



**CITY OF EDGEWOOD
COUNCIL STUDY SESSION AGENDA**

Tuesday, June 2, 2020 – 7:00 PM ♦ City Hall – 2224 104th Avenue East ♦ Edgewood, WA

1. CALL TO ORDER

Roll Call, Pledge of Allegiance

2. COUNCIL BUSINESS

A. Discussion - Security/Thermal Robbles Purchase Order

B. Discussion - Resolution - PISCES NW Agreement

C. Discussion - Resolution - Comprehensive Plan Docket

D. Discussion - Ordinance - Tree Preservation Minor Modification

E. Discussion - Ordinance - Use Tables Revisions

F. Discussion - Ordinance - Town Center Building Height Minor Modification

G. Discussion - Resolution - Traffic Management Inc. Contract

3. OTHER COUNCIL ITEMS

4. ADJOURN

Study Sessions are meetings for Council to review upcoming and pertinent business of the City, no action is taken by the City Council. Study Sessions are open to the public, but public input is reserved for the regular Council meetings

This meeting is accessible to persons with disabilities. For individuals who may require special accommodations, please contact City Hall at (253) 952.3299, 24 hours in advance.



City Of Edgewood Council Agenda Summary Sheet

Subject: Discussion - Security/Thermal Robbles Purchase Order	Agenda Item #: 2.A
	For Agenda of: 6/2/2020
	Prepared by: Matthew Ray
Attachments (list): 1. Robblee's PO 2. CameraDiagram	
Approval of Materials: Matthew Ray Rachel Pitzel 5/26/2020 Dave Gray 5/26/2020 Daryl Eidingen 5/26/2020	Expenditure Required: \$42,531.30 Amount Budgeted: \$45,000 Timeline: SS - 06/02/2020 RM - 06/09/2020

Summary Statement:

In 2018 staff identified and reserved funds for a security system for City Hall. This project has been rolled forward into both 2019 and now into 2020's budget.

This system will provide seven camera's, wiring, monitors and recording system plus a standalone thermal camera.

Primarily the system will be used for public safety with camera's pointing at holding cells, police front desk and four camera's mounted outside the building to monitor the parking area's with an additional camera mounted in the front lobby. Monitors will be placed in the Police Department and in the main staff area. Please see the attached Diagram.

In addition to the seven camera's, wiring, and recording equipment a thermal camera that will automatically read temperatures as people enter the building. This is comply with the Governor's OVID-19 phase 2 requirements of taking temperature prior to entry into our building. This system is hands free, can read three people per second and has an accuracy of .3 of a degree.

Item History:

N/A

Recommended Action:

Hold a discussion and provide staff direction to Discussion - Security/Thermal Robbles Purchase Order

Fiscal Note/Consideration:

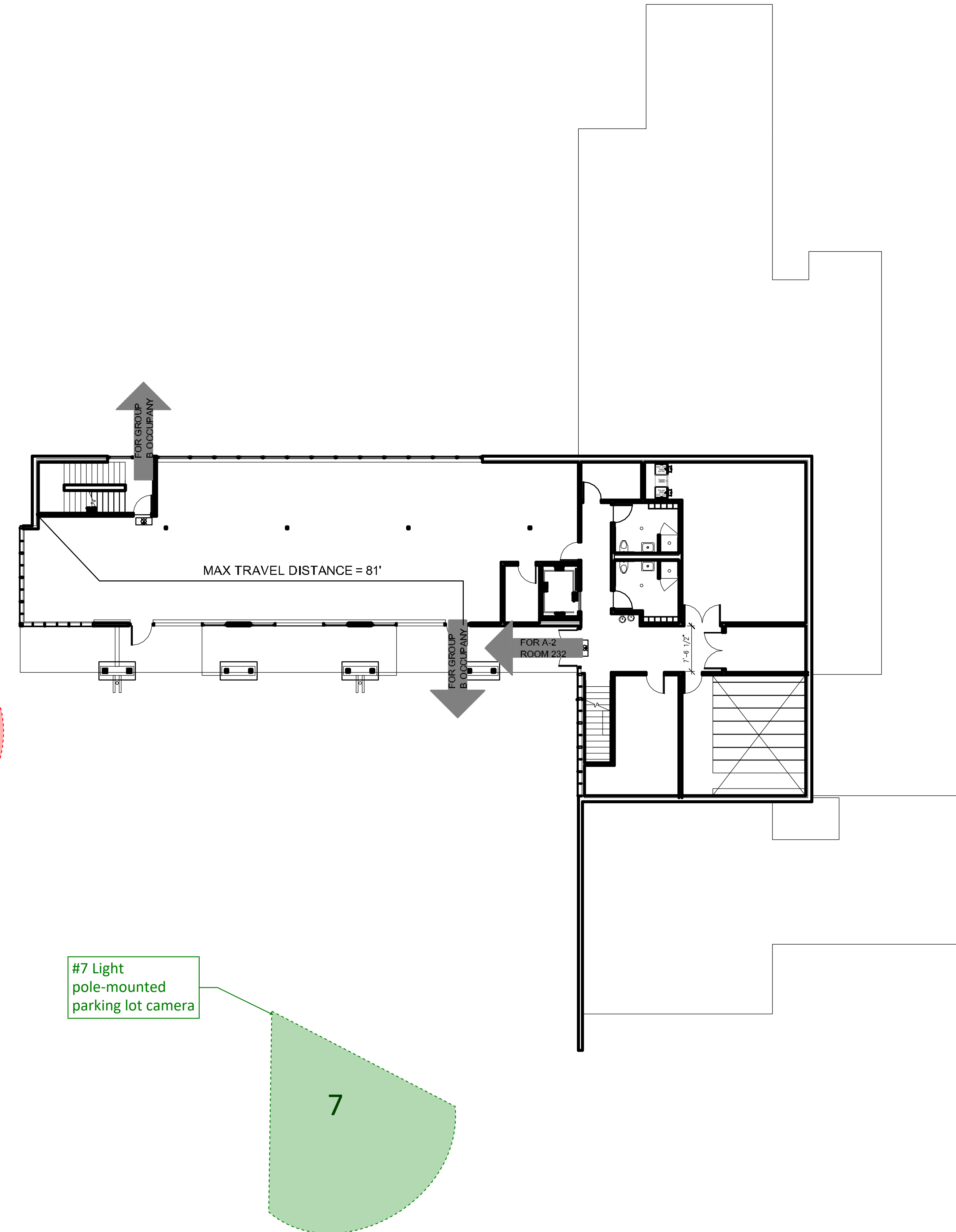
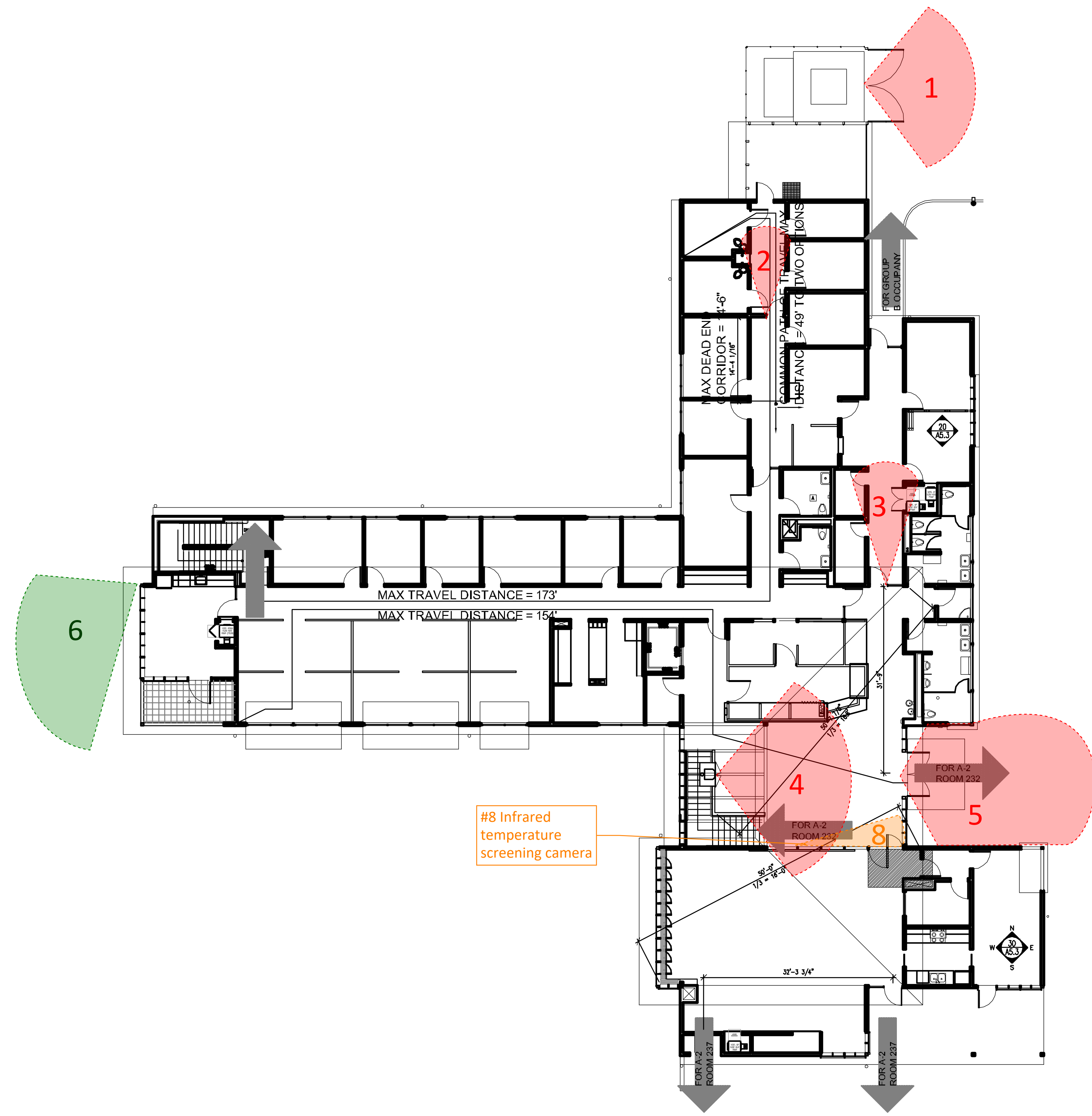


CITY OF EDGEWOOD
PURCHASE ORDER

DATE: 5/26/2020	INTERNAL:	VENDOR: Robblee's Total Security, Inc	PO NUMBER: 20200031
DELIVERY METHOD:		DELIVERY DATE:	
SPECIAL INSTRUCTIONS:			
COUNT:	DESCRIPTION:	UNIT \$	TOTAL \$
1	Security camera system for City Hall	\$38,700.00	\$38,700.00
	Hardware and installation		
		SUBTOTAL	\$38,700.00
		0.099 SALES TAX	\$3,831.30
STATE BID CONTRACT NUMBER:		PO TOTAL	\$42,531.30
BARS NUMBERS			
BARS NUMBERS			
BARS NUMBERS			
BARS NUMBERS			
BARS NUMBERS			
AUTHORIZATION LEVEL:		BARS TOTAL	0.00
AUTHORIZED BY:			
SIGNATURE:			

CONTACT/CONFIRMATION INFORMATION:

City of Edgewood
Finance Department
2224 104th Avenue East
Edgewood, WA 98372-1513
(253)952-3299
finance@cityofedgewood.org





City Of Edgewood Council Agenda Summary Sheet

Subject: Discussion - Resolution - PISCES NW Agreement	Agenda Item #: 2.B
	For Agenda of: 6/2/2020
	Prepared by: Matthew Ray
Attachments (list): 1. PISCES Agreement 2. PISCES 2 Pager 3. PISCES	
Approval of Materials: Matthew Ray Rachel Pitzel 5/27/2020 Dave Gray 5/27/2020 Daryl Eidinger 5/27/2020	Expenditure Required: N/A Amount Budgeted: N/A Timeline: SS 05/19/2020 SS 06/02/2020 PH - RCM 06/09/2020

Summary Statement:

The City would like to enter into an agreement with PISCES (Public Infrastructure Security Cyber Education System). The agreement is to share metadata from our network with them. *The Metadata captures the address information--where the message came from, when it was sent, how it was routed, dates and times. No names, message content, or data packet information is captured and monitored so no citizen data, no citizen identities, websites searched, etc will be captured or monitored.

They will then use this information to train students at Academic Institutions in Cyber Security and Analysis. In exchange for sharing our data we will be notified and assisted with anything that shows up in the logs.

Item History:

SS 05/19/2020 Council asked that this be brought forward to a Public Hearing on 06/09/2020.

Recommended Action:

Hold a discussion and provide staff direction to Discussion - Resolution - PISCES NW Agreement

Fiscal Note/Consideration:

N/A

SECURITY EVENT DATA SHARING AGREEMENT

This SECURITY EVENT DATA SHARING AGREEMENT (“Sharing Agreement”) is entered into by _____, hereinafter referred to as AGENCY, and PISCES-NW, for the Purpose outlined below (hereinafter, “Project”).

I. PURPOSE

PISCES-NW is a system that has been developed for gathering security event data relating to compromised information technology assets that may impact the sustainability and resilience of critical infrastructure operated by local government organizations. This system will receive data from public sector organizations and, using college and university students as analysts, will identify events and trends of interest and alert participants and other stakeholders depending on severity and taxonomy of the findings. The objective of the data collection and analysis is to supply situational awareness of the region’s current threat taxonomy, and to identify and initiate response to true incidents. An additional objective is to facilitate education and research in cyber security.

To this end, AGENCY agrees to share security event data with PISCES-NW to help achieve the goals of infrastructure protection, work force development, and research.

II. DEFINITION OF SECURITY EVENT DATA

Security Event Data (“Data”) shall consist of (1) the AGENCY’S network metadata (e.g., network flows, or “netflow”) containing the packet header information, to be collected at the AGENCY Internet ingress/egress point, connecting AGENCY’S computer network(s) to the Internet; and (2) alerts that are transmitted along with the network metadata from any intrusion detection system (IDS) embedded in any data collection device. For avoidance of doubt, the content layer of the network data (e-mail, web page, database transaction, et al.) are not “Data” that may be exported under this agreement.

III. TERMS OF USE

1. By using the Data contained contributed by AGENCY participation in the Project, PISCES-NW agrees to be bound by the provisions of this Sharing Agreement.
2. Data is provided for the Project’s use only. PISCES-NW is granted a limited, non-exclusive, non-transferable right to use the data solely for the purposes identified in this Sharing Agreement.
3. All other uses, including but not limited to the transfer of any portion of the analysis products to another party or agency, must be authorized by AGENCY in advance of such use and in writing. Disclosure of Data to any party or agency must also be authorized by AGENCY, unless such disclosure is required by law. AGENCY acknowledges that the Project includes data from public agencies that are subject to the requirements of the Public Records Act (PRA). The PRA includes exemptions that apply to the Data, including the exemptions found under RCW 42.56.420. If the PISCES organization receives a request for records under the PRA that includes the Data, the organization will not disclose the Data and refer the requestor to AGENCY.

4. Reproduction and/or disclosure of AGENCY data for commercial purposes is prohibited, unless expressly authorized through a separate licensing agreement with AGENCY.
5. Anonymization of the data for the purpose of research and research presentation by students is authorized, providing that the data have been anonymized to the extent that AGENCY is not identified.
6. Errors may exist in the Data provided. PISCES-NW accepts data products as is, with all faults, and assumes all responsibility for use thereof, and further covenants and agrees to hold AGENCY harmless from and against any claims, damages, losses, or liabilities arising from any use of the data.
7. THE AGENCY DISCLAIMS ANY WARRANTY OF ANY KIND, INCLUDING ANY WARRANTY OF MERCHANTABILITY OR WARRANTY FOR FITNESS OF USE FOR A PARTICULAR PURPOSE, EXPRESS OR IMPLIED, WITH RESPECT TO ANY SECURITY EVENT DATA OR ANALYSIS PRODUCT.
8. THE AGENCY MAKES NO REPRESENTATION OR WARRANTY AS TO THE ACCURACY OF INFORMATION IN THIS DATA. PISCES-NW ASSUMES ALL RISKS ARISING FROM THE USE OF ANY EVENT DATA.

IV. IT IS MUTUALLY AGREED AND UNDERSTOOD BY AND BETWEEN THE PARTIES THAT:

1. In exchange for, and in consideration of, security event data monitoring and analysis services provided by PISCES-NW, AGENCY will share with PISCES-NW Security Event Data.
2. AGENCY shall purchase and supply its own data collection hardware, which will meet specifications provided by PISCES-NW.
3. AGENCY and PISCES-NW agree to exchange Security Event Data for the Project.
4. PISCES-NW may share information on confirmed security events provided by the AGENCY with the Washington State Fusion Center.
5. PISCES-NW will utilize college-level student analysts to review, maintain, and analyze Data provided by the AGENCY.
6. AGENCY recognizes that while PISCES-NW analysts will provide their best efforts, the coverage provided, the level of coverage, and the experience and abilities of the analysts will vary greatly over time, and may include gaps and delays resulting from, for example, changes in the academic schedules, changes in schools and students participating, and changes in the academic level of the students.
7. AGENCY agrees to provide Security Event Data on a real-time or near real-time basis beginning after execution of this Sharing Agreement, and continuing until the termination of this Sharing Agreement, as provided below. PISCES will provide episodic event data analysis

that corresponds to collegiate terms when school is in session. PISCES will not provide 24/7 analysis.

8. PISCES-NW will communicate significant Project changes to AGENCY staff when they occur, including between planned quarterly updates. An example of a significant Project changes is the periodic addition of technology to add capacity and associated outage window.
9. AGENCY warrants that it can provide the appropriate technology and staff assistance to facilitate data collection at the ingress/egress network switch, either through “port mirroring”, “SPAN”, network tap, or other method for providing network flow data that are adequate and complete.
10. This SHARING AGREEMENT may only be amended or supplemented to provide for additional opportunities to share data; otherwise, it shall remain in effect until the end of the term of this agreement, or through cancellation by thirty (30) days written notice from one party to the other party.
11. Data Ownership: The stated purpose of the project is to collect and aggregate threat data for analysis and research purposes. However, the AGENCY retains full ownership of its Data.
12. Term of Agreement: this Sharing Agreement will remain in effect for a term of three (3) years.
13. Termination of contract: At the conclusion of the term of this Sharing Agreement, or in the event of election to terminate this Sharing Agreement, PISCES-NW agrees to dispose of AGENCY specific information at the AGENCY’s discretion. The following are three options for disposal of AGENCY owned data:
 - a. Allow PISCES-NW to retain the data in its entirety for research purposes
 - b. Direct PISCES-NW to destroy the data in its entirety, such that it is demonstrably unrecoverable
 - c. Return all data and analysis conducted to the AGENCY up to and including the date of termination *and* destroy all aggregated data as above.
14. Renewal: at the end of the term of this Sharing Agreement, it may be renewed at the request of the AGENCY providing that the AGENCY continues to meet the requirements for a monitored jurisdiction.
15. Nothing herein shall be construed as obligating AGENCY or PISCES-NW to expend funds or involve either party in any contract or other obligation for future payment of money, in excess of appropriations authorized by law and administratively available for this work.
16. Governing Law. This Agreement shall be construed and interpreted in accordance with the laws of the State of Washington.
17. The parties agree that the venue of any action or suit concerning this Agreement shall be in federal or state courts located in King County, Washington, and all actions, or suits thereon shall be brought therein.

18. NO SERVICE LEVEL IS EXPRESSED OR IMPLIED BY PISCES-NW, AND PISCES-NW MAKES NO REPRESENTATION OR WARRANTY AS TO THE QUALITY OF ANY SERVICES OR DATA PROVIDED AND HEREBY DISCLAIMS ANY SUCH WARRANTY.

This AGREEMENT becomes effective on the date of the most recent signature below.

AGENCY

Signature_____

Title_____

Date_____

PISCES-NW

Signature_____

Title_____

Date_____



CISA
CYBER+INFRASTRUCTURE



PISCES: Public Infrastructure Security Cyber Education System

WHO WE ARE

PISCES—the Public Infrastructure Security Cyber Education System—is an extension of the Public Regional Information Security Event Management (or PRISEM) regional monitoring system deployed in the Puget Sound region from 2009-2013. The Cyber Security Division of the U.S. Department of Homeland Security (DHS) Science and Technology Directorate (S&T) provided the initial grant funding. Now in partnership with the DHS Cybersecurity and Infrastructure Security Agency (CISA) and Pacific Northwest National Laboratory (PNNL), PISCES has since evolved into a non-profit organization that partners with the private sector, colleges and universities, and local governments to provide no-cost cybersecurity event monitoring to small public sector organizations.

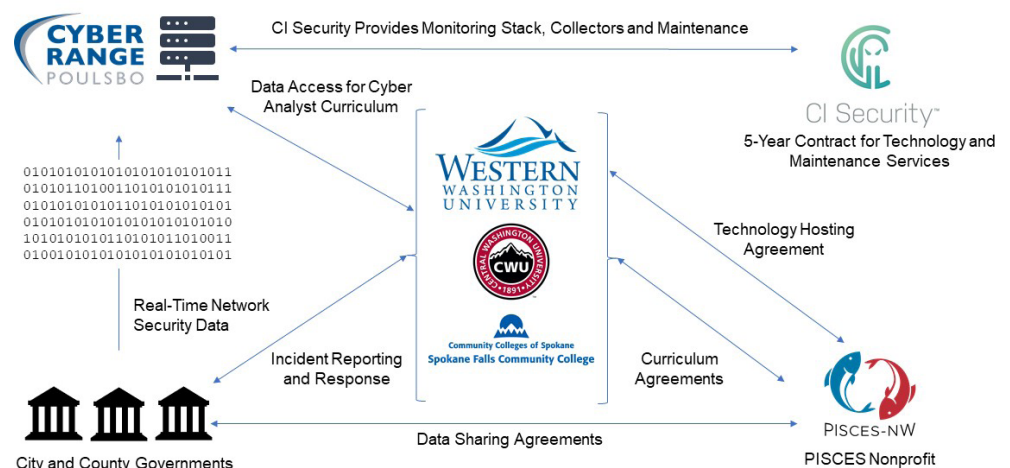
WHAT WE DO

PISCES Role – PISCES adjudicates legal agreements and serves as the ultimate curator of the partnerships with educational institutions

(including those housing the data collection stack), the private sector (providing the technology for collectors and analytic stack as well as necessary professional services and support), and local governments.

Private Sector Role – PISCES executed an agreement with CI Security (CI), a cybersecurity detection and response company with security operation centers in Bremerton and Ellensburg WA. CI provides a reduced-functionality version of the commercial monitoring and analytic stack to facilitate on-premise data collection, aggregate intrusion detection and network flows, and allow analyst access for investigation and event confirmation. CI also provides the

Public Infrastructure Security Cyber Education System (PISCES)



necessary professional services to perform stack maintenance and upgrade and conduct the customer provisioning process.

HOW IT WORKS

Using metadata collected from customer networks, students act as cybersecurity analysts by evaluating events observed. When a security compromise is confirmed or suspected with a high degree of confidence, it is reported to the impacted jurisdiction for assistance to be provided to quickly remediate.

DATA COLLECTED

Data privacy and public disclosure limitations are described in the data sharing agreement. The data PISCES collects is limited to:

- a) Packet headers** – metadata about how content is delivered but not the content itself (no e-mail, health records, criminal justice data, financial transactions, or privacy information).
- b) Intrusion Detection System (IDS) alerts**
 - the Suricata IDS is a component of the collector system and updated daily with new public signatures or detection patterns.

REQUIREMENTS

Partner Requirements – At a minimum, local government organizations seeking to execute a data sharing agreement must:

- » Be a public sector organization (e.g., cities, counties, ports, school districts, public utilities).
- » Employ 150 employees or fewer.
- » Purchase a computer to be used as the data collection device. The computer must match the line speed of the internet connection and have 500G-1Tbt of data storage.
- » Acknowledge that this is not a commercial service and the analysts are students.
- » Agree to share anonymized event information.

Academic Institutions – Educational partners must sign an agreement that stipulates:

- » The standard curriculum framework will be used, summarily:
 - Operation of the technology stack
 - Analyst tools and investigation techniques
 - Experiential, laboratory, exercise, or extracurricular time as a cybersecurity analyst
- » Improvements to the curriculum will be integrated back into the standard distribution.

OUR PARTNERS

State, Local, Tribal, and Territorial Partners

- Current – PISCES jurisdictions in Washington State include the cities of Anacortes, Arlington, Burien, Cle Elum, Covington, Ellensburg, Port of Columbia, and Washougal. San Juan County and Stevens County are recent deprovisioned jurisdictions. Additional state, local, tribal, and territorial partners will be added as the program expands outside the State of Washington.

Academic Institutions – Western Washington University, Central Washington University, and Spokane Falls Community College are currently teaching courses using PISCES and more Washington schools are interested in the program. Discussions are ongoing with institutions in South Carolina, Alabama, and Idaho as well.

LOOKING AHEAD

CISA and PNNL are supporting the project through 2022, with the objective of creating a sustainability model that will address administration and technology costs.

BECOME A PARTNER

If you represent a jurisdiction or academic institutions interested in participating in PISCES, contact Steve Stein at steve.stein@pisces-nw.org

RESOLUTION NO.

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF EDGEWOOD, PIERCE COUNTY, WASHINGTON,
AUTHORIZING THE MAYOR TO EXECUTE A
SECURITY AND DATA SHARING AGREEMENT WITH
PISCES-NW**

WHEREAS, the City Council and staff support higher education in the State of Washington; and

WHEREAS, PISCES-NW is partnered with funded by the Cyber Security Division of the U.S. Department of Homeland Security; and

WHEREAS, the City does not have any monitoring currently in place,

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF EDGEWOOD,
WASHINGTON, HEREBY RESOLVES AS FOLLOWS:**

Section 1. Authorize the Mayor to execute a Security and Data sharing agreement with PICES NW to share metadata collected through the Cities internet connection to be used as a real life example in college classes.

Section 2. Effective Date. This resolution will take effect immediately upon passage by the City Council.

ADOPTED THIS XX DAY OF MAY, 2020

Daryl Eiding, Mayor

ATTEST:

Rachel Pitzel, CMC
City Clerk



City Of Edgewood Council Agenda Summary Sheet

Subject: Discussion - Resolution - Comprehensive Plan Docket	Agenda Item #: 2.C
	For Agenda of: 6/2/2020
	Prepared by: Darren Groth
Attachments (list): 1. Resolution 20-xxxx Adopting Annual Docket	
Approval of Materials: Darren Groth Rachel Pitzel 5/28/2020 Dave Gray 5/28/2020 Daryl Eidingier 5/28/2020	Expenditure Required: N/A Amount Budgeted: N/A Timeline: 05/19/2020: SS 05/26/2020: RCM 06/02/2020: SS 06/09/2020: Final Action

Summary Statement:

The City may considered amendments to its Comprehensive Plan once every year. Applications for Comprehensive Plan amendments are submitted before December 31st in order to be considered during the following year's amendment process. All applications submitted before the December 31st deadline are identified on the preliminary docket that is maintained by the Planning Director. After compiling the preliminary docket, the Director shall review the suggested amendments and prepare a report suggesting which amendments should be placed on the final docket.

On May 11, 2020, the Planning Commission held a public hearing on the docket and made a recommendation to the City Council that five (5) items move forward to the Final Docket. On May 26, 2020, City Council held their public hearing to solicit final input before adopting the Final Docket on June 9, 2020.

Item History:

N/A

Recommended Action:

Hold a discussion and provide staff direction to Discussion - Resolution - Comprehensive Plan Docket

Fiscal Note/Consideration:

N/A

RESOLUTION NO. 20-XXX

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF EDGEWOOD, PIERCE COUNTY, WASHINGTON,
ADOPTING THE CITY'S 2019-2020 COMPREHENSIVE
PLAN AMENDMENT FINAL DOCKET**

WHEREAS, the City of Edgewood ("City") is a code city planning under the requirements of the Revised Code of Washington (RCW) Ch. 36.70A, Growth Management Act ("GMA"); and

WHEREAS, the GMA authorizes the City of Edgewood ("City") to amend its Comprehensive Plan generally no more often than on an annual basis and requires cities to periodically conduct a thorough review of their plans and regulations to ensure they are consistent with changes in the Act; and

WHEREAS, the GMA further requires that proposed amendments to the City's Comprehensive Plan be considered by the City Council concurrently so that the cumulative effects of the various proposals can be ascertained; and

WHEREAS, Edgewood Municipal Code Chapter 18.60 provides for an annual docketing process to allow the City to annually consider proposed amendments to the City's Comprehensive Plan on a cumulative basis;

WHEREAS, Edgewood Municipal Code 18.60.140 requires the City Planning Director to maintain a preliminary docket of applications and other proposed amendments to the City's Comprehensive plan; and

WHEREAS, after compiling the preliminary docket for the City's 2019-2020 cycle, the City Planning Director reviewed the proposed amendments to the Comprehensive Plan and prepared a report concerning which suggested amendments should be placed on the final docket for consideration during the annual amendment process, and such report is attached as Exhibit A; and

WHEREAS, the City Planning Commission held a noticed public hearing to accept public comment regarding the preliminary docket pursuant to EMC 18.60.160 on May 11, 2020; and

WHEREAS, the Planning Commission recommended that the City Council adopt the proposed 2020 Comprehensive Plan Final Docket as presented in the staff report they received during their May 11, 2020 meeting and as identified in "Exhibit A" of this resolution and;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF EDGEWOOD,
WASHINGTON, HEREBY RESOLVES AS FOLLOWS:**

Section 1. 2020-2021 Comprehensive Plan Amendment Docket Adopted. The City Council adopts and accepts the Planning Commission's recommendation of the 2020 Final Docket attached hereto as Exhibit A as the City's final docket pursuant to EMC 18.60.190.

Section 2. Effective Date. This resolution will take effect immediately upon passage by the City Council.

ADOPTED THIS ____ DAY OF ____, 2020.

Daryl Eiding, Mayor

ATTEST:

Rachel Pitzel, CMC
City Clerk

Exhibit A

2020 Final Docket of Cases:

- 1) ***Bridge Point Edgewood (Project #19-1569)*** – a request is to change the future land use designation and zoning classification on approximately 60.16 acres
- 2) ***East Side Commercial FLUM (Project #19-1571)*** – a request to re-designate 10 tax parcels along or near West Valley Highway East from Single-Family Low to Commercial
- 3) ***Complete FLUM Designation on the Special Land Use Study Overlay (Project #19-1573)*** – a request to change the designation of all properties not previously or currently proposed as a Comprehensive Plan amendment located within the Special Land Use Study Overlay
- 4) ***Eliminate Special Land Use Study Overlay (Project #19-1572)*** – a request to remove the Special Land Use Study Overlay from the FLUM and delete any associated textual references to the overlay within the body of the Comprehensive Plan.
- 5) ***Transportation Systems Plan (Project #19-1574)*** – a request to amend several areas of the City's Comprehensive Plan; specifically, the Transportation Goals and Policies, Mobility and Capacity section on page 44 of the Comprehensive Plan would need to be updated, as well as amendments to the Transportation Systems Plan, Street and Highway System, Roadway Functional Classification section on pages 130 and 131 (Figure 9 and additional connectivity language).



City Of Edgewood Council Agenda Summary Sheet

Subject: Discussion - Ordinance - Tree Preservation Minor Modification	Agenda Item #: 2.D
	For Agenda of: 6/2/2020
	Prepared by: Darren Groth
Attachments (list): 1. ORD - Amending Tree Preservation	
Approval of Materials: Darren Groth Rachel Pitzel 5/28/2020 Dave Gray 5/28/2020 Daryl Eidinger 5/28/2020	Expenditure Required: N/A Amount Budgeted: N/A Timeline: 05/19/2020: SS 05/26/2020: RCM 06/02/2020: SS 06/09/2020: Final Action

Summary Statement:

City Council requested staff provide materials to conduct a Study Session discussion on the topic of Tree Preservation. On March 3, 2020, City Council discussed this agenda item and asked for the Planning Commission to vet options to protect single-family neighborhoods. On April 13, 2020 this discussion item was discussed by the Planning Commission prior to a Public Hearing. The Planning Commission agreed with City Council's recommendation for tree preservation and suggested moving this item forward for action.

