treatment and storage facility. "On-site hazardous waste treatment and storage facility" means treatment and storage facilities which treat and store hazardous wastes generated on the same property.

Waste, hazardous—Storage of. "Storage of hazardous waste" means the holding of hazardous waste for a temporary period as regulated by the State Dangerous Waste Regulations, Chapter 173-303 WAC.

Waste, hazardous—Treatment of. "Treatment of hazardous waste" means the physical, chemical or biological processing of hazardous waste for the purpose of rendering these wastes non-dangerous or less dangerous, safer for transport, amenable for energy or material resource recovery, amenable for storage, or reduced in volume as regulated by the State Dangerous Waste Regulations, Chapter 173-303 WAC.

Yard, service. "Service yard" means an open area, usually paved, with access to a street or alley, to allow vehicular access to a building or use for purposes of loading or unloading equipment, freight, livestock or people.

["Zone, Single-family" means those zones where the traditional "single-family" detached residences are the predominant land use.](#)

"Zoning" means a police power measure in which the community is divided into districts or zones within which permitted and special uses are established as are governing regulations for lot size, bulk and other development standards.

"Zoning district" means a defined area of Coupeville within which the use of land is regulated and certain uses permitted and other uses excluded as set forth in this title.

(Ord. 648 § 3 Exh. B (part), 2005; Ord. 614 § 4 Exh. D (part), 2001; Ord. 604 § 1, 2000; Ord. 586 § 2, 1999; Ord. 566 § 2 Exhs. A (part), B (part), 1998)

(Ord. No. 690, § 1, 4-26-2011; Ord. No. 692, § 2, 10-3-2011; Ord. No. 701, § 1, 3-27-2012; Ord. No. 751, § 2, 8-27-2019)

16.04.070 Interpretation generally.

The provisions of the development regulations shall be the minimum requirements adopted for the promotion and protection of the public health, safety and general welfare. The development regulations are not intended to interfere with, advocate or annul any easements, covenants, or other agreements between parties, except where the arrangements may conflict with the enforcement of the development regulations.

(Ord. 566 § 2 Exh. A (part), 1998)

16.04.080 Conflict of provisions.

In the case of conflicts between the parts of the development regulations and other rules, regulations, resolutions, ordinances or status lawfully adopted by other authority having jurisdiction within the Town, the most restrictive shall govern. In the case of conflicts between the text, maps and charts of the development regulations, the text shall govern unless otherwise stated.

(Ord. 566 § 2 Exh. A (part), 1998)

16.04.090 Jurisdiction.

The development regulations shall not limit the legislative discretion of the town council in further restricting permitted uses, or in withholding or revoking permits for uses where those actions are found necessary for the promotion and protection of the public peace, health, safety and general welfare.

(Ord. 566 § 2 Exh. A (part), 1998)

16.04.100 No special duty created.

- A. It is the purpose of this title to provide for the health, welfare, and safety of the general public, and not to create or otherwise establish or designate any particular class or group of persons who will or should be especially protected or benefited by the terms of this title. No provision or term used in this title is intended to impose any duty upon the Town or any of its officers, agents, or employees for whom the implementation or enforcement of this title shall be discretionary and not mandatory.
- B. Nothing contained in this title is intended to be nor shall be construed to create or form the basis for any liability on the part of the Town or its officers, agents, and employees for any injury or damage resulting from the failure of any premises to abate a nuisance or to comply with the provisions of this title or be a reason or a consequence of any inspection, notice, or order, in connection with the implementation or enforcement of this title, or by reason or a consequence of any inspection, notice or order, in connection with the implementation or enforcement of this title, or by reason of any action of the Town related in any manner to enforcement of this title by its officers, agents or employees.

(Ord. No. 751, § 3, 8-27-2019)

Chapter 16.08 ZONING DISTRICTS

16.08.010 Purpose and intent.

The land use element of the Coupeville comprehensive plan provides a long-range vision through which all uses—housing, commerce, recreation, public facilities, open space, culture and transportation—are integrated to maintain and enhance the Town's desirable characteristics. Land use planning strives to facilitate the best use of all lands, developed and undeveloped. Toward this purpose, zoning districts are established to fulfill the following intent:

- A. To be the primary tool for implementing the adopted comprehensive plan future land use map. This map identifies the general distribution, location and extent of different land uses within the Town;
- B. To promote the social and economic stability of existing and future land uses by regulating the use of individual parcels of land to prevent unreasonable detrimental effects or encroachment by incompatible uses on neighboring properties;
- C. To preserve the historic, aesthetic and natural features of the Town by establishing high standards for community design, environmental protection and cultural/historic enhancement;
- D. To encourage active and appropriate stewardship of the land to protect and preserve the historic and natural features of the Ebey's Landing National Historical Reserve, pursuant to Public Law No. 95-625.

(Ord. 566 § 2 Exh. A (part), 1998)16.08.020 Establishment of zoning districts and provisions for official zoning map.

- A. The Town of Coupeville is divided into zoning districts as shown on the official zoning map, which together with all explanatory matter thereon is adopted by reference and declared to be a part of Title 16.
- B. Regulations applying to each zone as set forth in this title are adopted.
- C. The official zoning map shall be identified by the signature of the mayor, under the following words: "This is to certify that this is the Official Zoning Map referred to in Section 16.08.020(A) of the Coupeville Town Code, as adopted under Ordinance No. [number of ordinance adopting new map]." The official zoning map shall be kept in town hall.
- D. In the event that the official zoning map becomes damaged, destroyed, lost or difficult to interpret because of the nature or number of changes and additions, the town council may by resolution adopt a new official zoning map. The new official zoning map may correct drafting or other errors or omissions, but no such correction shall have the effect of amending the zoning district designation for any land within the Town of Coupeville.

(Ord. 566 § 2 Exh. A (part), 1998)

16.08.030 Interpretation of zoning district boundaries.

Where uncertainty exists as to the boundaries of zoning districts as shown on the official zoning map, the following rules shall apply:

- A. Boundaries indicated as approximately following the centerlines of streets, highways or alleys shall be construed to follow such centerlines.
- B. Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines.

- C. Boundaries indicated as approximately following the Town limits shall be construed as following the Town limits.
- D. Boundaries indicated as following shorelines shall be construed to follow such shorelines, and in the event of change in the shoreline shall be construed as moving with the actual shoreline.
- E. Boundaries indicated as parallel to or extensions of features indicated in Subsections A through D of this section shall be so construed. The scale of the map shall determine distances not specifically indicated on the official zoning map.
- F. All areas within the corporate limits of the Town which are under water and are not shown as included within any zone shall be subject to all of the regulations of the zone which immediately adjoins the water area.
- G. The zoning regulations shall apply equally to private and public property.
- H. Property which has not been specifically included within a zone shall be classified as LDR, low density residential district, until such classification is changed by amendment of the zoning ordinance as provided by law.
- I. Where the street or property layout existing on the ground is at variance with that shown on the official zoning map, or in other circumstances not covered by subsections A through E of this section, the town planner shall interpret the zone boundaries.

(Ord. 566 § 2 Exh. A (part), 1998)

16.08.040 Residential zoning districts.

It is the intent of the four primary residential zoning districts in Coupeville to provide housing options for all social and economic segments of the community, to provide for efficient public and private utility services, to promote efficient traffic patterns, to preserve and protect historic sites and structures, to recognize historic development patterns and to reflect the intent of the Coupeville comprehensive plan. The specific intents of each predominantly residential zoning districts are described below:

- A. *Residential Reserve District (RR)*. This zoning district implements the residential reserve use designation on the comprehensive plan future land use map. It is intended to allow for very low density residential, agricultural, horticultural and floricultural uses, encouraging the retention of open space and rural character. It is intended further to maintain large areas free of impervious surfaces in order to increase the potential for natural infiltration of rainfall and the retention of natural drainage water patterns, minimizing the need for stormwater facilities and increasing the protection of groundwater resources.

Principal Uses

Single-family household dwellings
 Duplexes
 Small-scale agriculture
 Public parks and playgrounds
 Production of forest products
 Adult family homes*
 Class I group homes*
 Bed and breakfast inns*

Accessory Uses

Accessory structures less than 1,200 square feet*
 Family day care centers
 Produce stands
 Home occupations*
 Accessory dwelling units*

Conditional Uses

Public/quasi-public facilities
 Golf courses
 Riding stables
 Day care centers
 Accessory structures greater than 1,200 square feet*
 Class II group homes*

* Subject to special conditions and restrictions in Chapter 16.10.

Allowed uses within the residential reserve district are as follows:

- B. Low Density Residential District (LDR). This zoning district implements the low density residential use designation on the comprehensive plan future land use map. It is intended to provide for rural lifestyles, promote open space and minimize impervious surfaces, and to provide a buffer to separate agricultural areas from the suburban and urban residential uses. Allowed uses within the low density residential district are as follows:

Principal Uses	Accessory Uses	Conditional Uses
Single- family household dwellings	Accessory structures less than 800 square feet*	Public/quasi-public facilities
Small-scale agriculture	Family day care centers	Class II group homes*
Public parks and playgrounds	Produce stands	Day care centers
Duplexes	Home occupations*	Accessory structures greater than 800 square feet*
Cottages*		
Adult family homes*	Poultry raising	
Class I group homes*	Accessory dwelling units*	
Bed and breakfast inns*		

* Subject to special conditions and restrictions in Chapter 16.10.

- C. Medium Density Residential District (~~MDR~~[RM-9600](#)). This zoning district implements the medium density residential use designation on the comprehensive plan future land use map. These areas provide a stable environment for residential development, adequate public services to serve residential development and prohibit uses that would violate the single-family nature of the neighborhood. Allowed uses within the medium density residential district are as follows:

Principal Uses	Accessory Uses	Conditional Uses
Single- family household dwellings	Accessory structures less than 800 square feet*	Public/quasi-public facilities
Adult family homes*	Family day care centers	Private schools
Class I group homes*	Private greenhouses*	Day care centers
Bed and breakfast inns*	Home occupations*	Class II group homes*
Duplexes	Accessory dwelling units*	Duplexes*
Cottages*		
Triplexes		

* Subject to special conditions and restrictions in Chapter 16.10.

- D. High Density Residential District (HDR RH). This zoning district implements the high density residential use designation on the comprehensive plan future land use map. It is intended to provide areas for higher density residential uses near commercial services and located to permit efficient delivery of public services. Allowed uses within the high density residential district are as follows:

Principal Uses

~~Single Family Dwellings~~
Duplexes ~~dwellings~~*
Triplexes*
Cottages*
Multifamily dwellings
Townhomes*
~~Bed and breakfast inns*~~

Accessory Uses

Accessory structures less than 800 square feet*
Family day care centers
Home occupations*
~~Accessory Dwelling Units~~
Bed and breakfast inns*

Conditional Uses

Public/quasi-public facilities

Manufactured housing parks*
Professional offices

Day care centers
Accessory structures greater than 800 square feet*
Continuing care retirement facilities*

* Subject to special conditions and restrictions in Chapter 16.10.

Maximum Density. Except as provided for elsewhere in this title, the maximum density for multifamily dwellings is one dwelling unit for each four thousand (4,000) square feet of gross lot area.

(Ord. 614 § 4 Exh. D (part), 2001; Ord. 566 § 2 Exhs. A (part), B (part), 1998)

(Ord. No. 751 , § 4, 8-27-2019)

16.08.050 Commercial zoning districts.

It is the intent of the three primary commercial zoning districts to provide for areas of predominantly commercial land uses in appropriate areas of Coupeville, to assure that commercial development is harmonious in size and scale to the community and adjacent buildings, to provide for efficient vehicular and pedestrian traffic, to preserve the Town's historic, rural character, including but not limited to the residential use of a designated historic building that was originally constructed as a traditional "single-family" home, and to reflect the intent of the Coupeville comprehensive plan. The specific intent and allowed uses within each predominantly commercial zoning district are described below:

- A. ~~Historic/Limited Commercial District (HLC)~~ Historic Commercial Center (HCC). This zoning district implements in part the commercial designation on the comprehensive plan future land use map. This zoning district is reserved for the historic Front Street area between Alexander and Haller Streets (north of Coveland and Ninth Streets), including the Coupeville Wharf, and is intended to accommodate water-oriented uses, along with small-scale commercial uses which are compatible in size, scale and visual character with the district's historic character. Mixed use, adaptive reuse and preservation within a pedestrian scale environment are hallmarks of this district. Allowed uses within the ~~historic/limited-commercial~~ Historic Commercial Center zoning district are as follows:

Principal Uses

Retail sales and service (no drive-up service)
Professional offices (no drive-up service)
Restaurants (no drive-up service)

Accessory Uses

Accessory structures less than 800 square feet*
Family day care centers

Home occupations*
Not at street-level residential west of Main Street (mixed use)

Conditional Uses

Public/quasi-public facilities

Day care centers

Multifamily dwellings east of Main Street

Marine-related sales and service
Personal services
Clubs, lodges, and fraternal
organizations

Parking facilities
[Accessory dwelling units for single-
household residential use of a
designated historic home](#)

Parking facilities
Hotels*
Outdoor storage and display

Bed and breakfast inns*
Single ~~family~~[household](#) residences
east of Main Street

Microbreweries
New single ~~family~~[household](#)
residential buildings that are not
accessory structures

Short-term rentals, except the short-
term rentals west of North Main
Street shall be part of a mixed use
development and the short-term
rental is not allowed at street level*

Marine fueling station
Marine research facilities
Marine repair and sales
Moorage facility/marina
Single ~~family~~[household](#) residential
use of a designated historic home
[Mixed Use structures*](#)

* Subject to special conditions and restrictions in Chapter 16.10.

- B. *Town Commercial (TC)*. This zoning district implements in part the commercial designation on the comprehensive plan future land use map. It encompasses most the commercial areas outside of the Front Street historic area, including North and South Main Street, Coveland Street, and Birch Street NE. It is intended to provide for a wide range of commercial uses that are proportional in scale and compatible in character with historic uses in the Town, and that cater to both vehicular and nonmotorized access. More intensive, larger or automobile-dependent commercial land uses are not appropriate for this district. Allowed uses within the town commercial zoning district are as follows, provided that only professional offices are allowed as principal uses adjacent to SR 20:

Principal Uses

Retail sales and service
Professional offices
Restaurants (no drive-up
service)
Theaters

Professional services
Microbreweries
Clubs, lodges, and fraternal
organizations
Bed and breakfast inns*

Accessory Uses

Accessory structures less than 800 square
feet*
Parking facilities
Not at street-level residential (mixed use)
[Accessory dwelling units for single-household
residential use of a designated historic home](#)

Conditional Uses

Public/quasi-public facilities

Day care centers
Parking facilities

~~Multifamily dwellings~~

Outdoor storage and display
Commercial recreation
Hotels*

Single ~~family~~[household](#)
residences that are not
designated historic homes or
accessory structures

Short-term rentals*

~~Duplex residences*~~

Single-family household

residential use of a
designated historic home

[Multifamily Residential*](#)

[Mixed Use structures*](#)

* Subject to special conditions and restrictions in Chapter 16.10.