On May 11, 2020, the Planning Commission voted 5-0 to recommend APPROVAL of the proposed changes. On May 26, 2020, City Council held their public hearing to solicit final input on this code revision prior to their scheduled final action on June 9, 2020.

Item History:

N/A

Recommended Action:

Hold a discussion and provide staff direction to Discussion - Ordinance - Tree Preservation Minor Modification

Fiscal Note/Consideration:

N/A

ORDINANCE NO. 20-xxxx

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EDGEWOOD, PIERCE COUNTY, WASHINGTON, AMENDING EDGEWOOD MUNICIPAL CODE SECTION 18.90.180 RELATED TO TREE PRESERVATION STANDARDS FOR SINGLE-FAMILY RESIDENCES; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, in 2017 and 2018, the Planning Commission and City Council undertook discussions related to tree preservation; and

WHEREAS, at the February 4, 2020 Study Session, the City Council revisited this topic and requested options to consider for further discussion; and

WHEREAS, at the study session on March 3, 2020, the City Council considered multiple options and determined that exemptions from the tree preservation requirements for single-family residential properties needed clarification and should be limited only to those single-family zoned properties that meet current minimum and maximum densities to ensure the City's tree preservation goals were being met; and

WHEREAS, the City sent a draft of this Ordinance to the Washington State Department of Commerce, as required by RCW 36.70A.106; and

WHEREAS, the City Planning Commission held a public hearing on this Ordinance on May 11, 2020, and sent its recommendation to the City Council; and

WHEREAS, the Edgewood City Council considered this draft Ordinance on May 19, 2020, in a study session; and

WHEREAS, the Council considered this Ordinance during its regular City Council meeting of May 26, 2020;

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

Section 1. EMC Section 18.90.180, Amended. Section 18.90.180 of the Edgewood Municipal Code is hereby amended to read as follows:

18.90.180 Tree preservation.

A. This section establishes significant tree preservation for any development action or land use development to protect the treed environment within the city of Edgewood by regulating the removal of significant trees and providing incentives to preserve trees that, because of their size, species, or location, provide special benefits. Tree preservation protects and enhances critical areas, facilitates aquifer recharge, reduces erosion and stormwater runoff, and helps

to define public and private open spaces. Existing residential development or single-family residences, that comply with current EMC Subsection 18.80.040.E.1 minimum and maximum densities, are exempt from this section.

Section 2. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 3. Effective Date. A summary of this Ordinance consisting of its title shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

PASSED BY THE CITY COUNCIL ON THE ____ DAY OF _____, 2020

Mayor Daryl Eiding

ATTEST/AUTHENTICATED:

Rachel Pitzel, CMC
City Clerk

APPROVED AS TO FORM:

Ann Marie Soto, City Attorney

Date of Publication:
Effective Date:



City Of Edgewood Council Agenda Summary Sheet

Subject: Discussion - Ordinance - Use Tables Revisions	Agenda Item #: 2.E
	For Agenda of: 6/2/2020
	Prepared by: Darren Groth
Attachments (list): 1. ORD - Land Use Table	
Approval of Materials: Darren Groth Rachel Pitzel 5/28/2020 Dave Gray 5/28/2020 Daryl Eidingen 5/28/2020	Expenditure Required: N/A
	Amount Budgeted: N/A
	Timeline: 05/19/2020: SS 05/26/2020: RCM 06/02/2020: SS 06/09/2020: Final Action

Summary Statement:

On September 4, 2018, City Council requested staff to work with the Planning Commission to review the Edgewood Municipal Code (EMC) Use Charts and identify any suggested edits or modifications. The Planning Commission added Use Tables as a Work Plan item to discuss possible revisions that could be made to the Use Charts and definitions. Several drafts were created as a part of this process.

On July 30, 2019, City Council directed staff to prepare a request for proposals (RFP) to conduct a study of the Town Center (TC) and Mixed Use Residential (MUR) zoning districts. On October 8, 2019, City Council adopted Resolution No. 19-0474 to award Berk Consulting Inc. with a contract to perform the (RFP) study. In December 2019, a draft memo was presented to City staff with a few recommendations for consideration in the use table. To demonstrate how the proposed changes could be accomplished, Berk provided an alternate use table in January 2020.

On April 13, 2020 the Planning Commission held a final discussion on the proposed changes to the Use Tables and suggested having a Public Hearing for the proposed changes on the May 11, 2020 meeting.

On May 11, 2020, the Planning Commission voted 5-0 to recommend APPROVAL of the proposed changes. On May 26, 2020, City Council held their public hearing to solicit final input on this code revision prior to their scheduled final action on June 9, 2020.

Item History:

09/04/2018: SS

Recommended Action:

Hold a discussion and provide staff direction to Discussion - Ordinance - Use Tables Revisions

Fiscal Note/Consideration:

N/A

ORDINANCE NO. 20-xxxx

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EDGEWOOD, PIERCE COUNTY, WASHINGTON, AMENDING VARIOUS SECTIONS OF TITLE 18 OF THE EDGEWOOD MUNICIPAL CODE RELATED TO THE CONSOLIDATION OF PERMITTED LAND USES INTO A LAND USE TABLE AND ANCILLARY AMENDMENTS; SPECIFICALLY AMENDING EMC CHAPTERS 18.20, 18.70, 18.80, AND 18.100, AND EMC SECTIONS 18.90.080, 18.90.130, AND 18.95.050; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Edgewood Municipal Code (“EMC”) identifies land uses which are allowed, allowed with conditions or subject to specific permitting requirements or standards, or prohibited within the City by zoning district; and

WHEREAS, the Development Code, EMC Title 18, and specifically Chapters 18.70 and 18.80, includes separate sections for each use category and zoning district along with a separate list of allowed uses and related regulations for each zone, and the City Council desires to consolidate the lists into a single table of permitted land uses; and

WHEREAS, in order to consolidate all of the land uses into a single table, other ancillary code amendments throughout Title 18 are necessary, such as revising various use definitions and references, and reorganizing sections; and

WHEREAS, the Planning Commission has undertaken extensive discussions over the past year regarding this overhaul to the land use tables; and

WHEREAS, revising the land use table is the first step in the City’s overall goal to help create a more simplified, form-based land development code; and

WHEREAS, the City’s Responsible Official determined that there will be no probable significant adverse environmental impacts from a proposal and issued a Determination of Nonsignificance (DNS) on April 29, 2020 under WAC 197-11-340; and

WHEREAS, the City sent a draft of this Ordinance to the Washington State Department of Commerce, as required by RCW 36.70A.106; and

WHEREAS, the City Planning Commission held a public hearing on this Ordinance on May 11, 2020, and sent its recommendation to the City Council; and

WHEREAS, on May 19, 2020, the Edgewood City Council considered this draft Ordinance in a study session; and

WHEREAS, on May 26, 2020, the City Council held a public hearing on this Ordinance during its regular meeting;

WHEREAS, on June 2, 2020, the Edgewood City Council considered this draft Ordinance in a study session; and

WHEREAS, on June 9, 2020, the Edgewood City Council took final action on this draft Ordinance during its regular meeting; and

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

Section 1. EMC Chapter 18.20, Amended. Chapter 18.20, “Definitions,” of the Edgewood Municipal Code is hereby amended to read as shown in Exhibit A, attached hereto and incorporated herein by this reference.

Section 2. EMC Chapter 18.70, Amended. Chapter 18.70 of the Edgewood Municipal Code is hereby renamed “Permitted Land Uses” and is amended to read as shown in Exhibit B, attached hereto and incorporated herein by this reference.

Section 3. EMC Chapter 18.80, Amended. Chapter 18.80, “Land Use Zones,” of the Edgewood Municipal Code is hereby amended to read as shown in Exhibit C, attached hereto and incorporated herein by this reference.

Section 4. EMC Subsection 18.90.080(B), Amended. Subsection 18.90.080(B), “Housing incentives programs,” of the Edgewood Municipal Code is hereby amended to read as follows:

B. This section applies, at the developer’s option, to land use applications for housing in identified zones below, except the construction of a single-family dwelling on one lot that can accommodate only one dwelling based upon the underlying zoning designation. This section shall not apply to adult family homes, nursing homes and residential care facilities, assisted living facilities and all group homes.

Section 5. EMC Section 18.90.130, Amended. Section 18.90.130, “Parking,” of the Edgewood Municipal Code is hereby amended to read as shown in Exhibit D, attached hereto and incorporated herein by this reference.

Section 6. EMC Section 18.95.050, Amended. Section 18.95.050, “Special residential design standards applicable to all zones,” of the Edgewood Municipal Code is hereby amended to read as shown in Exhibit E, attached hereto and incorporated herein by this reference.

Section 7. EMC Chapter 18.100, Amended. Chapter 18.100, “Development Standards – Use Specific,” of the Edgewood Municipal Code is hereby amended to read as shown in Exhibit F, attached hereto and incorporated herein by this reference.

Section 8. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or

unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 9. Effective Date. A summary of this Ordinance consisting of its title shall be published in the official newspaper of the City and shall take effect and be in full force five (5) days after the date of publication.

PASSED BY THE CITY COUNCIL ON THE ____ DAY OF _____, 2020

Mayor Daryl Eiding

ATTEST/AUTHENTICATED:

Rachel Pitzel, CMC
City Clerk

APPROVED AS TO FORM:

Ann Marie Soto, City Attorney

Date of Publication:

Effective Date:

Exhibit A

Chapter 18.20

DEFINITIONS

Sections:

- 18.20.010 Purpose.
- 18.20.020 Words not defined, administrative interpretation.
- 18.20.030 Additional definitions.
- 18.20.040 A definitions.
- 18.20.050 B definitions.
- 18.20.060 C definitions.
- 18.20.070 D definitions.
- 18.20.080 E definitions.
- 18.20.090 F definitions.
- 18.20.100 G definitions.
- 18.20.110 H definitions.
- 18.20.120 I definitions.
- 18.20.130 J definitions.
- 18.20.140 K definitions.
- 18.20.150 L definitions.
- 18.20.160 M definitions.
- 18.20.170 N definitions.
- 18.20.180 O definitions.
- 18.20.190 P definitions.
- 18.20.200 Q definitions.
- 18.20.210 R definitions.
- 18.20.220 S definitions.
- 18.20.230 T definitions.
- 18.20.240 U definitions.
- 18.20.250 V definitions.
- 18.20.260 W definitions.
- 18.20.270 X definitions.
- 18.20.280 Y definitions.
- 18.20.290 Z definitions.

18.20.010 Purpose.

The purpose of this chapter is to define words that are used throughout this title. Definitions may also be found in specific sections of this title. (Ord. 03-203 § 1).

18.20.020 Words not defined, administrative interpretation.

Refer to EMC 18.50.020(F), Administrative Interpretations. (Ord. 03-203 § 1).

18.20.030 Additional definitions.

The definitions contained in this title are generally those listed in this chapter, except for those definitions specified in EMC 18.97.300, Definitions (sign code), EMC 18.100.100, Sexually oriented businesses, and in the National American Industry Classification System.

A. Signs (refer to Chapter 18.97 EMC, Sign Code).B. Sexually oriented businesses (refer to EMC 18.100.100, Sexually oriented businesses).

C. North American Industry Classification System (NAICS). NAICS provides definitions for land uses in the City. The NAICS code is available on the City website or can be viewed at City Hall.

18.20.040 A definitions.

“Abandon” means when an owner of a support structure intends to permanently and completely cease all business activity associated therewith.

“Abutting” means a lot bordering, touching or in physical contact with another lot. Sites are considered abutting even though the area of contact may be only a point.

“Access” means the way or means by which pedestrians and vehicles enter and leave property.

“Accessory building” means a detached subordinate building, the use of which is customarily incidental of the principal building or to the principal use of the land and is located on the same tract as the principal building or use.

"Accessory dwelling unit (ADU), attached" means a small self-contained dwelling unit within a detached house, but with a separate entryway.

"ADU, detached [backyard cottage]" means a small self-contained dwelling unit located on the same lot as a detached house, but physically separated (detached).

“Accessory equipment” means any equipment serving or being used in conjunction with a telecommunications facility or support structure. This equipment includes, but is not limited to, utility or transmission equipment, power supplies, generators, batteries, cables, equipment buildings, cabinets and storage sheds, shelters or other structures.

“Accessory structure” means a structure either attached or detached from a principal building and located on the same lot and is customarily incidental and subordinate to the principal building or use.

“Accessory use” means a use of land or of a building customarily incidental and subordinate to the principal use of the land or building and located on the same lot with the principal use.

“Activity” means any use conducted on a site.

“Adequate public facilities” means facilities which have the capacity to serve development without decreasing levels of service below minimums established by the city in the comprehensive plan.

“Adjacent” means lots located across a right-of-way, railroad or street, except limited access roads.

"Administrative government facilities and services" means the executive, legislative, judicial, administrative and regulatory activities of local, state, federal, and international governments or special districts that may perform public services and work directly with citizens. Further described in NAICS 92 (except 922140).

"Adult family home" means a residential home in which a person or persons provide personal care, special care, room, and board to more than one but not more than six adults who are not related by blood or marriage to the person or persons providing the services. An adult family home may provide services to up to eight adults upon approval from the state. Further described in NAICS 623990, part.

“Agency” means any state or local governmental body, board, commission, department, or officer authorized to make law, hear contested cases, or otherwise take the actions stated in WAC 197-11-704, except the judiciary and state legislature. An agency is any state agency (WAC 197-11-796) or local agency (WAC 197-11-762).

"Agricultural sales" means agricultural sales of goods produced on individual farms located within the city. This includes vegetable stands and farmers markets. Further described in NAICS 454390.

“Alley” means a public or private way not more than 30 feet wide at the rear or side of property affording only secondary means of vehicular or pedestrian access to abutting property.

“Amateur radio station operators or receive-only antennas” means any tower or antenna that is under 70 feet in height and is owned and operated by a federally licensed amateur radio station operator or is used exclusively for receive-only antennas.

“Amateur radio tower” means a facility used for personal, noncommercial radio licensed by the Federal Communications Commission.

"Ambulatory health care services, all other" means facilities that provide diagnoses and outpatient care on a routine basis, but do not provide housing of patients. This does not include home healthcare services. Further described in NAICS 621.

“Amendment” means a change in the wording, context, or substance of this code or the comprehensive plan; a change in the zoning map or comprehensive plan map; a change to the official controls of city code; or any change to a condition of approval or modification of a permit or plans reviewed or approved by the community development director or designee or hearing examiner.

“Amenity area” means the portion of the street right-of-way between the curb and the clear walk zone of the sidewalk where trees, lighting, and street furnishings are often located.

“Anchor” means the device to which tie-downs are secured or fastened having a holding power of not less than 4,800 pounds. They include, but are not necessarily limited to, screw auger, expanding or concrete “dead men” type anchors, and are to be constructed as to accommodate “over the top” and “frame” type tie-downs, used singly or in conjunction.

"Animal production and aquaculture, all other" means uses involving the raising or fattening animals for the sale of animals or animal products and/or raising aquatic plants and animals in controlled or selected aquatic environments for the sale of aquatic plants, animals, or their products. This excludes raising hogs, pigs, cattle, and fish as specified elsewhere. Further described in NAICS 112 (except 112210, 112112, and 112511).

"Animal slaughtering and processing" means uses that involve slaughtering animals; preparing processed meats and meat byproducts; and rendering and/or refining animal fat, bones, and meat scraps. Further described in NAICS 3116.

“Antenna” means any system of electromagnetically tuned wires, poles, rods, reflecting discs or similar devices used to transmit or receive electromagnetic waves between terrestrial and/or orbital based points, and includes, but is not limited to:

1. Whip antenna(s): An omnidirectional antenna which transmits and receives radio frequency signals in a 360-degree radial pattern, typically four inches or less in diameter.
2. Panel antenna(s): A directional antenna which transmits and receives radio frequency signals in a specific directional pattern of up to 120 degrees, typically thin and rectangular in shape.
3. Tubular antenna(s): A hollow tube typically 12 inches in diameter containing either omnidirectional or directional antennas, depending on the specific site requirement. Often used as a means to mitigate the appearance of antennas on top of light standards and power poles.
4. Parabolic (or dish) antenna(s): A bowl-shaped device for the reception and/or transmission of communications signals in a narrow and specific direction.
5. Ancillary antenna(s): An antenna that is less than 12 inches in its largest dimension and that is not directly used to provide personal wireless communications services. An example would be a global positioning satellite (GPS) antenna.

“Antenna array” means a single or group of antenna elements and associated mounting hardware, transmission lines, or other appurtenances which share a common attachment device such as a mounting frame or mounting support structure for the sole purpose of transmitting or receiving electromagnetic waves.

“Antenna height” or “height,” when referring to a tower or other wireless telecommunications facilities, the vertical distance measured from the finished grade of the parcel at the base of the tower pad or antenna support structure to the highest point of the structure, even if said highest point is an antenna. If the support structure is on a sloped grade, then the average between the highest and lowest grades shall be used in calculating the antenna height.

“Antenna support structure” means any pole, telescoping mast, tower, tripod, or other structure which supports a device used in the transmitting or receiving of radio frequency signals.

“Antique dealer” means any person engaged, in whole or in part, in the business of selling antiques.

“Antiques” means works of art, pieces of furniture, decorative and household objects, and other such collectibles possessing value or commercial appeal owing to their being made during an earlier period.

"Apartment Building" means five or more dwelling units integrated vertically, horizontally, or both.

“Appeal” means a request for review of the community development director or designee’s decision concerning matters addressed by the ordinance to the planning commission or a review of the hearing examiner’s decision to the city council.

“Applicant” means any person who makes an application to the city of Edgewood for a development permit.

“Approval” means permission to proceed with a land use action for development with required mitigation.

“Aquifer” means a saturated geologic formation that will yield a sufficient quantity of water to serve as a private or public water supply.

“Arcade” means a linear pedestrian walkway that abuts and runs along the facade of a building. It is covered, but not enclosed, and open at all times to public use. Typically, it has a line of columns along its open side. There may be habitable space above the arcade.

“Architectural barriers” means constructed structures such as walls, signs, rockeries, drainage swales or similar constructed features that impact the required landscape areas.

“Art,” “artwork” means a device, element, or feature with a primary purpose to express, enhance or illustrate aesthetic quality, feeling, physical entity, idea, local condition, historical or mythical happening, or cultural or social value. Examples of artwork include sculpture, bas-relief sculpture, mural, or unique, specially crafted lighting, furniture, pavement, landscaping, or architectural treatment that is intended primarily, but not necessarily exclusively, for aesthetic purposes. Signs, upon approval by the city, may be considered artwork, provided they exhibit an exceptionally high level of craftsmanship, special material or construction and include decorative devices or design elements that are not necessary to convey information about the business or product. Signs that are primarily names or logos are not considered art.

“Articulate” means to give emphasis to or distinctly identify a particular building element. An articulated facade would be the emphasis of elements on the face of a wall including a change in setback, materials, texture, color, roof pitch, or height.

"Assisted living facilities" means a multifamily dwelling facility where at least one individual is at least age 55 or has special needs, which provides its residents with round-the-clock living assistance services that may include complete daily meals, personal care, custodial services, supervision of self-administered medication, recreational activities, security, and transportation assistance. The dwelling units may be private or semi-private and may be fully self-contained. This use type does not include hospitals, nursing homes, medical clinics or offices, medical treatment, or multifamily dwellings, which do not provide assistance with activities of daily life.

"Attached dwelling" means two attached dwelling units located on two separate lots that share a common wall along a lot line.

"Automobile and other motor vehicle dealers" means establishments primarily engaged in retailing new and used motor vehicles, including, but not limited to, automobiles, light trucks, and passenger and cargo vans. Further

described in NAICS 4411 and 4412. "Automotive oil change and lubrication shops" means establishments primarily engaged in changing motor oil and lubricating the chassis of automotive vehicles, such as passenger cars, trucks, and vans. Further described in NAICS 811191.

"Automotive repair and maintenance, all other" means facilities or places where the repair and service of automobiles, trucks, motorcycles, recreational vehicles, boats, commercial vehicles, and construction equipment occurs. This category does not include car washes, automotive oil change and lubrication shops, or motor vehicle towing. Further described in NAICS 8111.

18.20.050 B definitions.

"Backhaul network" means the lines that connect a provider's wireless telecommunications facilities to one or more cellular telephone switching offices, and/or long distance providers, or the public switched telephone network.

"Balcony" means an outdoor space built as an above ground platform projecting from the wall of a building and enclosed by a parapet or railing.

"Barn" means a structure used for the storage of farm products, feed, and for housing farm animals and light farm equipment.

"Base station" means the structure or equipment at a fixed location that enables wireless communications, licensed or authorized by the FCC, between user equipment and a communications network. The term does not encompass a tower as defined in this chapter or any equipment associated with a tower.

1. The term "base station" includes, but is not limited to, equipment associated with wireless communications services, such as private, broadcast, and public safety services, as well as unlicensed wireless services and fixed wireless services such as microwave backhaul.
2. The term "base station" includes, but is not limited to, radio transceivers, antennas, coaxial or fiber-optic cable, regular and backup power supplies, and comparable equipment, regardless of technological configuration (including distributed antenna systems and small-cell networks).
3. The term "base station" includes any structure other than a tower that, at the time an eligible facilities modification application is filed with the city under this code, supports or houses equipment described in subsections (1) and (2) of this definition, and that has been reviewed and approved under the applicable zoning or siting process, or under another state, county or local regulatory review process, even if the structure was not built for the sole or primary purpose of providing such support.
4. The term "base station" does not include any structure that, at the time a completed eligible facilities modification application is filed with the city, does not support or house equipment described in subsections (1) through (3) of this definition.

"Basement" means that portion of a building between floor and ceiling, which is partly below and partly above grade, but so located that the vertical distance from grade to the floor below is less than the vertical distance from grade to ceiling.

"Battery charging station" means an electrical component assembly or cluster of component assemblies designed specifically to charge batteries within electric vehicles, which meet or exceed any standards, codes, and regulations set forth by Chapter 19.28 RCW and consistent with rules adopted under RCW 19.27.540.

"Bay window" means a window that protrudes from the main exterior wall. Typically, the bay contains a surface that lies parallel to the exterior wall and two surfaces that extend perpendicular or diagonally from the exterior wall. To qualify as a bay, the bay must contain a windowpane, which extends at least 60 percent of the length and 35 percent of the height of the surface of the bay, which lies parallel to the exterior wall. There need not be windows in the surface that extends out from the exterior wall.

"Bed-and-breakfast inns" means a single structure that offers temporary lodging and breakfast. The proprietors of the service reside within the structure and there are fewer than 10 bedrooms available for commercial use. Further described in NAICS 721191.

“Below market rate” means 80 to 100 percent of the median income.

“Berm” means a landscaped elevation formed of earth, sand, or stone.

Blank Walls. Walls subject to “blank wall” requirements meet the following criteria:

1. Any wall or portion of a wall that has a surface area of 400 square feet of vertical surface without a window, door, or building modulation as defined below or other architectural feature.
2. Any ground level wall surface or section of a wall over four feet in height at ground level that is longer than 15 feet as measured horizontally without having a ground level window or door lying wholly or in part within that 15-foot section.

“Blighted area” means an area characterized by deteriorating and/or abandoned buildings; inadequate or missing public or community services; and vacant land with debris, litter, lack of sanitation facilities, trash and junk accumulation, and impacted by adverse environmental nuisances, such as noise, heavy traffic, and odors.

“Block” means all land along one side of a street that is between two intersections or intercepting streets, or interrupting streets and a railroad right-of-way, or unsubdivided land or water course.

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

“Building coverage” means the measurement of the gross footprint of all the structures, to include accessory and exempt structures, on a lot. The gross footprint includes all structural elements and projections of a building and includes, but is not limited to: eaves, projections, decks, balconies, elevated patios, breezeways, or canopies.

“Building, detached” means a building detached from one or more buildings by common roofs, walls, or floors.

“Building facade” or “facade” means the visible wall surface, excluding the roof, of a building when viewed from a public right-of-way or adjacent property. If more than one wall is predominately visible, the walls may be considered one facade for the purposes of signage. A building facade is measured in gross square feet (gsf) and does not include roof area.

“Building height” means the vertical distance from the average natural, undisturbed grade of a site to the highest point of the structure.

“Building, principal” means a building devoted to the principal use of the lot on which it is situated.

“Bulkhead” means a vertical wall of steel, timber or concrete used for erosion protection or as a retaining wall.

“Business” means the purchase, sale, or other transaction involving the handling or disposition of any article, service, substance, or commodity for livelihood or profit; or the management of office buildings, offices, recreational or amusement enterprises; or the maintenance and use of buildings, offices, structures, and premises by professions and trades rendering services. (Ord. 18-526 § 2 (Att. B); Ord. 16-463 § 2; Ord. 11-359 § 7 (Exh. D); Ord. 03-203 § 1).

18.20.060 C definitions.

“Camouflage” means to disguise, hide, or integrate with an existing or proposed structure or with the natural environment so as to be significantly screened from view.

“Canopy” means an architectural projection that provides weather protection, identity or decoration and is supported by the building to which it is attached. A canopy is comprised of a rigid structure over which a rigid covering is attached.

“Car washes” means mechanical facilities for the washing, waxing and vacuuming of automobiles, light trucks, and vans. Further described in NAICS 811192.

"Caretaker residence" means an attached or detached dwelling unit providing independent living facilities for on-site caretaking of property and improvements.

"Carport" means a covered automobile structure open on one or more sides, with direct driveway access for the parking stall(s). A carport may be integrated with, attached to, or detached from the primary structure.

"Carrier on wheels" or "cell on wheels (COW)" means a portable self-contained telecommunications facility that can be moved to a location and set up to provide wireless services on a temporary or emergency basis. A COW is normally vehicle-mounted and contains a telescoping boom as the antenna support structure.

"Cattle feedlots" means uses involving feeding cattle for fattening. Further described in NAICS 112112.

"Cell site" or "site" means a tract or parcel of land that contains wireless telecommunications facilities including any antenna, support structure, accessory buildings, and parking, and may include other uses associated with and ancillary to wireless telecommunications facilities.

"Cemeteries" means land used or intended to be used for the burial of the dead and dedicated to cemetery purposes, including columbaria, mausoleums and mortuaries, when operated in conjunction with and within the boundary of such cemetery. Further described in NAICS 812220.

"Change of Use." A change of use shall be determined to have occurred when it is found that the general character of the use in question has been modified. This determination shall include review of, but not be limited to:

1. Hours of operation;
2. Materials processed or sold;
3. Required parking;
4. Traffic generation;
5. Impact on public utilities;
6. Clientele;
7. General appearance and location; and
8. Change in use type.

"Child day care services, all other" means a building or structure in which care is regularly provided for a group of children for periods of less than 24 hours not in the provider's home. Daycare facilities include family daycare homes and daycare centers regulated by the Washington State Department of Social and Health Services or successor agency. This use includes pre-school and nursery school facilities not part of the K through 12 education program. Further described in NAICS 624410.

"Child day care services, home-based" means a building or structure in which care is regularly provided for a group of no more than 12 children, including immediate family members who reside in the home, for periods of less than 24 hours based in the living quarters of the provider's home. Daycare facilities include family daycare homes and daycare centers regulated by the Washington State Department of Social and Health Services or successor agency. This use includes home-based pre-school and nursery school facilities not part of the K through 12 education program. Further described in NAICS 624410.

"Circulation" means the movement or flow of traffic from one place to another through available routes. Traffic includes a variety of modes of travel including pedestrian, motor vehicle and nonmotorized methods, such as bicycles.

"Clearing" means the removal of timber, brush, grass, groundcover, or other vegetative matter from a site which exposes the earth's surface on the site.

“Clear-vision area” means a triangular area at intersections or public drives where visual obstructions are to be kept clear, as directed by the public works director or designee.

“Closed record appeals” means administrative appeals under RCW 36.70B.110, which are heard by the city council or hearing examiner, following an open record hearing on a project permit application when the appeal is on the record with no or limited new evidence or information allowed to be submitted, and only appeal arguments allowed.

“Collocation” means the mounting or installation of transmission equipment on an existing support structure for the purpose of transmitting, receiving, or both transmitting and receiving radio frequency signals for communication purposes. When applied to eligible facilities requests, “collocation” means the mounting or installation of transmission equipment on an eligible support structure.

“Collocation of wireless telecommunications facilities” means the use of wireless telecommunications facilities by more than one service provider.

“Combined use building” means residential use types in combination with other use types.

“Commercial activity” means any activity carried out for the purpose of financial gain for an individual or organization, whether profit or nonprofit.

“Commercial and industrial equipment rentals” means establishments primarily engaged in renting or leasing commercial-type and industrial-type machinery and equipment, typically catering to a business clientele without a retail-like or storefront facility. Further described in NAICS 5323 and 5324.

“Commercial truck” means any motorized vehicle licensed by the state including, but not limited to, a car, truck, truck trailer, tractor, grading machine, bulldozer, scraper, boat, motorized crane, etc., that is used in the operation of a business to store, transfer, or deliver commodities or in construction, road grading, or logging activities.

“Communications facilities” means power and communications lines and towers, antennas and microwave receivers.

“Community development director” means the director of the community development department of the city of Edgewood or his/her designee.

“Comprehensive plan” means the document, including maps, adopted by the city council which outlines the city’s goals and policies relating to management of growth, and prepared in accordance with Chapter 36.70A RCW. The term also includes any adopted subarea plans prepared in accordance with Chapter 36.70A RCW.

“Concealed telecommunications facility” means any telecommunications facility that is integrated as an architectural feature of an existing structure or any new support structure designed so that the purpose of the facility or support structure for providing wireless services is not readily apparent to a casual observer. “Concealment” shall also refer to an eligible support structure and transmission facility designed to look like some feature other than a wireless tower or base station.

“Concurrency” means ensuring that adequate public improvements or strategies are in place at the time of development, and the ability and financial commitment of the service provider to expand capacity or maintain the level of service for new development through capital improvements within a six-year period as noted in the transportation capital improvement plan.

“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 interest in the common elements are vested in the unit owners, and unless a declaration and a survey map and plans have been recorded. Condominiums must meet all provisions of Chapter 64.34 RCW.

“Consumer goods rental” means establishments primarily engaged in renting personal and household-type goods from a retail-like or storefront facility. Further described in NAICS 5322 and 5323.

“Contiguous” means bordering upon, to touch upon, or in physical contact with.

“Cornice” means the molded and projecting horizontal member that crowns an architectural composition.

"Correctional institutions" means facilities for holding persons in custody or in detention, including county jails, state prisons, juvenile detention facilities, prerelease facilities, work release facilities, and other facilities in which a person may be incarcerated upon arrest or pursuant to sentencing by court. Further described in NAICS 92.

"Cottage court" means five to nine detached dwelling units organized around an internal shared courtyard.

“Cottage housing” means a development of detached dwellings, which has the following characteristics:

1. Each unit is of a size and function suitable for a single person or small family;
2. Each unit has the construction characteristics of a single-family house;
3. The density is typically eight to 17 units per acre (but is subject to minimum and maximum densities established under applicable zoning regulations);
4. All units are located either on a commonly owned piece of property or individual small lots;
5. The development is designed with a coherent concept and includes:
 - a. Shared usable open space;
 - b. Off-street parking;
 - c. Access within the site and from the site;
 - d. Amenities such as a multipurpose room, workshop, or garden;
 - e. Coordinated landscaping.

“Courtyard” is an open space, usually landscaped, which is enclosed on at least three sides by a structure or structures.

"Crematoria" means an accessory use where the dead, both animal and human, are prepared for and cremated, but not in the same facility. Further described in NAICS 812220.

"Crop production, all other" means uses which involve the raising and harvesting of row crops, field crops, or tree crops on an agricultural or commercial basis, including packing, primary processing, and storage facilities. This use category does not include the production of marijuana. Further described in NAICS 111.

“Curb cut” is a depression in the curb for a driveway to provide vehicular access between private property and the street. (Ord. 18-526 § 2 (Att. B); Ord. 15-448 § 2 (Exh. A); Ord. 11-359 § 7 (Exh. D); Ord. 03-203 § 1).