- C. General Commercial (GC). This zoning district implements in part the commercial designation on the comprehensive plan future land use map. It is reserved for specific locations in Coupeville where commercial uses which are larger in scale, more automobile-oriented or more likely to impact neighboring properties may be sited without detracting unduly from the Town's historic character. The conditional use permit process is used to insure that all measurable impacts from these uses are identified and, if possible, mitigated through specific performance conditions. Allowed uses within the general commercial zoning district are as follows, provided that only professional offices are allowed as principal uses adjacent to SR 20:

Principal Uses	Accessory Uses	Conditional Uses
Retail sales and service	Accessory structures less than 800 square feet*	Public/quasi-public facilities
Professional offices	Parking facilities	Motels*
Restaurants (no drive-up service)	Not at street-level residential (mixed use)	Light industrial
Theaters		Adult businesses
Personal services		Tattoo parlors
Microbreweries		Parking facilities
Clubs, lodges, and fraternal organizations		Outdoor storage and display
Gasoline service stations		Commercial recreation
Bed and breakfast inns*		Heliports, helistops
Short-term rentals*		Automobile sales
Single-family residential use of a designated historic home		Automobile repair
Mixed Use structures*		Drive-up businesses
		Veterinary clinics
		Hotels*
		Mini-storage warehouses
		Single-family household residences that are not designated historic homes or accessory structures

* Subject to special conditions and restrictions in Chapter 16.10.

(Ord. 596 § 1, 2000; Ord. 566 § 2 Exhs. A (part), B (part), 1998; Ord. No. 677, § 4, 10-13-2009; Ord. No. 690, § 1, 4-26-2011; Ord. No. 751, § 5, 8-27-2019)

16.08.060 Public/quasi-public zoning district.

It is the intent of this district to provide adequate land for uses which serve governmental functions, provide a wider community purpose or for areas designated as open space or future park development. Collectively, these uses serve the cultural, educational, recreational, religious, transportation and public service needs of the community. Allowed uses within the public/quasi-public zoning district are as follows:

Principal Uses	Accessory Uses	Conditional Uses
Public facilities	Accessory structures Less than 800 square feet	Accessory structures greater than 800 square feet
Quasi-public facilities	Restaurant (no drive-up services)	
	Parking facilities	
	Retail sales	

(Ord. 566 § 2 Exhs. A (part), B (part), 1998)

16.08.070 Reserved.

Editor's note(s)—Ord. No. 692, § 7, adopted Oct. 3, 2011, repealed § 16.08.070 in its entirety, which pertained to historic restoration overlay district and derived from Ord. 566 § 2 Exh. A (part), 1998.

16.08.080 Planned unit development overlay district (PUD).

- A. Intent and Purpose. The purpose of this chapter, providing for the establishment of a planned unit development overlay district, is to:
 - 1. Encourage flexibility in design and development that will encourage a more creative approach in the development of land and which will result in a more efficient, aesthetic and desirable use of the land.
 - 2. Permit flexibility of design, placement of buildings, use of required open spaces, circulation facilities, off-street parking areas, and otherwise to better utilize the potentials of sites characterized by special features of geography, topography, size or shape.
 - 3. Facilitate the adequate and economical provisions of streets and utilities.
 - 4. Preserve the natural and scenic qualities of open area.
- B. Minimum Area. The minimum area of a PUD, planned unit development shall be five acres.
- C. Pre-application Conference. In accordance with Section 16.06.030(A) of this title, appropriate Town staff shall meet with the applicant for the purpose of gathering general information and guidelines before entering into binding commitments or incurring substantial expense in the preparation of plans. Particular attention shall be given to the following:
 - 1. The present uses and character of the area;
 - 2. The road and street system in the area, especially:
 - a. Neighborhood through routes,
 - b. Designated collector and arterial streets, both existing or proposed,

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- c. The right-of-way widths for all roads and streets,
 - d. Whether streets or ways are to be public or private.
 - 3. Public and private open areas, parks and trails;
 - 4. Public and private utilities and services or their counterparts:
 - a. Water,
 - b. Sewer,
 - c. Fire protection,
 - d. Surface drainage,
 - e. Electricity (underground),
 - f. Telephone (underground),
 - g. Street and common area lights,
 - h. Television cable (underground),
 - i. General concept of the developer.
 - D. Rezone to Planned Unit Development Overlay District. The applicant may submit a verified rezone application requesting a change to planned unit development overlay district pursuant to Section 16.06.070 of this title which shall be accompanied by an outline development plan and program containing the elements and meeting the density, open space and all other requirements enumerated in subsections G through H of this section.
 - E. Review Process.
 - 1. The application for a planned unit development overlay district shall be considered first by the planning commission at a public meeting within the time and in the manner provided by Section 16.06.050(D)(4) of this title. If a preliminary subdivision is part of the application, requirements for public meetings and plat content contained in Chapter 16.16 shall also be complied with.
 - 2. The minutes of the planning commission public meeting, along with any recommendation, shall be forwarded to the town council for a public hearing on the application. The public hearing and notice of decision shall be conducted in accordance with Sections 16.06.040 and 16.06.050 of this title.
 - F. Decision Criteria. Approval or denial of the proposal to rezone shall be based on the following criteria:
 - 1. Substantial conformance to the comprehensive plan;
 - 2. The proposal's harmony with the surrounding area, or its potential future use;
 - 3. The system of ownership and means of development, preserving and maintaining open space;
 - 4. The adequacy of the size of the proposed overlay district to accommodate the contemplated development.
 - G. Outline Development Plan and Program—Plan Elements. The elements of the outline development plan shall be as follows:
 - 1. Existing maps drawn to a scale of not less than one inch to one hundred (100) feet and proposed contour map;
 - 2. Location, with the names, of all existing and proposed streets, public ways, utility rights-of-way, parks or other open spaces and all land uses within five hundred (500) feet of the boundary of the development;

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3. Existing sewers, water mains and other underground facilities within and adjacent to the development and their certified capacities;
 4. Proposed sewer or other waste disposal facilities, water mains and other underground utilities;
 5. Preliminary subdivision plan;
 6. Proposed land use plan;
 7. Community facilities plan;
 8. Location and amount of open space, screening and landscaped areas;
 9. Traffic flow plan;
 10. Location and dimension of walks, trails or easements;
 11. Location, arrangement, number and dimensions of truck loading and unloading spaces and docks;
 12. Approximate location of building and/or structures, indicating general height, bulk, and number of dwelling units;
 13. Indication of stages of development.
- H. Outline Development Plan and Program—Program Elements. The elements of the outline development program shall be as follows:
1. Statement of goals and objective (i.e., why it would be in the public interest and be consistent with the comprehensive plan);
 2. Evidence of resources available to develop the project;
 3. Tables showing total number of areas, distribution of area by use, percent designated for each dwelling type, type of off-street parking, streets, parks, playgrounds, schools and open spaces;
 4. Tables indicating overall densities and density by dwelling types and any proposal for the limitation of density;
 5. Time table of development;
 6. Preliminary storm water drainage plan.
- I. Common Open Space—Requirements Generally.
1. Common open space in a planned unit development overlay district shall meet the following requirements:
 - a. The location, shape, size and character of the open space must be suitable for the planned unit development.
 - b. Common open space must be used for amenity or recreational purposes. The uses authorized for the common open space must be appropriate to the scale and character of the planned unit development, considering its size, density, expected population, topography, number and type of dwelling units to be provided.
 - c. Common open space must be suitably improved for its intended use, but common open space containing natural features may be left unimproved. The buildings, structures and improvements which are permitted in the common open space must be appropriate to the uses which are authorized for common open space and must conserve and enhance the amenities of the common open space in regard to its topography and unimproved condition.

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2. The development schedule, which is part of the development plan, must coordinate improvement of common open space, construction of buildings, structures and improvements in the common open space, and the construction of residential dwellings in the planned unit development.
- J. Detail Plan. The purpose of the detail plan is to provide a specific plan upon which the town council can base their decision and with which substantial compliance is necessary for preparation of the final plan. When seeking approval of the planned development, the detail plan shall be filed:
1. As the initial plan for the entire development if no outline plan has been approved at the time application is made.
 2. As the second step when an outline plan has been approved:
 - a. Such detail plan may be filed in phases.
 - b. The first phase of the entire detail plan shall be submitted within twelve (12) months following approval of the outline plan, unless an extension has been granted.
 - c. Detail plans for subsequent phases, if more than one phase is used, shall be filed at least sixty (60) days prior to the construction date set forth in the timetable unless an extension has been granted as herein provided.
- K. Maps, Written Statements and Application. The detail plan shall be accompanied by an application on a form supplied by the Town. The detail plan shall include the following information and shall be prepared on material which is suitable for printing by the ozalid (blue) process:
1. A scale map showing the following for the planned development site:
 - a. The topography in sufficient detail to determine the grades and character of the site as they relate to the improvements and to the adjacent area;
 - b. The location of all thoroughfares and walks, their widths and the nature of their improvements and whether they are to be public or private;
 - c. The location, layout and the surfacing of all off-street parking areas;
 - d. The property boundary lines;
 - e. The individual lot lines of each parcel that is to be created for separate ownership;
 - f. The location of easements for the water lines, fire hydrants, sewer and storm sewer lines, and the location of the electric, gas and telephone lines, television cable, and the lighting plans;
 - g. The landscaping and tree planting plan, including species and size, with a notation indicating the existing trees and shrubs which are to be retained;
 - h. The common facilities, open areas and spaces, and the particular uses which are intended for them;
 - i. The areas proposed to be conveyed, dedicated, reserved or used for parks, scenic-ways, playgrounds, schools, public buildings and similar public and semipublic uses and whether such areas are to be public or private;
 - j. If the planned development is to be constructed in phases, indicate the area of each phase on the map; and
 - k. A plan showing the following for each existing or proposed building or structure for all sites, except single-family household lots:
 - i. Its location on the lot and within the planned development,

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- ii. The intended use,
 - iii. The number of dwelling units in each residential building.
 - 2. Elevation drawings of all typical proposed structures except single-family~~household~~ residences. The drawings shall be accurate and to scale but need not be the final working drawings.
 - 3. The location of all buildings on abutting properties. If accurate information was submitted for the outline plan, this will be sufficient.
 - 4. The manner of financing for the planned development.
 - 5. The present ownership of all of the land in the planned development.
 - 6. A development time schedule indicating:
 - a. The approximate date when construction of the project will begin;
 - b. The phases in which the project will be built and the approximate date when construction of each phase will begin;
 - c. The approximate dates when development of each phase will be completed;
 - d. The area and location of open space that will be provided at each phase.
 - 7. Proposed documents providing for ownership, maintenance, operation of common facilities and open space, restrictive covenants, and architectural design review.
 - 8. Detailed storm drainage management plan.
- L. Detail Plan Approval.
- 1. The detail plan shall be considered in the same manner as provided in subsection E of this section.
 - 2. Approval of the detail plan in whole or in phases is contingent upon substantial conformance to the outline plan and to the standards set forth in this chapter. The town council may impose reasonable conditions upon its approval to insure conformance to the approved plan. This substantial conformance is intended solely to facilitate the minor modifications from one planning step to another. It is not the intent, nor shall these modifications be used to increase the total area covered or decrease the total open space as approved by the town council. The town council may fail to find substantial conformance to exist if, in their opinion, the adjustments provided in subsection (L)(3) of this section are being used to significantly modify the approved plan.
 - 3. Substantial conformance shall exist when the comparison of the detail plan to the approved outline plan shall show that:
 - a. There are the same or fewer number of dwelling units;
 - b. The open space is in the same general location and in the same general amount, or a greater amount;
 - c. The buildings have the same or less number of stories;
 - d. The roads and drives follow approximately the same course, have the same or greater width, have the same public or private rights therein and have the same termini and serve the same or fewer dwelling units; and
 - e. The detail plan is within the intent and purpose of the outline plan.
 - 4. The detail plan approved, either for a phase or for the entire plan, shall be valid for a twelve (12) month period. The town planner may extend approval for additional six month periods.

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- M. Disapproval of Detail Plan. If the detail plan is not in substantial conformance to the purpose and intent of the outline plan, or an applicable portion thereof, the town council shall not approve the detail plan. If it is not modified to conform to the outline plan, the developer may request a new public meeting before the planning commission and public hearing before the town council. The revised detail plan shall be considered as if it were a new application.
- N. Site Improvements. The developer may place street improvements, sidewalks, utilities and other permanent site improvements or stake the location of the buildings and make application for building permits after detail plan approval; however, the placing of improvements will not obligate the town council to grant approval of the final plan. Under no circumstances will any building permit be issued until final approval has been granted and the necessary portions of the final plan recorded.
- O. Final Plan. The purpose of the final plan is to formalize into the final, legal document form the plans which were approved in the detail plan step. The final plan, when properly filed in the county deed records shall serve as the permanent public record of the planned development.
- P. Contents. The final plan shall contain the information required in subsection K of this section for the detail plan. The final plan will be prepared or printed on permanent high grade paper in a form suitable for inclusion in the deed records of the county. If parcels of land are to be sold, a "hard copy" subdivision plat in the form prescribed by Section 16.16.120(B) of this title shall also be filed with the final plan. Condominium plats shall conform to Washington law and shall not be reviewed by the planning commission or town council.
- Q. Filing. The final plan shall be filed within twelve (12) months of the date of the granting of the detail plan approval.
- R. Placing of Improvements. The Town of Coupeville shall require, as a condition to granting final approval, that the street, utility, parking, sidewalk, landscaping, common facilities and open space improvements will be placed. In lieu of the installation of the foregoing required improvements, the Town may permit the developer to deposit a performance bond with the town council in an amount not less than one hundred twenty-five (125) percent of the estimate for all required improvements. This amount of the estimate shall be prepared by the applicant for approval by the public works director. If a subdivision plat is used to divide property, the conditions of approval contained in Section 16.16.040 shall apply. All required improvements are to be completed by the subdivider within one year from the date of the approval of the final plan by the town council. If said improvements are not completed in the specified time, the town council may use the bond or any portion thereof to complete the same.
- S. Final Plan Approval.
1. The planning commission and council shall review and approve the final plan if it is in substantial conformance with the detail plan. Nothing in these provisions shall limit reduction of the number of dwelling units or increasing open space, provided that if this is done for one phase the number of dwelling units shall not be transferred to another phase, nor the open space be reduced below that permitted in the detail plan. This substantial conformance provision is intended solely to facilitate the minor modifications from one planning step to another. It is not the intent, nor shall these modifications be used to increase the total area covered or decrease the total open space as approved by the town council. The council may fail to find substantial conformance to exist, if in their opinion, the adjustments provided below are being used to significantly modify the approved plan.
 2. Substantial conformance shall exist when the comparison of the detail plan with the final plan shows that:
 - a. The number of dwelling units are within ten (10) percent of those shown on the approved detail plan but in no case shall any change exceed the limits established in this code;