18.20.070 D definitions.

“Dangerous waste” means any discarded, useless, unwanted, or abandoned substances including, but not limited to, certain pesticides, or any residues or containers of such substances which are disposed of in such quantity or concentration as to pose a substantial, present or potential hazard to human health, wildlife, or the environment because such wastes or constituents or combinations of such wastes:

1. Have short-lived, toxic properties that may cause death, injury, or illness or have mutagenic, teratogenic, or carcinogenic properties; or
2. Are corrosive, explosive, flammable, or may generate pressure through decomposition or other means. Includes wastes designated in WAC 173-303-070 through 173-303-103 as dangerous wastes.

“Daycare center” means a daycare facility which operates in a place other than a residence, with no limitation as to the number of clients.

“Daycare facility” means a building or structure in which care is regularly provided for a group of children or adults for periods of less than 24 hours. Daycare facilities include family daycare homes and daycare centers regulated by the Washington State Department of Social and Health Services or successor agency, as presently defined and as may be hereafter amended (Chapter 74.15 RCW, WAC 388-150-010).

“Daycare, home” means a daycare facility which operates in the provider’s residence and is subject to a limitation on the number of clients.

“Daycare, home-based” means a daycare facility with no more than 12 persons in attendance at any one time in the provider’s home in the family living quarters, including immediate family members who reside in the home.

“Decibel” means a unit of measurement of the intensity (loudness) of sound. Sound level meters which are employed to measure the intensity of sound are calibrated in decibels.

“Deciduous tree” means a tree which loses its foliage annually.

“Decision” means an interpretation of compliance with the city’s municipal code.

“Deck” is a roofless, outdoor, above ground platform projecting from the wall of a building and supported by piers or columns.

“Dedication” means the transfer of property by the owner to another party.

“Department” means the city of Edgewood community development department.

Design Details. Architectural or building “design details” refer to the minor building elements that contribute to the character or architectural style of the structure. “Design details” may include moldings, mullions, rooftop features, the style of the windows and doors, and other decorative features.

“Design, wireless telecommunications facilities” means the appearance of wireless telecommunications facilities, including such features as their materials, colors, and shape.

“Designated zone facility” means any hazardous waste facility that requires an interim or final status permit under rules adopted under Chapter 70.105 RCW and Chapter 173-303 WAC, and that is not a preempted facility as defined in RCW 70.105.010 or in Chapter 173-303 WAC. A hazardous waste treatment or storage facility is a designated zone facility.

"Detached dwelling" means one dwelling unit on an individual lot with yards on all sides.

“Development” means any constructed changes to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavating, or drilling operations or the subdivision of property.

“Development activity” means any action taken either in conjunction with a use, or to make a use possible. Activities do not in and of themselves result in a specific use. Most activities may take place in conjunction with a variety of uses.

“Development permit” means any document granting, or granting with conditions, an application for a site plan, building permit, discretionary decision, or other official action of the city having the effect of authorizing the development of land.

“Development plan” means a plan drawn to scale, indicating, but not limited to, the proposed use, the actual dimensions and shape of the lot to be built upon, the exact sizes and locations of buildings already existing on the lot, if any, and the location on the lot of the proposed building or alteration, yards, setbacks, landscaping, off-street parking, ingress and egress, and signs.

“Development regulation” means regulation of the location and size of development, including, but not limited to, setbacks, landscaping, screening, height, site coverage, signs, building layout, parking and site design and related features of land use.

“Discontinuance” means the abandonment or nonuse of a building, structure, sign or lot.

“Discretionary permit” means a decision which requires special analysis or review due to the nature of the application or because special consideration was requested by the applicant.

“District” means an area designated by this title, with specific boundaries, in which lie specific zones, or special purpose area as described in this title.

“Double-frontage lot” means a lot other than a corner lot with frontage on more than one street.

"Drinking places for alcoholic beverages" means bars, taverns, nightclubs, or drinking places primarily engaged in preparing and serving alcoholic beverages for immediate consumption, which may also provide limited food services. Further described in NAICS 722410.

“Dripline” means a circle drawn at the soil line directly under the outermost branches of a tree.

“Drive-up windows" means any use that provides goods and services using a window or microphone, while customers remain in their vehicle. Drive-up windows may also be called drive-through facilities.

“Driveway” means a paved or graveled surface a minimum of 15 feet in width that provides access to a lot from a public or private right-of-way.

“Duplex” means one detached residential building, vertically or horizontally attached, containing two dwelling units totally separated from each other by a one-hour firewall or floor, designed for occupancy by not more than two families.

"Duplex: back to back" means two dwelling units on an individual lot separated vertically back-to-back that share a common wall.

"Duplex: side by side" means two dwelling units on an individual lot separated vertically side-by-side that share a common wall.

"Duplex: top and bottom" means two dwelling units on an individual lot separated horizontally with one unit on top of the other unit.

“Dwelling” means a building or portion thereof designed exclusively for human habitation, but not including hotel or motel units.

“Dwelling unit” means one room, or rooms connected together, constituting a separate, independent housekeeping establishment for owner occupancy, or rental or lease on a weekly, monthly or longer basis, and physically separated from any other rooms or dwelling units which may be in the same structure or on the same property, and containing independent cooking, sleeping and sanitary facilities. All rooms comprising a dwelling unit shall have access through an interior door to other parts of the dwelling unit.

“Dwelling unit, multifamily” means a dwelling unit contained in a building consisting of two or more dwelling units which may be stacked, or one or more dwellings included in a structure with nonresidential uses.

“Dwelling unit, single-family attached” means a building containing one dwelling unit that occupies space from the ground to the roof, and is attached to one or more other dwellings by common walls.

18.20.080 E definitions.

“Easement” means a nonpossessory interest in the land of another which entitles the owner of the interest to a limited use or enjoyment of the other’s land for the purpose of and protection from interference with this use by a

public or private street, railroad, utility, transmission line, walkway, sidewalk, bikeway, equestrian trail, and other similar uses. An easement may be exclusive or include more than one user.

"Educational services, all other" means establishments providing other types of training and instruction, such as business, computer, fine arts, cosmetology, and language instruction. Further described in NAICS 6116 and 6117.

"Electric vehicle infrastructure" means structures, machinery, and equipment necessary and integral to support an electric vehicle, including battery charging stations, rapid charging stations, and battery exchange stations.

"Electric power generation" means uses involving the production of electric energy and delivery of electricity to transmission systems or to electric power distribution systems. This category does not include electricity generation as an accessory use. Further described in NAICS 22111.

"Electromagnetic field (EMF)" means the field produced by the operation of equipment used in transmitting and receiving radio frequency signals.

"Elementary and secondary schools" means schools furnishing academic courses and associated course work that comprise a basic preparatory education, typically kindergarten through 12th grade. Further described in NAICS 6111.

"Eligible facilities request" means any request for modification of an existing tower or base station that does not substantially change the physical dimensions of such tower or base station, involving:

1. Collocation of new transmission equipment;
2. Removal of transmission equipment; or
3. Replacement of transmission equipment.

"Eligible support structure" means any existing tower or base station as defined in this chapter; provided, that it is existing at the time the relevant application is filed with the city under this title.

"EMC" means and is an abbreviation for the Edgewood Municipal Code.

"Emergency care facility" means any facility providing 24-hour emergency medical care.

"Equipment shelter" means the structure associated with a PWSF that is used to house electronic switching equipment, cooling systems, and backup power systems.

"Erect" means the act of placing or affixing a component of a structure upon the ground or upon another such component.

"Essential public facility" means those facilities covered under Washington State law (RCW 36.70A.200). Essential public facilities include those facilities that are typically difficult to site, such as airports, state education facilities and state or regional transportation facilities as defined in RCW 47.06.140, regional transit authority facilities as defined in RCW 81.112.020, state and local correctional facilities, solid waste handling facilities, and in-patient facilities including substance abuse facilities, mental health facilities, group homes, and secure community transition facilities as defined in RCW 71.09.020. The office of financial management shall maintain a list of those essential state public facilities that are required or likely to be built within the next six years. The office of financial management may at any time add facilities to the list.

"Evergreen tree" means a tree, often a coniferous tree, which retains its foliage and remains green year round.

"Excavate" means the removal by man of sand, sediment, or other material from an area of land or water for other use than commercial or industrial.

"Existing," as applied to a tower or base station, means a constructed tower or base station that has been reviewed and approved under the applicable zoning process of the city or another agency with jurisdiction. With regard to a

telecommunications facility, it is a previously erected support structure or other structure, e.g., buildings or water tanks, to which telecommunications facilities may be attached.

“Extremely hazardous waste” means any waste which will persist in a hazardous form for several years or more at a disposal site and which in its persistent form presents a significant environmental hazard and may be concentrated by living organisms through a food chain or may affect the genetic constitution of humans or other living creatures and is disposed of at a disposal site in such quantities as would present an extreme hazard to man or the environment. Those wastes designated in WAC 173-303-070 through 173-303-103 as extremely hazardous wastes. (Ord. 18-526 § 2 (Att. B); Ord. 16-463 § 3; Ord. 11-359 § 7 (Exh. D); Ord. 03-203 § 1).

18.20.090 F definitions.

“FAA” means the Federal Aviation Administration.

“Facade” means any portion of an exterior elevation of a building extending from the ground level to the top of the parapet wall or eaves, for the entire width of the building elevation. A front facade is typically the facade facing the major public street(s). An entry facade is typically the facade with the primary public entry.

“Family” means one or more individuals related by blood or legal familial relationship, or a group of not more than six persons who need not be related by blood or a legal familial relationship under a common housekeeping management plan, living together in a dwelling unit as a single, nonprofit housekeeping unit, excluding group homes described under Health Care & Social Assistance (Sector 62) - Social Assistance, All Other (all other 624) and Civic and Public Uses (Sector 813) - Correctional Institutions (922140).

“Farm animal, small” means poultry, rabbit, or other similar size and type of animal. Dogs, cats and other house pets are not considered farm animals for the purpose of this title.

“Family farm” means a farm of 10 acres in size or less, with associated raising and harvesting of row crops, field crops or tree crops, as well as the commercial raising, training and boarding of animals and the production of animal products. This definition excludes the processing of agricultural products produced off-site or the slaughter of animals raised off-site, or the commercial boarding of more than six animals. Further described in NAICS 111.

“FCC” means the Federal Communications Commission.

“Fence, sight-obscuring” means a fence constructed of solid wood, masonry, metal or other appropriate material that totally conceals the subject use from adjoining uses.

“Fill” means the placement by man of sand, sediment or other material to create new uplands or raise the elevation of the land.

“Final development plan” means a plan or set of plans that comply with the conditions set forth in a preliminary approval and, once approved, authorizes the granting of a discretionary permit.

“Flag” means any piece of cloth of individual size, color and design, used as a symbol, signal, emblem, or for decoration.

“Flagpole” means a staff or pole which is designed to display a flag. A flagpole may be freestanding or attached to a building or to a private light standard.

“Flea market” means arrangements whereby a person or persons sell, lease, rent, offer or donate to one or more persons a place or area where such persons may offer or display secondhand or junk items.

“Floor area” means the sum of the gross horizontal areas of several floors of a building, measured from the exterior faces of the exterior walls or from the center line of walls separating two buildings, but not including attic space providing headroom of less than seven feet, or basement, if more than 50 percent of the basement is less than grade.

“Floor area ratio (FAR)” of the building or buildings on any lot means the gross floor area of the building or buildings on that lot, divided by the gross area of such lot.

“Footcandle” is a unit used for measuring the amount of illumination on a surface. The amount of usable light from any given source is partially determined by the angle of incidence of the source and the distance to the illuminated surface.

“Footprint” means the perimeter of the foundation of a structure as it is measured at grade.

“Freeway” means any section of a highway which has been declared to be a freeway by act or resolution of the competent establishing authority.

“Frontage” refers to length of a property line along a public street or right-of-way. (Ord. 18-526 § 2 (Att. B); Ord. 11-359 § 7 (Exh. D); Ord. 03-203 § 1).

"Fuel dealers" means establishments that sell fuels, which, by their nature, are flammable, explosive, or toxic, to businesses and households for transportation, heating, and business purposes. Examples include propane gas sales, heating oil dealers, liquefied petroleum gas dealers, coal, wood, or other fuel dealers. Further described in NAICS 454310.

"Funeral homes and funeral services" means funeral facilities such as preparation and display facilities, funeral chapels, and affiliated offices. This category of uses does not include crematoria. Further described in NAICS 812210.

18.20.100 G definitions.

"Gambling industries" means establishments (except casino hotels) primarily engaged in operating gambling facilities, such as casinos, bingo halls, and video gaming terminals, or in the provision of gambling services, such as lotteries and off-track betting. Further described in NAICS 7132.

“Garage” means an enclosed automobile structure with direct driveway access principally for vehicular equipment such as automobiles, boats, etc., used by the tenants of the building(s). A garage may be integrated with, attached to, or detached from the primary structure. Also see “parking structure.”

"Gasoline stations" means a building or lot having pumps and storage tanks where fuels, oils or accessories for motor vehicles are dispensed, sold or offered for sale at retail prices only, repair service is incidental and no storage or parking space is offered for rent. Further described in NAICS 447. “Geologic” means relating to the occurrence and properties of earth. Geologic hazards include faults, land and mudslides, and earthquakes.

"Golf courses and country clubs" means a facility under public or private ownership designed and developed for golf activities, which may include accessory uses such as but not limited to: driving ranges, pro shops, restaurants, meeting facilities, and other recreational facilities. Further described in NAICS 713910.

“Governing authority” means the city council of the city of Edgewood.

“Grade, average” means the average elevation of the undisturbed ground prior to construction at all exterior corners of the proposed structure.

“Grade, finished” means the finished surface of the ground, street, paving or sidewalk.

“Grade, preconstruction” means, prior to any grade, fill or disturbance of soil or vegetation.

“Greenhouse” means a glass or plastic structure specially designed for the growing of plants that provides a controlled growing environment that allows plants to grow when they would not otherwise do so.

“Gross area” means the total sum area of the lot.

“Gross density” means a calculation of the number of dwelling units that is allowed on a property based on the maximum density permitted.

“Gross square feet (gsf)” means the sum of the total square footage of any building, lot, property or area.

“Groundcover” means low-growing vegetative materials with a mound or spreading manner of growth that provides solid cover.

“Group assembly” means any facility that provides for the regular assembly of individuals for entertainment or social purposes.

“Guyed tower” means a support structure, such as a pole or narrow metal framework, which is held erect by the use of wires, anchors, or a combination of wires and anchors. This definition is used whether the tower is partially, temporarily, or additionally guyed. (Ord. 18-526 § 2 (Att. B); Ord. 11-359 § 7 (Exh. D); Ord. 10-346 § 8; Ord. 03-203 § 1).

18.20.110 H definitions.

“Habitat” means the place or type of site where an organism lives; the place occupied by an entire community, such as a freshwater tidal marsh community.

“Hard surface” means an impervious surface, a permeable pavement, or a vegetated roof.

“Hazardous substance” means any liquid, solid, gas or sludge, including any material, substance, product, commodity or waste, regardless of quantity, that exhibits any of the characteristics or criteria of hazardous waste as described in rules adopted under Chapter 70.105 RCW or in WAC 173-303-090, 173-303-100, 173-303-101, 173-303-102 or 173-303-103.

“Hazardous substance land use” means any use which is permitted under this title and which includes a designated zone facility or the processing or handling of a hazardous substance.

“Hazardous substance land use facility” means the projected line enclosing the area of all structures and lands on which hazardous substance land use activities occur, have occurred in the past or will occur in the future. This does not include the application of products for agricultural purposes or the use, storage, or handling of hazardous substances used in public water treatment facilities.

“Hazardous substance, processing or handling” means the use, storage, manufacturing, or other land use activity involving hazardous substances, but does not include individually packaged household consumer products or quantities of hazardous substances of less than five gallons in volume per container. Hazardous substances shall not be disposed of on-site, unless in compliance with Dangerous Waste Regulations, Chapter 173-303 WAC, and any pertinent local ordinances, such as sewer discharge standards.

“Hazardous waste” means any dangerous and extremely hazardous waste as designated pursuant to Chapter 70.105 RCW or Chapter 173-303 WAC, including substances composed of radioactive and hazardous components. A moderate risk waste is not a hazardous waste.

“Hazardous waste facility” means the contiguous land and structures, other appurtenances and improvements on the land used for recycling, storing, treating, incinerating or disposing of hazardous waste.

“Hazardous waste storage facility” means any designated zone facility which holds hazardous waste for a temporary period not to exceed five years; this does not include accumulation of hazardous waste by the generator on the site of generation, as long as the generator complies with the applicable requirements of WAC 173-303-200 and 173-303-201.

“Hazardous waste treatment facility” means any designated zone facility which processes hazardous waste by physical, chemical or biological means to make such waste nonhazardous or less hazardous, safer for transport, amenable for energy or material resource recovery, amenable for storage, or reduced in volume.

“Hearing examiner” means a person appointed by the city to carry out the functions authorized under Chapter 2.40 EMC, and RCW 35A.63.103.

“Hearing examiner review” means a process involving the judgment and discretion of the hearing examiner, EMC 18.40.100, Process III – Hearing examiner action, in applying specific decision criteria and other requirements

unique to a particular use in the approval of an activity permitted, or permitted conditionally, within a zoning district.

“Height” means the vertical distance measured from the average grade to the highest point on the building or structure.

“Hip roof” means a roof that slopes down to the eaves on all four sides without gables.

"Hog and pig farming" means uses involving the raising of hogs and pigs, which may include farming activities, such as breeding, farrowing, and the raising of weanling pigs, feeder pigs, or market size hogs. Further described in NAICS 112210.

“Home business” means any occupation, profession or lawful commercial activity carried out for financial gain by a resident living on the premises, and in which said activity is secondary to the use of the dwelling for living purposes; provided, that the occupation or profession meets the requirements of EMC 18.100.070, Home business. A home business has an effect (e.g., customers, employees, traffic, noise, etc.) upon the surrounding neighborhood and requires an administrative use permit.

“Home business, limited” means any occupation, profession or lawful commercial activity carried out for financial gain entirely within the dwelling, solely by a resident living on the premises, and which said activity is secondary to the use of the dwelling for living purposes; provided, that the limited home business meets the requirements of EMC 18.100.080, Limited home businesses. A limited home business has no impact (e.g., no clients or employees, traffic, noise, etc.) on the peace, quiet, comfort, and enjoyment by and of the abutting properties and the surrounding community.

"Hospitals" means a building designed and used for medical or surgical diagnosis, treatment and housing of persons under the care of doctors and nurses and may include ancillary uses such as cafeterias, florists and patient- and visitor-related services. Rest homes, nursing homes, convalescent homes and clinics are not included. Further described in NAICS 622.

"Hotels (except casino hotels) and motels" means a single building or a group of detached or semi-detached buildings containing six or more guest rooms or self-contained suites, with parking provided on the site for the use of those staying in the rooms or suites, which is or are designed and used for the accommodation of transient travelers for a period not to exceed 30 days. Further described in NAICS 721110.

“Human scale” means the size of a building element or space relative to the dimensions and proportions of a human being. A building is considered to have “good human scale” if there is an expression of human activity or use that indicates the building’s size. For example, traditionally sized doors, windows, and balconies are elements that respond to the size of the human body, so these elements in a building indicate a building’s overall size. (Ord. 16-482 § 2 (Exh. F); Ord. 11-359 § 7 (Exh. D); Ord. 03-203 § 1).

18.20.120 I definitions.

“Impervious surface” means a hard surface area which either prevents or retards the entry of water into the soil mantle as it entered under natural conditions preexistent to development, or that hard surface area which causes water to run off the surface in greater quantities or at an increased rate of flow under natural conditions preexistent to development. Common impervious surfaces include, but are not limited to, rooftops, concrete or asphalt paving, paved walkways, patios, driveways, parking lots or storage areas, grasscrete, and oiled, macadam or other surfaces which similarly impede the natural infiltration of surface water. Open, uncovered retention/detention facilities shall not be considered impervious surfaces. When applied as a development standard, it is expressed as a percentage of the lot area.

“Incidental use” means a use that is in conjunction with, and smaller than the main part of a facility or use.

“Incompatible uses,” for the purpose of community design, are those uses, including, but not limited to, outdoor storage, utilities equipment and apparatus, and loading and service facilities, which are considered to be visually intrusive, unsightly and which require site design and screening to mitigate the negative impacts to retail, service and office commercial uses and residential development.

"Indoor arts, entertainment, and recreation activities, other" means facilities or places of business primarily engaged in the provision of sports, entertainment, or recreational services to the general public or members in indoor facilities. Examples include, but are not limited to, video arcades, teen clubs, athletic clubs, swimming pools, billiard parlors, bowling alleys, ice or roller skating rinks, indoor movie theaters, and sports arenas. This definition does not include golf courses and country clubs.

"Interior landscaping area" means any area of a lot that is not within a required perimeter landscaping or landscape buffer area. In the case of single-family residences in residential zones, the entire lot shall be considered the interior landscaping area. Interior landscaping areas are required within large parking lot areas to provide aesthetic visual relief and provide for some shading of parking spaces.

"International Building Code (IBC)" means the current version of the International Building Code, or equivalent, published by the International Code Council, and adopted by the city. (Ord. 11-359 § 7 (Exh. D); Ord. 06-268 § 1; Ord. 03-203 § 1).

18.20.130 J definitions.

"Judicial appeals" means appeals filed by a party of record in Pierce County superior court. (Ord. 03-203 § 1).

"Junior colleges, colleges, universities, and professional schools" means establishments primarily engaged in furnishing academic, or academic and technical, courses and granting graduate, baccalaureate, or associate degrees; certificates; or diplomas. Further described in NAICS 6112, 6113, and 6114.

18.20.140 K definitions.

"Kennels" means an enclosure or structure in which any combination of six or more dogs, cats, or a combination of either that individually exceed six months of age are kept for breeding, sale, training, boarding, or sporting purposes. Further described in NAICS 812910.

"Kick plate" means a plate applied to the face of the lower rail of a door or sidelight to protect against abrasion or impact loads.

"Kitchen" means any room or rooms, or portion of a room or rooms, used or intended or designed to be used for cooking or the preparation of food. (Ord. 11-359 § 7 (Exh. D); Ord. 03-203 § 1).

18.20.150 L definitions.

"Landfill" means a solid waste facility for the permanent disposal of solid wastes in or on the land which requires a solid waste permit under Chapter 70.95 RCW.

"Landscaping" means vegetative cover including shrubs, trees, flowers, groundcover and other similar plant material. All landscaping must conform to the planting standards contained in Edgewood city ordinances. An area may be determined to be landscaped if it is planted with vegetation in the form of hardy trees, shrubs, or grass or evergreen groundcover maintained in good condition.

"Lattice tower" means a support structure that consists of a network of crossed metal braces, forming a tower which is usually triangular or square in cross-section.

"Libraries" means facilities engaged in maintaining collections of documents (e.g., books, journals, newspapers, and music) and facilitating the use of such documents (recorded information regardless of its physical form and characteristics) as required to meet the informational, research, educational, or recreational needs of their user.

"Live/work unit" means a dwelling unit consisting of both a commercial/office and a residential component that is occupied by the same resident. The commercial space must be a single unit that is built and designed to accommodate office/professional use by accountants; architects; artists and artisans; attorneys, computer software and multimedia related professionals; consultants; engineers; fashion, graphic, interior and other designers; hair stylists; home-based office workers; insurance, real estate and travel agents; one-on-one instructors; photographers; and similar occupations. The live-work unit shall be the primary residence of the occupant.

"Loading space, off-street" means a space logically and conveniently located for bulk pickups and deliveries, scaled to delivery vehicles expected to be used, and accessible to such deliveries when required off-street parking spaces

are filled. Required off-street loading space is not to be included as off-street parking space in computation of required off-street parking space.

“Local road or street” means a road or street which is used or intended to be used primarily for providing access to abutting properties and to discourage through traffic.

“Lot” means a fractional part of divided lands having fixed boundaries, being of sufficient area and dimension to meet minimum zoning requirements for width and area, and developed or built upon as a unit. The term shall include “tracts” or “parcels.”

“Lot area” means the total area within the lot lines of a lot, excluding rights-of-way and easements for roads and environmentally constrained lands that cannot be built upon.

“Lot, buildable” means a legal lot which is proposed for use in compliance with this title, and has received approval of the water supply, stormwater retention/detention system and sewage disposal method as appropriate to such use.

“Lot, corner” means a lot of which at least two adjacent sides abut streets other than alleys.

“Lot coverage” means the area of a lot covered by a building or buildings, expressed as a percentage of the lot area.

“Lot, cul-de-sac” means a lot which has a front lot line contiguous with the outer radius of the turnaround portion of a cul-de-sac.

“Lot depth” means the perpendicular distance measured from the midpoint of the front lot line to the midpoint of the opposite lot line.

“Lot, flag” is a lot surrounded by abutting lots with an extended access way to a street right-of-way.

“Lot frontage” means the shortest distance between the sides of the lot along the boundary abutting the street or private road.

“Lot, interior” means a lot other than a corner lot.

“Lot line” means the property line bounding a lot.

“Lot line, front” means, normally, the property line separating the lot from the street, other than an alley, from which access is provided to the lot. For the purpose of establishing setback requirements, orientation of the dwelling unit shall be independent of access to the parcel. In the case of a corner lot, the front lot line shall be the property line with the narrow dimension adjacent to the street.

“Lot line, rear” means the lot line which is opposite and most distant from the front lot line and which is in the same plane and runs parallel to the front lot.

“Lot line, side” means any property line which is neither a front nor a rear lot line.

“Lot of record” means a lot that is part of a subdivision recorded, pursuant to statute, with the Pierce County auditor, or a legally created lot under state and local subdivision regulations in effect at the time of creation or a lot described by metes (distance) and bounds (direction), the description of which has been so recorded.

“Lot, through” means an interior lot having frontage on two streets, and which is not a corner lot.

“Lot width” means the average horizontal distance between the side lot lines, ordinarily measured parallel to the front lot lines, except that portion of a flag lot that usually forms an extended access way to a street right-of-way.

“Low impact development (LID)” is a stormwater management, site design and engineering approach with a basic principle that is modeled after nature: manage rainfall at the source using uniformly distributed decentralized small-scale controls. LID’s goal is to mimic a site’s predevelopment hydrology by using design techniques that infiltrate, filter, store, evaporate, and detain runoff close to its source. Specific LID tools and standards are identified in the

Low Impact Development: Technical Guidance Manual for Puget Sound. Additional information, guidance, and standards can also be found in the most recent versions of the Pierce County Stormwater Management and Site Development Manual (PCM) and the Department of Ecology Stormwater Management Manual for Western Washington (SWMM).

“Low income” means households whose incomes do not exceed 80 percent of the median income for the city of Edgewood as determined by Department of Housing and Urban Development. (Ord. 18-526 § 2 (Att. B); Ord. 16-482 § 2 (Exh. F); Ord. 11-359 § 7 (Exh. D); Ord. 06-268 § 1; Ord. 03-203 § 1).

18.20.160 M definitions.

“Maintenance” means routine upkeep (the cleaning, painting, repair, or replacement of defective parts) of existing structure, facilities, or signs which are in current use or operation.

“Major exterior remodel” means a proposed improvement to any existing building structure or property that changes the exterior appearance of the property and meets either of the criteria below:

1. Estimated value of construction exceeds 50 percent of the value of the existing built facilities as determined by the city of Edgewood’s building valuation procedure.
2. Construction includes an addition to or extension of an existing building.

“Major modifications” means improvements to existing telecommunications facilities or support structures that result in a substantial increase to the existing structure. Collocation of new telecommunications facilities to an existing support structure without replacement of the structure shall not constitute a “major modification.”

“Manufactured home” means a factory-assembled structure that was constructed in accordance with the 1976 or later [HUD] Federal Manufactured Housing Construction and Safety Standards Act in effect at the time of construction;

1. Displays the appropriate HUD or Department of Labor and Industries label;
2. Is suitable for movement along public highways;
3. Is intended solely for human habitation; and
4. Has sleeping, eating and plumbing facilities.

Manufactured homes do not include modular homes or recreational vehicles as herein defined. For the purpose of flood hazard regulations only, a manufactured home is a structure, transportable in one or more sections, which is built on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities. It includes recreational vehicles or travel trailers that are placed on a site for more than 180 consecutive days.

"Manufacturing, craft" means on-site production or assembly of arts, crafts, foods, beverages, or other type of product involving the use of hand tools or other similarly small-scale sized equipment. Establishments must include a retail/eating/drinking/tasting component that occupies a minimum of 10 percent of usable space, and street frontage or a well-marked and visible entrance at sidewalk level, and must be open to the public. All production, processing and distribution activities are to be conducted within an enclosed building. This can include, but is not limited to ceramic art, glass art, candle-making, custom jewelry manufacture, bakeries, confectionaries, butchers, woodworkers, coffee roasting establishments, breweries, distilleries, wineries, cideries, and food production and nonalcoholic beverage production.

"Manufacturing, heavy" means facilities, typically larger in size, engaged in the processing of raw materials or parts into finished products. Such facilities may have a higher degree of negative environmental impacts due to the processes employed and operations. Further described in NAICS 23, 321, 322, 323, 324, 325, 326, 327, 331, 332, 333, 334, 335, 336, and 339.

"Manufacturing, light" means small-size facilities where no heavy manufacturing or specialized industrial processes takes place. Typical light manufacturing activities include, but are not limited to, printing, material testing, and assembly components. Further described in NAICS 23, and 311 (except 3116), 312, 313, 314, 315, 316, and 337. "Map" means a representation, usually on a flat surface, of the whole or part of an area.

"Marijuana processing" means activities that include processing of marijuana into marijuana concentrates, useable marijuana, and marijuana-infused products, packaging and labeling marijuana concentrates, useable marijuana, and marijuana-infused products for sale in retail outlets, and selling marijuana concentrates, useable marijuana, and marijuana-infused products at wholesale to marijuana retailers.

"Marijuana production" means any use involving the planting, growing, harvesting, drying, curing, grading, trimming, or otherwise processing of marijuana plants or any part thereof. Further described in NAICS 111.

"Marijuana retailers" means uses that involve the sale marijuana concentrates, useable marijuana, and marijuana-infused products in a retail outlet. Further described in NAICS 453998.

"Mass" means the physical volume or bulk of a solid body. The mass of a building is its three-dimensional form, bulkiness and relationship to exterior spaces. During the design process, massing is one of many aspects of form considered by an architect or designer and can be the result of both exterior and interior design considerations. Architectural massing can be used to identify a building entry, denote a stairway or simply create visual depth to soften the visual mass of the overall structure.

"Maximum density" means the maximum number of dwelling units allowed per developable area (dua).

"Maximum lot size" means the largest lot area size, expressed in gross square feet (gsf), permitted for short plat subdivisions, lot line adjustments, and subdivisions utilizing standard development regulations. The maximum lot size does not apply to open space parcels or residential parcels that are more than 35 percent encumbered by dedicated natural or critical areas or associated buffers.

"Mean high water (MHW)" means the average height of all high waters over a 19-year period.

"Medical office" means a facility that provides diagnoses and outpatient care on a routine basis but is unable to provide prolonged in-house medical or major surgical care. Medical clinics are included in this definition.

"Microcell" means a wireless communications facility consisting of an antenna that is either:

1. Four feet in height and with an area of not more than 580 square inches; or
2. If a tubular antenna, no more than 12 inches in diameter and no more than six feet high.

"Mining, quarrying, and oil and gas extraction" means uses that include the operation and/or development of oil and gas field properties, mining, mine site development, and beneficiating (i.e., preparing) metallic minerals and nonmetallic minerals, including coal. Further described in NAICS 21.

"Mini-warehouses and self-storage units" means a facility consisting of separate storage units that are rented to customers having exclusive access to their respective units for storage of residential or commercial oriented goods. No business is conducted out of storage units and habitation is prohibited. Further described in NAICS 531130.

"Minor exterior remodel" means any improvement that changes the visual appearance or exterior configuration of a building structure or property, and which has a value of less than 50 percent of the existing built facilities as determined by the city of Edgewood's building valuation procedure. Painting and restorative maintenance are not considered minor remodels.