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- b. The yard depths and distances between main buildings are within ten (10) percent of those shown on the approved detail plan, but in no case shall these distances be reduced below the minimum established within this code;
 - c. The open space is within ninety (90) percent or more of that provided on the detail plan;
 - d. The building size does not exceed the building sizes shown on the detail plan by more than ten (10) percent nor that the building location does not depart by more than ten (10) percent from the location shown on the final plan.
 - T. Filing or Recording. Upon final approval and after all conditions have been met, the developer shall record the final plan in the county deed records. If parcels are to be sold, the developer will also process and record a subdivision plat as provided in Chapter 58, Revised Code of Washington.
 - U. Amending the Recorded Final Plan. The recorded final plan may be amended by filing the amended plan in the same manner as either an outline plan or a detail plan. A public hearing must be held and the manner processed in the same manner as if it were a new application. Such amendments shall be recorded in the same manner as the final plan and the amendment noted on the original recorded copy of the final plan.
 - V. Common Open Space—Retention and Maintenance.
 - 1. The final development plan and program shall include a provision approved by the town council as being sufficient to assure permanent retention and maintenance of the common open space in a planned unit development overlay district. Such assurance may be in the form of restrictive covenants, dedication of open space to the public where such dedication will be accepted by the town council, an undertaking by an association of owners of the property within the planned unit development overlay district, or in any other form or by any other method approved by the town council as being practical and legally sufficient to assure the permanent retention and maintenance of the common open space. All legal documents to carry out the plan and program in this regard shall be filed by the applicant with the final development plan and program, and shall be subject to approval as to form by the town attorney. All such plans and programs shall contain provisions whereby the Town will be vested with the right to enforce the permanent retention and maintenance of the common open space, and further that in the event the common open space is permitted to deteriorate, or is not maintained in a condition consistent with the approved plan and program, then in such event the Town may, at its option, cause necessary maintenance to be performed and assess the costs thereof to the owners of the property within the planned unit development overlay district.
 - 2. No common open space may be put to any use other than as specified in the approved final development plan unless the development plan has been modified to permit such other use pursuant to subsection U of this section. No such modification of use shall be deemed as a waiver of any of the provisions of the approved final development plan assuring the permanent retention and maintenance of the common open space.
 - W. Underground Utilities. In any planned development which is primarily designed for or occupied by dwellings, all electric lines, telephone facilities, fire alarm conduits, street light wiring and other wiring must be placed underground less this requirement is waived by the town council.
 - X. Building Permits—Issuance after Final Plan Approval. Building permits shall be issued for construction only in accordance with the plan and program elements of the plan as finally approved by the town council.
 - Y. Modifications to Development.
 - 1. Major Modifications. Application for major modifications in the final development plan and program must be submitted to the planning commission and town council, as if such application were an original application for a planned unit development overlay district.

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2. Minor Modifications. Minor modifications in the final development plan and program may be approved by the town planner. Such changes may include minor shifting of the location of buildings, proposed streets, public or private ways between the easements, parks or other features of the plan, but shall not include those changes of boundaries, changes in land use or other changes of location which are not devoted to specified land uses.
- Z. Violation of Terms of Approvals—Penalty—Enforcement. Deviation from any condition upon which final approval was granted, or from any condition shown on the approved final development plan and program, without prior compliance with subsection U of this section shall constitute a violation of this title punishable and enforceable in the manner provided for in Section 16.06.080.
- AA. Action on Nondevelopment. If, within three years after an application for a planned unit development overlay district, substantial construction has not been performed on the approved project, the overlay district will be voided unless the town council grants a longer period of time. This section shall not be construed so as to divest the town council of authority to change the underlying zoning of property within a planned unit development overlay district pursuant to and in accordance with the provisions of Section 16.06.070.
- BB. Damaged Building Restoration. Replacement or reconstruction of any buildings or improvements to buildings damaged or destroyed shall substantially conform to the originally approved planned unit development.
- (Ord. 566 § 2 Exh. A (part), 1998)

16.08.085 ~~Cottage housing overlay district (CHOD).~~ Repealed

- ~~A. Intent and Purpose. The purpose of this overlay district is to provide areas where higher density residential uses are desirable, while maintaining a predominantly single-family character. Smaller lots and smaller houses characterize this overlay district, with a maximum square footage per dwelling unit. Specifically the CHOD is intended to:~~
- ~~1. Provide a housing type that responds to changing household sizes, ages, and needs (e.g., retirees, small families, single person households);~~
 - ~~2. Provide opportunities for ownership of small, detached dwelling units within a single-family neighborhood;~~
 - ~~3. Provide opportunities for creative, diverse, and high-quality infill development;~~
 - ~~4. Provide development compatible with existing neighborhoods with less overall bulk and scale than standard-sized single-family detached dwellings;~~
 - ~~5. Encourage creation of more usable open space for residents of the development through flexibility in density and lot standards;~~
 - ~~6. Provide opportunities for small, detached dwelling units within an existing neighborhood;~~
 - ~~7. Support the growth management goal of more efficient use of urban residential land;~~
 - ~~8. Provide guidelines to ensure compatibility with surrounding land uses; and~~
 - ~~9. Promote opportunities for the development of traditional cottage housing styles.~~
- ~~B. Applicability. The cottage housing overlay district is established outright as an overlay zone on qualifying lots in the medium-density residential zone district. Cottage housing is also authorized within subareas B, D, and F of the MOA zone district consistent with the terms and conditions of the MOA. Cottage housing developments are subject to the standards set forth in CTC 16.12.085.~~
- ~~C. Density. The density of a cottage housing development is as follows:~~

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- ~~1. MOA subareas B, D, and F—As delineated in the MOA;~~
 - ~~2. Medium density residential zone—Eight dwelling units per acre.~~
- ~~(Ord. 648 § 3 Exh. B (part), 2005)~~

16.08.090 Public utilities.

The provisions of this title shall not be construed to limit or interfere with the installation, maintenance and operation of public utility pipe lines and electric or telephone transmission lines when located in accordance with the applicable rules and regulations of the state of Washington within rights-of-way, easements, franchise or ownerships of such public utilities.

(Ord. 566 § 2 Exh. A (part), 1998)

16.08.100 Zoning of annexed lands.

Any land annexed to the Town is made an LDR district until it is zoned otherwise.

(Ord. 566 § 2 Exh. A (part), 1998)

16.08.110 Waiver or delay of collection of hookup fees.

The Town may waive or delay collection of tap-in charges, Connection fees, or hook-up fees for low-income persons, a class of low-income persons, or a nonprofit organization, public development authority, housing authority, or local agency that provides emergency shelter, transitional housing, permanent supportive housing, or affordable housing to connect to lines or pipes used by the town to provide utility service, the waiver or delay shall be pursuant to a program established by ordinance. As used in this section, the provision of “utility service” includes, but is not limited to, water, sanitary sewer or stormwater service, electricity, gas, other means of power, and heat.

Chapter 16.10 SUPPLEMENTAL USE STANDARDS

16.10.010 Purpose.

It is the purpose of this chapter to provide supplemental use standards for some of the allowed uses identified in Chapter 16.08 of the Coupeville Town Code. They further refine and implement comprehensive plan goals and policies relating to providing housing alternatives, and allowing some nonresidential uses within residential zones.

(Ord. 566 § 2 Exh. A (part), 1998)

16.10.020 Nonconforming uses, buildings, and structures.

This section governs those buildings and land uses which were legally constructed or commenced, but which do not conform to the current regulations of the district in which the building or use is located.

- A. Nonconforming Land Uses Permitted—Restrictions. Except as otherwise provided in this chapter, the lawful use of land existing at the time of the adoption of the ordinance codified in this title may be continued, although such use does not conform to the regulations specified by this chapter for the district in which the land is located; provided however, that no such nonconforming use shall be enlarged or increased, nor shall any such nonconforming use be extended to occupy a greater area of land than occupied by the use at the time of the adoption of the ordinance codified in this title; provided further, that if any such nonconforming use of land ceases for any reason for any continuous period of not less than one year, any subsequent use of any such land shall be in conformity to the regulations specified by this chapter for the district in which such land is located.
- B. Nonconforming Building Uses Permitted—Restrictions. Except as otherwise provided in this chapter, the lawful use of any building existing at the time of the adoption of the ordinance codified in this title, although such use does not conform to the regulations specified by this chapter for the district in which such building is located, may be continued. Any such use may be extended throughout any parts of a building which were manifestly arranged or designed for such use at the time of the adoption of the ordinance codified in this title; but no such use shall be extended to occupy any land outside such building.
- C. Cessation of Nonconforming Building Use. If any nonconforming use of a building ceases for any reason for a continuous period of not less than one year, or if the building in or on which such use is conducted or maintained is moved for any distance, then any future use of such building shall be in conformity to the regulations specified by this chapter for the district in which such building is located.
- D. Repair to or Reconstruction of Nonconforming Buildings and Structures.
 - 1. A nonconforming building or structure may be repaired and maintained, so long as any such repair or maintenance does not in any way increase its nonconformity and it remains otherwise lawful.
 - 2. An nonconforming historic building or structure that is destroyed may be restored and/or reconstructed at its former location despite noncompliance with the bulk regulations, including setbacks.
- E. Effect.

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1. Any use for which a special permit is required or for which a special permit may be granted as provided in this chapter, which use was existing at the time of the adoption of the ordinance codified in this title in any district in which the use is specifically permitted subject to the securing of a special permit, shall without further action be deemed to be a conforming use in the district.
 2. All the foregoing provisions shall apply to all uses which do not conform to the provisions of the ordinance codified in this title at the time of its adoption and also to all uses that become nonconforming by reason of any subsequent amendment of this chapter.
 3. Except as otherwise provided in this chapter, nothing in this chapter shall be deemed to require any change in the plans, construction, or designated use of any building on which a building permit was issued or authorized by action of the town council, prior to the adoption of the ordinance codified in this title; provided, that the construction of the building was completed within one year of the date of issue of a building permit, or two years from the date authorized by the town council.

(Ord. 566 § 2 Exh. A (part), 1998)

(Ord. No. 692, § 9, 10-3-2011)

Editor's note(s)—Ord. No. 692, § 9, adopted Oct. 3, 2011, changed the title of § 16.10.020 from "Nonconforming uses" to "Nonconforming uses, buildings, and structures."

16.10.030 Existing substandard lots.

- A. Conveyance Restricted. If two or more lots or combinations of lots and portions of lots with continuous frontage in single ownership are of record at the time of passage or amendment of the town zoning ordinance, and if all or part of the lots do not meet the requirements for lot width and area as established by the zoning ordinance, the lands involved shall be considered to be an undivided parcel for the purposes of this title, and no portion of said parcel shall be used or sold which does not meet lot width and area requirements established by this title, nor shall any division of the parcel be made which leaves remaining any lot with width or area below the requirements stated in this title except that, any lot of record as of March 27, 1995, which meets all lot width and area requirements established by Town ordinances as of that date, shall continue to be considered a legal building lot and may be used or sold accordingly. Variances pertaining to area, width and yard requirements so specified in the zoning ordinance shall be obtained as specified in Section 16.14.020 of this title.
- B. Determination of Ownership. For the purpose of this section, lots and property shall be considered in the same ownership when owned by the same person, persons or corporation, or by husband and wife, as tenants by the entirety.

(Ord. 566 § 2 Exhs. A (part), B (part), 1998)

~~16.10.040 Duplex dwellings.~~

~~This section establishes supplemental standards for the construction of duplex dwellings in the RM-9600 zoning district. These standards do not apply generally to other zoning districts where duplex dwellings are permitted.~~

- ~~A. —Intent and Purpose. The intent of this section is to establish standards by which duplex dwellings can be located in the RM-9600 district, while ensuring compatibility with the predominantly single-family dwelling character of this district.~~

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- ~~B. Applicability. The supplemental standards contained in this section apply to all building permit applications to construct a duplex dwelling with the RM-9600 zoning district.~~
- ~~C. in the RM-9600 zoning district. These standards do not apply generally to other zoning districts where duplex dwellings are permitted.~~
- ~~1. Lot Size. The minimum lot size for a duplex development fifteen thousand (15,000) square feet of usable area.~~
- ~~2. Distribution. No duplex dwelling shall be constructed within five hundred (500) feet of an existing duplex dwelling.~~
- ~~D. 3. The town planner shall review all applications to construct a duplex dwelling. In addition to the applicable standards contained in Chapter 16.13 CTC, the following supplemental standards to connote the appearance of a single-family residence shall apply:~~
- ~~a. Duplex units constructed with a common wall shall not be mirror images or exact duplicates. Integrated variations in roof design, window placement, siding pattern or lot orientation may be employed to disguise the two-dwelling unit appearance.~~
- ~~b. No more than one entry door may be visible from any street right-of-way.~~

(Ord. 566 § 2 Exh. A (part), 1998)

(Ord. No. 692, § 10, 10-3-2011)

16.10.040-050 Accessory dwelling units.

This section establishes supplemental standards for acquiring a certificate for installing an accessory dwelling unit in those districts where this use is permitted as an accessory use. The addition of an accessory dwelling unit on lots containing a single-family household dwelling, or a duplex, triplex, or townhome (not a duplex) as a principal use (hereinafter "the principal unit") shall be permitted in RM-9600, LDR and RR-all zoning districts, subject to the specific development, design and occupancy standards listed in this section.