"Minor facility" means a wireless communications facility consisting of up to three antennas, each of which is either:

1. Four feet in height and with an area of not more than 580 square inches;

2. If a tubular antenna, no more than 12 inches in diameter and no more than six feet high; and the associated equipment cabinets that are less than or equal to six feet in height and no more than 48 square feet in floor area; or

3. A whip antenna which is four inches or less in diameter and no more than 15 feet in length.

“Minor modification” means improvements to existing structures that result in some material change to the facility or support structure but of a level, quality or intensity that is less than a substantial increase. “Minor modifications” include the replacement of the structure.

“Mitigate” means to alleviate the negative impacts of a particular action.

“Mitigation” means any action that, to some degree, softens the impact of development on critical or sensitive areas. This may include all or any one of the following actions:

1. Avoiding the impact altogether by not taking a certain action or parts of an action.
2. Minimizing impacts by limiting the degree or magnitude of an action and its implementation.
3. Rectifying the impact by repairing, rehabilitating, or restoring the affected environment.
4. Reducing or eliminating the impact over time by preservation and maintenance operations.
5. Compensating for the impact by creation, restoration, or enhancement of critical or sensitive areas to maintain their functional processes, such as natural biological productivity, habitat, and species diversity, unique features and water quality. Any mitigation action or combination of actions may involve monitoring and remedial follow-up measures.

“Mixed use” means development that contains a mix of residential and commercial uses, either in the same building or in separate buildings. Where a density or floor area bonus is provided for mixed use development, please see applicable development standards for specific requirements.

“Mobile home” means a structure constructed for movement on the public highways that has sleeping, cooking and plumbing facilities, that is intended for human occupancy, that is being used for residential purposes, that was constructed prior to June 15, 1976, and/or does not conform to [HUD] Manufactured Housing Construction and Safety Standards Act. Mobile homes do not include recreational vehicles. The appropriate HUD or Department of Labor and Industries label is displayed.

"Mobile vendors" means uses involving food or similar food services provided from motorized vehicles or non-motorized carts. Further described in NAICS 722330.

“Mobile transmission facility” means a movable, nonstationary transmission facility that contains wireless telecommunications equipment including any antenna, support structure, accessory structures, and may include other uses associated with and ancillary to wireless telecommunications facilities.

“Modification of wireless telecommunications facilities” means the changing of any portion of a wireless telecommunications facility from its description in a previously approved permit, excluding routine maintenance and repair. Examples include, but are not limited to, changes in design or structure, changes in the heights of towers or monopoles, changes in any accessory structures or appurtenances that are affiliated with or support a wireless telecommunications facility.

“Modular home” means a detached dwelling that is designed for human habitation, is either entirely or substantially prefabricated at a place other than a building site, and is constructed or installed on the site in accordance with the UBC and bearing the appropriate insignia indicating such compliance. Modular homes are also commonly referred to as “prefabricated,” “panelized,” or “factory-built” units.

“Modulation” means a stepping back or projecting forward of portions of a building facade within specified intervals of building width and depth as a means of breaking up the apparent bulk of a structure’s continuous exterior walls.

“Monopole” means a single tubular support structure erected as a freestanding pole supporting one or more antennas. A “monopole” is not a tower.

“Mount of wireless telecommunications facility” means the structure or surface upon which wireless telecommunications facilities are mounted. There are three types of mounts:

1. Building-Mounted. A wireless telecommunications facility mount fixed to the roof or side of a building.
2. Ground-Mounted. A wireless telecommunications facility mount fixed to the ground, such as a tower.
3. Structure-Mounted. A wireless telecommunications facility fixed to a structure other than a building, such as light standards, utility poles, water towers, and bridges.

“Multifamily design review” means an administrative process for the purpose of reviewing multifamily development applications for compliance with specific site design, landscape design and building design criteria.

“Multiple building complex” means two or more structures on the same lot where those structures are physically separate and do not share a common wall.

“Multiple tenant building” means a single structure housing two or more of the following establishments: office, residence, industry, or commercial business.

"Multi-plex" means 3 or 4 attached dwelling units vertically or horizontally integrated on an individual lot.

"Museums and art galleries" means facilities open to the public where works of art, scientific specimens, or other objects of permanent value are kept and displayed. Further described in NAICS 712 (except 712130).

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“Natural areas” means all or portions of a parcel of land undisturbed by development and maintained in a manner which preserves the indigenous plant materials.

“Neighborhood park or playground” means an area for recreational activities, such as, but not limited to, field games, court games, crafts, playground apparatus area, skating, walking, viewing, picnicking, wading pools, swimming pools.

“Net area” means the developable area after the area of street rights-of-way has been subtracted.

“Net developable area” means the gross site area minus any environmentally constrained lands and roads.

“Nonconforming lot” means a lot which does not conform to the design or density requirements of the zoning district in which it is located. A nonconforming lot is a lot that was legal when it was created, but no longer meets the current area, width, or depth dimensional requirements for the zoning district in which the property is located. Nonconforming lots may be occupied by any permitted use in the district; provided, that all other development regulations in effect at the time of development are met.

“Nonconforming structure” is one which was lawfully erected in conformance with the regulations in effect at the time of its construction, but which no longer conforms to current development standards including, but not limited to, design, height, setback or coverage requirements of the zoning district in which it is located.

“Nonconforming use” means the use of land, a building or a structure lawfully existing prior to the effective date of this title or subsequent amendments thereto, which does not conform with the regulations of the district in which it is located.

“Nonconformity” means any land use, structure, lot or sign legally established prior to the effective date of this title or subsequent amendment, which is no longer permitted by or in full compliance with the regulations of this title.

“Nursery, horticultural” mean a place where trees, shrubs, vines, etc., are propagated for transplanting or for use as stocks for grafting and where such flora can be sold.

"Nursing and residential care facilities" means any facility which provides convalescent or chronic care for 24 consecutive hours for three or more patients not related by blood or marriage to the operator, who by reason of illness or infirmity are unable to properly care for themselves.

“Nursing home” means a multi-unit or multi-bed facility that is licensed or approved to provide living accommodations and round-the-clock health care and medical supervision. (Ord. 11-359 § 7 (Exh. D); Ord. 10-346 § 10; Ord. 03-203 § 1).

18.20.180 O definitions.

“Occupancy” means the purpose for which a building is used or intended to be used. The term shall also include the building or room housing such use. Change of occupancy is not intended to include change of tenants or proprietors.

“Odor control structure” means equipment or structures appurtenant to wastewater conveyance facilities used to lessen the odors of the liquids being transported.

"Office, general" means an office used as a place of business by licensed professionals, or persons in other generally recognized professions, which use training or knowledge of a technical, scientific or other academic discipline as opposed to manual skills, and which does not involve outside storage or fabrication, or on-site sale or transfer of commodities. Further described in NAICS 51 (except 517) 52, 531, 533, 54 (except 541940), 55, 561, and 813. “Official controls” means legislatively defined and enacted policies, standards, precise detailed maps and other criteria, all of which control the physical development of the city, and are the means of translating into regulations and ordinances all or any part of the general objectives of the comprehensive plan.

“Official maps” means maps that show the designation, location and boundaries of the various districts which have been adopted and made a part of this title.

“Off-site hazardous waste treatment or storage facility” means any hazardous waste treatment or storage facility which treats or stores wastes that are generated off the site.

“On-site hazardous waste treatment or storage facility” means any hazardous waste treatment or storage facility that treats or stores only that waste which is generated on the site.

“Open record hearing” means a hearing held by a decision-making body that is authorized by the city to conduct such hearings, that creates the city’s record through testimony and submission of evidence and information, under procedures prescribed by the city by ordinance or resolution.

“Open space” means land used for farm or forest uses, and any land area that would, if preserved and continued in its present use:

1. Conserve and enhance natural or scenic resources;
2. Protect air, streams or water supply;
3. Promote conservation; or
4. Enhance the value to the public of abutting or neighboring parks, forests, wildlife preserves, nature preservations or sanctuaries or other open space.

“Ordinary high water mark” means that mark that will be found by examining the bed and banks and ascertaining where the presence and action of waters are so common and usual, and so long continued in all ordinary years, as to mark upon the soil a character distinct from that of the abutting upland, in respect to vegetation as that condition exists on the effective date of the ordinance codified in this title, or as it may naturally change thereafter; provided,

that in any area where the ordinary high water mark cannot be found, the ordinary high water mark shall be the line of mean high water.

“Ordinary maintenance” means ensuring that telecommunications facilities and support structures are kept in good operating condition. “Ordinary maintenance” includes inspections, testing and modifications that maintain functional capacity, aesthetic and structural integrity. “Ordinary maintenance” includes replacing antennas of a similar size, weight, shape and color and accessory equipment within an existing telecommunications facility and relocating the antennas of approved telecommunications facilities to different height levels on an existing monopole or tower upon which they are currently located. “Ordinary maintenance” does not include minor and major modifications.

“Ornamental tree” means a tree that is either a conifer or deciduous tree that is accessory, decorative, enhances and/or accents the general landscaping of the site. Ornamental trees are generally between eight and 20 feet tall at maturity.

"Other repair and maintenance, commercial/industrial" means establishments primarily engaged in the repair and maintenance of commercial and industrial machinery and equipment. Further described in NAICS 811 (except 8111).

"Other repair and maintenance, consumer" means establishments primarily engaged in repairing and maintaining consumer goods, without retailing new products. Further described in NAICS 811 (except 8111).

"Outdoor arts, entertainment, and recreation activities, other (special)" means facilities or places of business primarily engaged in the provision of sports, entertainment, or recreational services to the general public or members with outdoor facilities. Examples include swimming pools, ice or roller skating rinks, drive-in theaters, miniature golf courses, golf courses, theme parks, amusement parks, and sports arenas.

"Outside displays" means the display of products, vehicles, equipment, and machinery for sale or lease on the exterior of a building. Typically, this is an outdoor showroom for customers to examine and compare products, and does not have to be visible to the street. This does not include vehicles or equipment being serviced, bulk goods and materials, and car and boat sales and leasing when such vehicles are not accessible to customers to inspect and compare, which are considered outdoor storage.

"Outside storage" means all or part of a lot which is used for the keeping of materials, vehicles, or products in an open, uncovered yard or in an unwall building. Such materials may include tractors, backhoes, heavy equipment, construction materials, bulk products, and other similar items.

“Overlay district” means a defined geographic area where sets of development regulations are established to achieve a specific public purpose. These regulations are in addition to those of the underlying zoning district. Also can be a supplementary district that places special restrictions or preempts the use of land beyond those required in the underlying zones.

“Owner” means the owner of record of real property as shown on the tax rolls of the Pierce County assessor, or a person who is purchasing a piece of property under contract.

“Owner occupant” means a property owner, as reflected in title records, that makes his or her legal residence at the site, and actually resides at the site more than six months out of any given year.

“Ownership” means the existence of legal equitable title to land. (Ord. 18-526 § 2 (Att. B); Ord. 11-359 § 7 (Exh. D); Ord. 03-203 § 1).

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“Parapet” means a low wall projecting from the edge of a platform, terrace, or roof. Parapets may rise above the cornice of a building.

“Parcel” means a lot or plot of land proposed or created in accordance with this code or prior subdivision ordinance and state law and intended as a unit for the purpose, whether immediate or future, of transfer of ownership. The external boundaries existing as of the date of incorporation of the city of Edgewood shall be used to establish what is a parcel for the purposes of this code. For parcels which have not been conveyed since that date, the legal description used in the conveyance closest to that date shall control.

"Parking lots" means an off-street, ground level open area, usually improved, for the parking and/or temporary storage of motor vehicles. Further described in NAICS 812930.

“Parking space” means any off-street surface area of not less than 15 feet by eight feet in size, exclusive of maneuvering and access area, permanently reserved for the storage or parking of one vehicle, and connected with an access which affords ingress and egress for vehicles.

"Parking structures" means a building or structure consisting of more than one level, above and/or below ground with one or more common entrances, and used for the parking and/or temporary storage of motor vehicles. Further described in NAICS 812930.

“Parking, surface” means an off-street, ground level open area, usually improved, for the parking and/or temporary storage of motor vehicles.

"Parks, open space, and public recreation" means recreational areas and recreation facilities which primarily are owned or operated by public or nonprofit entities for the use and enjoyment of the general public. In some cases, such areas and facilities may be incidental to private development, such as open space set-asides necessary for environmental mitigation and children’s play areas (“tot lots”) within a subdivision; are intended to be principally used by a finite group; and may constitute private property.

“Parties of record” means persons with legal standing with respect to an application including the applicant, property owner as identified by the records available from the Pierce County assessor’s office, or any person who testified at the open record public hearing on the application; and/or any person who submitted written comments during administrative review or has submitted written comments concerning the application at the open record public hearing, excluding persons who have only signed petitions or mechanically produced form letters.

"Passenger car rental and leasing" means establishments primarily engaged in renting or leasing passenger cars without drivers. Further described in NAICS 53211.

“Passive recreation” means an outdoor leisure time activity which usually occurs in a natural or designed urban setting. Passive recreation may occur in common open lawn areas and, where determined appropriate, critical area buffers, aquifer recharge and floodwater storage areas. Activities may include picnicking, sightseeing, walking, hiking, biking, horseback riding, and nature walks. Accessory structures associated with passive recreation include: playground equipment, picnic shelters and tables, barbecue pits, exercise stations, restroom facilities, benches, directory signs, garbage containers, and landscaped areas with walkways.

“Patio” means a recreation area adjoining a dwelling which is often hard-surfaced or a wood platform of 30 inches or less above finished grade.

“Pedestrian orientation” means designing the built environment with the needs of humans who are walking in mind. Key elements include building height, bulk and placement; streetscape, sidewalk design and connections; and mix and type of land uses. The result should be a walkable community that reinforces urban design goals for the neighborhood.

Pedestrian-Oriented Facades. The ground floor facades facing pedestrian-oriented streets and public parks shall feature “pedestrian-friendly” street front facades which consist of one or more of the following characteristics:

1. Transparent window area or window displays along the majority of the ground floor facade.
2. Sculptural, mosaic or bas-relief artwork over the majority of the ground floor facade.

3. Pedestrian-Oriented Space. As defined below, at least 500 square feet must be located along the sidewalk for every 100 linear feet of facade as measured along the property line adjacent to the street right-of-way. The pedestrian-oriented space shall also include at least 200 square feet of landscaping for every 100 linear feet of building facade as measured along the property line adjacent to the street right-of-way. The landscaping must conform to the planting standards contained in Edgewood city ordinances.

“Pedestrian-oriented space” means an area between a building and a public street or another building that promotes visual and pedestrian access onto the site and that provides pedestrian-oriented amenities and landscaping to enhance the public’s use of the space. Pedestrian-oriented spaces include, but are not limited to, outdoor plazas, arcades, courtyards, seating areas, and amphitheaters. Pedestrian-oriented spaces have:

1. Visual and pedestrian access, including handicapped access, into the site from the public right-of-way.
2. Special textured paved walking surfaces of either concrete or approved unit paving.
3. On-site or building-mounted lighting providing at least four footcandles (average) on the ground.
4. Seating; at least two feet of seating area (bench, ledge, etc.) or one individual seat per 60 square feet of plaza area or open space.
5. Landscaping, including trees and seasonal plantings, that defines the space, but does not act as a visual barrier to views from the street or adjacent buildings.
6. Site furniture, artwork or amenities such as fountains, kiosks, etc.
7. Pedestrian weather protection or other enclosure, such as an arcade or gazebo.

Generally, pedestrian-oriented spaces shall not have:

1. Asphalt or gravel pavement.
2. Adjacent unscreened parking lots.
3. Adjacent chain-link fences.
4. Adjacent “blank walls” without “blank wall treatment.”

“Pedestrian-oriented use” means a commercial use in which customers commonly arrive on foot, or where signage, advertising, window display and entryways are oriented toward pedestrian traffic on a public sidewalk. Pedestrian-oriented businesses may include restaurants, retail shops, personal service businesses, travel services, banks (except drive-through windows), and similar establishments.

“Pedestrian walkway” means a surfaced walkway, separate from the traveled portion of a right-of-way or parking lot/driving aisle.

“Pennant” means a tapered flag having a distinctive triangular form. (See “flag” and “string pennants.”)

“Performance standards” means criteria to control noise, odor, smoke, toxic or noxious matter, vibration, fire and explosive hazards, or glare or heat generated by or inherent in uses of land or buildings.

“Performing arts center” means any facility consisting of stages and seating for the live performance of theatrical or musical works. Ancillary uses such as concessions and gift shops may be included in this use.

“Person” means any natural person, firm, partnership, association, social or fraternal organization, corporation, estate, trust, receiver, syndicate, branch of government, or any other person or combination acting as a unit, with legal rights and duties, whether acting by themselves or by a servant, agent, employee, or guardian.

"Personal care services" means businesses primarily engaged in providing services to meet individuals' periodic personal needs. Examples include, but are not limited to, coin-operated laundries, dry cleaning drop-off/pick-up establishments, dry cleaners, beauty shops, barber shops, clothing alterations, tanning salons, travel agencies, payday loan establishments, photographic studios, carpet and upholstery cleaners, and personal improvement services. Further described in NAICS 98121, 812310, and 8123200.

"Personal wireless service facilities (PWSF)" means unstaffed facilities that are used for the transmission or reception, or both, of personal wireless services, including, but not necessarily limited to, antenna arrays, transmission cables, equipment shelters and support structures.

"Pet and pet supplies stores" means places of business primarily engaged in retail sales associated with small animals and household pets. Further described in NAICS 453910.

"Pet care services, all other" means places of business primarily engaged in retail services associated with small animals and household pets. This excludes boarding and veterinary services. Examples include pet grooming shops and pet daycare. Further described in 812910.

"Pipeline transportation" means activities that involve the use of transmission pipelines to transport products, such as crude oil, natural gas, refined petroleum products, and slurry. Uses are subject to Washington Utilities and Transportation Commission regulations and the federal Pipeline and Hazardous Materials Safety Administration (PHMSA). Further described in NAICS 486.

"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.

"Plat, preliminary" means a neat and approximate drawing of a proposed subdivision showing the general layout of streets and alleys, lots, blocks, and other elements of a subdivision consistent with the requirements of the city subdivision regulations and Chapter 58.17 RCW. The preliminary plat shall be the basis for the approval or disapproval of the general layout of a subdivision.

"Plat, short" means a legally recorded map or drawing which subdivides a parcel of ground into four or fewer lots, tracts, parcels, sites, or divisions for the purpose of sale, lease or transfer of ownership.

"Plaza" means a pedestrian space that is available for public use and is situated near a main entrance to a building or is clearly visible and accessible from the adjacent right-of-way. Typical features include special paving, landscaping, lighting, seating areas, water features, and art.

"Post office, branch" means a government operated subdivision of a main post office serving as a base for one or more carrier routes and providing customer postal service.

"Post office, contract station" means a privately operated, limited-service postal facility carried on as adjunct to a principal business or use.

"Potable Water Treatment" means establishments primarily engaged in operating water treatment plants and/or operating water supply systems. The water supply system may include pumping stations, aqueducts, and/or distribution mains. The water may be used for drinking, irrigation, or other uses. Further described in NAICS 221310 , part. "Preempted facility" means any hazardous waste facility defined as a preempted facility in RCW 70.105.010 or in Chapter 173-303 WAC. This may include any facility that includes as a significant part of its activities any of the following hazardous waste operations:

1. Landfill;
2. Incineration;
3. Land treatment;
4. Surface impoundment to be closed as a landfill; or

5. Waste pile to be closed as a landfill.

“Preexisting wireless telecommunications facility (WTF)” means any wireless telecommunications facility for which a building permit and/or development permit has been properly issued prior to the date of adoption of the ordinance codified in this title, including permitted wireless telecommunications facilities that have not yet been constructed, so long as that permit or approval has not expired.

“Preliminary approval” means an approval, based upon an application and conceptual plan for a discretionary land use permit, granted by the community development director or designee or examiner, which sets forth certain conditions.

“Premises” means a parcel of land with its appurtenances and buildings which, because of its unity of use, may be regarded as the smallest conveyable unit of real estate.

“Preschool” means an establishment exclusively providing educational programs for prekindergarten or preschool children, but excluding child day care uses..

“Principal use” means the main use to which the premises are devoted and the principal purpose for which the premises exist.

“Private organization” means a nonprofit corporation organized pursuant to Chapter 24.03 RCW as a nonprofit corporation.

“Processing or handling of a hazardous substance” means the compounding, treatment, manufacturing, synthesis, use or storage of hazardous substances in excess of the following amounts in bulk quantities: 5,000 pounds of solid hazardous substances, 500 gallons of liquid hazardous substances, and 650 cubic feet of gaseous hazardous substances.

“Project action” involves a decision on a specific project, such as a construction or management activity located in a defined geographic area. Projects include and are limited to agency decisions to:

1. License, fund, or undertake any activity that will directly modify the environment, whether the activity will be conducted by the agency, an applicant, or under contract;
2. Purchase, sell, lease, transfer, or exchange natural resources, including publicly owned land whether or not the environment is directly modified.

“Project permit” means any land use or environmental permit or license required from the city of Edgewood for a project action, including but not limited to building permits, site development permits, fill and grade permits, subdivisions, binding site plans, planned unit developments, conditional uses, shoreline substantial development permits, development plan review, site specific rezones authorized by the comprehensive plan; but excluding adoption or amendment of the comprehensive plan and development regulations, zoning of newly annexed land, area-wide rezones, and zoning map amendments except as otherwise specifically included in this subsection.

“Property line adjustment” means the relocation of a common property line between two abutting properties.

“Provider, telecommunications facilities” means a corporation, company, association, joint stock company, firm, partnership, sole-proprietorship, limited liability company, other entity or individual which provides telecommunications services through the use of wireless telecommunications facilities.

“Public facilities” include streets, roads, highways, sidewalks, street and road lighting systems, traffic signals, domestic water systems, storm and sanitary sewer systems, storm waste facilities, parks and recreational facilities, governmental buildings, and schools.

“Public meeting” means an informal or formal meeting, workshop, or other public gathering of persons to obtain comments from the public or other agencies on a proposed project permit prior to the city’s decision, but is not an open record hearing.

“Public or semi-public use” means a structure or use, owned or operated by a state, county, city, school district or other public or private agency or concern for the benefit of the public generally including schools, fire stations, libraries, community buildings, museums, child care centers, fairgrounds, and churches, but does not include specific uses or structures which are defined separately in this section.

“Public park” means a park or recreation facility, whether indoor or outdoor, that is owned or operated by a public entity and is open to the general public.

“Public street” means any public or private road or access easement intended to provide public access to any lot/development, but excluding any service road or internal driving aisles (e.g., within parking lots).

“Public utility” means a private business or organization such as a public service corporation, performing some public service and subject to special governmental regulations, or a governmental agency performing similar public services, the service 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, gas and transportation of persons or freight. (Ord. 18-526 § 2 (Att. B); Ord. 16-482 § 2 (Exh. F); Ord. 15-448 § 2 (Exh. A); Ord. 11-359 § 7 (Exh. D); Ord. 03-203 § 1).

18.20.200 Q definitions.

“Qualified architect or engineer” means an architect or engineer registered in the state of Washington who, by reason of his training and experience, is considered qualified to pass judgment on design, materials, and methods of construction. The qualifications of the architect or engineer design must be reviewed and found to be acceptable by the community development director or designee. (Ord. 15-448 § 2 (Exh. A); Ord. 03-203 § 1).

18.20.210 R definitions.

“Rapid charging station” means an industrial grade electrical outlet that allows for faster recharging of electric vehicle batteries through higher power levels, which 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.

“Recorded” means, unless otherwise stated, filed for record with the auditor of the county of Pierce, state of Washington.

“Recreation” means the refreshment of body and mind through forms of play, amusement or relaxation. The recreational experience may be active, such as boating, fishing, and swimming, or may be passive such as enjoying the natural beauty of the shoreline or its wildlife. Facilities included as low-intensity recreation may include picnic tables, trail signs, unpaved trails and portable restrooms.

“Recycling center” means a center for the receiving and storage of recyclable materials such as paper, glass and aluminum. The center would receive materials from the general public. This use may involve some outside storage.

“Recycling collection site” means a site with collection boxes or other containerized storage where citizens can leave materials for recycling.

“Rehabilitation” means infrequent, extensive repair of more than a routine nature to existing structures or facilities which are in current use or operation.

“Religious assembly” means establishments in which the principal purpose is religious worship and for which the principal building or other structure contains the sanctuary or principal place of worship, which may include accessory uses in the main building or in separate buildings or structures such as religious educational classrooms, assembly rooms, library or reading room, recreation hall, and a single dwelling unit for caretaker or clergy and his/her immediate family. Further described in NAICS 813110, assembly only.

“Remote switching unit” means a device or group of devices in a telephone system having the necessary equipment for terminating and interconnecting subscribers’ lines, farmer lines, toll lines and inter-facilities trunks, normally dependent on one or more central office switching units for full operability.

“Replacement” means constructing a new support structure of proportions and of equal height or such other height that would not constitute a substantial increase to a preexisting support structure in order to support a telecommunications facility or to accommodate collocation and removing the preexisting support structure.

"Restaurants, full service" means restaurants providing food services to patrons who order and are served while seated (i.e., waiter/waitress service) and pay after eating. Further described in NAICS 722511.

"Restaurants, limited service" means restaurants providing food services (except snack and nonalcoholic beverage bars) where patrons generally order or select items and pay before eating. Food and drink may be consumed on premises, taken out, or delivered to the customer's location. Further described in NAICS 722513 and 722514.

"Retail trade, all other" means the sale of goods and merchandise for final use or consumption. Further described in NAICS 44-45.

"Right-of-way" means land owned, dedicated or conveyed to the public, used primarily for the movement of vehicles, wheelchair, bicycle, and pedestrian traffic. Right-of-way may be intended to be occupied by electric transmission lines, oil or gas pipelines, water line sanitary storm sewer, and other similar uses. Right-of-way may also include land privately owned; provided, that such land has been developed and constructed in compliance with all applicable laws and standards for a public right-of-way.

"Riprap" means a layer, facing, or protective mound of stones randomly placed to prevent erosion, scour or sloughing of a structure or embankment; also, the stone so used. In local usage, the similar use of other hard material, such as concrete rubble, is also frequently included as riprap.

"Roadside stand" means a temporary structure designed or used for the display or sale of agricultural products primarily produced on the premises upon which such a stand is located.

"Roofline" means the top edge of a roof or building parapet, whichever is higher, excluding any mansards, cupolas, pylons, chimneys, or minor projections.

"Room" means any space in a building enclosed or set apart by a partition or partitions which is habitable and shall be deemed to apply to any room used as a bedroom, dining room, living room, sitting room, parlor, kitchen, sewing room, library, den, music room, dressing room, sleeping porch, sun room, sun porch, party room, recreation room, breakfast room, study, and similar uses. (Ord. 18-526 § 2 (Att. B); Ord. 16-463 § 4; Ord. 11-359 § 7 (Exh. D); Ord. 03-203 § 1).

"RV parks and recreational camps" means establishments primarily engaged in operating sites to accommodate campers and their equipment, including tents, tent trailers, travel trailers, and RVs (recreational vehicles), which may include accessory uses such as washrooms, laundry rooms, recreation halls, playgrounds, stores, and snack bars. Further described in NAICS 7212.

18.20.220 S definitions.

"Salvage yard" or "junkyard" means a place where waste, discarded or salvaged materials are bought, sold, exchanged, stored, baled, cleaned, packed, disassembled or handled, including, but not limited to, auto and motor vehicle wrecking yards, house wrecking yards, used lumber yards and yards for use of salvaged house wrecking and structural steel materials and equipment.

"Screening" means placement of a wireless telecommunications facility such as a tower or mount among trees or other appropriate vegetation to provide a natural, aesthetic appearance to the location of such wireless telecommunications facility.

"Secondary use" means a use subordinate to the principal or primary use of the property, such as commercial, residential, or industrial uses allowed in each zoning district, etc.

"Secondhand dealer" means any person engaged, in whole or in part, in the business of buying, selling, trading, or otherwise transferring for value, secondhand or used personal property, metal junk, melted metals, or precious metals and consigned or auctioned goods.

"Secondhand property/goods" means any and all used or secondhand goods or items of personal property which can be used again for the purpose for which they were originally intended, including, but not limited to, valuable items such as coins with a value greater than their face value, precious metals, precious stones and jewelry.

“Security barrier” means a wall, fence, or berm that has the purpose of securing a wireless telecommunications facility’s wireless service facility from unauthorized entry or trespass.

“Service areas” means areas, enclosed or open, that contain equipment and uses such as ground level mechanical equipment, utility vaults, loading zones, outdoor storage areas, and trash and recycling areas.

“Service provider” means the department, district or agency responsible for providing the specific public facility or service.

"Services for the elderly and persons with disabilities" means nonresidential social assistance services to improve the quality of life for the elderly, persons diagnosed with intellectual and developmental disabilities, or persons with disabilities, including day care, non-medical home care or homemaker services, social activities, group support, and companionship. Further described in NAICS 624120.

“Service uses or activities” means businesses which sell the knowledge or work of its people rather than a tangible product.

“Setback” means the minimum required distance between any structure and a specified line such as a property line or buffer line that is required to remain free of structures unless otherwise provided herein.

“Sewage Collection or Treatment Facility” means establishments primarily engaged in operating sewer systems or sewage treatment facilities that collect, treat, and dispose of waste, and as further classified below:

1. Operating waste treatment or disposal facilities (except sewer systems or sewage treatment facilities)--are classified in Industry 56221, Waste Treatment and Disposal;
2. Pumping (i.e., cleaning) septic tanks and cesspools--are classified in U.S. Industry 562991, Septic Tank and Related Services; and
3. Cleaning and rodding sewers and catch basins--are classified in U.S. Industry 562998, All Other Miscellaneous Waste Management Services.

Sewage Collection or Treatment Facility is further defined in NAICS 221320, parts.

"Sexually-oriented entertainment" means a business that includes as a primary part of its business any one or more of the following: an adult entertainment facility; panorama; or similar facility or entertainment. Further described in EMC 18.100.100.

"Sexually-oriented retail businesses" means a business that includes as a primary part of its business any one or more of the following: adult oriented merchandise; adult retail use; or similar facility or merchandise. Further described in EMC 18.100.100.

“Shading vegetation” means vegetation planted on the south side of a major creek that generally provides shade from midmorning to mid-afternoon. Examples of shading vegetation are specified in EMC 18.90.090, Landscaping.

“Shed, storage” means a structure in which possessions are kept for future use and which is constructed on the owner’s property. The owner may not lease the structure or any portion of the storage area to a second party. The structure shall not be used for any form of commercial production or retail sales activities.

“Shopping center” means a retail shopping area designed as a unit, which utilizes a common parking area.

“Significant tree” means an existing tree which, when measured four feet above grade, has a minimum diameter of either:

1. Fifteen inches for evergreen and deciduous trees;
2. Trees determined to be significant by the community development director or designee, regardless of the tree diameter, due to the uniqueness of the species.

“Site,” for towers other than towers in the public rights-of-way, shall mean and refer to the current boundaries of the leased or owned property surrounding the tower and any access or utility easements currently related to the site, and, for other eligible support structures, shall mean, and be further restricted to, that area in proximity to the structure and to other transmission equipment already deployed on the ground.

“Site planning” is the arrangement of buildings, driveways, sidewalks, public open spaces, landscaping, parking, utilities, and other facilities on a specific site.

“Skating rink” means a commercial facility wherein the rental of skating equipment occurs and an enclosed skating surface for private or public use is provided.

“Small cell network” means a collection of interrelated small cell facilities designed to deliver personal wireless services.

“Small cells” means compact WCFs containing their own transceiver equipment and that function like cells in a mobile network but provide a smaller coverage area than traditional macrocells. Small cells must meet the parameters in subsections (1) and (2) of this definition. For purposes of these definitions, “volume” is a measure of the exterior displacement, not the interior volume of the enclosures. Antennas or equipment concealed from public view in or behind an otherwise approved structure or concealment are not included in calculating volume.

1. Small Cell Antenna. Each antenna shall be no more than three cubic feet in volume.

2. Small Cell Equipment. Each equipment enclosure shall be no larger than 17 cubic feet in volume. Associated conduit, mounting bracket or extension arm, electric meter, concealment, telecommunications demarcation box, ground-based enclosures, battery backup power systems, grounding equipment, power transfer switch, and cut-off switch may be located outside the primary equipment enclosure(s) and are not included in the calculation of equipment volume.

“Snack and nonalcoholic beverage bars” means establishments primarily engaged in (1) preparing and/or serving a specialty snack, such as ice cream, frozen yogurt, cookies, or popcorn, or (2) serving nonalcoholic beverages, such as coffee, juices, or sodas for consumption on or near the premises. Further described in NAICS 722515.

“Social assistance, all other” means establishments that provide other social assistance services directly to clients, including, but not limited to, the collection, preparation, and delivery of food for the needy; nonresidential individual and family social assistance services; short-term emergency shelter for victims of domestic violence, sexual assault, or child abuse; temporary residential shelter for the homeless, runaway youths, and patients and families caught in medical crises; and emergency and relief services, but not including residential or accommodations services except on a short-term basis. Further described in NAICS 624.

“Soil” means the surface layer of earth supporting plant life.

“Solid waste” means all wastes, including, but not limited to, garbage, rubbish, ashes, industrial wastes, swill, demolition and construction wastes, abandoned vehicles or parts thereof, discarded commodities, sludge from wastewater treatment plants, seepage from septic tanks, wood wastes, dangerous wastes, and problem wastes.

“Solid waste incinerator” means the processing of solid waste by means of pyrolysis, refuse-derived fuel or mass incineration within an enclosed structure. These processes may include the recovery of energy resources from such waste or the conversion of the energy in such wastes to more useful forms or combinations thereof. This definition refers to citywide or regional-scale operations and does not include solid waste incineration which is accessory to an individual principal use.

“Solid waste transfer/recycling station” means the transfer of solid waste materials from route collection trucks to larger capacity semi-trailers for transport to a solid waste disposal site. The transfer activities would be conducted entirely within an enclosed structure. The use may involve a service area for the repair and maintenance of trucks and an outside parking area for trucks.

“Sound level” means, in decibels, the quantity measured by an instrument that satisfies American National Standard Specification for Sound Level Meters, S1.4-1971, or the most recent revision thereof. Sound level is understood to be measured with the A-weighted filter and slow response of the instrument.

"Special food services" means businesses providing food services at off-site locations, such as caterers and food service contractors. Further described in NAICS 7223 (except 722330).

“Spectrum Act” means the “Middle Class Tax Relief and Job Creation Act of 2012,” (Public Law 112-96; codified at 47 U.S.C. Section 1455(a)).

“Sporting vehicle” means a motor or wind powered device used in or on the water or off normal public roads for recreational or sporting purposes.

Square Foot. See “Gross square feet (gsf).”

“Stabilization” means the process of controlling or stilling the movement of sand and eroding soil by natural vegetative growth, planting of grasses and shrubs, or mechanical means such as wire net fencing.

“Stacking space” means the space specifically designated as a waiting area for vehicles whose occupants will be patronizing a drive-in business. Such space is considered to be located directly alongside a drive-in window, facility or entrance used by patrons and in lanes leading up to and away from the business establishment.

“Stealth design” means technology that minimizes the visual impact of wireless communications facilities by camouflaging, disguising, screening, and/or blending into the surrounding environment. Examples of stealth design include but are not limited to facilities disguised as trees, flagpoles, bell towers, utility and light poles, and architecturally screened roof-mounted antennas.

“Stormwater conveyance facilities” means features such as gutters, pipelines, culverts, manholes, weirs, manmade and natural channels and swales, and water quality filtration systems that convey stormwater.

“Stormwater multiple use facilities” means stormwater pond facilities that are also developed to allow uses such as parks, recreational, educational and research structures and activities.

“Story” means that portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above. (Building space located between the floor and the ceiling.)

“Street” means a public way located within a right-of-way that was created to provide ingress and/or egress to one or more lots, parcels, areas or tracts of land and includes the terms road, highways, lanes, avenue, or similar designation.

“Street, cul-de-sac” means a street having only one outlet for vehicular traffic, with a turnaround at the closed end and which is not planned to be extended or continued to serve future subdivisions or development on adjacent lands.

“Street furniture” means the objects placed on or near a sidewalk for use, convenience or enjoyment primarily by pedestrians such as benches or other seating arrangements, trash receptacles, mail and newspaper boxes, kiosks, light poles, and art objects.

“Street tree” means a species of tree approved by the city of Edgewood to be planted in along street frontages in accordance with the provisions of EMC 18.90.090, Landscaping.

“Street wall” means the construction of buildings adjacent to the edge of the sidewalk and which abut each other or are in very close proximity to one another, to create the effect of a continuous wall of building facades along the sidewalk at the property lines.

“Streetscape” is the visual character and quality of a street as determined by various elements located between the edge of the street and the building face, such as trees and other landscaping, street furniture, lighting, artwork, transit stops, signage, utility fixtures and equipment, and paving treatments. Where there are frequent and wide spaces

between buildings, the streetscape will be defined by the pattern of building and open space and the character of that open space.

“String pennant” means a series of shapes, signs, streamers, or other similar devices made of fabric, plastic or other material which are connected together or attached to a cord to create a rope-like device that is typically displayed between poles or buildings. String pennants may contain advertising or be decorative. String pennants can vary in size, color, or design.

“Structural alteration” means any change to the supporting members of a building including foundations, bearing walls or partitions, columns, beams, girders, or any structural change in the roof or in the exterior walls.

“Structure” means a walled and roofed building, a manufactured home, and a gas or liquid storage tank that is principally above ground. Structure can also be defined as anything that is constructed in or on the ground or over water, including any edifice, gas or liquid storage tank, and any piece of work artificially built up or composed of parts and joined together.

“Subdivider” means any person who undertakes the subdivision of land for the purpose of ownership or development at any time, whether immediate or future.

“Subdivision” means the act of dividing a parcel or tract of land into smaller lots and tracts.

“Subdivision, final” means the final drawing of the subdivision and dedication prepared for filing for record with the county auditor and containing all elements and requirements set forth in this title and Chapter 58.17 RCW.

“Substantial change” means a modification substantially changes the physical dimensions of an eligible support structure if it meets any of the following criteria:

1. For towers not in a public right-of-way, it increases the height of the tower by more than 10 percent or by the height of one additional antenna array with separation from the nearest existing antenna not to exceed 20 feet, whichever is greater; for other eligible support structures, it increases the height of the structure by more than 10 percent, or by more than 10 feet, whichever distance is greater;
2. For towers not in a public right-of-way, it involves adding an appurtenance to the body of the tower that would protrude from the edge of the tower more than 20 feet, or more than the width of the tower structure at the level of the appurtenance, whichever is greater; for other eligible support structures, it involves adding an appurtenance to the body of the structure that would protrude from the edge of the structure by more than six feet;
3. For any eligible support structure, it involves installation of more than the standard number of new equipment cabinets for the technology involved, but not to exceed four cabinets; or for towers in the public rights-of-way and base stations, it involves installation of any new equipment cabinets on the ground if there are no preexisting ground cabinets associated with the structure, or else involves installation of ground cabinets that are more than 10 percent larger in height or overall volume than any other ground cabinets associated with the structure;
4. It entails any excavation or deployment outside the current site;
5. It would defeat the concealment elements of the eligible support structure; or
6. It does not comply with conditions associated with the siting approval of the construction or modification of the eligible support structure or base station equipment; provided, however, that this limitation does not apply to any modification that is noncompliant only in a manner that would not exceed the thresholds identified in this definition of “substantial change,” subsections (1) through (6) of this definition.

“Support structure” means any built structure, including any guy wires and anchors, to which antennas and other necessary associated hardware are mounted. Support structures may include, but are not limited to, lattice towers; guyed towers; monopoles; or existing nonresidential structures that are identified in this chapter to which a PWSF may be attached with certain conditions.

“Survey and monument” means the boundaries of a partition parcel, road right-of-way or road easement. (Ord. 18-526 § 2 (Att. B); Ord. 16-482 § 2 (Exh. F); Ord. 15-448 § 2 (Exh. A); Ord. 11-359 § 7 (Exh. D); Ord. 03-203 § 1).

18.20.230 T definitions.

"Technical and trade schools" means establishments offering training in a skill or trade to be pursued as a career. Further described in NAICS 6115.

“Telecommunications” means the transmission, between or among points specified by the user, of information of the user’s choosing without change in the form or content of the information as sent and received.

“Telecommunications facility” means any unmanned facility established for the purpose of providing wireless transmission of voice, data, images or other information including, but not limited to, cellular telephone service, personal communications service (PSC) and paging service. A telecommunications facility can consist of one or more antennas and accessory equipment or one base station.

“Telecommunications service” means the offering of telecommunications for a fee directly to the public, or to such classes of users as to be effectively available directly to the public, regardless of the facilities used.

“Temporary lodging” means an establishment that provides temporary sleeping accommodations, and may also include ancillary uses such as restaurant, lounge, banquet rooms and convention facilities.

“Temporary use” means a nonpermanent structure, use or activity involving minimal capital investment that does not result in the permanent alteration of the site and which is intended to exist or operate for a limited period of time.

“Tower” means any structure built for the sole or primary purpose of supporting any FCC-licensed or authorized antennas and their associated facilities, including structures that are constructed for wireless communications services including, but not limited to, private, broadcast and public safety services, as well as unlicensed wireless services and fixed wireless services such as microwave backhaul and the associated site.

“Tower height” means the vertical distance measured from the base of the tower structure at grade to the highest point of the structure including the antenna. A lightning rod, not to exceed ten feet in height, may be exempted from the tower height measurement.

"Townhouse" means three or more attached dwelling units where each unit is separated vertically and shares at least one common wall with another dwelling unit.

“Toxic materials” means a substance (liquid, solid, or gaseous) which by reason of an inherent deleterious property tends to destroy life or impair health.

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

“Trailer, commercial/private” means a vehicle without motor power designed to be drawn by a motor vehicle and which trailer is used or is to be used for carrying goods and property.

“Transfer/recycling station” means a solid waste facility requiring a state solid waste permit which is a permanent, fixed supplemental collection and transportation facility, used by persons and route collection vehicles to deposit collected solid waste from off-site into a larger transfer vehicle for transport to a disposal facility. It may include baling or compaction activities or recycling facilities.

“Transfer station, drop-box” means a solid waste facility requiring a state solid waste permit which is used for placement of a detachable container including the area adjacent for necessary entrance and exit roads, unloading and turnaround areas. The facility normally serves the general public with loose loads and receives waste from off-site.

“Transitional housing” means a facility operated publicly or privately to provide housing for individuals or families who might otherwise be homeless and generally have no other immediate living options available to them. Transitional housing shall not exceed a two-year period per individual or family.

“Transmission equipment” means equipment that facilitates transmission for any wireless communication service licensed or authorized by the FCC, including, but not limited to, radio transceivers, antennas, coaxial or fiber-optic cable, and regular and backup power supply. The term includes equipment associated with wireless communications services including, but not limited to, private, broadcast, and public safety services, as well as unlicensed wireless services and fixed wireless services such as microwave backhaul.

"Transportation, all other" means establishments that involve the transportation of passengers and/or cargo, including related support activities. Further described in NAICS 48 (except 486).

“Tree” means any living woody plant characterized by one main trunk and many branches, and having a diameter of two inches or more measured at three feet above ground level.

“Tree removal permit” means an approval granted by the community development department to remove a significant tree(s) within the city. (Ord. 18-526 § 2 (Att. B); Ord. 11-359 § 7 (Exh. D); Ord. 03-203 § 1).

"Truck, utility trailer, and RV rental and leasing" means establishments primarily engaged in renting or leasing, without drivers, one or more of the following: trucks, truck tractors, buses, semi-trailers, utility trailers, or RVs (recreational vehicles). Further described in NAICS 53212.

18.20.240 U definitions.

“Unified enclosure” means a small cell facility providing concealment of antennas and equipment within a single enclosure.

“Unlicensed wireless services” means commercial mobile services that operate on public frequencies and are not required to have an FCC license to operate.

“Use” means the purpose or activity for which land or buildings are designed, arranged, intended, divided, or occupied, maintained, rented, or leased, and includes any manner of performance of such activity with respect to the performance standards of these development standards. A use often involves the placement of structures or facilities for industry, commerce, habitation, or recreation.

“Use category” means a group of similar use types that are associated with each other to such an extent that they represent a general land use function.

“Use, permitted” means any use allowed in a zoning district and subject to the restrictions applicable to the specific use.

“Use, principal” means the primary or predominant use of any lot or parcel.

“Use type” means a group of similar uses that are fundamentally related to each other, contain equivalent characteristics, and which fall within the same use category.

“Utilities” means public facilities including electrical substation, electrical generation facilities, electrical transmission, telephone or communications lines, pipelines, sewer lines, water lines, natural gas lines, or similar transmission facilities, natural gas gate valve and storage facilities, sewage collection and treatment facilities, waste disposal facilities, waste/recycling transfer facilities, and water supply facilities.

“Utility facility, major” means large-scale facilities that serve a regional need, have major above-ground visual impacts and/or result in noise, odors, or other activities that are incompatible with residential and other less intensive uses. Such facilities may include sewage treatment plants, transfer stations, electrical substations, high voltage transmission lines, regional water storage tanks and reservoirs, storage yards and regional sewer collectors and interceptors. This definition does not include wireless communication facilities.

“Utility facility, minor” means a small-scale facility serving primarily local distribution needs within the city, including underground power lines, water distribution lines, sewer lift stations, and stormwater conveyance pipes, fiber optic cable, pump stations and hydrants, switching boxes, and other structures normally found in a street right-of-way to serve adjacent properties.

“Utility support structure” means utility poles or utility towers supporting electrical, telephone, cable, or other similar facilities; street light standards; pedestrian light standards; traffic light structures; traffic sign structures; or water towers. (Ord. 18-526 § 2 (Att. B); Ord. 11-359 § 7 (Exh. D); Ord. 03-203 § 1).

18.20.250 V definitions.

“Validity” means legally binding with the laws as established in the Edgewood Municipal Code.

“Variance” means a modification of regulations of this title when authorized by the community development director or designee or hearing examiner after finding that the literal application of the provisions of this title would cause undue and unnecessary hardship in view of certain facts and conditions applying to a specific parcel of property.

“Vegetative groundcover” means low growing vegetation that does not usually exceed one foot in height and eventually grows together to form a continuous mass.

“Vesting” entitles the applicant to improve and use land in the manner permitted under the ordinances in effect on the date the application is deemed complete by a jurisdiction.

"Veterinary services" means any premises to which animals are brought, or where they are temporarily kept, solely for the purpose of diagnosis or treatment, care, observation, or treatment of any illness or injury to, domestic or exotic animals. Further described in NAICS 541940.

"Vocational rehabilitation services" means vocational rehabilitation or habilitation services such as job counseling, job training, and work experience, provided to unemployed and underemployed persons, persons with disabilities, and persons who have a job market disadvantage because of lack of education, job skill, or experience; and other training and employment to persons with disabilities. Further described in NAICS 624310.

18.20.260 W definitions.

"Warehousing and storage, all other" means a structure or part of a structure, used for storing goods, wares, and merchandise, whether for the owner of the structure or for others. This category does not include mini-warehouses and self-storage units. Further described in NAICS 493.

"Waste management and remediation services, all other" means other establishments primarily engaged in providing waste management services except solid waste collection and local solid waste hauling. This includes waste treatment and disposal, remediation, operation of materials recovery facilities, septic tank pumping, and related services. Further defined in NAICS 5622 and 5629.

“Wastewater” means water that carries waste from domestic, commercial or industrial facilities together with other waters which may inadvertently enter the sewer system through infiltration and inflow.

“Wastewater transfer facility” means equipment, structures, driving and parking surfaces, and appurtenances used for loading wastewater for transport to wastewater treatment facilities.

“Water purification facility” means treatment plants or facilities for disinfecting water.

“Whip antenna” means an omnidirectional dipole antenna of cylindrical shape that is no more than six inches in average diameter.

"Wholesale trade" means establishments primarily engaged in selling merchandise to retailers; industrial, commercial, institutional, or professional business users; or other wholesalers; or acting as agents or brokers and buying for or selling merchandise to such individuals or companies; and professional and commercial equipment suppliers. Further described in NAICS 423, 424, and 425.

“Wireless Communication Facilities” means establishments primarily engaged in operating and maintaining switching and transmission facilities to provide communications via the airwaves. Establishments in this industry have spectrum licenses and provide services using that spectrum, such as cellular phone services, paging services, wireless Internet access, and wireless video services. Further described in NAICS 517312 and 517919, part.

18.20.270 X definitions.

Reserved. (Ord. 03-203 § 1).

18.20.280 Y definitions.

“Yard” means an open area on a lot with a building and bounded on one or more sides by such building, such space being unoccupied land unobstructed from the ground upward.

“Yard sale” means all temporary and intermittent sales which may be variously referred to as “garage sale,” “lawn sale,” “attic sale,” “rummage sale,” “estate sale,” or any similar casual sale of tangible personal property from a residence or community use which is advertised by any means whereby the public at large is or can be made aware of the sale, and which is clearly secondary to the primary use of the site.

“Yard, front” means an open space on the same lot with the building, between the front line of the building, exclusive of steps, and the front property line or right-of-way, including the full width of the lot to its side line.

“Yard, rear” means an open space on the same lot with the building between the rear line of the building, exclusive of steps, porches and accessory buildings, and the rear line of the lot, including the full width of the lot to its side lines.

“Yard, side” means an open, unoccupied space on a lot, between the side wall line of the main building and the side property line of the lot. (Ord. 03-203 § 1).

18.20.290 Z definitions.

“Zoning” means the regulation of the use of private lands or the manner of construction related thereto in the interest of implementing the goals and policies of the comprehensive plan. Zoning includes both the division of land into separate and distinct zoning districts, and the specific use and development standards that regulate development. Such regulation shall also govern those public and quasi-public land use and buildings that provide for government activities and proprietary type services for the community’s benefit, except as prohibited by law. State and federal governmental activities are strongly encouraged to cooperate under these regulations to secure harmonious city development.

“Zoning district” means an area accurately defined as to boundaries and location, and classified by the zoning code as available for certain types of uses and within which other types of uses are excluded. (Ord. 03-203 § 1).

"Zoos, aquariums, and botanical gardens" means a facility housing and displaying live animals and/or botanical collections, privately owned and operated for a fee or owned and operated by the city, another public agency, or a nonprofit of some other enterprise. Further described in NAICS 71213.

Exhibit B

Chapter 18.70

PERMITTED LAND USES

Sections:

- 18.70.010 Purpose of provisions.
- 18.70.020 Characterization of use and organization.
- 18.70.040 Establishing use.
- 18.70.050 Land use table

18.70.010 Purpose of provisions.

This chapter lists the land uses that are regulated within this title in order to ensure orderly, uniform, and fair regulation that results in not only the appropriate siting of land uses, but also the appropriate physical relationship of different land uses, which are sometimes not complementary, to one another as zoning is applied. (Ord. 03-203 § 1).

18.70.020 Characterization of use and organization.

- A. Each land use within Edgewood shall be characterized according to the North American Industry Classification System or land use definition provided in EMC 18.20 Definitions. The use of a property is defined by the activity for which it or structures occupying it is or are intended, designed, arranged, occupied, or maintained. In all regulatory zones there shall be no limit as to the number of principal uses allowed on a lot, provided each principal use is permitted in the zone and meets all pertinent regulatory requirements. However, no more than one single-family detached dwelling unit or one two-unit dwelling unit, as appropriate, shall be permitted as a principal use on any individual lot.
- B. All references to the North American Industry Classification System (NAICS) are to the titles and descriptions found in the North American Industry Classification System, 2017 edition, prepared by United States Office of Management and Budget which is hereby adopted by reference. The NAICS is used to suit the purposes of this title, to list and define land uses authorized to be located in the various zoning district consistent with the comprehensive plan.
- C. The NAICS uses a six-digit coding system to identify particular industries and their placement in the hierarchical structure of the classification system. The first two digits of the code designates the sector, the third digit designates the subsector, the fourth digit designates the industry group, the fifth digit designates the NAICS industry, and the sixth digit designates the national industry.
- D. A “part” in the NAICS column of the land use table means that only a part of the associated NAICS definition will be included into the specified land use. The Community Development Director or assignee will respond to requests for clarification on a project by project basis.
- E. A “special” in the NAICS column of the land use table means that the NAICS definition for the specified land use is not provided or that the City has modified the definition by this title. The “special” definition is provided in EMC 18.20 Definitions.
- F. The Community Development Director shall determine whether a proposed land use not specifically listed in a land use table or specifically included within a NAICS classification is allowed in a zone. The director's determination shall be based on whether or not permitting the proposed use in a particular zone is

consistent with the purposes of this title and the zone's purpose as set forth in EMC 18.80, by considering the following factors:

1. The physical characteristics of the use and its supporting structures, including but not limited to scale, traffic and other impacts, and hours of operation;
2. Whether or not the use complements or is compatible with other uses permitted in the zone; and
3. The NAICS classification, if any, assigned to the business or other entity that will carry on the primary activities of the proposed use.

18.70.040 Establishing use.

1. The use of land or buildings shall be in accordance with those listed in Summary of Uses Table. No land or building shall hereafter be used and no building or structure erected, altered, or converted other than for those uses specified in the zoning district in which it is located. The legend for interpreting the Summary of Uses Table is:

✓	Designates use permitted in the zoning district indicated
–	Designates use prohibited in district indicated
A	Designates use may be approved by Administrative Use Permit
CUP	Designates use may be approved by Conditional Use Permit
2. If a use is identified as requiring a Temporary Use Permit (TUP), then the use is only allowed if the TUP is obtained in accordance with EMC Section 18.50.070.
3. If a use is not listed, it is not allowed in any zoning district.
4. It is recognized that new types of land use will develop and forms of land use not presently anticipated may seek to locate in the City of Edgewood. In order to provide for such changes and contingencies, a determination as to the appropriate classification of any new or unlisted form of land use in the Summary of Uses Table shall be performed in accordance with EMC Section 18.50.020.D.
5. Any proposed use, business, structure, or other land occupancy is subject to the primary, secondary, and incidental uses expressed in the Summary of Uses Table. As an example, a company performing surveying and mapping services may locate their office in accordance with their primary NAICS code for the service function and any secondary, tertiary, or otherwise accompanying or secondary outdoor storage, maintenance facility, information services, or other use is subject to the development standards and conditions of the incidental use.

18.70.050 Land Use Table

Table 1: Land Use Table

Land Use Table	NAICS Code	Single-Family 2	Single-Family 3	Single-Family 5	Mixed Residential 1	Mixed Residential 2	Mixed Use Residential	Town Center	Commercial	Business Park	Industrial	Public	Notes
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Residential													
✓ – Permitted Use CUP – Use may be approved via CUP - – Prohibited Use A – Approval Requires AUP	NAICS Code	SF2	SF3	SF5	MR1	MR2	MUR	TC	C	BP	I	P	All Uses Subject to Condition 1 & 6
Accessory													
Accessory Dwelling Unit (ADU), Attached	Special	✓	✓	✓	✓	✓	✓	-	-	-	-	-	See EMC Section 18.90.190 for ADU requirements for both attached and detached (backyard cottage) ADUs.
ADU, Detached [Backyard Cottage]	Special	✓	✓	✓	✓	✓	✓	AUP	AUP	-	-	-	Detached ADU allowed secondarily in TC and C zones only when paired with Townhouse use.
Caretaker Residence	Special	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	-	-	
Single-Family													
Detached Dwelling	Special	✓	✓	✓	✓	✓	✓	-	-	-	-	-	
Cottage Court	Special	-	✓	✓	✓	✓	✓	-	-	-	-	-	
Multi-Family													
Duplex: Side by Side	Special	-	✓	✓	✓	✓	✓	-	-	-	-	-	

Land Use Table	NAICS Code	Single-Family 2	Single-Family 3	Single-Family 5	Mixed Residential 1	Mixed Residential 2	Mixed Use Residential	Town Center	Commercial	Business Park	Industrial	Public	Notes
Duplex: Back to Back	Special	-	✓	✓	✓	✓	✓	-	-	-	-	-	
Duplex: Top and Bottom	Special	-	✓	✓	✓	✓	✓	-	-	-	-	-	
Attached Dwelling	Special	-	✓	✓	✓	✓	✓	-	-	-	-	-	
Multi-Plex	Special	-	-	-	✓	✓	✓	-	-	-	-	-	
Townhouse	Special	-	-	-	✓	✓	✓	✓	✓	-	-	-	
Apartment	Special	-	-	-	-	-	✓	✓	✓	✓	-	-	
Other													
Adult Family Home	623990, part	✓	✓	✓	✓	✓	✓	✓	✓	✓	-	-	In accordance with RCW 70.128.010(1), as amended
Nursing and Residential Care Facilities	6231 & 6232	-	-	-	-	CUP	✓	✓	✓	✓	-	-	
Assisted Living Facilities	6233	-	-	-	CUP	CUP	✓	✓	✓	✓	-	-	
Live/Work Unit	Special	-	-	-	-	-	✓	✓	✓	✓	-	-	

Agriculture and Resource (Sector 11-21)													
✓ – Permitted Use CUP – Use may be approved via CUP - – Prohibited Use A – Approval Requires AUP	NAICS Code	SF2	SF3	SF5	MR1	MR2	MUR	TC	C	BP	I	P	All Uses Subject to Condition 1 & 6

Land Use Table	NAICS Code	Single-Family 2	Single-Family 3	Single-Family 5	Mixed Residential 1	Mixed Residential 2	Mixed Use Residential	Town Center	Commercial	Business Park	Industrial	Public	Notes
Family Farm	111 & Special	✓	✓	AUP	-	-	-	-	-	-	✓	✓	Activities must be performed on parcels larger than two (2) acres in size, unless in the SF2 or SF3 zone.
Agricultural Sales	454390, part	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	Activities permitted in all districts, but require TUP and must comply with EMC 18.50.070.
Crop Production													
Marijuana Production	111, special	-	-	-	-	-	-	-	-	-	-	-	See Condition 2
Crop Production, All Other	111	✓	✓	AUP	-	-	-	-	-	-	✓	✓	
Animal Production and Aquaculture													
Hog and Pig Farming	112210	-	-	-	-	-	-	-	-	-	-	-	
Cattle Feedlots	112112	CUP	-	-	-	-	-	-	-	-	-	-	
Animal Production and Aquaculture, All Other	112 except 112210; 112112; 112511, part	✓	CUP	-	-	-	-	-	-	-	✓	CUP	
Mining, Quarrying, and Oil and Gas Extraction	21	-	-	-	-	-	-	-	-	-	-	-	Unless otherwise authorized or permitted by the State where City of Edgewood is preempted from regulating

Utilities (Sector 22)	
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Land Use Table	NAICS Code	Single-Family 2	Single-Family 3	Single-Family 5	Mixed Residential 1	Mixed Residential 2	Mixed Use Residential	Town Center	Commercial	Business Park	Industrial	Public	Notes
✓ – Permitted Use CUP – Use may be approved via CUP - – Prohibited Use A – Approval Requires AUP	NAICS Code	SF2	SF3	SF5	MR1	MR2	MUR	TC	C	BP	I	P	All Uses Subject to Condition 1.
Electric Power Generation	22111	CUP	CUP	CUP	CUP	CUP	-	-	-	-	CUP	CUP	Not applicable to small-scale, independent residential units or single-building power supply units
Potable Water Treatment	221310, part	CUP	CUP	CUP	CUP	CUP	-	-	-	-	CUP	CUP	
Sewage Collection or Treatment Facility	221320, parts	CUP	CUP	CUP	CUP	CUP	-	-	-	-	CUP	CUP	
Wireless Communication Facilities	517312; 517919, part	See Note											Activities subject to Edgewood Ordinance No. 18-0526 and any successors, as modified (EMC 18.100.110)

Manufacturing (Sector 31-33)													
✓ – Permitted Use CUP – Use may be approved via CUP - – Prohibited Use A – Approval Requires AUP	NAICS Code	SF2	SF3	SF5	MR1	MR2	MUR	TC	C	BP	I	P	All Uses Subject to Condition 1.
Animal Slaughtering and Processing	3116	-	-	-	-	-	-	-	-	-	-	-	
Marijuana Processing	Special	-	-	-	-	-	-	-	-	-	-	-	See Condition 2
Manufacturing, Craft	Special	-	-	-	-	-	CUP	CUP	CUP	CUP	✓	-	
Manufacturing, Light	23, part; 311 except 3116; 312; 313; 314; 315; 316; 337	-	-	-	-	-	-	-	CUP	CUP	✓	-	

Land Use Table	NAICS Code	Single-Family 2	Single-Family 3	Single-Family 5	Mixed Residential 1	Mixed Residential 2	Mixed Use Residential	Town Center	Commercial	Business Park	Industrial	Public	Notes
Manufacturing, Heavy	23, part; 321; 322; 323; 324; 325; 326; 327; 331; 332; 333; 334; 335; 336; 339	-	-	-	-	-	-	-	-	-	CUP	-	

Wholesale & Retail Trade (Sector 42, 44-45)													
	NAICS Code	SF2	SF3	SF5	MR1	MR2	MUR	TC	C	BP	I	P	All Uses Subject to Condition 1.
Wholesale Trade	423, 424, & 425	-	-	-	-	-	-	-	CUP	AUP	✓	-	
Retail Trade													
Automobile and Other Motor Vehicle Dealers	4411 & 4412	-	-	-	-	-	-	-	CUP	AUP	AUP	-	
Gasoline Stations	447	-	-	-	-	-	CUP	CUP	AUP	✓	✓	-	
Pet and Pet Supplies Stores	453910	-	-	-	-	-	AUP	✓	✓	✓	✓	-	
Fuel Dealers	454310	-	-	-	-	-	-	-	CUP	CUP	✓	-	
Marijuana Retailers	453998, part	-	-	-	-	-	-	-	-	-	-	-	See Condition 2
Sexually-Oriented Retail Businesses	Special	-	-	-	-	-	-	-	-	CUP	-	-	Per Ord. 11-0356, 13-0410, 14-0425, 17-0502, and regulations regarding cannabis in RCW 69.51A or I-502

Land Use Table	NAICS Code	Single-Family 2	Single-Family 3	Single-Family 5	Mixed Residential 1	Mixed Residential 2	Mixed Use Residential	Town Center	Commercial	Business Park	Industrial	Public	Notes
													Subject to standards provided in EMC 18.100.100
Retail Trade, All Other	All Other 44 & 45	-	-	-	-	-	✓	✓	✓	✓	✓	CUP	

Transportation & Warehousing (Sector 48–49)													
✓ – Permitted Use CUP – Use may be approved via CUP - - Prohibited Use A – Approval Requires AUP	NAICS Code	SF2	SF3	SF5	MR1	MR2	MUR	TC	C	BP	I	P	All Uses Subject to Condition 1.
Transportation													
Pipeline Transportation	486	See Note											Activities must follow City of Edgewood permitting requirements and are subject to Condition 3
Transportation, All Other	48 except 486	See Note											See Condition 4
Warehousing and Storage													
Mini-Warehouses and Self- Storage Units	53113	-	-	-	-	-	-	-	CUP	✓	✓	-	
Warehousing and Storage, All Other		-	-	-	-	-	-	-	-	CUP	✓	-	

Business & Professional Services (Sector 51-56)													
✓ – Permitted Use CUP – Use may be approved via CUP - – Prohibited Use A – Approval Requires AUP	NAICS Code	SF2	SF3	SF5	MR1	MR2	MUR	TC	C	BP	I	P	All Uses Subject to Condition 1.