- A. Intent and Purpose. The intent of this section is to implement appropriate development standards for accessory dwelling units as advocated by the Coupeville comprehensive plan. The purposes behind allowing accessory dwelling units are as follows:
1. Provide homeowners with a means of obtaining, through tenants in either the accessory dwelling unit or the principal unit, rental income, companionship, security and services.
 2. Increase the potential for affordable dwelling units to be constructed in Coupeville, thus making these units available to low- to moderate-income people who might otherwise have difficulty finding affordable housing.
 3. Provide for the development of dwelling units in traditionally "single-family" residential neighborhoods that are appropriate for people at a variety of stages of life.
 4. Protect neighborhood stability, property values and the traditionally "single-family" residential character of the neighborhood by ensuring that each permitted accessory dwelling unit is installed in accordance with these supplemental standards.
- B. Supplemental Standards. ~~Except where noted, the following standards shall govern installation and use of accessory dwelling units:~~

1. Types of Accessory Dwelling Units:

- a. Attached ADUs: These units are added as an addition to the principal residential building.*
- b. Detached ADUs: These units are separate structures, such as a guest house, on the same property as the principal building.*
- c. Internal ADUs: These units are conversions of existing space within the principal residential building into a separate living space that is a fully functional. These units must meet all building codes and shall be considered separate and independent residential units from the primary structure.*
2. ADU's can be established either in an existing residence or as part of new construction.
3. Number. A maximum of two accessory dwelling units are permitted per residential lot.
- a. The first accessory dwelling unit can be an Attached, Detached, or Internal accessory dwelling unit.*
- b. The second accessory dwelling unit must be an Internal or Detached accessory dwelling unit.*
- c. If both accessory dwelling units are detached from the principal building, they may be attached to each other.*
- 2.4. Code Compliance. The accessory dwelling unit(s) shall conform to all applicable standards in the building, plumbing, electrical, mechanical, fire, health and other applicable codes, including the Coupeville development regulations. Prefabricated accessory dwelling units which conform to these standards shall be allowed.
- 3.5. Sewer Service. Connection to the town sanitary sewer main shall be ~~a combined~~ an independent connection as established in Chapter 13.08. ~~Connection of an accessory dwelling unit to an existing or new on-site drain field must be reviewed and approved by the Island County health department. Fees and restrictions shall be as established in Chapter 13.12. If an accessory dwelling units is leased or sold at 80% or less of Coupeville's AMI though the implementation of a covenant, new sewer connection charges may be waived.~~
6. Septic Service. On properties with septic systems, connection of an accessory dwelling unit to an existing or new on-site drain field must be reviewed and approved by the Island County health department. Fees and restrictions shall be as established in Chapter 13.12.
- 4.7. Water Service. The ~~combined~~ independent water service for a principal unit and accessory dwelling unit shall be as established in Chapter 13.08. If an accessory dwelling units is leased or sold at 80% or less of Coupeville's AMI though the implementation of a covenant, new water connection charges may be waived.
5. Site Geography. In the RR and LDR zoning district, and on lots greater than fifteen thousand (15,000) square feet in the RM-9600 zoning district, the accessory dwelling unit may be attached to or detached from the principal unit. On lots of less than fifteen thousand (15,000) square feet in the RM-9600 zoning district, the accessory dwelling unit must be attached to the principal unit or to an accessory detached garage. In all zoning districts, detached accessory dwelling units shall be at least ten (10) feet further away from the street lot line(s) than the principal dwelling unit.
- 6.8. Size. In no case shall the accessory dwelling unit exceed forty (40) percent of the gross floor area (including attached garages and carports) of the principal unit, nor have more than eight hundred (800) square feet in gross floor area, nor have less than three hundred (300) square feet of gross floor area, nor have more than two bedrooms. The square footage of the floor area of an ADU, excluding garage area, shall not exceed one thousand (1,000) square feet.

- ~~8.9.~~ Appearance. The accessory dwelling units shall be designed such that, to the highest degree feasible, the appearances of the building and site remain those of a single-family household residence. Applications for accessory dwelling units are subject to design review under CTC Chapter 16.13 and the adopted Ebey's Landing National Historical Reserve Design Guidelines.
- ~~9.10.~~ Parking. One additional off-street parking space is required for each bedroom in an accessory dwelling unit, ~~over and above the two required for the principal unit.~~
- ~~10.11.~~ Address. The street address of the first accessory dwelling unit shall be the same as the principal unit, followed by the letter "A" (e.g., 605A NE Gould Street). The street address of the second accessory dwelling unit shall be the same as the principal unit, followed by the letter "B" (e.g., 605B NE Gould Street).
12. Setbacks. A setback reduction to one half of the standard established in CTC Chapter 16.12.030 shall be granted for the first accessory dwelling unit established on a property. This setback reduction is applicable to the rear setback, but not to the street setback. This setback reduction is applicable only to the first accessory dwelling unit on a lot with a single-household detached dwelling unit as the primary use.
13. Lot Coverage. A lot coverage bonus of five percent (5%) in excess of the standards established in CTC Chapter 16.12.040 shall be granted for the first accessory dwelling unit established on a property. This lot coverage bonus is applicable only to the first accessory dwelling unit on a lot with a single-household detached dwelling unit as the primary use.
- C. Legacy Rights ~~Grandfathering.~~
1. Owners of accessory dwelling units created illegally prior to adoption of this section who want to continue this use, must apply within one year of the effective date for review and possible approval as a legal accessory dwelling use. The property owner shall apply for approval providing such information as necessary for the Town to determine whether the unit meets the supplemental standards contained herein. The town planner is authorized to require modifications to these units in order to comply with these standards. Failure to apply for retroactive approval of an existing accessory dwelling unit within the allowed one-year grace period shall be unlawful, and subject to enforcement under Section 16.06.080.
- D. Application Procedure. Application for a building permit for an accessory dwelling unit shall be made in accordance with established procedures, subject to an accessory dwelling unit application fee as set by the town council. ~~In addition, the property owner shall also submit, on a form provided by the Town, a signed and notarized affidavit signifying a deed restriction that the property contains an accessory dwelling unit and that the property owner will reside in the principal unit or the accessory dwelling unit for the required minimum number of months per year. This affidavit shall be recorded with the Island County auditor prior to issuance of the building permit.~~
- E. Vacating the Use. A property owner with an approved accessory dwelling unit may apply to vacate this use by filing a request with the Town.
1. The request to vacate the use will be reviewed and a course of action prescribed that will eliminate the accessory dwelling unit. Possible actions could include removal of the kitchen and/or bathroom facilities or disconnection of the water and sewer connections.
 2. No refund will be given for any fees paid in association with creating the accessory dwelling unit.
 3. Upon completion of these actions, the Town will authorize the filing and recording of a certificate vacating the accessory dwelling unit use.

(Ord. 614 § 4 Exh. D (part), 2001; Ord. 566 § 2 Exh. A (part), 1998)

(Ord. No. 692, § 11, 10-3-2011)

16.10.060080 Cottage Housing.

A. ~~Applicability.~~

~~1. Cottage housing developments are allowed in those areas of the Town designated for such pursuant to CTC 16.08.085B.~~

A. Intent and Purpose. The purpose of Cottage Housing is to provide higher density residential uses while maintaining a predominantly “single-family” character. Smaller lots and smaller houses characterize this residential style, with a maximum square footage per dwelling unit. Cottage housing is intended to:

1. Provide a housing type that responds to changing household sizes, ages, and needs (e.g., retirees, small families, single person households);
2. Provide opportunities for ownership of small, detached dwelling units within a single-household neighborhood;
3. Provide opportunities for creative, diverse, and high quality infill development;
4. Provide development compatible with existing neighborhoods with less overall bulk and scale than standard sized single-household detached dwellings;
5. Encourage creation of more usable open space for residents of the development through flexibility in density and lot standards;
7. Support the growth management goal of more efficient use of urban residential land;
8. Provide guidelines to ensure compatibility with surrounding land uses; and
9. Promote opportunities for the development of traditional cottage housing styles.

B. Cottage Housing Development Size.

~~1. Cottage housing developments shall contain a minimum of six and a maximum of twelve (12) cottages located in a cluster to encourage a sense of community among the residents.~~

~~2. In the medium density residential zone, cottage housing developments shall not be located on contiguous parcels and a development site may not contain more than one cottage housing development.~~

1. There is no limit to the number of cottage houses that may be built in a development. However, no more than ten (10) cottage homes may cluster around a common open space to encourage the creation of smaller nodes of community within the larger residential development.

C. Special Site Requirements for Cottage Housing Developments.

1. Density, Lot Coverage, Height, Setback and Parking Requirements.

a. Intent. The site requirements chart establishes the basic dimensional requirements for cottages. Development standards are intended to define design parameters of cottages to achieve compatibility with adjacent single-household residential uses.

b. Requirements—Cottage Housing Developments Site Requirements Chart.

	<u>Site Requirement</u>
<u>Setbacks for all structures from adjacent property lines along the perimeter of the site (except front or any public street setback)^{1,2}</u>	<u>10'</u>

<u>Public street setback</u>	<u>15'</u>
<u>Minimum distance between structures (including accessory structures)</u>	<u>10'</u>
<u>Maximum lot coverage for structures</u>	<u>50 percent</u>
<u>Maximum impervious surface area</u>	<u>75 percent</u>
<u>Common Open Space</u>	<u>Minimum of one common open space is required. 20% of the lot area. Common open space shall be bordered by cottages on at least two sides. At least half of cottage units in the development shall abut a common open space and have the primary entrance facing the common open space</u>
Maximum height for cottages and accessory structures	25'
Maximum height for cottages with minimum roof slope of 6:12³	25'
<u>Parking spaces per cottage ⁴</u>	<u>1 for units with a first floor area of 850 square feet or less. 2 for larger units.</u>

1 When vehicular access to a cottage housing development is from an alley or access corridor, a four-foot minimum ~~rear~~ setback is allowed for the vehicular access.

2 Except standard architectural projections up to a maximum of eighteen (18) inches in depth and six feet in width, and eaves up to 1.5 feet.

~~3 All parts of the roof above eighteen (18) feet shall be pitched. The maximum height of any portion of the roof, except chimneys or cupolas, shall not exceed twenty-five (25) feet anywhere on the site.~~

4 The Design Review Board may reduce parking requirements based on the applicant's demonstration of site-specific factors that justify a lower standard, such as opportunities for transit service or anticipated number of residents.

2. Cottage Design Intent and Floor Area.

a. Intent.

i. Scale of Development. To ensure that the overall size, including bulk and mass of cottage structures and cottage housing developments, remain smaller and incur less visual impact than standard sized single-household dwellings, particularly given the allowed density of cottage dwellings.

ii. Variety. To provide variety in cottage housing developments through a mixture of building sizes; footprints, designs, and materials.

~~ii. Neighborhood Characteristics. The design of individual cottage housing units is to be tailored to ensure compatibility with surrounding neighborhoods as identified in the adopted comprehensive plan. Development within the historic restoration overlay zone shall reflect the historic residential architecture of Coupeville homes as follows:~~

~~(a) Small homes with gable or hipped roof and overhanging eaves;~~

~~(b) Double hung windows; picture windows in later versions;~~

~~(c) Simple entries and little or no ornamentation;~~

~~(d) Usually, narrow horizontal wood siding or machine-cut wood shingles.~~

b. Requirements.

i. Cottage areas that do not count toward the total floor area calculation are:

- (A) Unheated storage space located under the main floor of the cottage;
- (B) Architectural projections, such as bay windows, dormers, fireplaces or utility closets not greater than thirty-six (36) inches in depth or eight feet in width;
- (C) Attached roofed porches less than eighty (80) square feet in size with a minimum dimension of eight feet on any side or covered walks connected to an adjacent carport;
- (D) Detached carports;
- (E) Spaces with a ceiling height of six feet or less measured to the exterior walls, such as in a second floor area under the slope of the roof;
- (F) The town planner may approve other exemptions similar in nature provided the intent of this section is met.

ii. The maximum first floor or main floor area for an individual cottage shall be as follows:

- (A) For at least fifty (50) percent of the units, the first floor area shall not exceed eight hundred (800) square feet;
- (B) For no more than fifty (50) percent of the units, the total floor area may be up to one thousand (1000) square feet;
- (C) The total square foot area of a cottage dwelling unit may not be increased. A note shall be placed on the title to the property for the purpose of notifying future property owners that any increase in the total square footage of a cottage is prohibited for the life of the cottage or duration of Town cottage regulations.

3. Required Minimum Open Space.

a. Intent. The minimum open space requirements are intended to provide a sense of openness and visual relief in cottage housing developments. Common open space shall provide a centrally located, focal area for the cottage housing development. The common area shall be developed and maintained so it is usable for active or passive recreation activities. Private open space around the individual cottages will promote diversity in landscape design.

b. Requirements.

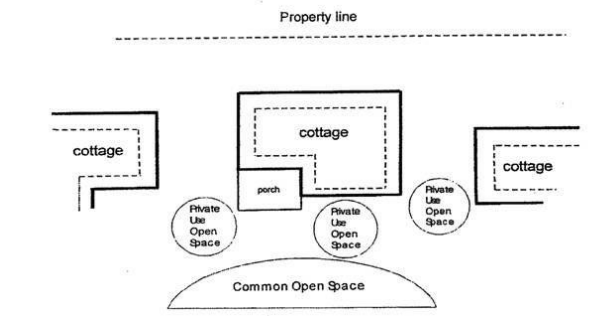
i. Common open space shall:

- (A) Be a minimum of 20% of the lot area;
- (B) Have cottages abutting on at least two sides.
- (C) Not be Parking areas and vehicular areas.
- (D) Not be Critical areas and their buffers, including steep slopes.

ii. Cottages shall be oriented around and have the main entry from the common open space.

iii. When proposed, private open space shall:

- (A) Be a minimum of two hundred (200) square feet of private, contiguous, usable open space adjacent to each dwelling unit, for the exclusive use of the cottage resident. It shall be oriented toward the common open space as much as possible, with no dimension less than ten (10) feet.

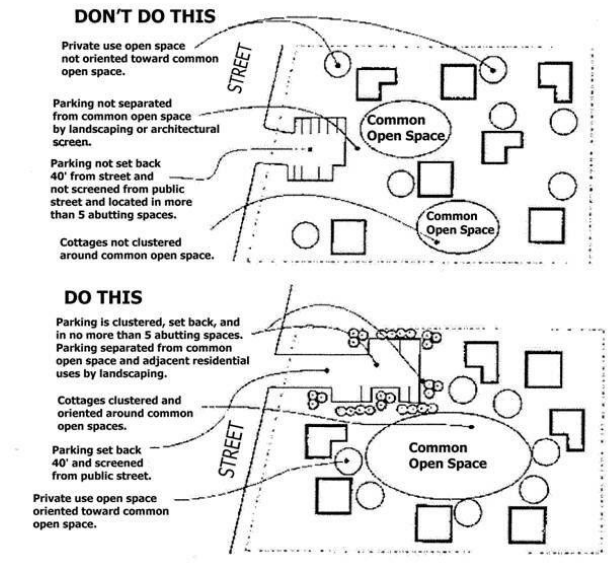


Private use open space should be contiguous to each cottage, for the exclusive use of the cottage resident, and oriented towards the common open space.

- iv. Pedestrian Connections. Connections with adjoining areas through attractive footpath connections is required.