Land Use Table	NAICS Code	Single-Family 2	Single-Family 3	Single-Family 5	Mixed Residential 1	Mixed Residential 2	Mixed Use Residential	Town Center	Commercial	Business Park	Industrial	Public	Notes
General	all 'office' use, plus: 51 except 517; 52; 531; 533; 54 except 541940; 55; 561; 813	-	-	-	-	-	✓	✓	✓	✓	AUP	-	
Rental and Leasing													
Passenger Car Rental and Leasing	53211	-	-	-	-	-	✓	✓	✓	✓	✓	-	
Truck, Utility Trailer, and RV Rental and Leasing	53212	-	-	-	-	-	CUP	CUP	AUP	✓	✓	-	
Consumer Goods Rental	5322; 5323, part	-	-	-	-	-	✓	✓	✓	✓	✓	-	
Commercial and Industrial Equipment Rentals	5323, part; 5324	-	-	-	-	-	-	-	AUP	✓	✓	-	
Waste Management and Remediation Services													
Waste Management and Remediation Services, All Other	5622, part; 5629	-	-	-	-	-	-	-	-	-	CUP	-	
Educational Services (Sector 61)													
✓ – Permitted UseCUP – Use may be approved via CUP- – Prohibited Use A – Approval Requires AUP	NAICS Code	SF2	SF3	SF5	MR1	MR2	MUR	TC	C	BP	I	P	All Uses Subject to Condition 1.
Elementary and Secondary Schools	6111	CUP	CUP	CUP	CUP	CUP	AUP	✓	✓	✓	CUP	CUP	

Land Use Table	NAICS Code	Single-Family 2	Single-Family 3	Single-Family 5	Mixed Residential 1	Mixed Residential 2	Mixed Use Residential	Town Center	Commercial	Business Park	Industrial	Public	Notes
Junior Colleges , Colleges, Universities, and Professional Schools	6112; 6113; 6114	-	-	-	-	-	AUP	✓	✓	✓	CUP	-	
Technical and Trade Schools	6115	-	-	-	-	-	AUP	✓	✓	✓	CUP	-	
Educational Services, All Other	6116; 6117	-	-	-	-	-	AUP	✓	✓	✓	CUP	-	

Health Care & Social Assistance (Sector 62)													
✓ – Permitted Use CUP – Use may be approved via CUP - – Prohibited Use A – Approval Requires AUP	NAICS Code	SF2	SF3	SF5	MR1	MR2	MUR	TC	C	BP	I	P	All Uses Subject to Condition 1.
Ambulatory Health Care Services, All Other	all other 621	-	-	-	-	CUP	✓	✓	✓	✓	CUP	CUP	
Hospitals	622	-	-	-	-	-	-	✓	✓	✓	CUP	-	
Social Assistance													
Services for the Elderly and Persons with Disabilities	624120	-	-	-	-	CUP	✓	✓	✓	✓	CUP	CUP	
Vocational Rehabilitation Services	624310	-	-	-	-	CUP	✓	✓	✓	✓	CUP	CUP	
Child Day Care Services, Home-Based	624410, part	AUP	AUP	AUP	AUP	AUP	✓	✓	✓	✓	-	-	Subject to standards provided in EMC 18.100.040
Child Day Care Services, All Other	624410, part	-	-	-	-	CUP	✓	✓	✓	✓	CUP	-	Subject to standards provided in EMC 18.100.040
Social Assistance, All Other	all other 624	-	-	-	-	CUP	✓	✓	✓	✓	CUP	CUP	

Land Use Table	NAICS Code	Single-Family 2	Single-Family 3	Single-Family 5	Mixed Residential 1	Mixed Residential 2	Mixed Use Residential	Town Center	Commercial	Business Park	Industrial	Public	Notes
Arts, Entertainment, and Recreation (Sector 71)													
✓ – Permitted Use CUP – Use may be approved via CUP - – Prohibited Use A – Approval Requires AUP	NAICS Code	SF2	SF3	SF5	MR1	MR2	MUR	TC	C	BP	I	P	All Uses Subject to Condition 1.
Libraries	Special	-	-	-	A	A	✓	✓	✓	✓	A	✓	
Museums and Art Galleries	712 except 712130	-	-	-	A	A	✓	✓	✓	✓	A	✓	
Zoos, Aquariums, and Botanical Gardens	712130	-	-	-	-	-	A	✓	✓	✓	✓	A	
Golf Courses and Country Clubs	713910	A	A	-	-	-	A	✓	✓	✓	✓	A	
Sexually-Oriented Entertainment	Special	-	-	-	-	-	-	-	-	CUP	-	-	Subject to standards provided in EMC 18.100.100
Gambling Industries	7132	-	-	-	-	-	-	CUP	A	A	✓	CUP	
Indoor Arts, Entertainment, and Recreation Activities, Other	Special	-	-	-	-	-	CUP	✓	✓	✓	A	✓	
Outdoor Arts, Entertainment, and Recreation Activities, Other	Special	-	-	-	-	-	CUP	A	A	A	-	✓	

Accommodation (Sector 721)													
✓ – Permitted Use CUP – Use may be approved via CUP - – Prohibited Use A – Approval Requires AUP	NAICS Code	SF2	SF3	SF5	MR1	MR2	MUR	TC	C	BP	I	P	All Uses Subject to Condition 1.
Hotels (except Casino Hotels) and Motels	721110	-	-	-	-	-	CUP	✓	✓	CUP	✓	-	

Land Use Table	NAICS Code	Single-Family 2	Single-Family 3	Single-Family 5	Mixed Residential 1	Mixed Residential 2	Mixed Use Residential	Town Center	Commercial	Business Park	Industrial	Public	Notes
Bed-and-Breakfast Inns	721191	-	-	-	CUP	CUP	CUP	✓	✓	CUP	-	-	
RV Parks and Recreational Camps	7212	-	-	-	-	-	-	-	-	-	-	-	

Food Service and Drinking Places (Sector 722)													
✓ – Permitted Use CUP – Use may be approved via CUP - – Prohibited Use A – Approval Requires AUP	NAICS Code	SF2	SF3	SF5	MR1	MR2	MUR	TC	C	BP	I	P	All Uses Subject to Condition 1.
Special Food Services	7223 except 722330	See Note					✓	✓	✓	✓	-	-	Allowed as incidental use in Residential districts.
Mobile Vendors	722330	-	-	-	-	-	✓	✓	✓	✓	✓	✓	Activities always require TUP and must comply with EMC 18.50.070.
Drinking Places for Alcoholic Beverages	722410	-	-	-	-	-	CUP	✓	✓	✓	✓	CUP	Subject to regulation and classification by the Washington State Liquor and Cannabis Board.
Restaurants, Full Service	722511	-	-	-	-	-	✓	✓	✓	✓	✓	✓	
Restaurants, Limited Service	722513; 722514	-	-	-	-	-	✓	✓	✓	✓	✓	✓	Subject to compliance with Drive-Up Windows (special) Use, if also applicable.
Snack and Nonalcoholic Beverage Bars	722515	-	-	-	-	-	✓	✓	✓	✓	✓	✓	Subject to compliance with Drive-Up Windows (special) Use, if also applicable.

Services (Sector 811-812)	
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Land Use Table	NAICS Code	Single-Family 2	Single-Family 3	Single-Family 5	Mixed Residential 1	Mixed Residential 2	Mixed Use Residential	Town Center	Commercial	Business Park	Industrial	Public	Notes
✓ – Permitted UseCUP – Use may be approved via CUP- – Prohibited Use A – Approval Requires AUP	NAICS Code	SF2	SF3	SF5	MR1	MR2	MUR	TC	C	BP	I	P	All Uses Subject to Condition 1.
Automotive Repair and Maintenance													
Automotive Oil Change and Lubrication Shops	811191	-	-	-	-	-	-	-	CUP	A	✓	-	
Car Washes	811192	-	-	-	-	-	CUP	✓	✓	✓	✓	-	
Automotive Repair and Maintenance, All Other	all other 8111	-	-	-	-	-	-	-	CUP	CUP	✓	-	
Personal Care Services	98121; 812310; 8123200	-	-	-	-	-	CUP	✓	✓	✓	✓	-	
Other Repair and Maintenance													
Other Repair and Maintenance, Consumer	811 except 8111	-	-	-	-	-	-	-	CUP	CUP	✓	-	
Other Repair and Maintenance, Commercial/Industrial	811 except 8111	-	-	-	-	-	-	-	CUP	CUP	✓	-	
Funeral Homes and Funeral Services	812210	-	-	-	-	-	-	-	CUP	CUP	✓	-	
Crematoria	812220, part	-	-	-	-	-	-	-	-	CUP	CUP	-	
Pet Care Services													
Kennels	812910, part	-	-	-	-	-	-	-	-	CUP	A	-	
Veterinary Services	541940	-	-	-	-	-	A	A	✓	✓	A	-	

Land Use Table	NAICS Code	Single-Family 2	Single-Family 3	Single-Family 5	Mixed Residential 1	Mixed Residential 2	Mixed Use Residential	Town Center	Commercial	Business Park	Industrial	Public	Notes
Pet Care Services, All Other	812910, part	-	-	-	-	-	✓	✓	✓	✓	A	-	

Civic and Public Uses (Sector 813)													
✓ – Permitted Use CUP – Use may be approved via CUP - – Prohibited Use A – Approval Requires AUP	NAICS Code	SF2	SF3	SF5	MR1	MR2	MUR	TC	C	BP	I	P	All Uses Subject to Condition 1.
Cemeteries	812220, part	-	-	-	-	-	-	-	-	-	-	CUP	
Religious Assembly													
up to 10,000 sq. ft.	813110, assembly only	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
10,000 to 19,999 sq. ft.	813110, assembly only	✓	✓	✓	A	A	CUP	CUP	✓	✓	-	CUP	
20,000 to 29,999 sq. ft.	813110, assembly only	A	A	A	A	A	CUP	CUP	✓	✓	-	CUP	
30,000 to 39,999 sq. ft.	813110, assembly only	CUP	CUP	CUP	A	A	CUP	CUP	✓	✓	-	CUP	
40,000 sq. ft. or greater	813110, assembly only	-	-	-	-	-	-	-	✓	✓	-	CUP	
Correctional Institutions	922140	-	-	-	-	-	-	-	CUP	CUP	-	CUP	
Administrative Government Facilities and Services	92 except 922140	-	-	-	-	-	✓	✓	✓	✓	✓	✓	

Land Use Table	NAICS Code	Single-Family 2	Single-Family 3	Single-Family 5	Mixed Residential 1	Mixed Residential 2	Mixed Use Residential	Town Center	Commercial	Business Park	Industrial	Public	Notes
Parks, Open Space, and Public Recreation	Special	✓	✓	✓	✓	✓	✓	✓	✓	✓	A	✓	

Other Uses													
✓ – Permitted Use CUP – Use may be approved via CUP - – Prohibited Use A – Approval Requires AUP	NAICS Code	SF2	SF3	SF5	MR1	MR2	MUR	TC	C	BP	I	P	All Uses Subject to Condition 1.
Parking Lots	812930, part	-	-	-	-	-	-	-	CUP	-	-	-	
Parking Structures	812930, part	-	-	-	-	-	-	CUP	CUP	-	-	-	
Drive-Up Windows	Special	-	-	-	-	-	CUP	CUP	CUP	CUP	CUP	CUP	Window shall not face a public ROW and facility must be screened from ROW
Outside Displays	Special	-	-	-	-	-	✓	✓	✓	✓	✓	✓	Activities also subject to EMC Subsection 18.95.030.1
Outside Storage	Special	-	-	-	-	-	-	CUP	CUP	CUP	A	-	Activities also subject to EMC Section 18.90.120

Conditions

Land Use Table	NAICS Code	Single-Family 2	Single-Family 3	Single-Family 5	Mixed Residential 1	Mixed Residential 2	Mixed Use Residential	Town Center	Commercial	Business Park	Industrial	Public	Notes
(1) Operations shall not disseminate dust, fumes, gas, noxious odor, smoke, glare, or other atmospheric influence beyond the boundaries of the site, property, or parcel on which such use is located. (2) Subject to regulation and classification by the Washington State Liquor and Cannabis Board, where applicable and must comply with Edgewood city Ordinances 11-0356, 13-0410, 14-0425, and/or 17-0502; plus any regulations regarding cannabis in RCW 69.51A or I-502. (3) Subject to Washington Utilities and Transportation Commission regulations and the federal Pipeline and Hazardous Materials Safety Administration (PHMSA). As allowed under state or federal regulations, any use(s) or appurtenances subject to local municipal control will require a CUP in all zoning districts (4) NAICS Subsector codes 481-485 and 487 (Air Transportation; Rail Transportation; Water Transportation; Truck Transportation; Transit and Ground Passenger Transportation; and Scenic and Sightseeing Transportation) permitted as services or systems, to include necessary support activities. The physical location of facilities, maintenance grounds, offices, or other structures incidental to the service or system are subject to the use regulations for said structure. (5) Public facilities are subject to EMC 18.50.060 Public Facilities Permit (6) Subject to EMC 18.100.030 Animals													

Exhibit C

Chapter 18.80

LAND USE ZONES

Sections:

- 18.80.010 Purpose.
- 18.80.020 Establishment of zones.
- 18.80.030 Zoning map.
- 18.80.040 Single-Family Residential zoning districts.
- 18.80.050 Mixed Residential zoning districts.
- 18.80.060 *Repealed.*
- 18.80.070 *Repealed.*
- 18.80.080 Town Center, Commercial, Mixed Use Residential and Business Park zoning districts.
- 18.80.090 *Repealed.*
- 18.80.100 Industrial zoning district.
- 18.80.110 Public zoning district.
- 18.80.120 Reserved.

18.80.010 Purpose.

The purpose of this chapter is to list and describe the zoning districts and their purposes. The list of allowable land uses in the various zoning district is provided in Chapter 18.70 EMC Permitted Land Uses.. (Ord. 11-359 § 5 (Exh. B); Ord. 03-203 § 1).

18.80.020 Establishment of zones.

A. The classification system used in the comprehensive plan was established and mapped as a management tool to implement the policies and intent of the comprehensive plan. Land use designations were established which are appropriate to carry out the intent and purpose of the comprehensive plan and are defined in the comprehensive plan's land use element. The zoning district classifications established to implement each of the comprehensive plan land use designations for the city are shown in Table 2 below. The zone boundaries are as shown on the city's official zoning map, which is hereby adopted by reference. Where the abbreviated designation is used in this title, it has the same meaning as the entire classification title.

Table 2: Comprehensive Plan/Zoning District Matrix

Comprehensive Plan Designation	Zoning District Classification
Single-Family Low	Single-Family 2 (SF-2)
Single-Family Moderate	Single-Family 3 (SF-3)
Single-Family High	Single-Family 5 (SF-5)
Mixed Residential Low	Mixed Residential 1 (MR-1)
Mixed Residential Moderate	Mixed Residential 2 (MR-2)
Mixed Use Residential	Mixed Use Residential (MUR)
Commercial	Commercial (C)
Town Center	Town Center (TC)
Public	Public (P)
Business Park	Business Park (BP)
Industrial	Industrial (I)

B. Notwithstanding any provisions in this title to the contrary, the city shall have no duty to verify or establish lot lines or setback lines at a development. The location of lot lines or setback lines at a development and construction related thereto shall be the responsibility of the applicant and owner. (Ord. 03-203 § 1).

18.80.030 Zoning map.

A. The location and boundaries of all zones or districts designated in this title are hereby established as shown on the map entitled, “City of Edgewood Zoning Map,” as adopted herewith and as may be amended from time to time, and hereafter referred to as “zoning map.” The zoning map shall be as shown on a geographic coverage layer attributed to zoning that is maintained as a part of the city’s geographic information system (GIS) at the direction of the community development director or designee. No unauthorized person may alter or modify the zoning GIS layer. This geographic coverage layer, as amended from time to time, shall constitute the official zoning map for the city’s zoning jurisdiction and shall be incorporated into this title by reference as if fully set forth herein. An original, signed copy of the zoning GIS layer containing the zoning districts designated at the time of adoption of this title shall be retained in the office of the city clerk pursuant to RCW 35.63.100, and duplicates shall be filed in the community development department for reference and public distribution. All amendments hereafter made to the zoning map by ordinance shall be reflected on such map, and it shall be the responsibility of the community development department to ensure that an up-to-date map is maintained at all times.

B. Where uncertainty exists as to any of the zone boundaries as shown on the zoning map, the following rules shall apply:

1. A boundary shown on the zoning map as approximately following a lot line or parcel boundary shall be construed as following the lot line or parcel boundary as it actually existed at the time the zoning boundary was established. If, subsequent to the establishment of the zoning boundary, a lot line should be moved as a result of a legally performed boundary line adjustment, the zoning boundary shall be construed as moving with the lot line only if the lot line is moved no more than 10 feet and remains generally parallel to the original line.
2. A boundary shown on the zoning map as approximately following a creek, lake, or other water course shall be construed as following the actual centerline of the water course. If, subsequent to establishment of the boundary, the centerline of the water course should move as a result of natural processes, the boundary shall be construed as moving with the centerline of the water course.
3. A boundary shown on the zoning map as approximately following a ridgeline or topographic contour line shall be construed as following the actual ridge or contour line. If, subsequent to the establishment of the boundary, the ridge or contour line should move as a result of natural processes, the boundary shall be construed as moving with the ridge or contour line.
4. A boundary shown on the zoning map as approximately following a street or railroad line shall be construed as following the centerline of the street or railroad right-of-way. If, subsequent to the establishment of the boundary, the centerline of the street or railroad right-of-way should be moved as a result of its widening or minor realignment (such as at an intersection), the boundary shall be construed as moving with the centerline only if the centerline is moved no more than 20 feet.
5. Whenever any street or other public right-of-way is vacated in the manner prescribed by law, the zoning district adjoining each side of said street or other public right-of-way shall be automatically extended to the centerline of the former street or other public right-of-way, and all of the area included in the vacation shall then and henceforth be subject to all regulations of the extended districts.
6. Whenever a single lot, one acre or less in size, is located within two or more different zoning districts, the district regulations applicable to the district within the larger portion of the lot lies shall apply to the entire lot.
7. Whenever a single lot greater than one acre in size is located within two or more different zoning districts, each portion of that lot shall be subject to all the regulations applicable to the district in which it is located.
8. If the specific location of a zoning boundary line cannot be determined from application of the above rules to the zoning map, it shall be determined by the use of the scale designated on the zoning map.
9. Where questions still arise concerning the exact location of a district boundary, the community development director or designee shall interpret the zone boundaries. (Ord. 15-448 § 2 (Exh. A); Ord. 03-203 § 1).

18.80.040 Single-Family Residential zoning districts.

A. Purpose.

1. The Single-Family Low (SF-2) zoning district provides for a continuation of large residential lots in specific areas where a pattern of large lots and extensive tree coverage exists. These zoning districts seek to preserve the identity of these residential areas, preserve significant tree stands, and reduce traffic volumes in the east-west arterial corridors.

2. The Single-Family Moderate (SF-3) and Single-Family High (SF-5) zoning districts are the city's primary residential zones, which provide for single-family dwellings in established residential neighborhoods.

B. For permitted uses within the Single-Family zoning districts see Chapter 18.70.050 Table 1: Land Use Table.

C. In addition to the regulations and requirements contained in other sections of this title, the following property development standards apply to all land and buildings in the Single-Family zoning districts:

1. The density for the Single-Family zoning districts is the number of dwelling units allowed per net buildable acre (dua) and shall be as follows:

	Maximum	Minimum
a. SF-2 zoning district:	2 dua	1 dua
b. SF-3 zoning district:	3 dua	1 dua
c. SF-5 zoning district:	5 dua	2.5 dua

2. Lot Size. The minimum net developable lot sizes for the Single-Family zoning districts shall be as follows:

	Minimum
a. SF-2 zoning district:	18,500 square feet
b. SF-3 zoning district:	12,500 square feet
c. SF-5 zoning district:	6,500 square feet

3. Lot development is subject to stormwater and other requirements for the Single-Family zoning district and shall not exceed the following standards for lot coverage and impervious surface:

- a. SF-2 Zoning District (Lot Area 10,000 Square Feet or Greater).
 - i. Lot coverage: 25 percent;
 - ii. Effective impervious surface: 35 percent; and
 - iii. Hard surface area: 45 percent.
- b. SF-3 and SF-2 Zoning Districts (Lot Area Less Than 10,000 Square Feet).
 - i. Lot coverage: 35 percent;
 - ii. Effective impervious surface: 40 percent; and
 - iii. Hard surface area: 50 percent.
- c. SF-5 Zoning District.
 - i. Lot coverage: 50 percent;
 - ii. Effective impervious surface: 55 percent; and
 - iii. Hard surface area: 65 percent.

4. The minimum setbacks for the Single-Family zoning districts shall be as follows:

- a. SF-2 and SF-3 Zoning Districts.
 - i. Front yard/street setback: 25 feet.
 - ii. Principal arterial or state highway setback: 25 feet.
 - iii. Rear yard setback: 20 feet.
 - iv. Interior setback: eight feet.
- b. SF-5 Zoning District.
 - i. Front yard/street setback: 20 feet.
 - ii. Principal arterial and state highway setback: 25 feet.
 - iii. Rear yard setback: 10 feet.
 - iv. Interior setback: five feet.

Provided, that where flag lots exist, the minimum setback shall be 10 feet on all sides; and where corner lots exist, the minimum setbacks shall be the applicable front yard/street setback requirement on the two sides forming the corner, and the applicable interior setback on the opposing sides. Additional setback requirements are provided in EMC 18.90.150, Setback standards.

5. All lots abutting public or private streets shall have a minimum street frontage of 50 feet except flag and irregularly shaped lots addressed by EMC 18.90.100, Lot standards. The minimum lot width and street front dimensions for the Single-Family zoning districts shall be as follows:

- a. SF-2 Zoning District.

- i. Lot width: 75 feet.
 - ii. Street frontage: 50 feet.
- b. SF-3 and SF-5 Zoning Districts.
 - i. Lot width: 50 feet.
 - ii. Street frontage: 50 feet.
- 6. The maximum building height in the Single-Family zoning districts shall be 35 feet (see EMC 18.90.070, Height standards).
- 7. Design features shall be required for multifamily as set forth in Chapter 18.95 EMC, Design Standards.
- 8. Significant tree identification and preservation and/or replacement shall be required as set forth in EMC 18.90.180, Tree preservation.
- 9. Landscaping shall be provided as set forth in EMC 18.90.090, Landscaping, as it applies in their appropriate zones.
- 10. Parking shall conform to the requirements of EMC 18.90.130, Parking.
- 11. Signage shall conform to the requirements of Chapter 18.97 EMC, Sign Code. (Ord. 18-535 § 2; Ord. 16-482 § 2 (Exh. F); Ord. 16-469 § 2 (Exh. A); Ord. 14-415 § 5; Ord. 10-346 § 3; Ord. 06-268 § 1; Ord. 05-252 § 1; Ord. 03-203 § 1).

18.80.050 Mixed Residential zoning districts.

- A. The purpose of the Mixed Residential 1 (MR-1) and Mixed Residential 2 (MR-2) zoning districts is to promote residential renewal to small-lot detached dwellings, duplexes, and townhouses. These districts provide for moderate residential density using a variety of urban housing types and designs. The mix of housing may take a variety of forms, either mixed within a single site or mixed within a general area, with varied dwelling types.
- B. For permitted uses within the Mixed Residential zoning districts see Chapter 18.70.050 Table 1: Land Use Table.

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- C. In addition to the regulations and requirements contained in other sections of this title, the following property development standards apply to all land and buildings in the Mixed Residential zoning districts:

- 1. Maximum Density. The maximum density for the Mixed Residential zoning districts is the maximum number of dwelling units allowed per net buildable acre (dua) and shall be as follows:
 - a. MR-1 zoning district: four dua.
 - b. MR-2 zoning district: eight dua.
- 2. The minimum lot sizes for the Mixed Residential zoning districts shall be as follows:

	Minimum	Minimum net area required for Multifamily and nonresidential
a. MR-1 zoning district:	7,200 sf	7,200 sf
b. MR-2 zoning district:	3,200 sf	3,200 sf

- 3. Lot development is subject to stormwater and other requirements for the Mixed Residential zoning district and shall not exceed the following standards for lot coverage and impervious surface:
 - a. MR-1 Zoning District.
 - i. Lot coverage: 45 percent;
 - ii. Effective impervious surface: 50 percent; and
 - iii. Hard surface area: 60 percent.
 - b. MR-2 Zoning District.
 - i. Lot coverage: 55 percent;
 - ii. Effective impervious surface: 60 percent; and
 - iii. Hard surface area: 70 percent.
- 4. The required setbacks for the Mixed Residential zoning districts shall be as follows:
 - a. MR-1 and MR-2 Zoning Districts.
 - i. Front yard/street setback: 15 feet.
 - ii. Garage setback: 20 feet.
 - iii. Principal arterial and state highway setback: 25 feet.
 - iv. Rear yard setback: 10 feet.
 - v. Interior setback: zero feet.

- b. Provided that where flag lots exist, the minimum setback shall be 10 feet on all sides; and where corner lots exist, the minimum setbacks shall be the applicable front yard/street setback requirement on the two sides forming the corner, and the interior setback on the opposing sides. Additional setback requirements are provided in EMC 18.90.150, Setback standards.
5. All lots abutting public streets shall have a minimum street frontage of 50 feet, except flag and irregularly shaped lots addressed by EMC 18.90.100, Lot standards.
6. The maximum building height in the Mixed Residential zoning districts shall be 35 feet (see EMC 18.90.070, Height standards).
7. Design features shall be required for multifamily as set forth in Chapter 18.95 EMC, Design Standards.
8. Significant tree identification and preservation and/or replacement shall be required as set forth in EMC 18.90.180, Tree preservation.
9. Landscaping shall be provided as set forth in EMC 18.90.090, Landscaping, as it applies in their appropriate zones.
10. Parking shall conform to the requirements of EMC 18.90.130, Parking.
11. Signage shall conform to the requirements of Chapter 18.97 EMC, Sign Code. (Ord. 16-482 § 2 (Exh. F); Ord. 10-346 § 4; Ord. 06-268 § 1; Ord. 05-258 § 1; Ord. 03-203 § 1).

18.80.060 Mixed Use Residential zoning district.

Repealed by Ord. 11-359. (Ord. 10-346 § 5; Ord. 09-323 § 2; Ord. 06-268 § 1; Ord. 05-252 § 2; Ord. 03-203 § 1).

18.80.070 Commercial zoning district.

Repealed by Ord. 11-359. (Ord. 10-346 § 6; Ord. 09-323 § 3; Ord. 08-301 § 2; Ord. 06-268 § 1; Ord. 03-203 § 1).

18.80.080 Town Center, Commercial, Mixed Use Residential and Business Park zoning districts.

A. Applicability. This section establishes development standards for the Town Center, Commercial, Mixed Use Residential and Business Park zoning districts. All standards contained in other chapters of the Edgewood Municipal Code shall apply unless specifically modified by the standards contained in this section. Where a conflict exists between code standards, the specific standards contained in this section shall control.

B. Purpose.

1. The Town Center (TC) zoning district is envisioned as the heart of Edgewood, reflecting a unique local character and rural roots. Borrowing from traditional town development patterns and forms, the TC is envisioned as the most walkable area of the city, with a mix of multistory and single story buildings framing the street and other public spaces. The TC zone accommodates a range of compatible uses emphasizing a variety of vertical and horizontal mixed use development, pedestrian-oriented retail, multifamily residential, senior housing and civic uses. The TC zone complements local traffic, bicycle, and pedestrian circulation and provides connectivity to public open spaces.
2. The Commercial (C) zoning district accommodates a wide range of commercial development, including large format retail, auto-oriented uses, and regional scale commercial uses. Light industrial uses are also allowed. Development standards seek to balance the needs of the pedestrian with those of the automobile and are flexible to accommodate a wide range of uses and forms. This area provides a visual and functional transition to the Town Center and adjacent zones and assures that there is ample area to accommodate potential economic development opportunities. While commercial development is emphasized, this zone also allows multifamily housing with a mix of uses.
3. The Mixed Use Residential (MUR) zoning district accommodates a range of medium density residential housing types to meet consumer preferences, changing household sizes and market demands. A mix of land uses is allowed including some commercial uses and professional office uses to provide diverse economic development opportunities, while maintaining neighborhood compatibility. This zone provides a visual and functional transition to areas of more intensive development and adjacent residential neighborhoods. Within the Meridian Corridor, achieving a high level of connectivity with streets, pedestrian and bicycle routes both within this district and to the adjoining TC district is a major goal.
4. The Business Park (BP) zoning district accommodates a wide range of employment and commercial uses, including professional office, senior housing and apartments, light industrial and retail uses. Development standards seek to accommodate a wide range of business, while ensuring an urban design that is compatible with adjacent zones. Significant landscaping is emphasized in this zone, both for aesthetic appeal and as a tool to ensure greater compatibility between a wide range of uses. Residential use, except multifamily, is not allowed in the BP zoning district.

C. Permitted Uses. For permitted uses within the Town Center, Commercial, Mixed Use Residential, and Business Park zoning districts see Chapter 18.70.050 Table 1: Land Use Table.

D. Development Standards. This subsection establishes the development standards that apply to the zones described. Please note that the provisions below include both minimum and maximum standards, as well as certain standards, such as height and floor area ratio, that may be modified up to the limits stated herein if certain development intensity bonus options elements (as provided for in Table 2) are included in the proposal.

Table 1: Development Standards Table

	TC	C	MUR	BP
Standards				
Maximum Height (without any bonus) (1)	45 feet	35 feet	35 feet	35 feet
Maximum Height (with FAR Bonus) (1)	55 feet (minimum 3:1 FAR)	45 feet (minimum 1.5:1 FAR)	35 feet	35 feet
Maximum Residential Net Density – Single-Use Project (3)(5)(14)	48 D.U./acre	N/A (1)	24 D.U./acre	N/A (1)
Maximum Residential Net Density – If Part of a Mixed Use Project (2)(4)(5)(14)	Controlled by maximum height, FAR and Building Code	48 D.U./acre	48 D.U./acre	N/A (1)
Minimum Residential Net Density (5)(6)	24 D.U./acre	N/A (1)	10 D.U./acre	N/A
Minimum Lot Frontage Occupied by a Building (7)	50%	35%	35%	None
Minimum Setback to TC, C, MUR or BP Zones (8)	None	None	None (9)	None, except 20 feet for light industrial
Minimum Setbacks to Zones Other Than TC, C, MUR or BP (10)	25 feet	25 feet	20 feet	25 feet
Maximum Floor Area Ratio (FAR) with Bonus Features (11)	4:1	3:1	2:1 (12)	2:1
Maximum Floor Area Ratio (FAR) without Bonus Features (13)	1:1	0.5:1	0.5:1 (12)	0.5:1
Maximum Hard Surface Area (Including Lot Coverage)	90%	85%	75%	80%
Maximum Effective Impervious Surface	75%	70%	60%	65%

Table 1: Development Standards Exceptions and Notes.

- (1) Multifamily use in BP zones requires a CUP and is limited to multifamily as allowed. Residential use only allowed in Commercial zone if part of mixed use project.
- (2) To qualify for mixed use bonus, uses must be developed in same project either as vertical or horizontal mixed use.
- (3) Residential single-use project proposals within the TC, and C zones on combined project areas three acres or larger, shall set back single-use residential structures 150 feet from an arterial ROW line. The setback area shall develop, at minimum, 30 percent of the area into retail- or office-type commercial uses or preserved for future retail- or office-type commercial uses. The remaining area within the first 150 feet from an arterial ROW may be developed into residential uses.
- (4) Mixed use development projects demonstrating a mix (30 percent commercial minimum) of residential and commercial within the same design may be located throughout the property and not limited to any portion of any specific property.
- (5) Vertical mixed use projects with ground floor commercial space may be constructed as fully residential projects with the requirement that the ground floor must be converted to a commercial use within three years of building occupancy. Notice to title shall be recorded prior to permit issuance if this provision is requested.
- (6) Minimum density only applies for single-use residential projects.
- (7) For building lots fronting directly on Meridian the minimum lot frontage occupied by a building in all zones is 35 percent.
- (8) Setbacks may be necessary to accommodate utility easements or to accommodate required landscaping.
- (9) Setbacks for single-family detached dwellings shall be as follows:

- (a) Front yard/street setback: 15 feet.
- (b) Garage setback: 20 feet.
- (c) Principal arterial and state highway setback: 25 feet.
- (d) Rear yard setback: 10 feet.
- (e) Interior setback: five feet or shall meet the minimum fire separation required per the International Fire Code (IFC) as adopted by the city of Edgewood.
- (10) Twenty-foot setback required from any public property other than a street.
- (11) See Table 3: Development Intensity Bonus Options necessary to achieve maximum FAR.
- (12) FAR does not apply to single-family detached dwelling or cottage housing.
- (13) There is no minimum FAR in the TC, C, MUR or BP zones.
- (14) Director and city engineer may establish administrative rules for allowing partial credit for pervious paving materials.