4. Parking Location, Refuse Containers, and Screening.

- a. Intent. To ensure minimal visual impact from vehicular use and storage areas for residents of the cottage housing development as well as adjacent properties, and to maintain the traditionally "single-family" character along public streets.
- b. Requirements. Parking shall be:
- i. Located on the cottage housing development property;
 - ii. Screened from public streets and adjacent residential uses by landscaping and/or architectural screening;
 - iii. Located in clusters of not more than five adjoining spaces;
 - iv. Prohibited in the front yard setback area;
 - vi. Units may have a detached carport between or adjacent to structures but only when it is located toward the rear of the principal structure and is served by an alley or private driveway. Carport design must be coordinated with the design of the cottage unit;
 - vii. A pitched roof design is required for all parking structures;
 - viii. No outside storage is allowed within the carport structure. Enclosed storage is only allowed provided that it is constructed as part of the structure;
 - ix. The town planner may approve other methods provided the intent of this section is met.



Avoid large clusters of parking, set parking back from the street, create functional common and private use open space, provide for screening of parking from cottages and common open space. The site should be designed with a coherent concept in mind.

- c. Requirements. Except for placement during collection, garbage cans and/or refuse bins of any sort shall be completely concealed from view.
- 5. Community Buildings. A cottage housing development may contain a community building that is clearly incidental in use and related in size and architecture to the dwelling units. Such a community building shall be located on the same site as the cottage housing development and shall be commonly owned by the residents. A cottage housing development greater than six units shall contain a community building. Covered parking structures for multiple vehicles shall also be owned by the community. The community building may share a wall with a single cottage.
 - a. A community building shall have no more than 2,400 square feet of net floor area, excluding attached garages
 - b. A community building shall have no minimum off-street parking requirement.

16.10.060090 Accessory Uses.

The section establishes supplemental standards for regulating the placement and use of accessory buildings and structures in the Town of Coupeville. These uses shall be allowed only if a principal or conditional use is located on the lot.

- A. Accessory Buildings. Accessory buildings include attached or detached accessory dwelling units, garages, carports, greenhouses, storage units and other small buildings which are customarily incidental and subordinate to a principal residential, commercial or public/quasi-public use. The following supplemental standards shall apply.
 - 1. No accessory building shall be located within a street setback. This prohibition shall not apply to or prevent the restoration, reconstruction or rehabilitation of any accessory building designated as a contributing structure within the Ebey's Landing national historical reserve.
 - 2. An accessory building whose customary purpose is to house motor vehicles (such as a garage or carport) or to be used for the same purpose as the principal use (such as bonus rooms or

additional retail space) shall be subject to the same required rear and side setbacks as the principal use.

3. Accessory buildings other than those identified in subsection (2) of this section may be located within a rear or side setback, but no closer than five feet to a rear or side property line.
 4. In calculating permitted square footage for accessory buildings, the total of floor area shall be used, as defined in section 16.04.060 of this chapter.
 - ~~5. On lots in the RM-9600 zoning district, the combined building footprint (except accessory structures attached to the principal use) of all accessory buildings shall not exceed one thousand two hundred (1,200) square feet. This restriction does not apply to accessory structures exempt from needing a building permit.~~
 - ~~6.5.~~ For those zoning districts where animal keeping is a permitted use, accessory buildings for the housing of livestock, poultry or other animals for personal, noncommercial and commercial use shall maintain a minimum fifty-foot setback from all property lines. At the time of construction, these accessory buildings shall be at least one hundred (100) feet away from any principal use on neighboring lots.
 - ~~7.6.~~ Any detached accessory building connected to the Town of Coupeville water and/or sewer service will be subject to application requirements and related fees as stated in Section 13.08.070—Application for water service and Section 13.12.050—Application for sewer service.
- B. Accessory Structures. Accessory structures include decks less than thirty (30) inches in height, satellite dishes and antennae serving the principal use, patios, swimming pools, household composting facilities, propane tanks, recreational equipment and other structures customarily incidental and subordinate to a principal residential, commercial or public/quasi-public use. The following supplemental standards shall apply:
1. No accessory structure intended for permanent or semi-permanent attachment to the ground shall be located closer than five feet to a rear or side property line.
 2. No accessory structure greater than eighteen (18) inches in height shall be allowed within a street setback, and in no case shall an accessory structure be located closer than five feet to a street lot line.

(Ord. 614 § 4 Exh. D (part), 2001; Ord. 566 § 2 Exh. A (part), 1998)

(Ord. No. 772 , § 1, 5-10-2022)

16.10.070100 Home occupations.

This section establishes supplemental use standards to permit the limited use of residential property as a business, as advocated by the comprehensive plan. In accordance with the comprehensive plan, Class I and Class II home occupations shall be limited to those which are incidental to the primary residential use and do not change the residential character of the structure.

- A. Exemptions. The supplemental use standards in this section shall not apply to short- and long-term lodging facilities, including bed and breakfast inns, guest houses, group care facilities and residential rental properties. The requirements in Sections 16.10.080 and 16.10.100 may apply to these uses.
- B. Prohibited Home Occupations. The following activities are not allowed as home occupations:
 1. Medical, dental and veterinary offices;
 2. Vehicle and heavy equipment repair, painting, rent, storage and sale;

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3. Rental of space for indoor or outdoor storage;
 4. Outdoor activities, display or storage related to the home occupation except for plant nurseries.
- C. General Requirements. All home occupations, whether Class I or Class II, shall meet the following general requirements:
1. Home occupations are required to have a valid certificate of occupancy issued by the Town of Coupeville.
 2. Home occupations shall be conducted entirely within the principal or accessory building.
 3. Home occupations shall be customarily incidental or secondary to the use of the property as a dwelling, and shall occupy not more than fifty (50) percent of the gross floor area of the dwelling unit.
 4. The operation of a home occupation shall not require structural alterations or appurtenances which are not seen typically in Coupeville residential architecture.
 5. Home occupations shall not generate noise, vibration, smoke, dust, odor, heat, glare, light or electrical interference that exceed levels customarily associated with residential use.
 6. Use of hazardous materials or equipment shall comply with requirements in the Uniform Building Code and Uniform Fire Code.
 7. Customer/client contact shall be limited to the hours between eight a.m. and eight p.m.
 8. No special lighting, banners, flags, balloons, streamers or other devices may be used to draw attention to the home occupation.
 9. Permits to operate home occupations shall not be transferable to other persons or locations.
- D. Class I Home Occupations. Class I home occupations are accessory uses to a residential principal use, and are characterized as having a negligible impact on residential neighborhoods. In addition to meeting the general standards listed under subsection C of this section, Class I home occupations shall not exceed the following thresholds:
1. Apart from very occasional exceptions, no customers or clients shall visit the home occupation.
 2. Deliveries and collections to and from the home occupation shall be limited to two per day.
 3. No individual not resident at the address of the home occupation shall be employed by the home occupation.
 4. No sign is permitted.
- E. Class II Home Occupations. Class II home occupations are accessory uses to a residential principal use, and are characterized as having a minor impact on residential neighborhoods. All proposed home occupations exceeding any of the Class I home occupation thresholds under subsection D of this section shall, in addition to meeting general standards under subsection C of this section, be subject to following standards:
1. Class II home occupations require administrative approval in accordance with Section 16.06.050 (C).
 2. One nonilluminated sign up to two square feet may be displayed. This sign must be attached flush to the principal or accessory structure in which the home occupation is located.
 3. A limited amount of schedule or drop-in visits by customers or clients may be permitted, so long as this activity does not detract from neighborhood residential character.

4. Up to two employees not resident at the home occupation address may be employed, but in no case shall their hours of employment extend outside the twelve-hour period between eight a.m. and eight p.m.
5. Off-street parking for nonresident employees shall include one space for each full-time equivalent employee. Nonresident employees shall not park in the public right-of-way.

(Ord. 566 § 2 Exh. A (part), 1998)

16.10.080110 Transient accommodation.

This section provides supplemental standards for hotels, motels, bed and breakfast inns, and short-term rentals in zoning districts where these uses are permitted as principal or conditional uses.

- A. Hotels and Motels. Hotels are conditional uses within all commercial zoning districts (~~HLC~~HCC, TC and GC). Motels are conditional uses within the general commercial (GC) zoning district only. Where allowed, the following supplemental standards shall apply:
 1. The number of allowed guest rooms is limited to one for every one thousand five hundred (1,500) square feet of useable area or ten (10) guest rooms, whichever is the smaller number.
 2. Cooking facilities are permitted in up to twenty-five (25) percent of the allowed number of guest rooms or suites. Except microwave ovens and coffee makers, cooking facilities of any type are prohibited in all other guest rooms.
- B. Bed and Breakfast Inns. Bed and breakfast inns are principal uses in all residential districts (RR, LDR, RM 9,600 and ~~RH~~HDR) and in all commercial zoning districts (~~HLC~~HCC, TC and GC). Where allowed, the following supplemental standards shall apply:
 1. No bed and breakfast inn shall operate or be advertised without having obtained a bed and breakfast inn license in accordance with Chapter 5.36. Evidence of operation includes, but is not limited to, advertising, online calendars showing availability, guest testimony, online reviews, rental agreements or receipts.
 2. All guest rooms shall be within quarters approved for habitation by the building official or designee.
 3. The owner/manager of the bed and breakfast inn shall reside on-site when guests are present.
 4. The number of guest rooms shall be limited to no more than two in the RR, LDR, ~~RM-9600~~MDR and ~~RH~~HDR zoning districts, and to no more than eight in the ~~HLC~~HCC, TC and GC zoning districts.
 5. Guest rooms and accessory buildings within which guest rooms are located shall be devoid of cooking facilities of any type except microwave ovens and coffee makers.
 6. Where Chapter 16.12 requires off-street parking for the associated residence, one additional off-street parking space shall be provided for each guest room and full-time equivalent employee not resident at the inn.
 7. In residential zones, onsite meals and beverages may be served to room guests only. Food service, if provided, shall comply with Island County Health Department rules and permitting.
 8. One non-exempt sign per bed and breakfast inn is permitted, subject to Chapter 16.28.
 9. Accessory uses, buildings and structures associated with bed and breakfast inns located in the RR, ~~RM-9600~~MDR, LDR and RR zoning districts shall be limited to those customarily associated with single-familyhousehold residences and subject to the regulations of the zoning district.

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10. The operation of a bed and breakfast inn within or adjacent to residential districts shall not infringe upon the right of neighboring residents to reasonable peaceful occupancy of their homes.
 11. Bed and breakfast inns shall comply with requirements of adopted building codes for smoke and carbon monoxide detectors and egress windows in all guest rooms. The operator shall maintain a functioning fire extinguisher with a minimum 2A-10BC rating located on a means of egress route, as approved by the building official or designee. The means of egress route shall be posted in each guest room in a readily visible location.
- C. Short-term rentals. Short-term rentals are principal uses within all commercial zoning districts (~~HLC~~HCC, TC and GC). Where allowed, the following supplemental standards shall apply:
1. No short-term rental shall operate or be advertised without having obtained a short-term rental license in accordance with Chapter 5.38. Evidence of operation includes, but is not limited to, advertising, online calendars showing availability, guest testimony, online reviews, rental agreements or receipts.
 2. Short-term rentals that were legally established prior to December 1, 2019, in any residential zone may continue as nonconforming uses, subject to all other applicable requirements, until the short-term rental use is determined discontinued for a period of one year or abandoned. Failure to submit a complete application for a short-term rental license for two consecutive calendar years shall constitute prima facie evidence of intent to abandon. In all cases, it shall be the property owner's responsibility to provide evidence of legal establishment and continued use.
 3. Where consistent with all applicable regulations and permitting and licensing requirements, a short-term rental may occupy any dwelling unit approved for habitation by the building official or designee.
 4. Signage shall be subject to the provisions of Chapter 16.28.
 5. Outdoor amplified sound is prohibited.
 6. Adjacent to any residentially zoned property, use of a short-term rental for meetings, hosted parties, weddings, commercial functions, or similar events is prohibited.
 7. Recycling and refuse containers shall be provided and screened from the public right-of-way. Refuse collection through the town's contract waste hauler is required.
 8. A local contact shall be designated who is able to respond twenty-four (24) hours a day, seven days a week, to any complaints or issues at the property licensed as a short-term rental. The local contact shall reside on Whidbey Island within twenty (20) road miles of the town limits while guests are in residence at the short-term rental. The name and contact information for the local contact shall be posted in a conspicuous location within the short-term rental. The local contact shall contact the town planner by email within twenty-four (24) hours following any public complaint with a description of the complaint, contact information for the complainant, and the resolution.
 9. Short-term rentals shall comply with requirements of adopted building codes for smoke and carbon monoxide detectors and egress windows in all sleeping rooms. The operator shall maintain a functioning fire extinguisher with a minimum 2A-10BC rating located on a means of egress route, as approved by the building official or designee. The means of egress route shall be posted in each guest room in a readily visible location.
 10. A copy of the rental agreement listing all applicable standards shall be posted in prominent place within the short-term rental. Rental agreements shall include, at a minimum:

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- a. Contact information for the local contact.
 - b. A copy of the short-term rental license and all applicable standards and conditions.
 - c. The number of guests and vehicles. Neither shall exceed the maximum number in the short-term rental license.
 - d. Notice that quiet hours are from 10:00 p.m. to 7:00 a.m.

(Ord. 604 § 2, 2000; Ord. 566 § 2 Exhs. A (part), B (part), 1998)

(Ord. No. 751 , § 6, 8-27-2019)

16.10.090120 Manufactured housing units and manufactured housing parks.

A. Intent and Purpose. The purpose of this section is to:

1. Allow for the establishment of manufactured homes when, and only when, contained within a manufactured housing park, manufactured housing subdivision, or in designated residential districts;
2. Provided that such developments are designed with the protection of the natural environment in mind; and
3. Provided that the historic and rural character of the Town is preserved.

B. General Requirements.

1. No manufactured home shall stand in the open on any property for more than ten (10) days, nor shall a manufactured home be used as a place of habitation or business for any period of time, except in a manufactured housing park, a manufactured housing sales lot, a single manufactured home on a residential lot, a temporary shelter on a construction site, or as a watchman's quarters on commercial sites, industrial sites, or on school sites.
2. It is unlawful for any person to construct, maintain or operate either a manufactured housing park or a manufactured housing sales lot, or to maintain a single manufactured home as a temporary shelter on a construction site, or as a watchman's quarters on commercial sites, industrial sites, or on school sites, or to make a major change or alteration in a manufactured housing park or a manufactured housing sales lot for which town council approval has already been obtained, without first obtaining a conditional use permit from the Town as specified in this chapter.

C. Manufactured Housing Parks.

1. Permitted Locations. Unless otherwise provided herein, upon compliance with applicable regulations and processes, manufactured housing parks shall be permitted in the high density residential district by a conditional use permit.
2. Design Standards. The following standards and requirements shall govern the design of a manufactured housing park:
 - a. A manufactured housing park shall be not less than two and one-half acres.
 - b. Spaces within a manufactured housing park shall contain a minimum of three thousand (3,000) square feet, for a single-width twelve (12) foot unit with a minimum width of forty (40) feet, or four thousand eight hundred (4,800) square feet for a double-width unit with a minimum width of sixty (60) feet, with a maximum occupied area of forty (40) percent of such space. Total density shall be determined by the use zone that the park is located in.
 - c. Only one manufactured home shall be permitted on any space.

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- d. No building, structure, or land within the boundaries of a manufactured home park shall be used for any purpose, except as follows:
 - i. Manufactured homes shall be used as residences only, together with the normal accessory uses such as patio, carport, garage, storage and washroom buildings;
 - ii. Community recreation facilities, including swimming pool, for the residents of the park and guests;
 - iii. One residence for the use of a manager or caretaker responsible for maintaining or operating the property.
 - e. All structures in a manufactured housing park shall be located a minimum of twenty (20) feet from any property line abutting upon a public street or highway and at least ten (10) feet from any other boundary line defining the outside limits of the park.
 - f. A manufactured home or accessory building shall not be located closer than ten (10) feet from any other manufactured home or accessory building or closer than ten (10) feet from any roadway lot line. Manufactured home accessory buildings when not attached to the manufactured home, shall not be closer than ten (10) feet from such home.
 - g. Attached structures shall be considered part of the manufactured home for setback purposes.
 - h. All spaces shall be provided with a foundation base which shall be improved to provide adequate support for the placement of a manufactured home, in accordance with Town standards.
 - i. Two off-street parking spaces shall be provided at each manufactured home space, with a minimum access of ten (10) feet to a park street. Also, additional parking spaces shall be provided in parking areas distributed around the park, which shall be not less than one parking space per five homes. All off-street parking spaces are to be all-weather surfaced and be a minimum of nine feet by nineteen (19) feet per parking space.
 - j. Adequate street lighting shall be provided within the park.
 - k. All utilities shall be installed underground.
 - l. Buffering or screening shall be sight-obscuring fence, wall, evergreen shrubs or other suitable planting, at least six feet high and it shall be maintained.
 - m. Swimming pools shall be set back at least fifty (50) feet from any park boundary line and shall be surrounded by a fence which shall be at least seven feet high and shall not obscure vision.
 - n. There may be landscaping within open areas of the manufactured home park not otherwise used for park purposes. Such open areas and landscaping shall be continually and properly maintained.
 - o. Storage areas for recreational vehicles, boats or trailers shall be provided. A six-foot-high sight-obscuring fence with a lockable gate shall be erected around the perimeter of such storage areas. Parking of recreational vehicles shall not be allowed other than in approved storage areas.
 - p. All vehicular ways shall be based, graded, and paved with asphalt or concrete. The speed limit shall be set at ten (10) miles per hour, and notice of said speed limit shall be given by placement of appropriate signs. Surfaced widths of streets shall be a minimum of twelve (12) feet per traffic lane with a minimum of two lanes. When parking along the street is allowed, six additional feet on each lane, where parking is allowed, shall be surfaced.
3. Development Plan.
- a. Application for Development Permit.

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- i. No land shall be developed for use as a manufactured home park and no plan for such park shall be filed or recorded, until the plan has been submitted and approved by the town council.
 - ii. The requirements and standards set forth in this chapter are the minimum standards to which a manufactured home park must conform for approval.
 - iii. All applications submitted for approval of a manufactured home park shall consist of twelve (12) copies of the development plan. Such plan shall be submitted twenty-one (21) days before the meeting at which the plan will be reviewed, and shall contain, as a minimum, the following information:
 - (A) Name of the person who prepared the plan;
 - (B) Names of all persons owning and managing the land proposed for the park development;
 - (C) Name and address of the proposed manufactured home park;
 - (D) Scale and north point of the plan;
 - (E) Boundaries and dimensions of the manufactured home park, and number of acres included;
 - (F) Vicinity map showing relationship of the development to adjacent properties;
 - (G) Location and dimensions of each space, with each space designed by number or other designation;
 - (H) Location and dimensions of each existing or proposed building;
 - (I) Location and width of streets and pedestrian ways;
 - (J) Location of each lighting fixture for exterior lighting;
 - (K) Location of recreational and other common areas;
 - (L) Location and type of landscaping, fences, walls and other screening structures;
 - (M) Location, arrangement and design of all parking facilities;
 - (N) Location of fire hydrants;
 - (O) Enlarged plot plan of a typical space, showing location of foundation base, storage space, parking, utility connections and other improvements;
 - (P) Topography of the park site with contour intervals of not more than two feet, and a drainage plan;
 - (Q) A survey plat of the property, plans of structures to be constructed, public water system and sewage approved by appropriate governmental agencies, and garbage disposal provisions.
 - b. Plan Approval. Upon application for the development of a manufactured housing park, and conformance to the requirements of submission of the plan for such development, and upon such review and public hearing as may be otherwise required by law, the town council shall reach a decision relative to the plan, as follows:
 - i. Reject the plan, and provide the developer with a list of specified reasons for such action;
 - ii. Withhold approval of the plan subject to specified conditions which shall be met prior to approval;

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- iii. Accept and approve the development of the manufactured housing park.

Approval of such plan shall expire one year from the date of approval, unless the plan is substantially implemented. Any interested person may appeal a decision of the town council.

4. Park Administration.

- a. It shall be the responsibility of the park owner and manager to assure that the provisions of this chapter are observed and maintained within the manufactured housing park. Violations of this chapter shall subject both the owner and the manager of the facility to any penalties provided for such violation. The owner, or a designated agent, shall be available and responsible for the direct management of the manufactured housing park.
- b. No travel trailer or recreational vehicle shall be used except as temporary living quarters, which use shall not exceed a maximum of thirty (30) days per year.
- c. Manufactured homes and accessory structures installed in the manufactured home park shall be required to conform to the following installation requirements:
 - i. Construction of accessory structures shall be subject to requirements of the building official, and necessary permits and inspections shall be obtained, if required, for such construction.
 - ii. All manufactured homes shall be installed with blocking supports conforming to standards of the NFPA.
 - iii. All manufactured homes shall have compatible foundation facia of fire and weather resistant material, which must be properly maintained.
 - iv. Accessory structures shall be in compliance with town building codes.
 - v. Prior to the location, relocation, establishment or occupancy of any manufactured home, the owner, or the authorized representative of the owner, shall secure a permit for such action from the building official as follows:
 - (A) Application for such a permit shall be made on forms prescribed by the building official.
 - (B) The fee for such a permit shall be established by the town council. This fee shall be in addition to fees required for other necessary permits.
 - (C) Applicants shall be required to:
 - (1) Provide plot plan;
 - (2) Submit to an on-site inspection consisting, as applicable, of setbacks (property corner stakes shall be in place), anchoring system, foundation, utility connections, and accessory structures;
 - (3) Provide the building official with a copy of the manufacturer's HUD-approved installation instructions, if applicable.
- d. All electrical connections to each manufactured home shall comply with the town electrical code and shall be inspected. All sewage connections to manufactured homes shall be provided in a manner conforming to the town plumbing codes.
- e. Portable fire extinguishers, rated for classes A, B and C shall be kept in service buildings and other locations, as required by town codes.

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- f. The park shall be maintained free of any brush, leaves and weeds in which might communicate fires between manufactured homes and other improvements. No combustible materials shall be stored in, around or under any manufactured home.
 - g. The building official shall inspect each park annually, prior to licensing, and submit to the park owner and manager a written report stating whether or not the park is in compliance and listing any repairs which may be required prior to issuance of any annual license renewal. An extension of time to complete repairs may be granted if no risk to public health or safety is created by such extension.
 - h. Centrally located individual mail boxes shall be provided for each space in the park.
 - i. Refuse shall be collected and disposed of on a regular and sanitary basis.
5. All manufactured homes shall be anchored as required by the standards of the Department of Housing and Urban Development or NFPA Pamphlet No. 501A, 1977 Edition, whichever is the more restrictive.

(Ord. 566 § 2 Exhs. A (part), B (part), 1998)

16.10.100130 Special needs lodging and care facilities.

This section provides supplemental standards for special needs lodging and/or care and to reflect the intent of the Coupeville comprehensive plan. The plan encourages a variety of housing densities and types, promotes nondiscriminatory regulations for group homes and supports private sector efforts to provide housing for elderly and disabled citizens. In addition to meeting the specific requirements of the applicable zoning district, these uses shall meet the following supplemental standards.

- A. All Special Needs Lodging and Care Facilities. The following standard shall apply to all special needs lodging and care facilities discussed in this section:
 - 1. All special needs facilities shall be in conformance with applicable federal, state and local licensing requirements, including the locally adopted edition of the International Building Code and Fire Code.
 - 2. Each facility shall have an approved Town of Coupeville certificate of occupancy.
 - 3. The design of each facility is subject to the standards and procedures specified in Chapter 16.13 CTC and the adopted Ebey's Landing National Historical Reserve Design Guidelines.
- B. Adult Family Homes. This section provides supplemental standards for locating adult family homes in residential zoning districts.
 - 1. No more than six adults who are not related by blood or marriage to the person or persons providing care may be resident at any time.
- C. Group Care Facilities. This section provides supplemental standards for foster family homes, group homes and halfway houses licensed by the State Department of Social and Health Services and operated on a twenty-four (24) hour basis.
 - 1. Classes of Group Care Facilities. This section establishes two classes of group care facilities.
 - a. Class I. Class I group care facilities are accessory uses within all residential zoning districts and are limited to two residents for each group care facility.
 - b. Class II. Class II group care facilities are conditional accessory uses in the RR, LDR and ~~RM-9600~~MDR zoning districts, and are accessory uses in the HDR zoning district. No Class II group care facility may be located within one thousand (1,000) feet of another Class II group care facility located in a residential zoning district and shall not house more than five residents in care.

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- D. Continuing Care Retirement Facilities. This section provides supplemental standards regulating the development of residential living areas for senior citizens. These facilities provide a range of continuing care services, including independent living (single-~~family~~household and multifamily), congregate care, assisted care and extended care.
1. Permitted Principal Facilities. Continuing care retirement facilities may include any of the following, or a combination thereof:
 - a. Independent single-~~family~~household dwellings;
 - b. Independent duplex dwellings;
 - c. Independent multifamily dwellings;
 - d. Congregate care facilities;
 - e. Assisted care facilities;
 - f. Extended care facilities.
 2. Permitted Accessory Facilities. The following uses are permitted accessory uses to the principal uses listed under subsection (D)(1) of this section:
 - a. Maintenance buildings and structures;
 - b. Garages, carports and off-street parking areas;
 - c. Private noncommercial greenhouses;
 - d. Common meeting and activity buildings;
 - e. Small-scale support businesses contained within the grounds (such as personal care, gift shop, florist, etc.);
 - f. Other uses customarily accessory to such facilities.
 3. Maximum Densities. The following maximum densities are established for each type of principal use:
 - a. Independent single-~~family~~household dwellings—one dwelling unit per nine thousand six hundred (9,600) square feet of useable area.
 - b. Independent duplex dwellings—~~two dwelling units per fifteen thousand (15,000)~~ One dwelling per five thousand (5,000) square feet of usable space.
 - c. Independent multifamily dwellings—one dwelling unit for each four thousand (4,000) square feet of gross lot area.
 - d. Congregate care facilities—one dwelling unit for each two thousand five hundred (2,500) feet of gross lot area.
 - e. Assisted care and extended care facilities—one room for each two thousand (2,000) square feet of gross lot area.

(Ord. 566 § 2 Exhs. A (part), B (part), 1998)

(Ord. No. 692, § 12, 10-3-2011)

Chapter 16.12 DEVELOPMENT STANDARDS¹

16.12.010 Purpose.

The purpose of this chapter is to establish general dimensional, design and use standards for development within the Town of Coupeville, thereby reflecting the intent of the Coupeville comprehensive plan. The comprehensive plan supports new development which is compatible with existing neighborhoods, promotes enhancement of unique neighborhood characteristics, and encourages community design standards that are in keeping with a small town atmosphere.

(Ord. 566 § 2 Exh. A (part), 1998)

16.12.020 Application of zoning district regulations.

- A. No building, structure or land shall hereafter be used or occupied, and no building or structure or part thereof shall hereafter be erected, constructed, reconstructed, moved or structurally altered unless in conformity with all of the regulations herein specified for the zoning district in which it is located.
- B. No building or other structure shall hereafter be erected or altered:
 - 1. To exceed the height;
 - ~~2. To accommodate or house a greater number of families;~~
 - ~~3~~2. To occupy a greater percentage of lot area;
 - 43. To have narrower or smaller setbacks; than herein required; or in any other manner contrary to the provisions of this title.
- C. No part of a setback, or other open space, or off-street parking or loading space required about or in connection with any building for the purpose of complying with this chapter shall be included as part of a setback, open space or off-street parking or loading space similarly required for any other building.
- D. No setback or lot existing at the time of passage of the ordinance codified in this title shall be reduced in size or area below the minimum requirements set forth herein. Setbacks or lots created after the effective date of said ordinance shall meet minimum requirements established by this chapter.
- E. Wherever there is a conflict between this chapter and other chapters pertaining to the regulation of property within the Town, the most restrictive regulations shall apply.

(Ord. 566 § 2 Exh. A (part), 1998)

16.12.030 Setback standards.

This section establishes minimum setbacks from lot lines and streets.

¹Editor's note(s)—Ord. No. 692, § 13, adopted Oct. 3, 2011, changed the title of Ch. 16.12 from "Development and design standards" to "Development standards."

- A. Minimum Setbacks. Unless reduced for any of the reasons noted in subsections C, ~~and~~ D, and E of this section, minimum setbacks shall be maintained as provided by district in the following table:

Zoning District	Street Setback	Rear Setback	Side Setback
Residential reserve (RR)	25 feet	30 feet	25 feet
Low density residential (LDR)	25 feet	30 feet	15 feet
Medium density residential (RM-9600 MDR)	25 feet	20 feet	6 feet
High density residential (RH HDR)	20 feet	15 feet	10 feet
Historic/limited commercial Historic Commercial Center (HLC HCC)			
West of Main Street	None	10 feet	3 feet
East of Main Street	10 feet	15 feet	10 feet
North of Front Street	None	None	None
Town Commercial (TC)			
North of Coveland between Main and Alexander	None	10 feet	None
All other areas	10 feet	6 feet	10 feet
General commercial (GC)	20 feet	10 feet	10 feet
Public/quasi-public			
North of Coveland between Main and Alexander	None	10 feet	None
All other areas	10 feet	6 feet	10 feet

- B. Calculating Required Setbacks.