The following optional features may be used alone or in combination to increase the allowed height and floor area ratio (FAR) up to the maximum limits identified in Table 2 (subsection (D) of this section). Table 3 below identifies the allowed FAR bonus and any additional requirements pertaining to the described bonus feature.

Table 2: Development Intensity Bonus Options

Bonus Feature	FAR Bonus	Description, Additional Requirements and Limitations
1. Parallel Road Network	1.5	Dedication and construction of those portions of the adopted parallel road network that are within or adjacent to the subject property. Design shall be consistent with the adopted street standards, including, but not limited to, travel lanes, on-street parking, landscaping and sidewalk.
2. Significant Public Plaza or Public Green Space	1.25	Available in the Town Center district only, and at the discretion of the director. Location and design shall be consistent with Town Center and Meridian Avenue Corridor master plan, and, if possible, complementary to any planned public plaza or development. Must be a minimum of five percent of the interior floor area of the development and no less than 1,500 square feet. This bonus must be in addition to any pedestrian-oriented space as required in subsection (F) of this section and EMC 18.95.030 or as required by any underlying land use approval. Plazas and green spaces shall incorporate LID to the maximum extent feasible (per Minimum Requirement No. 5 of the PCM).
3. Through Block Connection or Alley Enhancement	1.0	A pedestrian walkway and accompanying landscaping that shall be at least 15 feet wide and extend along a property line or through a site to allow the public to pass from one street to another street or an alley. The surface shall consist of stone, unit pavers, textured concrete, permeable pavement, or other material approved by the community development director or designee, with pedestrian scale lighting at least every 50 feet. Walkways and landscaping shall incorporate LID to the maximum extent feasible (per Minimum Requirement No. 5 of the PCM).
4. Mixed Use Development	1.0	Ground floor commercial with minimum of 12 feet in height measured from finished floor to finished ceiling and residential uses on upper floors at or above minimum residential density. Note additional required standards for pedestrian-oriented ground floor commercial in No. 8 below shall also apply.
5. Structure Parking, Below Grade	1.0	At least 80 percent of the parking shall be contained within a structure that is below grade.
6. Affordable Housing	1.0	For all new development within the Town Center, total square footage may be increased by two square feet for every one square foot of affordable housing (for a maximum of 1.0 FAR in bonus) provided an affordable housing plan (AHP) is developed and submitted to the director for review and approval. The developer shall commit to implementing the AHP as a part of a signed comprehensive development agreement with the city. This agreement shall be reviewed by a housing consultant or nonprofit group at the expense of the applicant with recommendations made to the director prior to any city commitment to that agreement.
7. Other Public Plaza or Public Green Space	0.75	Location and design shall be consistent with Town Center and Meridian Avenue Corridor master plan and any planned public plaza or development. Must be a minimum of two percent of the interior floor area of the development and no less than 500 square feet. This bonus must be in addition to the minimum pedestrian-oriented space requirement in subsection (F) of this section and EMC 18.95.030. Plazas and green spaces shall incorporate LID to the maximum extent feasible (per Minimum Requirement No. 5 of the PCM).

Bonus Feature	FAR Bonus	Description, Additional Requirements and Limitations
8. Ground Floor Pedestrian-Oriented Commercial	0.75	Ground floor commercial with minimum of 12 feet in height measured from finished floor to finished ceiling. Buildings shall include windows with clear vision glass on at least 50 percent of the area between two and 12 feet above grade for all ground floor building facades that are visible from an abutting street. Weather protection with a minimum of six feet in depth shall be provided over sidewalks and pedestrian connections on 80 percent of the length of the building frontage. This bonus feature may not be used in conjunction with No. 3 above.
9. Structured Parking, At Grade or Above Grade	0.75	At least 80 percent of the parking shall be contained within a structure. The structure may be part of the building or a separate structure. The structure shall be designed to minimize visibility of the parking area from the street. The street level floor shall be mixed use.
10. LEED Gold Certification (or Better)	0.75	As certified by the USGBC. Applicant is responsible for providing LEED precertification submittal documentation and annotated checklist to the city. City will review documentation at the applicant's expense. If accepted, the city will make this a condition of approval of the subsequent building permit.
11. Multi-Modal Pathway	0.5	A pathway for the movement of pedestrians and bicyclists that is consistent with the Town Center and Meridian Avenue Corridor master plan, transportation plan, and city's parks and recreation plan and approved by city staff. Pathways shall incorporate LID to the maximum extent feasible (per Minimum Requirement No. 5 of the PCM).
12. Public Meeting Room	0.5	Available in the Town Center district only. A room available to the community for meetings and events. The size shall be a minimum of 500 square feet, with windows on at least one side and shall be directly accessible from the outside or by a controlled lobby that allows public access.
13. LEED Silver Certification	0.5	As certified by the USGBC. Applicant is responsible for providing LEED precertification submittal documentation and annotated checklist to the city. City will review documentation at the applicant's expense. If accepted, the city will make this a condition of approval of the subsequent building permit.
14. Water Feature	0.25	A decorative water feature shall be equivalent to at least one percent of the project's construction cost and shall be directly accessible and visible to the public by being adjacent to a plaza, sidewalk, pathway or through-block connection. Documentation shall be provided of construction value and the cost of the water feature.
15. Exterior Art Element	0.25	Exterior art element shall be equivalent to at least one percent of the total value of the project's construction cost. Such elements include but are not limited to sculptures, bas-reliefs, metalwork and murals. Documentation shall be provided of the construction value and the value of the art as appraised by an art appraiser. Art elements shall be visible to the public at all times and will be reviewed and approved by an arts body designated by the city.

E. Design Standards.

1. Site and Building Design. Site and building design standards shall be required for all development as set forth in Chapter 18.95 EMC. Where the standards in Chapter 18.95 EMC conflict with the standards in this section, the development standards contained in this section shall control.
2. Street Design. Location, design and configuration of all streets shall be in accordance with the adopted street standards contained in EMC Title 12, Streets, Sidewalks and Public Spaces.

F. Open Space Requirements.

1. Applicability. New development within the Town Center (TC), Business Park (BP), Commercial (C), and Mixed Use Residential (MUR) zoning districts shall be required to meet the open space requirements in this subsection.
2. Numeric Standards. All new development shall provide accessible public space equivalent to one and one-half percent of the gross floor area of all structures. The design and location of public spaces shall consider the design and location of public spaces on adjacent properties and if feasible shall be oriented and connected to those spaces pursuant to the concepts presented in the Town Center and Meridian Corridor master plan.
3. If it can be demonstrated by the applicant to the satisfaction of the director that a required public space is adjacent to, integrated with and can be accessed from a public space on an adjoining property, this requirement may be reduced to one percent of gross floor area.
4. All required public spaces shall be oriented towards, and have direct connections (both physical and visual) to, a public street.

5. Where public spaces are integrated into new development, or where new development abuts an existing or planned public plaza, the primary building entrance shall be oriented towards or connected to that plaza.

G. Landscaping.

1. Applicability. The requirements of EMC 18.90.090 shall apply to the TC, C, MUR and BP zones, except as provided in this subsection. Please also see Chapter 18.95 EMC for applicable design standards. Where landscape regulations in this section conflict with the provisions in EMC 18.90.090 or Chapter 18.95 EMC, the regulations in this subsection shall control. Please note: Where this section is silent on a specific requirement, such as irrigation requirements or minimum standards for plantings, the standards contained in EMC 18.90.090 and 18.95.050 shall apply. The standards contained in EMC 18.90.090(G) (Landscaping Types) are specifically modified by this subsection and the standards contained in EMC 18.90.090(H) (Landscaping Regulations by Zoning Districts) do not apply to TC, C, MUR and BP zones.

2. Street Frontages. In addition to landscape standards contained below, five percent of the total area between the building facade and the curb shall be landscaped. Within the BP zoning district 10 percent of the total area between the building facade and curb shall be landscaped. This shall be in addition to street trees and landscaping provided in public spaces and parking lots that are required in other subsections.

a. Required landscaping may be planted within planting areas surrounding trees, in raised planters, and on vegetative walls mounted to the ground-level building facade. Landscaping shall incorporate LID systems to the maximum extent feasible (per Minimum Requirement No. 5 of the PCM).

b. Where a building or portion of a building is located more than 10 feet from a public sidewalk or usable public space, all area between the building and the public sidewalk that is not used for vehicle or pedestrian access, circulation, parking or seating shall be landscaped.

c. Potted landscape material may be substituted for required landscaping in areas designed for outdoor eating with the approval of the department.

3. Public Spaces. A minimum of 15 percent of the total area of a public space, such as a courtyard or plaza, shall be landscaped.

4. Surface Parking Areas. Surface parking areas shall be landscaped as set forth in EMC 18.90.090.

5. Street Frontages. Street frontage design and landscaping shall be provided as contained in Chapter 18.95 EMC and EMC Title 12, Streets, Sidewalks and Public Places.

6. Landscape Buffers – Standards and When Required.

a. Development in the TC, C and MUR zoning districts shall provide a minimum 20-foot Type IV landscape buffer where they abut Single-Family zoning districts or 15 feet of Type I landscaping where they abut Mixed Residential or Public zoning districts. The director may waive or modify this requirement for pedestrian-oriented development adjacent to the Public zoning district where consistent with the purpose of this section.

b. Development in the BP zoning district shall provide a minimum 25-foot Type IV landscape buffer where it abuts Single-Family or Public zoning districts. In addition, 15 feet of Type I landscaping shall be provided between adjacent BP zoned properties.

c. Commercial or light industrial development in the C and MUR zoning districts shall provide a minimum 10-foot-wide Type I landscape buffer adjacent to the TC zoning district. The director may waive this requirement for pedestrian-oriented commercial development that includes a minimum of 50 percent of the lot frontage occupied by a building. Landscaping for surface parking areas shall still apply.

d. A minimum of a 10-foot Type I landscape buffer shall be provided between more intensive zones and the MUR, and along abutting properties in the MUR district. The director may waive or modify this requirement for pedestrian-oriented commercial development that includes a minimum of 50 percent of the lot frontage occupied by a building or for abutting residential development in the MUR zone in common ownership. Required landscaping for surface parking areas is required in accordance with EMC 18.90.090 and Chapter 18.95 EMC.

7. Special Landscaping in the Business Park (BP) Zone. In order to achieve the urban design intent and provide an environment suitable to a wide range of employment uses, a minimum of 20 percent of the total site area in the BP zone shall be landscaped.

8. Tree Preservation and Protection Standards.

a. Significant tree identification and preservation and/or replacement shall be required as set forth in EMC 18.90.180, Tree preservation, provided mixed use development shall be considered commercial development for the purposes of the tree retention standard contained in EMC 18.90.180(C)(2)(c)(iv).

- b. The director shall have the authority to reduce the required tree replacement ratio where such requirement would conflict with the urban design intent of this section and applicable design provisions of Chapter 18.95 EMC.
- c. If the standards contained in Chapter 18.95 EMC are modified, the director shall at a minimum ensure that representative native vegetation is retained or replanted totaling at least five percent of the site area and that such landscaping is provided in excess of the requirements contained in this section.

H. Parking, Access and Circulation.

1. Applicability. Parking facilities and access drives shall be designed in accordance with EMC 18.90.130, except as provided below.
 - a. Where a conflict exists between the standards contained in EMC 18.90.130 and the standards contained in this section, the standards contained in this section shall control.
 - b. If this subsection does not specify a parking requirement for a land use, the director shall establish the minimum requirement based on a study of anticipated demand as provided in EMC 18.90.130(C)(8).
2. Purpose. The purpose of this subsection is to provide adequate parking for all allowed uses; to reduce demand for parking by encouraging alternative transportation such as rideshare, public transit, bikes and pedestrian mobility; to promote a “park once and walk” strategy and to ensure the location and design of parking facilities is consistent with urban design and economic development goals.
3. Parking Location.
 - a. Site design, including parking lot and building location, shall comply with the minimum lot frontage requirements in subsection (D) of this section.
 - b. A parking lot shall not be located on a corner where two streets intersect.
 - c. Within the TC zone, a parking lot shall not be located between the principal building and the street, adjacent to a park or open space or at a street terminus.
 - d. Within the TC zone, parking structures shall contain ground level commercial uses.
 - e. Within the C, MUR and BP zones, parking structures that front on a street that are not part of a residential or mixed use building shall contain ground level commercial uses.
4. Parking Facility Design and Integration. It is the city’s intent to encourage the integration and connection of parking facilities, including shared parking and physical connections between parking facilities in adjoining developments. Applicants shall demonstrate how they meet this objective, including shared parking, or document why it is not feasible to do so. Please see Chapter 18.95 EMC, Design Standards, for additional urban design requirements for parking facilities.
5. Minimum Parking Requirements. Except as provided in subsection (H)(9) of this section, off-street parking areas shall contain the minimum number of parking spaces as stipulated in EMC 18.90.130(G). Please note that maximum parking requirements as contained in subsection (H)(10) of this section also apply.
6. Loading Areas. Please see EMC 18.90.130(D).
7. Disabled Parking. Please see Chapter 19.27 RCW, State Building Code, and Chapter 70.92 RCW, Public Buildings – Provisions for Aged and Disabled.
8. Bike Parking. In any development required to provide six or more parking spaces, bicycle parking shall be provided. Bicycle parking shall be bike rack or locker-type facilities unless otherwise specified.
 - a. One bicycle parking space shall be provided for every 12 motor vehicle parking spaces, except as follows:
 - i. The director may reduce bike rack parking facilities for patrons when it is demonstrated that bicycle activity will not occur at that location.
 - ii. The director may require additional spaces when it is determined that the use or its location will generate a high volume of bicycle activity. Such a determination shall include but not be limited to the following uses: park, library, museum, school, sports club or retail business located along a developed trail or designated bicycle route.
 - b. Bicycle parking shall be located within 100 feet of the principal building and directly adjacent to a sidewalk or pedestrian walkway that connects directly to building entrance(s).
 - c. Bicycle frame or wheels to be locked to a structure attached to the pavement.
 - d. All bicycle parking and storage shall be located in safe, visible areas that do not impede traffic flow and shall be well lit for nighttime use.
 - e. When more than 15 people are employed on site, bicycle storage facilities for employees shall be provided. The director shall allocate the required number of parking spaces between bike rack parking and enclosed locker-type facilities.

- f. One secured bicycle storage space shall be provided for every two dwelling units in attached single-family and multifamily units, unless individual garages are provided for every unit. The director may reduce the number of bike rack parking spaces if indoor storage facilities are available to all residents.
9. Parking Reductions. The amount of off-street parking required by subsection (H)(5) of this section may be reduced by an amount determined by the director pursuant to the provisions below.
- a. Car Share Parking. Required parking for multifamily residential developments (or the residential portion of mixed use developments) containing more than 30 units may be reduced by three spaces for each one dedicated car share space. A signed agreement between the property owner and car share provider must be submitted for approval of the parking reduction.
 - b. Shared-Use Parking. Developments may receive a reduction in required parking of up to 20 percent of the minimum parking requirements, provided:
 - i. The total parking area exceeds 5,000 square feet;
 - ii. The parking facilities are designed and developed as a single on-site common parking facility, or as a system of on-site and off-site facilities, if all facilities are connected with improved pedestrian facilities and no building or use involved is more than 800 feet from the most remote shared facility;
 - iii. The total number of parking spaces in the common parking facility is not less than the minimum required spaces for any single use;
 - iv. The director may increase the reduction where compelling evidence is provided in a parking study submitted by the applicant that the proposed reduction is warranted. See criteria in EMC 18.90.130;
 - v. A covenant or other contract for shared parking between the cooperating property owners is approved by the director. This covenant or contract must be recorded with the Pierce County auditor's office as a deed restriction on both properties and cannot be modified or revoked without the consent of the director; and
 - vi. If any requirements for shared parking are violated, the affected property owners must provide a remedy satisfactory to the director or provide the full amount of required off-street parking for each use, in accordance with the requirements of this chapter, unless a satisfactory alternative remedy is approved by the director.
 - c. Transit Availability. The director may reduce the number of required off-street parking spaces when one or more scheduled transit routes provide service within 750 feet of the site. The amount of the reduction shall be based on the number of scheduled transit runs between 7:00 to 9:00 a.m. and 4:00 to 6:00 p.m. each weekday up to a maximum reduction of two percent for each transit run up to a maximum of 20 percent.
10. Maximum Parking Requirements. Please see 18.90.130(G).
11. Transit Facilities. All development shall provide transit facilities as provided in EMC 18.90.130(E)(2).
12. Parking Stall and Aisle Design and Access. Please see EMC 18.90.130(C)(5). (Ord. 17-496¹ § 2; Ord. 16-482 § 2 (Exh. F); Ord. 14-426 § 2 (Exh. A); Ord. 14-414 § 2 (Exh. A); Ord. 13-397 § 2 (Exh. A); Ord. 11-359 § 6 (Exh. C); Ord. 10-346 § 7; Ord. 09-323 § 4; Ord. 08-305 § 2; Ord. 08-301 § 3; Ord. 07-284 § 1; Ord. 06-268 § 1; Ord. 03-203 § 1).

18.80.090 Business Park zoning district.

Repealed by Ord. 11-359. (Ord. 09-323 § 5; Ord. 06-268 § 1; Ord. 03-203 § 1).

18.80.100 Industrial zoning district.

- A. The Industrial (I) zoning district provides for regional research, light manufacturing, warehousing, and other major regional employment uses. industrial lands are limited to areas where regional transportation access is available.
- B. Primary Permitted Uses. For permitted uses within the Industrial zoning district see Chapter 18.70 Land Use Table.
- C. In addition to the regulations and requirements contained in other sections of this title, the following property development standards apply to all land and buildings in the Industrial zoning district:
- 1. Lot development is subject to stormwater and other requirements for the Industrial zoning district and shall not exceed the following standards for lot coverage and impervious surface:
 - a. Lot coverage: 80 percent;
 - b. Effective impervious surface: 85 percent; and
 - c. Hard surface area: 90 percent.
 - 2. The minimum distance setbacks for the Industrial zoning district shall be as follows:
 - a. Minimum front yard/street setback: 25 feet.
 - b. Minimum arterial and state highway setback: 25 feet.

c. Minimum rear building setback: 25 feet.

d. Minimum interior setback: zero feet.

Additional setback requirements are provided in EMC 18.90.150, Setback standards.

3. The maximum building height in the Industrial zoning districts shall be 35 feet (see EMC 18.90.070, Height standards).

4. Design features shall be required for commercial uses as set forth in Chapter 18.95 EMC, Design Standards.

5. Significant tree identification and preservation and/or replacement shall be required as set forth in EMC 18.90.180, Tree preservation.

6. Landscaping shall be provided as set forth in EMC 18.90.090, Landscaping, as it applies in their appropriate zones.

7. Parking shall conform to the requirements of EMC 18.90.130, Parking.

8. Signage shall conform to the requirements of Chapter 18.97 EMC, Sign Code. (Ord. 16-482 § 2 (Exh. F); Ord. 09-323 § 6; Ord. 06-268 § 1; Ord. 03-203 § 1).

18.80.110 Public zoning district.

A. The Public (P) zoning district provides for moderate-scale and large-scale activities relating to the purpose of state and local governmental entities and semi-public institutions providing necessary public services. The designation allows for the specialized needs of providing public services to all areas of Edgewood.

B. For permitted uses within the Public zoning district see Chapter 18.70 Land Use Table.

C. Development Standards.

1. Because of the nature of the typical uses characterizing this use type and the high need for flexibility in siting and operating public facilities, general development standards shall be determined by the community development director or designee on a case-by-case basis considering the type and intensity of the proposed use, adjacent uses and zoning, environmental issues, site design, and/or type and construction of buildings.

2. Where master plans are utilized, the master plan for each facility or coherent group of facilities shall specifically state the type and level of uses proposed therein.

3. Design features shall be required as set forth in Chapter 18.95 EMC, Design Standards.

4. Significant tree identification and preservation and/or replacement shall be required as set forth in EMC 18.90.180, Tree preservation.

5. Landscaping shall be provided as set forth in EMC 18.90.090, Landscaping, as it applies in their appropriate zones.

6. Parking shall conform to the requirements of EMC 18.90.130, Parking.

7. Signage shall conform to the requirements of Chapter 18.97 EMC, Sign Code. (Ord. 16-482 § 2 (Exh. F); Ord. 15-448 § 2 (Exh. A); Ord. 03-203 § 1).

18.80.120 Reserved.

(Ord. 03-203 § 1).

¹ Ord. 17-496 did not include 18.80.080(A), (B), (C), (C)(2), (C)(3) or (D). These subsections have been retained as per the intent of the city.

Exhibit D

18.90.130 Parking.

A. The purpose of this section is to regulate parking and loading activities in order to improve traffic circulation and contribute to the public health, safety, general welfare and aesthetics of the city of Edgewood by providing sufficient on-site areas for the maneuvering and parking of motor vehicles. Furthermore, it is the intent of this section to allow the provision of sufficient off-street parking to meet the needs of urban development, but not an excess surplus of spaces, and to promote more efficient use of the city's transportation facilities by encouraging the movement of people from place to place via alternative modes of transportation to the single occupancy vehicle.

B. This section is applicable to all new developments and all alterations and additions to, or expansion of, existing developments in the city of Edgewood, except for single-family residences.

C. Parking Standards.

1. Where any structure is enlarged, expanded, erected, major exterior remodeled, or the use is changed, off-street parking spaces shall be provided for said expansion or enlargement in accordance with this section. A change in use in an existing structure may require additional off-street parking spaces as set forth in this section.
2. In the case of a use that is not specifically mentioned in this section, the requirements for off-street parking facilities shall be determined by the community development director or designee based upon the requirements for the most comparable use specified in this section; or, where in the opinion of the community development director or designee no comparable use exists, based upon a reasonable rationale provided an official determination written to the applicant. The community development director or designee may require that the applicant conduct a parking study to evaluate the parking needs associated with a proposed use.
3. All areas used for parking, maneuvering, circulation, pedestrian access, and loading or unloading shall be paved with asphalt or concrete (either conventional or permeable) and shall be improved and available for use at the time of final building inspection. Pervious alternative materials that meet LID standards (e.g., pervious asphalt, etc.) shall be used to the maximum extent feasible (per Minimum Requirement No. 5 of the PCM). Refer to the PCM and associated guidance documents for additional information, restrictions, and standards for alternative paving materials.
4. Off-street parking facilities shall be located on the same property as the use they are required to serve and within 300 feet of the use. Where a distance is specified, such distance shall be the walking distance measured from the nearest point of the parking facilities to the nearest point of the building that such facility is required to serve.
 - a. For a nursing home, assisted living facility, convalescent home, or group home, the parking facilities shall be located within 100 feet of the building they are required to serve.
 - b. *Repealed by Ord. 10-336.*
5. Size and Access.
 - a. A standard parking space shall have a minimum width of nine feet and a minimum length of 18 feet. Compact stalls shall have a minimum width of eight and one-half feet and a minimum length of 15 feet (see Figure 6).
 - b. Up to 30 percent of the required parking for a development may consist of compact stalls. No more than four compact stalls may be adjacent to each other, and the compact stalls shall be evenly dispersed throughout the parking area and clearly identified with permanent marking on the pavement as approved by the community development director or designee.
 - c. Two-way drive aisles shall have a minimum width of 24 feet where providing access to spaces at a 90-degree angle to the drive aisle, and 20 feet where spaces are at angles of 70 degrees or less to the drive aisle. One-way drive aisles shall have a minimum width of 20 feet where providing access to spaces at a 90-degree angle to the drive aisle. Where spaces are at angles of 70 degrees or less to the drive aisle, the standards listed in Table 3 shall apply:

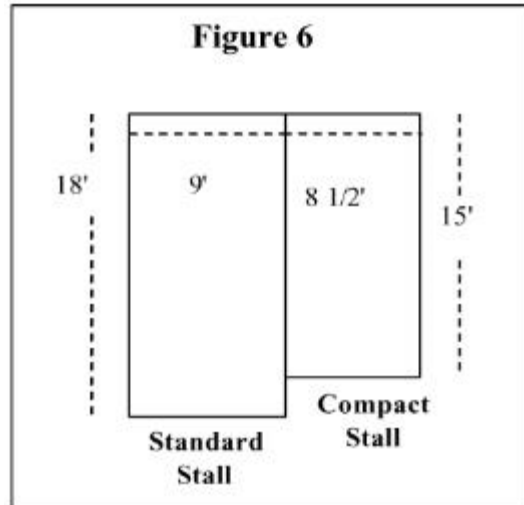


Table 3

Parking Angle	Minimum One-Way Aisle Width
50 degrees or less	15'
55	16'
60	17'
65	18'
70	19'

d. Except for a single-family dwelling, groups of more than two parking spaces shall be provided with adequate aisles or turnaround areas so that all vehicles may enter the street in a forward manner. More than three parking spaces shall be served by a driveway designed and constructed to facilitate the flow of traffic on and off the site, with due regard to pedestrian and vehicle safety, and which shall be clearly and permanently marked and defined.

e. Driveways, aisles, turnaround areas, and ramps shall have a minimum vertical clearance of 14 feet for their entire length and width but such clearance may be reduced in parking structures.

f. For the purpose of loading and unloading children, one-way driveways with a continuous forward flow design shall be located on the site of schools and daycares which have a capacity greater than 50 children.

g. Wheel stops, a minimum of two feet from any obstruction or the end of the parking stall, shall be required in the following locations:

- i. Where the parking stall abuts a building or where vehicles may overhang a property line;
- ii. Where the parking stall abuts a raised pedestrian walkway of less than eight feet in width;
- iii. Where a parking stall abuts any physical object that may be impacted, such as light standards, fire hydrants, fences, power vaults, utility poles, etc.;
- iv. Where a hazardous grade difference exists between the parking area and the abutting property;
- v. Where the parking stall abuts an LID system;
- vi. Where hazardous situations may exist as determined by the community development director or designee.

h. Multiple-level parking structures developed either as a single use structure or as parking incorporated into a structure shall be designed and laid out in accordance with the dimension and numeric requirements of this section.

6. Unit of Measurement.

a. Where stationary, nonmovable seating is used by patrons or spectators in places of assembly, each 20 inches of width shall count as one seat for the purpose of determining requirements of off-street parking facilities under this section.

7. Where off-street parking is required, a plan indicating how the off-street parking and loading requirement is to be provided and shall accompany the application for a development permit. Applications for single-family dwellings are exempt from the requirements of this section. The plan shall show all those elements necessary to indicate that these requirements will be fulfilled including but not limited to:
- a. Location and dimensions of LID systems (if applicable);
 - b. Delineation and dimensions of individual parking spaces, both regular and compact spaces, and loading and unloading areas;
 - c. Dimensions of circulation and maneuvering areas necessary to serve spaces;
 - d. Access to streets, alleys, and properties served;
 - e. Curb cuts and curb placement;
 - f. Dimensions, continuity and substance of landscaping and screening;
 - g. Grading, drainage, surfacing and subgrading details;
 - h. Delineation of all structures or other obstacles to parking, circulation and visual clearance on the site;
 - i. Specifications as to location of signs and wheel stops;
 - j. Sidewalks and pedestrian pathways;
 - k. Vision clearance areas for all points of ingress and egress.
8. Parking Study Requirements. When directed by the community development director or designee, the applicant will prepare a parking study evaluating the parking needs associated with a proposed use. This study will contain a recommendation of effective parking management strategies to improve traffic circulation and contribute to the public health, safety, general welfare and aesthetics of the city of Edgewood by providing sufficient on-site areas for the maneuvering and parking of motor vehicles. This study shall have all the elements necessary to indicate that parking needs have been mitigated including, and not limited to:
- a. Existing parking conditions.
 - b. Parking supply.
 - c. Parking utilization data.
 - d. Parking demand.
 - e. Parking capacity.
 - f. Average parking duration.
 - g. Other jurisdictions' parking policies.
 - h. Comparison of minimum parking requirements.
9. Accessible parking for persons with disabilities shall be provided consistent with state and federal regulations.
10. Parking areas shall meet the applicable landscaping requirements of EMC 18.90.090, Landscaping.
11. Parking areas shall meet the applicable landscaping requirements of Chapter 18.95 EMC, Design Standards.
- D. Any building that is erected or enlarged shall provide a minimum of one off-street or off-alley loading area.
1. The minimum area required for commercial and industrial loading spaces is as follows:
 - a. Two hundred fifty square feet for buildings of 5,000 to 20,000 gross square feet.
 - b. Five hundred square feet for buildings of 20,000 to 30,000 gross square feet.
 - c. Additional loading space shall be required of buildings based on the size, proposed use, potential uses, and location as deemed necessary by the community development director or designee.
 2. Each loading space shall measure not less than 30 feet by 12 feet and shall have an unobstructed height of 14 feet.
 3. Each loading space shall be made permanently available for such purpose, and shall be surfaced, improved, maintained, and screened in accordance with this section and EMC 18.90.090, Landscaping.
 4. Loading spaces shall be located adjacent to the building to be served thereby in such a way that trucks in these spaces shall not encroach upon or interfere with areas reserved for off-street parking nor project into any public right-of-way or interior pedestrian area. Loading space or maneuvering areas shall be in addition to required off-street parking spaces.
 5. Loading berths shall be located not closer than 50 feet to any residential district, unless wholly enclosed within a building, or unless screened from such residential area by a wall or uniformly painted fence not less than six feet in height and Type V, solid barrier landscaping.
 6. Space for loading berths may occupy all or any part of any required setback except for landscaping setback requirements as long as the loading berth is uncovered. A covered loading area shall comply with the minimum building setback requirements for the district.
 7. If the site upon which such loading space or spaces is to be located abuts upon an alley, such loading space or spaces shall be off-alley.

8. Buildings that utilize dock-high loading doors shall provide a minimum of 100 feet of clear maneuvering area in front of each door. Buildings that utilize ground level service or loading doors shall provide a minimum of 45 feet of clear maneuvering area in front of each door.

E. Use- and Site-Specific Standards.

1. Drive-up Windows. All establishments and businesses which maintain drive-up windows, which are intended to serve customers who remain in their motor vehicles during the business transactions or are designed in such a manner that customers must leave their automobiles temporarily in a driving line located adjacent to the facility, shall provide stacking space for the stacking of motor vehicles as follows:

- a. The drive-up window shall be so located that sufficient stacking space is provided for the handling of motor vehicles using such facility during peak business hours of such a facility.
- b. Entrances and exits shall not be so located as to cause congestion in any public right-of-way.
- c. When located in a shopping center, drive-through facilities shall provide sufficient stacking space to handle peak business demands and shall not in any way obstruct the normal circulation pattern of the shopping center.

2. Transit Support Facilities.

- a. For developments that generate a parking demand of greater than 24 parking spaces, the developer shall fund the purchase and installation of one or more transit shelters and/or other related transit support facilities as determined by Pierce Transit operational criteria, based on the size and nature of the use.
- b. When a transit shelter is not required to be installed, transit stops shall include design features or changes in materials that demarcate the stop. A bench is to be provided at a bus stop where at least five transit riders are expected to board buses on an average weekday, and a shelter is to be provided at a bus stop where at least 10 transit riders are expected to board buses on an average weekday.
- c. Any single-family development with 100 to 250 units, or multifamily residential with 50 to 100 units that will be located on a street where regularly scheduled transit service is provided, shall be required to provide a concrete pad adjacent to the sidewalk and a transit shelter with all required transit support facilities. The required "concrete pad" must utilize appropriate material(s) as agreed with the transit service provider.
- d. Any single-family development with over 250 units, or multifamily residential with over 100 units that will be located on a street where regularly scheduled transit service is provided, shall be required to provide two concrete pads adjacent to the sidewalk and two transit shelters with all required transit support facilities. The required "concrete pad" must utilize appropriate material(s) as agreed with the transit service provider.
- e. Transit facilities shall be sited in accordance with the requirements of the appropriate transit agency and this title. Transit shelters and related facilities shall be provided for transit stops that are located adjacent to or within 600 feet of the development site on each side of the street that has a transit route. This requirement may be waived when the appropriate transit agency has determined that current and projected ridership do not warrant the installation of a shelter within the 600-foot distance.
- f. When a transit shelter is required to be installed, seating, garbage receptacles, and lighting shall also be provided.
- g. Transit pullouts shall be provided as an element of street improvements if Pierce Transit and the city determine that a pullout is necessary to provide a safe refuge for transit vehicles or to minimize conflicts with other vehicles.