- In the case of double frontage lots, street setbacks shall be provided on all frontages.
- In the case of corner lots, a second street setback of half the depth required generally for street setbacks in the district shall be provided on the other frontage.
- In the case of corner lots with more than two frontages, the town planner shall determine the street setback requirements, subject to the following limitations:
 - At least one street setback shall be provided having the full depth required generally in the district.
 - No other street setback on such lot shall have less than half the full depth required generally.
- Depth of required street setbacks shall be measured at right angles to a straight line joining the foremost points of the side lot lines. The foremost point of the side lot line, in the case of rounded property corners at street intersections, shall be assumed to be the point at which the side and front lot lines would have met without such rounding.
- Width of a required side setback shall be measured in such a manner that the setback established is a strip of the minimum width required by district regulations, with its inner edge parallel to the side lot lines.
- No building shall encroach within five feet of a dedicated access or utility easement.

- C. Rear and Side Setback Reduction in Certain Circumstances. Upon written approval of the town planner, the rear or side minimum setbacks, as noted in Section 16.12.030A., may be reduced up to fifty (50) percent. The presence of one or more of the following circumstances may justify the granting of a setback reduction:

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1. Unusual topography, where strict adherence to the minimum required setback may require extensive grading and filling or threaten unstable slopes;
 2. Irregular lot shape;
 3. Retention of natural vegetation, where granting relief from the minimum required setback would preserve desirable landscape features;
 4. View consideration, for any property owner other than the one for whom the setback reduction is requested.
 5. When the reduction is necessary to comply with the Ebey's Landing National Historical Reserve Design Guidelines and for alterations, rehabilitations, and reconstruction of historic buildings or structures or to facilitate and promote implementation of the guidelines for new construction.
- D. Street Setback Reduction. Upon written approval of the town planner, the minimum street setback may be reduced if, by granting the reduction, the street setback will be consistent with the historical street setbacks of adjacent development or when the reduction is necessary to comply with the Ebey's Landing National Historical Reserve Design Guidelines for alterations, rehabilitations, and reconstruction of historic buildings or structures. In no case shall the street setback be reduced to allow encroachment into the sight distance triangle.

E. Supplemental Use Standards: These setback standards may be modified for specific uses as established in CTC 16.10.

E.F. Projections into Required Setbacks. The following structures may project into required front, side or rear yards:

1. Paved terraces may project into required front, side or rear setbacks provided that no structures placed there shall violate other requirements of this title.
2. Unroofed landings, decks and stairs may project into required front and rear setbacks only, provided that no portion other than a light handrail shall extend higher than forty-two (42) inches above the finished grade level.
3. Window sills, belt courses, cornices, eaves and similar incidental architectural features may project not more than two feet into any required setback.
4. Open fire escapes may project not more than four feet six inches into any required setback.

F.G. Fences. Fences may be constructed at the lot line; provided, however, that front yard fences over three and one-half feet high in any residential zoning district shall meet the front yard setback required in the district in which the lot is located.

(Ord. 566 § 2 Exh. A (part), 1998)

(Ord. No. 692, § 13, 10-3-2011)

16.12.040 Lot area, width and coverage standards.

This section provides development standards for lot area, lot width and lot coverage.

- A. Standards. Allowed number of principal buildings, minimum lot area, minimum lot width, middle housing dwelling units maximums, total dwelling unit maximums, and maximum lot coverage are described in the table below for all zoning districts in the Town of Coupeville.

Zoning District	Allowed Principal Buildings	Lot Area (sq. ft. of useable area)	Lot Width (linear feet)	Middle Housing Dwelling Unit Max (per parcel)	Total Dwelling Unit Max	Lot Coverage (percentage of useable area)
Residential reserve (RR)	1	2 acres	150	2	3	25
Low density residential (LDR)	1	½ acre	100	2	3	25
Medium density residential (RM-9600 MDR)	1	9,600	75	3	3	35
High density residential (RH HDR)	No Limit	9,600	70	Unlimited	No Limit	70
Historic/limited commercial Historic Commercial Center (HLC HCC)	No Limit	5,000	50	2, ADU only¹	No Limit	None
Town commercial (TC)	No Limit	5,000	50	2, ADU only¹	No Limit	None
General commercial (GC)	No Limit	10,000	100	Not Permitted	No Limit	None
Public/quasi-public (P)	No Limit	5,000	50	Not Permitted	No Limit	None
Notes: 1: Accessory Dwellings only allowed in conjunction with the single-household residential use of a designated historic home as outlined in 16.08.050						

- B. Measuring Lot Coverage. For all zoning districts, lot coverage shall include the combined area of the principal building along with all accessory buildings and structures greater than forty-two (42) inches in height. For the residential reserve (RR) and low density residential (LDR) zoning districts only, lot coverage shall be the combined total of all impervious surfaces.
- C. Useable Area. That portion of a lot or parcel physically suited for supported buildings. Lands not considered useable area includes, but is not limited to, tidelands, shorelines, bluffs, unstable slopes, wetlands, areas of poor drainage, dedicated accessways providing vehicle access to back lots, and areas devoted solely to utility purposes such as stormwater detention ponds.
- D. [Allowed Principal Buildings. The number of buildings dedicated to the Principal Use on a parcel as outlined in CTC 16.08.](#)
- E. [Middle Housing Dwelling Unit Maximum. The number of Dwelling Units allowed per parcel, unless otherwise specified, that meet the definition of Middle Housing or Accessory Dwelling Unit outlined in CTC 16.04.060.](#)

(Ord. 566 § 2 Exh. A (part), 1998)

16.12.050 Height structures.

This section establishes maximum allowable heights by zoning district, and provides for exemptions for customary appurtenances.

- A. Maximum Height by Zoning District. The table below establishes a maximum allowable height for all zoning districts in the Town of Coupeville.

Zoning District	Maximum Height (feet)
Residential reserve (RR)	28
Low density residential (LDR)	28
Medium density residential (RM-9600 MDR)	28
High density residential (RH HDR)	28
Historic/limited commercial Historic Commercial Center (HLCHCC)	28 except that the height of new structures lying north of Front Street and lying between Alexander and North Main Streets shall not exceed 35 feet, or 28 feet above street grade, whichever is less. The 35 feet is measured from vertical datum which in this case is the average height between the street level and the toe of the bluff at the water's edge.
Town commercial (TC)	28
General commercial (GC)	28
Public/quasi-public (P)	28

- B. Exemptions. The height limitations contained in this title do not apply to spires, belfries, cupolas, chimneys, antennas, water tanks, ventilators, elevator housing, other structures placed above the roof level, or when a height in excess of twenty-eight (28) feet is necessary to comply with the Ebey's Landing National Historical Reserve Design Guidelines for alterations of historic buildings and structures, provided, however, that no structure or portion of any structure hereafter erected shall interfere with Federal Aviation Administration Regulations on airport approaches.
- C. Measuring Height. Height shall be measured from the vertical datum as defined in the "Definitions" section of this title.

(Ord. 615 § 1, 2001; Ord. 566 § 2 Exh. A (part), 1998)

(Ord. NO. 677, § 7, 10-13-2009; Ord. No. 692, § 14, 10-3-2011)

16.12.060 Landscaping, recreation space and exterior appearance standards.

These standards are established in part to implement the comprehensive plan direction to ensure that commercial and high density residential development is compatible with Coupeville's small town character.

- A. Landscaping. Minimum standards for the provision of landscaping in commercial, public and high density residential districts are provided in the table below:

Zoning District	Landscaping Requirement (percent of useable area)
Residential reserve (RR)	None
Low density residential (LDR)	None
Medium density residential (RM-9600 MDR)	None
High density residential (RH HDR)	10
Historic/limited commercial Historic Commercial Center (HLCHCC)	15
Town commercial (TC)	10
General commercial (GC)	10

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Public/quasi-public (P)	10
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1. Nonconforming Parcels. Parcels of land developed prior to the adoption of the landscaping standards in subsection A of this section shall be considered to be legally nonconforming with respect to the requirements of this section, subject to the following:
 - a. A change in use shall not trigger the landscaping requirements in this section.
 - b. Development applications for a greater than fifty (50) percent increase in building footprint on these nonconforming parcels shall be accompanied by a landscaping plan covering a minimum of five percent of the useable area of the parcel or parcels.
2. Landscaping Plans. All landscaping plans submitted in fulfillment of the requirements of this section shall be approved by the town planner and installed prior to obtaining a certificate of occupancy. A bond or other surety may be approved to delay planting to a more favorable planting season.
- B. Recreation Space. This section is intended to provide recreation areas for high density residential uses, to separate such areas from automobile-oriented space, and enhance the residential environmental quality of multiple family residential uses.
 1. A minimum of three hundred (300) square feet of recreation area shall be provided per each dwelling unit, including those used by the owner or building management personnel. No part of the area may be used for driveway, parking or other automobile use.
 2. One outdoor main activity, such as a swimming pool or tennis court, may not cover more than twenty-five (25) percent of the total recreation space.
- C. Exterior Appearance. For all commercial, public/quasi-public and high density residential zoning districts, the following exterior appearance requirements are established:
 1. Garbage cans and/or refuse bins of any sort shall be completely concealed from view from public streets and rights-of-way;
 2. Fences should be constructed of wood finished with natural color, stone or masonry.

(Ord. 566 § 2 Exh. A (part), 1998)

16.12.070 Off-street parking and loading requirements.

This section implements the comprehensive plan goals and policies which call for the provision and maintenance of adequate parking for commercial, public/quasi-public and residential land uses. This section also implements the Ebey's Landing National Historical Reserve Design Guidelines.

- A. Intent and Purpose. It is the intent of these regulations to provide for off-street parking for employees, customers, and residents in the Town of Coupeville. This will relieve on-street congestion and provide safe and convenient access to private properties.
- B. Applicability. In all zoning districts, there shall be provided at the time of the construction of any main building or at the time of the alteration, enlargement or any change in use of any main building, permanently maintained off-street parking facilities for the use of occupants, employees or patrons of such building and it shall be the joint and several responsibility of the owner and/or occupant of any main building or structure to provide, and thereafter maintain, the minimum number of free off-street parking facilities, as described in subsection C of this section.

C. Parking Requirement by Land Use. The prescribed minimum numbers of parking spaces to be provided by type of land use are shown in the table below:

1. Single ~~family~~ household dwellings, ~~two family dwellings, guest homes~~: two spaces per dwelling unit.
2. Duplex dwellings: one space per dwelling unit.
3. Triplex dwellings: one space per dwelling unit.
4. Townhouse dwellings: one space per dwelling unit
5. Cottage dwellings: one space per unit
- ~~2-6.~~ Multifamily dwellings: one ~~and one half spaces~~ space per dwelling unit.
7. Accessory Dwelling units: one space per dwelling unit.
- ~~3-8.~~ Adult family homes, group homes: two spaces per dwelling unit plus one space for every three residents in care.
- ~~4-9.~~ Hotels, rooming houses, other structures containing sleeping rooms: two spaces per every three sleeping rooms.
- ~~5-10.~~ Motels: one space per sleeping room, plus one space per employee.
- ~~6-11.~~ Mortuaries, funeral homes: ten spaces, or one space for each one hundred fifty (150) feet of gross floor area up to maximum of seventy (70) spaces, whichever is greater.
- ~~7-12.~~ Churches, theaters, auditoriums: one space for every five seats in the principal place of assembly.
- ~~8-13.~~ Public buildings, community centers, public libraries, art galleries, museums, post offices, telephone offices: one space for each employee, plus one space for each official vehicle, plus one visitor parking space for each one thousand (1,000) square feet of office or display space.
- ~~9-14.~~ Assembly, fraternal, exhibition halls: one space for each employee plus one space for each fifty (50) square feet of floor area used for assembly, exhibition or dining.
- ~~10-15.~~ Vocational and music schools, dances studios and other private schools and colleges for nonacademic instruction: one space for each instructor and for each student, based upon the average number of students attending class at one time.
- ~~11-16.~~ Hospitals, sanitariums, nursing and rest homes: one space for each resident and staff doctor, plus one space for each employee per shift, intern and nurse, plus one space for each five beds, plus one space for each institutional vehicle.
- ~~12-17.~~ Continuing care retirement facilities: one space for each employee per shift, plus one space for each residential unit, plus one space for each institutional vehicle.
- ~~13-18.~~ Day care facilities, home and private kindergartens: one space for each staff member and employee plus one space for each one thousand (1,000) square feet of gross floor area.
- ~~14-19.~~ Elementary schools, junior high schools: one space for each employee plus one space for every twenty-five (25) employees.
- ~~15-20.~~ Senior high schools: one space for every seven pupils plus one space per employee.
- ~~16-21.~~ Office buildings, banks, savings and loan companies, similar institutions: one space for each two hundred (200) feet of gross floor area.
- ~~17-22.~~ Medical office buildings, veterinary offices: one space for each one hundred fifty (150) square feet of gross floor area.

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- ~~18-23.~~ Bowling alleys: six spaces for each alley.
- ~~19-24.~~ Restaurants, cafes, eating and drinking establishments: one space for each one hundred (100) square feet of gross floor area.
- ~~20-25.~~ Beauty and barber shops: one space for each one hundred twenty-five (125) square feet of gross floor area.
- ~~21-26.~~ Laundry and dry cleaning establishments: one space for each employee plus one space for each five hundred (500) square feet of gross floor area.
- ~~22-27.~~ Self-service laundry and dry cleaning establishments: one space per each four washing machines and/or dry cleaning machines.
- ~~23-28.~~ Household services and trades such as carpentry, electrical servicing, plumbing and heating shops, paper hanging, painting, furniture upholstery, decorating shops, and other similar establishments: one space for each employee plus one space for each company vehicle, plus one space for each five hundred (500) square feet of floor space.
- ~~24-29.~~ Filling stations: three spaces for each working bay.
- ~~25-30.~~ Grocery stores, delicatessens, drugstores, pharmacies: one space per two hundred fifty (250) square feet of gross floor area.
- ~~26-31.~~ Nurseries and greenhouses: one space for each employee plus four spaces for customer parking.
- ~~27-32.~~ Shopping centers: one space for each two hundred (200) square feet of gross floor area.
- ~~28-33.~~ Retail and wholesale stores of non-bulky items: one space for each three hundred (300) square feet of gross floor area.
- ~~29-34.~~ Retail and wholesale stores of bulky items (e.g., furniture, major appliances, automobiles): one space for each six hundred (600) square feet of gross floor area.
- ~~30-35.~~ Warehouse, wholesale, retail and commercial storage: one space for each employee, plus one space for each company vehicle, plus two spaces, but a total of no less than four spaces.

D. Interpretation. When a parking requirement is stated in terms of employees, it means the maximum number of employees who will be at the site at one time either on a single shift or an overlap of shifts. In ~~figuring~~ ~~calculating~~ the total parking requirement for a use, any fraction of one-half or more shall require one more space. When a building, existing at the effective date of the ordinance codified in this title, is enlarged so as to require additional parking spaces to conform to these parking requirements, such additional spaces shall be provided; however, the number of such additional spaces shall be computed with regard only to the extent of the enlargement, regardless of whether or not the number of previously existing spaces satisfies the requirements of this section.

E. Exemptions.

1. In that area of Coupeville enclosed by Alexander Street, Coveland Street, Ninth Street NE and Haller Street, the following exemptions apply in accommodating parking:
 - a. In the historic Front Street area bounded by Coveland on the South, Alexander Street on the West, Main Street on the East, and extending into Penn Cove to include the Coupeville Wharf, the minimum required parking standards contained in this section shall not apply.
 - b. In the portion of the ~~historic/limited commercial district~~ Historic Commercial Center district east of Main Street, off-street parking and loading requirements shall be set on a case-by-case basis by the planning commission at a public meeting, using the requirements in this

section as a guide. The planning commission may establish maximum as well as minimum parking requirements. In reviewing specific project proposals, the planning commission shall consider minimizing the impacts of parking location and design on the pedestrian environment and on adjacent properties, and shall seek to maintain the historic residential character of this area through the retention or re-establishment of residential-scale landscaping within and around proposed parking areas.

2. All commercial use of a designated historic residential building or structure within the town commercial or general commercial zoning districts shall be exempt from off-street parking requirements. If parking facilities are provided on the site of a historic building or structure, the parking facilities must meet the design requirements established in the adopted Ebey's Landing National Historical Reserve Design Guidelines.

F. General Provisions.

1. It shall be a continuing obligation of the owner of property, for which parking spaces are required by this chapter, to provide the required off-street parking and loading facilities. Building permits or other permits will be issued only after receipt by the building official of site plan drawn to scale showing the location of permanent parking and loading facilities.
2. Required parking spaces shall be available for parking of vehicles of residents, customers, patrons and employees only, as the case may be, and shall not be used for storage of vehicles or materials or for the parking of vehicles used in conducting the business or use to which the property is put, and shall not be used for the sale, repair or servicing of any vehicle.
3. Off-street parking and loading facilities shall be provided prior to occupancy of any structure hereafter built or enlarged, or prior to a change in the category of use of any land. No certificate of occupancy will be issued until the requirements of this chapter are satisfied.
4. Any use of property which, on the effective date of the ordinance codified in this title or any amendments hereto, is nonconforming as to the regulations relating to off-street parking facilities may continue to be used in the same manner as if the facilities were conforming. Such existing parking facilities shall not be further reduced.
5. Off-street parking spaces existing on the effective date of the ordinance codified in this title and actually being used for the parking of automobiles or other motor vehicles in connection with the use of an existing building shall not be reduced in number or size during the entire life of such building or land use below that which would be required for a new building or land use of a similar type constructed or commenced after the effective date of said ordinance.
6. Any spaces required by the Uniform Building Code for handicapped person shall be in addition to the number of spaces required by this section.
7. [For Triplexes, Townhomes, Cottage dwellings and Multi-family dwellings, the required off-street parking shall be located to the side or rear of the lot to allow for buildings to front primary streets, to the extent reasonably feasible.](#)

G. Design Standards.

1. Each parking space shall contain not less than one hundred seventy-one (171) square feet in area exclusive of access and circulation aisles, except for compact car spaces as noted below.
2. All parking lots shall be provided with a paved surface. The town planner may approve in writing a nonpaved surface for some parking areas when the primary use will be for employees only. To qualify for this exception, use of individual parking spaces shall typically be limited to one vehicle per day per space, and shall not otherwise effect public health, safety and welfare.

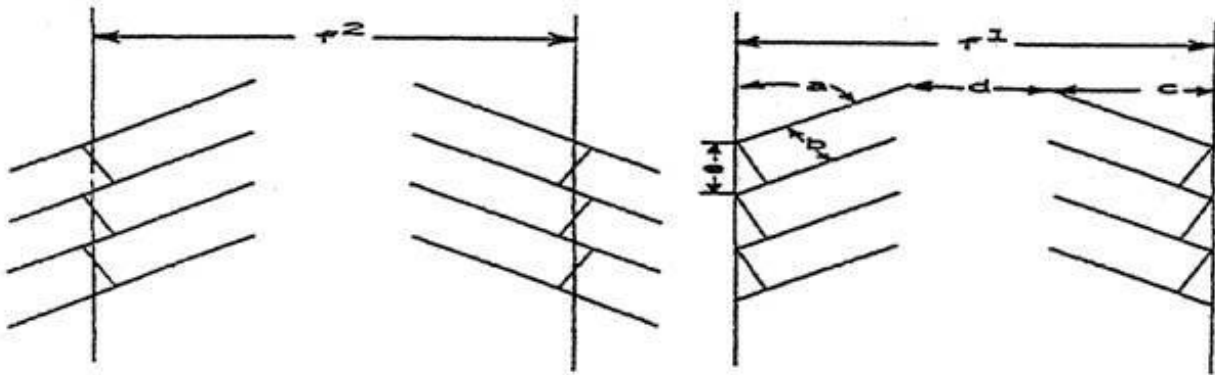
3. Required parking areas shall not be used for sales display, dead storage, repair work or any purpose other than parking.
4. Lighting of parking lots shall be arranged to reflect away from public rights-of-way and from any adjoining residential area.
5. Curb cuts shall be located so as to avoid traffic hazards and shall be approved by the public works inspector.
6. Twenty-five (25) percent of parking space requirement may be designed for "compact car." Such space may not be less than eight feet five inches wide or fourteen (14) feet five inches in length and shall be labeled "compact car."
7. Parking lot design shall conform to the dimensions of the parking diagram contained in Plates A and B.

Parking Diagram (A)

Parking Angle (Degree)	Stall Width	Stall to Curb 19'-Long Stall	Aisle Width*	Curb Length	Center to Center Width	
					Front of Stall To Front of Stall	Overlap Front of Stall—Front of Stall
a	b	c	d	e	f ¹	f ²
0	9'0"	8.0	12.0	22.0	28.0	-
20°	9'0"	15.0	11.0	26.3	41.0	32.5
	9'6"	15.5	11.0	27.8	42.0	33.1
	10'0"	15.9	11.0	29.2	42.8	33.4
30°	9'0"	17.3	11.0	18.0	45.6	37.8
	9'6"	17.8	11.0	19.0	46.6	38.4
	10'0"	18.2	11.0	20.0	47.4	38.7
40°	9'0"	19.1	12.0	14.0	50.2	43.3
	9'6"	19.5	12.0	14.8	51.0	43.7
	10'0"	19.9	12.0	15.6	51.8	44.1
45°	9'0"	19.8	13.0	12.7	52.6	46.2
	9'6"	20.1	13.0	13.4	53.2	46.5
	10'0"	20.5	13.0	14.1	54.0	46.9
50°	9'0"	20.4	12.0	11.7	52.8	47.0
	9'6"	20.7	12.0	12.4	53.4	47.3
	10'0"	21.0	12.0	13.1	54.0	47.6
60°	9'0"	21.0	18.0	10.4	60.0	55.5
	9'6"	21.2	18.0	11.0	60.4	55.6
	10'0"	21.5	18.0	11.5	61.0	56.0
70°	9'0"	21.0	19.0	9.6	61.0	57.9
	9'6"	21.2	18.5	10.1	60.9	57.7
	10'0"	21.2	18.0	10.6	60.4	57.0
80°	9'0"	20.3	24.0	9.1	64.3	62.7
	9'6"	20.4	24.0	9.6	64.4	62.7
	10'0"	20.5	24.0	10.2	65.0	63.3

90°	9'0"	19.0	24.0	9.0	62.0	-
	9'6"	19.0	24.0	9.5	62.0	-
	10'0"	19.0	24.0	10.0	62.0	-

For two-way circulation, the minimum aisle width shall be twenty-two (22) feet, adequate ingress, egress and turnaround space shall be provided. No portion of a parking space or aisle shall be located in a required landscaped yard.



Parking Diagram (B)

H. Off-Street Loading. Every building or structure used for business, trade or industry and normally requiring truck loading or unloading with respect to the use shall provide space as herein indicated for the loading and unloading of vehicles off the street or public alley. Off-street loading and unloading space shall not be used or designed, intended or construed to be used in a manner to obstruct or interfere with the free use of any street or adjoining property. The minimum off-street loading and unloading space required for specific uses shall be as follows:

1. Retail business and service establishments shall provide one off-street loading and unloading space at least ten (10) feet wide and thirty-eight (38) feet long with a fourteen (14) foot height clearance per building.
2. Trucking terminals and ship terminals shall provide one off-street loading and unloading space for every five thousand (5,000) square feet of total floor area used for storage, warehousing and shipping. Each loading space shall be a minimum of fourteen (14) feet wide and sixty-five (65) feet long with a fourteen (14) foot height clearance.

(Ord. 566 § 2 Exh. A (part), 1998)

(Ord. No. 702, § 1, 4-24-2012)

16.12.075 Electric vehicle charging stations.

A. To Ensure the Effective Installation of Electrical Vehicle Charging Stations. Where any other provisions of the Coupeville Municipal Code directly conflict with this chapter, this chapter shall control. Where no conflict exists, all other Town Code provisions shall be in force as to electric vehicle charging stations as applicable.

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- B. Level 1 and 2 electrical vehicle charging stations are allowed outright in all residential zones. Level 1 and 2 electrical vehicle charging stations are allowed in all commercial or public/quasi-public zones. Level 3 rapid charging stations are allowed outright in public rights-of-way. Level 3 rapid charging stations are allowed within a commercial or public/quasi-public zones with the approval of an administratively issued conditional use permit.
- C. An electronic vehicle charging station is a public or private parking space(s) that are served by battery charging equipment with the purpose of transferring electric energy to a battery or other energy storage device in an electrical vehicle and is classified based on the following levels:
1. Level 1 is considered slow charging and operates on a 15 to 20 amp breaker on a 120 volt AC circuit.
 2. Level 2 is considered medium charging and operates on a 40 to 100 amp breaker on a 208 or 240 volt AC circuit.
 3. Level 3 is considered fast or rapid charging and operates on a 60 amp or higher breaker on a 480 volt or higher three phase circuit with special grounding equipment. Level 3 stations can also be referred to as rapid charging stations that are typically characterized by industrial grade electrical outlets that allows for faster recharging of electrical vehicles.
- D. Electric vehicle charging stations utilizing parking stalls located in parking lots or parking garages or on-street parking spaces shall comply with the following standards:
1. Signage. Each charging station space shall be posted with signage indicating the space is only for electric vehicle charging purposes. Directional signage may be provided to guide motorist to charging stations space(s) provided that directional signs shall be consistent with MUTCD D9-11b and D9-11bP.
 2. Accessibility. The design and location of the charging stations shall comply with the following barrier free accessibility requirements:
 - a. Accessible charging stations shall be provided for based on the following table:

Number of EV Charging Stations	Minimum Accessible EV Charging Stations
1—50	1
51—100	2

- b. Accessible charging stations shall be located in close proximity to the buildings or facility entrance and shall be connected to a barrier-free accessible route of travel.
 - c. Accessible charging stations shall comply with the requirements of WAC 51-50-005.
 - d. Electric vehicle charging stations are reserved for parking and charging electric vehicles only.
 - e. Electric vehicles may be parked in any space designated for public parking, subject to the restrictions that would apply to any other vehicle that would park in that space.
 3. Lighting. Adequate site lighting shall be provided as required by Town Code.
 4. Charging Station Equipment: Charging station equipment shall comply with the following standards:
 - a. Equipment mounted on pedestals, lighting post, bollards, or other devices for on-street charging stations shall be designed and located as to not impede pedestrian travel or create trip hazards within the right-of-way.
 - b. Charging station outlets and connector shall be no less than thirty-six (36) inches or no higher than forty-eight (48) inches from the top of the surface where mounted and shall contain a retraction device or a place to hang cords and connectors above the ground surface.

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- c. Equipment shall be protected by wheel stops or concrete-filled bollards.
5. Notification. At all charging stations the following information shall be posted:
- a. Voltage and amperage levels.
 - b. Hours of operations if time limits or tow-away provisions are to be enforced by the property owner.
 - c. Usage fees.
 - d. Safety information.
 - e. Contact information for reporting when the equipment is not operating or other problems.
6. Required Facilities.
- a. Development of new multifamily housing projects or new or expanded parking facilities, public or private, exceeding twenty (20) parking spaces shall be required to provide electric vehicle infrastructure for ten (10) percent of the parking spaces unless waived by the council upon a request by the applicant.
7. Review Process.
- a. New residential construction which proposes to include an electric vehicle charging station shall be reviewed with the underlying permits and is exempt from the requirement of this section.
 - b. Retrofitting of existing single-~~family~~ household residential structures shall only be subject to applicable electrical and/or building permits, and is exempt from this section.
 - c. Review of electrical vehicle charging station(s) associated with new commercial, multifamily, or mixed use development shall be through the underlying land use review process identified in the Coupeville Town Code. In the case where the underlying development does not meet the threshold for site plan approval, as determined by Coupeville Town Code, the development of the electrical vehicle charging station, shall be reviewed with the underlying permit(s).
 - d. When retrofitting on street public parking or a municipal parking lot, a commercial, multifamily, mixed use development or institutional use, the proponent shall provide to the Town documentation on the new impacts associated with the electrical vehicle charging station. If the planning official determines that the new electrical vehicle charging station has an adverse impact on the public health, safety and welfare, then the retrofit shall require a site plan approval. If there is no substantial impact to the public health safety and welfare, the electric vehicle infrastructure shall be reviewed with the underlying electrical and/or building permit.
 - e. Minimum Parking Requirements. Electric vehicle charging stations located within parking lots may be included in the calculation of the minimum required parking spaces required pursuant to Chapter 16.12.07 CTC.

(Ord. No. 701, § 2, 3-27-2012)

16.12.080 Reserved.

Editor's note(s)—Ord. No. 692, § 15, adopted Oct. 3, 2011, repealed § 16.12.080 in its entirety, which pertained to community design standards, and derived from Ord. 648 § 3 Exh. B (part), 2005; Ord. 566 § 2 (Exh. A (part), 1998.

16.12.085-Cottage housing developments-Reserved.

16.12.090 Sight distance standards.

The following standards are established in order to maintain good visibility at controlled and uncontrolled intersections.

Visibility at Intersections. On corner lots in residential and industrial districts, no fence, wall, hedge or other planting or structure that will impede visibility between a height of two feet six inches and eight feet above the centerline grades of the intersecting streets shall be erected, painted, placed or maintained, and no vehicle so impeding visibility shall be parked within the triangular area formed by the right-of-way lines at such corner lots and a straight line joining said right-of-way lines at points which are twenty (20) feet distant from the intersection of the right-of-way lines and measured along such lines. If the relation of the surface of the lot to the streets is such that visibility is already obscured, nothing shall be done to increase the impediment to visibility within the vertical and horizontal limits set forth above.

(Ord. 566 § 2 Exh. A (part), 1998)