F. Joint use of required parking spaces may be permitted where two or more uses on the same site or separate sites in close proximity are able to share the same parking spaces because their parking usage does not materially overlap (e.g., uses primarily of a daytime vs. nighttime or weekday vs. weekend nature). Shared parking shall be legally encumbered and shall meet all of the applicable standards of this section. Joint use of required nonresidential parking spaces may be authorized by the community development director or designee if the following documentation is submitted in writing to the community development department:

1. The names and addresses of the owners and/or tenants that are sharing the parking;
2. The uses that are involved in the shared parking;
3. The location and number of parking spaces that are being shared:
 - a. An analysis showing that the peak parking times of the uses occur at different times and that the parking area will be large enough for the anticipated demands of both uses; and
 - b. A legal instrument such as an easement or deed restriction that guarantees continuing access to the parking for both uses subject to the review and approval by the city attorney.

G. Parking Space Standards by Land Use.

1. The size of a development and the proposed use type determine the minimum number of required parking spaces. Unless otherwise specified, the number of parking requirements is based on the gross square footage (gsf) of the building.
 2. The parking requirement for any office space associated with a use shall be calculated at the rate of one parking space for each 250 gsf of office use.
 3. One parking space shall be required for each commercial vehicle that originates from the site or is regularly present on the site.
 4. The number of employee spaces required shall be based on the maximum number of employees who may be on-site at any one time.
 5. Maximum Parking Requirements. Parking for a specific use in zones covered by this section shall be limited to no more than 50 percent greater than the minimum parking requirement required above. The parking maximum does not apply to the following:
 - a. If parking spaces are provided above/below grade.
 - b. If the director determines additional off-street parking spaces are warranted based on a parking study. In making such a decision, the director shall also consider whether the proposal is consistent with the stated purposes, objectives, goals or policies established in this section and the design standards. The director shall also have the authority to restrict parking for a specific use to an amount that is less than the maximum amount allowed in this section if the proposal would substantially conflict with the stated purposes, objectives, goals or policies contained in the Edgewood comprehensive plan and similar plans and policy documents as adopted by the city of Edgewood.
 6. Since a fraction of a parking space cannot be provided, parking calculations from Table 1 – Minimum Parking Requirements shall be rounded up to the nearest whole number.
- (Ord. 16-482 § 2 (Exh. F); Ord. 16-469 § 2 (Exh. A); Ord. 15-448 § 2 (Exh. A); Ord. 10-336 § 2; Ord. 03-203 § 1).

Table 1: Minimum Parking Requirements

Residential	
Accessory	
Accessory Dwelling Unit (ADU), Attached	One per dwelling unit
ADU, Detached [Backyard Cottage]	One per dwelling unit
Caretaker Residence	One per dwelling unit
Single-Family	
Detached Dwelling	Two per dwelling unit
Cottage Court	Two per dwelling unit
Multi-Family	
Duplex: Side by Side	Two per dwelling unit
Duplex: Back to Back	Two per dwelling unit
Duplex: Top and Bottom	Two per dwelling unit
Attached Dwelling	Two per dwelling unit
Multi-Plex	1.5 per dwelling unit
Townhouse	1.5 per dwelling unit
Apartment	1.5 per dwelling unit
Other	
Adult Family Home	One per three beds plus one per employee
Nursing and Residential Care Facilities	One per four beds
Assisted Living Facilities	One per three beds plus one per employee
Live/Work Unit	One per business use in addition to the residential use.
Agriculture and Resource	
Family Farm	Parking study required
Agricultural Sales	One per 300 gross square feet
Crop Production	
Marijuana Production	Parking study required
Crop Production, All Other	Parking study required
Animal Production and Aquaculture	
Hog and Pig Farming	Parking study required
Cattle Feedlots	Parking study required
Animal Production and Aquaculture, All Other	Parking study required
Mining, Quarrying, and Oil and Gas Extraction	Parking study required
Utilities	
Electric Power Generation	NA

Potable Water Treatment	Parking study required
Sewage Collection or Treatment Facility	NA
Wireless Communication Facilities	Parking study required
Manufacturing	
Animal Slaughtering and Processing	Parking study required
Marijuana Processing	See city Ordinances 11-0356, 13-0410, 14-0425, and/or 17-0502
Manufacturing, Craft (special)	One per 1,000 gross square feet
Manufacturing, Light	One per 1,000 gross square feet
Manufacturing, Heavy	One per 1,000 gross square feet
Wholesale & Retail Trade	
Wholesale Trade	Three per 1,000 square feet
Retail Trade	
Automobile and Other Motor Vehicle Dealers	One (1) space per five hundred (500) square feet of sales area, or one (1) space per one thousand (1,000) square feet of lot area, whichever is greater.
Gasoline Stations	0.75 per fueling station multiple product dispenser
Pet and Pet Supplies Stores	One per 300 gross square feet
Fuel Dealers	One per 750 gross square feet of building devoted to maintenance
Marijuana Retailers	See city Ordinances 11-0356, 13-0410, 14-0425, and/or 17-0502
Sexually-Oriented Retail Businesses	One per 100 gross square feet
Retail Trade, All Other	Three per 1,000 square feet
Transportation & Warehousing	
Transportation	
Pipeline Transportation	NA
Transportation, All Other	Parking study required
Warehousing and Storage	
Mini-Warehouses and Self-Storage Units	One per 2,000 gross square feet
Warehousing and Storage, All Other	One per 2,000 gross square feet
Business & Professional Services (Sector 51-56)	
General (all 'office' use)	Three per 1,000 square feet
Rental and Leasing	
Passenger Car Rental and Leasing	One per 5,000 gross square feet
Truck, Utility Trailer, and RV Rental and Leasing	One per 5,000 gross square feet
Consumer Goods Rental	One per 500 gross square feet
Commercial and Industrial Equipment Rentals	One per 5,000 gross square feet
Waste Management and Remediation Services	
Waste Management and Remediation Services, All Other	Parking study required
Educational Services	
Elementary and Secondary Schools	For primary schools, two per employee, plus one per 30 children, plus parking for buses. For secondary schools and higher educational facilities, two per employee, plus one per four students, plus parking for buses
Junior Colleges, Colleges, Universities, and Professional Schools	Two per employee, plus one per four students, plus parking for buses
Technical and Trade Schools	Two per employee, plus one per four students, plus parking for buses
Educational Services, All Other	Two per employee, plus one per four students, plus parking for buses
Health Care & Social Assistance	
Ambulatory Health Care Services, All Other	One per 250 gross square feet
Hospitals	Parking study required
Social Assistance	
Services for the Elderly and Persons with Disabilities	One per 250 gross square feet
Vocational Rehabilitation Services	One per 250 gross square feet
Child Day Care Services, Home-Based	Two per facility, plus one per employee
Child Day Care Services, All Other	One per employee, plus one per five clients, and loading area
Social Assistance, All Other	One per 250 gross square feet

Arts, Entertainment, and Recreation	
Libraries	One per 250 gross square feet
Museums and Art Galleries	One per 250 gross square feet
Zoos, Aquariums, and Botanical Gardens	Parking study required
Golf Courses and Country Clubs	Parking study required
Sexually-Oriented Entertainment	One per 100 gross square feet
Gambling Industries	Parking study required
Indoor Arts, Entertainment, and Recreation Activities, Other (special)	Parking study required
Outdoor Arts, Entertainment, and Recreation Activities, Other (special)	Parking study required
Accommodation	
Hotels (except Casino Hotels) and Motels	1.1 per bedroom
Bed-and-Breakfast Inns	One per guest room
RV Parks and Recreational Camps	Parking study required
Food Service and Drinking Places	
Special Food Services	Parking study required or follow primary use parking standards.
Mobile Vendors	NA
Drinking Places for Alcoholic Beverages	One per 100 square feet in dining, lounge and customer ordering area
Restaurants, Full Service	One space per 100 square feet of seating or waiting area or one space for every three (3) seats, whichever is greater.
Restaurants, Limited Service	One per 100 square feet in dining, lounge and customer ordering area
Snack and Nonalcoholic Beverage Bars	One per 100 square feet in dining, lounge and customer ordering area
Services (Sector 811-812)	
Automotive Repair and Maintenance	
Automotive Oil Change and Lubrication Shops	Parking study required
Car Washes	Parking study required
Automotive Repair and Maintenance, All Other	Parking study required
Personal Care Services	One per 250 gross square feet
Other Repair and Maintenance	
Other Repair and Maintenance, Consumer	One per 500 gross square feet
Other Repair and Maintenance, Commercial/Industrial	One per 500 gross square feet
Funeral Homes and Funeral Services	One per three seats
Crematoria	One per three seats
Pet Care Services	
Kennels	One per 300 gross square feet
Veterinary Services	One per 300 gross square feet
Pet Care Services, All Other	One per 300 gross square feet
Civic and Public Uses	
Cemeteries	Parking study required
Religious Assembly	
up to 10,000 sq. ft.	One per five fixed seats plus one per 50 sf of gross floor area without fixed seats used for assembly purposes
10,000 to 19,999 sq. ft.	One per five fixed seats plus one per 50 sf of gross floor area without fixed seats used for assembly purposes
20,000 to 29,999 sq. ft.	Parking study required
30,000 to 39,999 sq. ft.	Parking study required
40,000 sq. ft. or greater	Parking study required
Correctional Institutions (922140)	Parking study required
Administrative Government Facilities and Services	One per 250 gross square feet
Parks, Open Space, and Public Recreation	Parking study required

Exhibit E

18.95.050 Special residential design standards applicable to all zones.

A. Applicability. This section identifies special design standards for specific residential building types located in all zones. When development of the residential building types identified in this section occurs in the Town Center, Commercial or Mixed Use Residential zones, these design standards are in addition to those contained in EMC 18.95.010 through 18.95.040. If the standards contained in this section conflict with those contained elsewhere in the Edgewood Municipal Code, the standards contained in this section shall apply. Accessory dwelling units are allowed as accessory units to the 1) small lot single-family or 2) cluster arrangement building types and follow these design standards when part of such developments. The following building types are addressed:

1. Small lot single-family.
2. Cluster arrangement.
3. Semi-attached single-family buildings.
4. Duplex, townhouse and triplex building units.



Figure 58 – Small lot single-family with alley access for vehicles and architectural variation.

B. Small Lot Single-Family. Single-family detached dwelling units configured on small lots.

1. Intent. Small lot single-family development should be oriented to the street and pedestrians, with alley access for parking. The visual impact of vehicles should be minimized. Repetition with variety is a key design principle. When similar building floor plans and/or shapes are repeated in a development, architectural elements should be varied to add variety.
2. Implementing Measures.
 - a. Setbacks: see individual setbacks specific to each zone.
 - b. Access and Curb Cuts.
 - i. If an alley exists or it can be provided within the block development, vehicle access shall be from the alley.
 - ii. If an alley does not exist and it is not feasible to provide it within the block development in the opinion of the director, parking lot entrances, driveways and other vehicle access routes onto private property from a public right-of-way shall be restricted to no more than one entrance lane and one exit lane per 300 linear feet of property line as measured horizontally along the street face. Properties with less than 300 linear feet of street frontage shall be limited to one entry and one exit lane for vehicle access. Driveway lanes crossing a public sidewalk shall be no wider than 13 feet per entry lane or exit lane. All driveways, vehicle entrances and exits shall be flared. The city may impose additional restrictions to parking lot and vehicle access point location to reduce impacts to public safety, pedestrian movement, and on-street vehicle circulation and visual qualities.
 - c. Parking.
 - i. The standards contained in EMC 18.80.080(H), Parking, Access and Circulation, shall apply.
 - ii. Parking spaces shall not be located nor positioned to cause headlights to shine directly into windows of residential units.
 - iii. Designated Off-Street Overflow Parking. Designated off-street overflow parking is provided in shared or cooperative parking areas with common access drive(s).
 - iv. Primary Parking. Primary parking should consist of a garage for each dwelling unit served by a common access alley that shall meet the minimum IFC standard for access or 15 feet, whichever is greater.



Figure 59 – Example of small lot single-family home with alley access. Basic house design is similar to adjoining properties but colors and architectural elements add variety.

d. Building Design.

- i. Height. Refer to height requirements listed in each individual land use district.
- ii. Repetition with Variety. Architectural design features shall be utilized to achieve variety in architectural massing within detached single-family developments. This can be accomplished using various architectural styles or variety in facade treatments, rooflines, colors, building materials, trim details, or building attachments such as porches, decks and bay windows. Groups of dwelling units shall add variety to repeated basic designs through front facade treatments, building attachments such as porches and decks, bay windows, and trim details, etc. Only 30 percent of the structures in a grouping shall be architecturally identical. Differences should not be limited solely to facade color or trim alterations. Examples of repetition with variety include:
 - (A) Reversing elevations;
 - (B) Combining different elements such as porches, entries, or dormers and gables; and
 - (C) Adding a different building style or different scale of the same design.
- iii. Building Styles. Encouraged building styles for detached single-family building developments include one story and one and a half story cottage and bungalow, one and a half to two story farmhouse.
- iv. Colors. Colors should be muted, with bright colors used primarily for accents.
- v. Accessory Structures. Accessory structures shall contain building materials and, where roofed, roofing materials and roof forms similar and complementary to that of the primary multifamily residential structure.



Figure 60 – One and a half story cottages clustered around a common green with a mix of hardscape, landscaping and native tree retention.

C. Cluster Arrangement.

primary orientation of building fronts to a common open space, connected to the primary pedestrian street with a pedestrian connector (sidewalk, trail, promenade, etc.).



Figure 63 – Townhomes clustered around a common park area.



Figure 64 – Alley access for vehicles is required for semi-attached and townhome units.

2. Implementing Measures.

a. Cluster Arrangement Standards.

- i. Setbacks for Primary Buildings (See Individual Land Use District for Setbacks). Where buildings are in a cluster with the front building facades oriented inward to a common open space, setbacks of buildings adjacent to the street are to be treated as the front or street setback. Setbacks are the same as referenced for all sides except where the buildings are attached.
- ii. Orientation. Buildings shall be oriented around one or more common open space areas, composed of joint-use and individual open space areas. The commons shall be oriented toward the primary pedestrian street or to a designated and dedicated pedestrian connector to the primary pedestrian street. The pedestrian connectors shall be a minimum of six feet in width.
- iii. Access and Curb Cuts. Garage access by alley shall be required. Where dwellings are attached at the garage walls, both dwellings are required to share the same driveway approach to the attached garages, using a maximum 12-foot-wide flared approach.
- iv. Parking. The provisions of subsection (B)(2)(c) of this section shall apply.
- v. Open Space.

(A) Open space is aggregated for the benefit of all cluster dwellings. It shall consist of the following hierarchy of open space: a minimum of 120 square feet of attached private open space for the rear and the front facades of each dwelling unit. This is inclusive of decks, patios, and other pedestrian-only areas; and an additional common open space shared by all dwellings equal to a summation of a minimum of 50 percent of the total ground level building area of each cluster dwelling.

(B) Pedestrian paths are required to connect common and individual open space areas to the primary pedestrian street, and can be included in the common open space calculation. These pedestrian paths should be a minimum of six feet in width. See EMC 18.95.030(G), Pedestrian Connections.

(C) Existing natural features such as trees, tree clusters, wetlands, habitats, rock outcroppings and others should be retained as a part of the site design in both block grid and cluster configurations.

(D) Consistent with Chapter 13.05 EMC, applicants are required to implement LID to the maximum extent feasible (per Minimum Requirement No. 5 of the PCM).



Figure 65 – Pedestrian paths are required to connect open space areas in townhouse developments to the street.

- b. Block Grid Standards.
 - i. Setbacks for Primary Buildings (See Individual Land Use District for Setbacks). Setbacks are the same as referenced for all sides except where the buildings are attached.
 - ii. Access and Curb Cuts. Garage access shall be by alley. Where dwellings are attached at the garage walls, both dwellings shall share the same driveway approach to the attached garages, using a 12-foot-wide flared approach.
 - iii. Parking. The provisions of subsection (B)(2)(c) of this section shall apply.
 - iv. Open Space. The provisions of EMC 18.95.030(F)(2) shall apply.
- c. Building Design. The provisions of subsection (B)(2)(d) of this section shall apply.



Figure 66 – Residential street showing primary vehicle access via an alley, on-street parking, and a diversity in building designs, sizes, types and materials.

(Ord. 16-482 § 2 (Exh. F); Ord. 16-469 § 2 (Exh. A); Ord. 11-360 § 3 (Exh. B)).

Exhibit F

Chapter 18.100

DEVELOPMENT STANDARDS – USE SPECIFIC **Amended Ord. 20-0572**

Sections:

- 18.100.010 Accessory residential vehicle service and repair standards.
- 18.100.030 Animals.
- 18.100.040 Daycare facilities.
- 18.100.050 Essential public facilities.
- 18.100.060 Group homes.
- 18.100.070 Home business.
- 18.100.080 Limited home businesses.
- 18.100.090 Manufactured homes on individual lots.
- 18.100.100 Sexually oriented businesses.
- 18.100.110 Wireless communications facilities.
- 18.100.120 Marijuana-related uses – Prohibited. **Amended Ord. 20-0572**

18.100.010 Accessory residential vehicle service and repair standards.

The repair, service, restoration, modification, assembly, disassembly, construction, reconstruction, or other work on a motor vehicle, recreational vehicle or a sporting vehicle on any residential premises in any zone that allows residential uses shall be subject to the following standards:

- A. Work shall be limited to the noncommercial repair and maintenance of motor vehicles, recreational vehicles, sporting vehicles and vehicular equipment that is currently registered to a resident of the premises or a member of the residents' family, which shall be limited to parents, grandparents, spouse, or children related by blood, marriage or adoption.
- B. Such work is prohibited in residential complexes consisting of three or more dwelling units on a parcel.
- C. Such work shall be conducted on no more than one vehicle at any one time.
- D. Such work shall be conducted only between the hours of 7:00 a.m. and 10:00 p.m. on weekdays and 9:00 a.m. and 7:00 p.m. on weekends.
- E. Assembly, disassembly or bodywork shall only be conducted within a fully enclosed garage or accessory building. Minor service and repair work may be performed in an open accessory structure or in the driveway directly adjacent to the garage or carport. Such work shall not be performed in the public right-of-way nor shall vehicles be stored in the public right-of-way even if the driveway is located in the public right-of-way.
- F. Parts, equipment, debris, excess materials or other supplies needed for the repair of a vehicle on the premises shall be stored within a fully enclosed structure such as a garage or accessory building. No items shall be left outside overnight.
- G. The performance of such work shall not create a nuisance to the neighbors.
- H. Upon completion of any work allowed by this section, the property shall be cleaned of all debris, oil, grease, gasoline, cloths or rags, and all other equipment or material used in the work, and the property shall be left in such a condition that no hazard to persons or property shall remain. Storage and disposal of all hazardous materials shall be in accordance with state and local regulations.
- I. Disposal of all waste products shall be in accordance with state and local regulations.
- J. Painting of vehicles is prohibited. (Ord. 03-203 § 1).

18.100.020 Deleted

18.100.030 Animals.

A. Four small farm animals (noncommercial) shall be allowed per legal lot of record. Lots that are one contiguous half acre in size or greater shall be allowed no more than 12 small farm animals per acre. All small farm animals kept outside shall be cooped or kept in hutches or pens or similar enclosures.

B. No other animals are allowed in residential districts other than pets. **18.100.040 Daycare facilities.**

A. Affordable, good quality, licensed daycare within Edgewood is a needed service critical to the well-being of parents, children, elders, and disabled persons in the community. It is the purpose of this section to facilitate the location of licensed facilities in the city in a manner that both simplifies the review and approval process and ensures that the facilities are compatible with the surrounding land uses.

B. This section shall apply to child day care services, as defined in this title, operating within the city of Edgewood. It shall not apply to foster care, group homes, and other residential programs providing round-the-clock care; nor shall it apply to care services of a casual, nonrecurring nature or provided in the home of the person being cared for (i.e., baby-sitting) or cooperative, reciprocal care by a group of individuals in their respective homes (i.e., childcare co-operative).

C. The community development director or designee, or hearing examiner, as appropriate, shall approve applications for family daycare homes and daycare centers subject to the following general requirements and the requirements of RCW 36.70A.450(2)(a) through (e):

1. Washington State daycare licensure and all applicable state and local licensure and land use permits shall be obtained prior to operation and shall be maintained.
2. The facility shall comply with all building, fire safety, health code, and business licensing requirements.
3. A safe passenger loading area shall be provided and certified by the department of early learning licensor.
4. Signage, if any, shall conform to the requirements of Chapter 18.97 EMC, Sign Code.
5. Parking shall conform to the requirements of EMC 18.90.130, Parking.
6. No structural or decorative alteration shall be made to the dwelling, which will alter the single-family character of an existing or proposed residential structure, or which is incompatible with surrounding residences.
7. In addition to the general requirements above, Child Day Care Services, Home-Based (624410, part) are subject to the following requirements:
 - a. The outdoor recreation areas shall be enclosed by at least six-foot-high fence.
 - b. The outdoor play equipment for child daycare facilities shall not be located in any required front or side yard setback area.
8. In addition to the requirements above, Child Day Care Services, All Other (624410, part) are subject to the following requirements:
 - a. The daycare center shall not be located within 300 feet of another daycare facility.
 - b. Outdoor recreation areas shall be enclosed by a six-foot-high fence.
 - c. Outdoor play equipment for child daycare facilities shall not be located in any required front or side yard setback area.
 - d. The permit may be conditioned in order to reduce potential conflicts between the daycare center and surrounding neighborhood, including, but not limited to, noise attenuation, special parking needs, and hours of operation.
 - e. There shall be a clearly marked, off-street area for loading and unloading clients. Adequate vehicle turnaround shall be provided on site for parking and loading so as to preclude the necessity of backing out onto the street. (Ord. 16-463 § 6 (Exh. B); Ord. 15-448 § 2 (Exh. A); Ord. 03-203 § 1).

18.100.050 Essential public facilities.

Under the state Growth Management Act, essential public facilities include those facilities that are typically difficult to site such as airports, state education facilities and state or regional transportation facilities as defined in RCW 47.06.140; state and local correctional facilities; solid waste handling facilities; and in-patient facilities including substance abuse facilities, mental health facilities, and group homes. For the purposes of and within this title, essential public facilities are treated as listed or substantially similar to listed use types, thereby affirming their siting in appropriate areas; except as applied to public lands, where they are liberally construed to include a broad array of public services. Essential public facilities do not include wireless telecommunications facilities. (Ord. 03-203 § 1).

18.100.060 Deleted.

18.100.070 Home business.

The purpose of this section is to provide standards which allow residents of single- or multifamily dwellings to operate businesses or conduct commercial activity from their principal residence or from a permitted accessory structure while achieving the goals of retaining the residential character of the dwelling and the neighborhood.

A. Home businesses are limited to an accessory use in conjunction with a single-family detached dwelling use type. Obtaining a home business permit is required in addition to the general business license required by Chapter 5.05 EMC. The home business permit is administered through the city clerk's office.

B. The following uses are exempt from the regulations of this section.

1. Child Day Care Services, Home-Based (624410, part), which are subject to EMC 18.100.040.
2. Accommodation (Sector 721) - Bed-and-Breakfast Inns (721191).
3. Garage sales, yard sales, bake sales, temporary home bazaars for hand-crafted items or parties for the display of clothing, gifts and household products, and other similar uses shall not be subject to regulation pursuant to this section; provided, that:
 - a. Any such use shall not be in existence for more than four times in any one calendar year, and is not in violation of any other section of the title or other city ordinances; and
 - b. Any such garage sales and yard sales involve only the sale of household goods, none of which were purchased for the purpose of resale.
4. For the profit sale of produce or other food products is limited to the temporary seasonal sale of produce grown on the premises.
5. Hobbies which do not result in payment to those engaged in such activity.

C. Prohibited Activities.

1. No home business or business use on residential property that a person owns, occupies or is in lawful control of, contrary to the provisions of this section.
2. The following on-site activities are prohibited as home businesses:
 - a. Motor vehicle, commercial truck and heavy equipment repair.
 - b. Motor vehicle, commercial truck and heavy equipment bodywork.
 - c. Motor vehicle, commercial truck and heavy equipment painting.
 - d. Motor vehicle, commercial truck and heavy equipment wash and/or detailing services.
 - e. Storage of motor vehicles, commercial trucks or heavy equipment.
 - f. Storage of used parts of vehicles and/or used machinery in inoperable condition.
 - g. Storage of building materials such as lumber, plasterboard, pipe, paint or other construction materials unless being used to construct a specific structure on the premises, pursuant to a current city building permit.

D. The following performance standards prescribe the parameters under which home business activities may be conducted when incidental to a residential use. Activities that exceed these performance standards are subject to Chapter 18.70 EMC, Permitted Land Uses, to determine the appropriate civic, commercial, or industrial use category that applies to the activity.

1. The following standards apply to all home business activities within the city of Edgewood:
 - a. A home business permit shall be obtained directly through the city clerk's office for each home business and any property on which a home business is undertaken.
 - b. A city business registration shall be obtained and maintained for each home business as described in Chapter 5.05 EMC.
 - c. The home business shall be clearly incidental and secondary to the use of the property as residential purposes and shall not change the residential character of the dwelling or neighborhood.
 - d. There shall be no more than three deliveries per week to the residence by suppliers.
 - e. Traffic generated by a home business shall not exceed 16 round trips per day associated with the home business, including deliveries and client-related trips.
 - f. Utility demand for sewer, water, electricity, garbage or natural gas shall not exceed normal residential levels.
 - g. Equipment or operation processes shall not be utilized which would produce or cause the emission of gases, dust, odors, vibration, electrical interference, smoke, noise, or light in a manner likely to cause offense or irritation to neighboring residents.
 - h. The home business(es) shall not use electrical or mechanical equipment that results in:
 - i. A change to the fire rating of the structure(s) used for the home business(es);
 - ii. Visual or audible interference in radio or television receivers, or electronic equipment located off premises; or

- iii. Fluctuations in line voltage at or beyond the property line.
 - i. There shall be no storage, distribution and/or production of toxic or flammable materials, nor spray painting or spray finishing operations that involve toxic or flammable materials, which in the judgment of the fire marshal pose a dangerous risk to the residence, its occupants, and/or surrounding properties. An applicant shall make available the material safety data sheets, listing all potentially toxic and/or flammable materials associated with the home business, to the fire marshal if requested for review.
- E. One or more home business may be conducted in a single-family residential detached dwelling use type as an accessory use, except as prohibited in subsection (C) of this section, Prohibited Activities; provided, that the home business shall:
- 1. Be operated by a resident of the property on which the business is located.
 - 2. Employ no more than one full- or part-time person, other than residents of the dwelling.
 - 3. Be operated within the dwelling or other accessory buildings normally associated with uses permitted in the zone in which the property is located.
 - 4. Not interfere with existing uses on nearby land or with other uses permitted in the zone in which the property is located.
 - 5. Comply with all conditions imposed pursuant to this section.
 - 6. Have one parking space per employee provided on the same parcel of land, in addition to that parking required for the dwelling.
 - 7. Not utilize more than two vehicles and utility trailers, with a gross vehicle and trailer weight of more than 10,000 pounds, in the operation of the home business. Parking for said vehicles and/or trailers shall be provided on the subject property.
 - 8. Store all materials, parts, tools and other equipment used in the operation of the home business entirely within the dwelling or accessory building.
 - 9. Comply with building, land use and fire code requirements for permits, occupancy, and inspection, including use of hazardous materials or equipment.
 - 10. Limit manufacturing to the small-scale assembly of already manufactured parts but shall not preclude production of small, individually hand-crafted items, furniture or other wood items as long as the activity meets the other standards of this section.
 - 11. Prohibit customers or clients on the premises prior to 8:00 a.m. and after 8:00 p.m. on Mondays through Fridays, and prior to 9:00 a.m. and after 5:00 p.m. on weekends and state or federal holidays.
 - 12. Limit the home business activity to 40 percent of the gross floor area of the residence, including garages and unfinished basements, and accessory buildings; or 2,000 square feet, whichever is less.
 - 13. Meet the signage requirements of Chapter 18.97 EMC, Sign Code.
 - 14. Each business must meet the requirement of Chapter 5.05 EMC, Business Licenses and Regulations.
- F. The decision to approve, approve with conditions, or deny an application for a home business permit shall be made by the community development director or designee upon findings of whether or not the purposed home business is or will be:
- 1. In compliance with the standards contained in this section;
 - 2. Subordinate to the residential use of the property; and
 - 3. Undertaken in a manner that is not detrimental or disruptive in terms of appearance or operation to neighboring properties or the community.
 - 4. The community development director or designee may impose conditions upon the approval of a home business permit to ensure compatibility with adjacent residential uses and surrounding neighborhoods. These conditions may include, but are not limited to, the following:
 - a. Further limiting the hours, days, place and manner of operation.
 - b. Requiring site and building design features that minimize environmental impacts such as noise, vibration, air pollution, glare, odor and dust.
 - c. Requiring additional building setbacks, and increased lot area, depth or width.
 - d. Further limiting the building area used by the home business and restricting the location of the use on the site in relationship to adjoining uses.
 - e. Designating the size, number, location and design of vehicle access points.
 - f. Requiring street right-of-way to be free at all times of vehicles associated with the home business.
 - g. Requiring landscaping, buffering and/or screening of the home business from adjoining uses and establishing standards for the continued maintenance of these improvements.
 - h. Requiring storm drainage improvements, and surfacing of parking and loading areas.

- i. Limiting the extent and type of interior or exterior building remodeling necessary to accommodate the home business.
- j. Limiting or setting standards for the location and intensity of outdoor lighting.
- k. Requiring and designating the size, height, location of fences and materials used for their construction.

G. Permit Revocation and Expiration.

- 1. The community development director or designee may revoke a home business permit if the conditions of approval have not been complied with and the home business is otherwise being conducted in a manner contrary to this title.
- 2. When a home business permit has been revoked due to violation of these standards, a minimum period of one year shall elapse before another application for a home business permit by the applicant(s) or member of the family residing on the subject property will be considered.
- 3. A home business permit shall become invalid if the applicant moves his or her residence.

H. An on-going home business may be granted nonconforming status; provided, that it was permitted under Pierce County authority prior to Edgewood's incorporation and has been in continuous operation since initial approval. The burden of providing a home business's nonconforming status rests with the property owner or tenant. A home business without city or county approval which cannot prove nonconforming status shall be considered in violation of this section and shall cease until the appropriate approvals have been granted. (Ord. 15-448 § 2 (Exh. A); Ord. 10-351 § 3 (Exh. B); Ord. 03-203 § 1).

18.100.080 Limited home businesses.

A. The purpose of this section is to provide standards which allow residents of single- or multifamily dwellings to operate businesses or conduct commercial activity from their principal residence or from a permitted accessory structure while achieving the goals of retaining the residential character of the dwelling and the neighborhood.

B. Limited home businesses are permitted as an accessory use in conjunction with single-family detached dwelling, single-family attached dwelling, and multifamily attached dwelling use types.

C. The following uses are exempt from the regulations of this section:

- 1. Child Day Care Services, Home-Based (624410, part), which are subject to EMC 18.100.040.
- 2. Accommodation (Sector 721) - Bed-and-Breakfast Inns (721191).
- 3. Garage sales, yard sales, bake sales, temporary home bazaars for hand-crafted items or parties for the display of clothing, gifts and household products, and other similar uses shall not be subject to regulation pursuant to this section; provided, that:
 - a. Any such use shall not be in existence for more than four times in any one calendar year and is not in violation of any other section of the title or other city ordinances; and
 - b. Any such garage sales and yard sales involve only the sale of household goods, none of which were purchased for the purpose of resale.
- 4. For the profit sale of produce or other food products is limited to the temporary seasonal sale of produce grown on the premises.
- 5. Hobbies, which do not result in payment to those engaged in such activity.

D. Prohibited Activities.

- 1. No limited home business or such use on property that a person owns, occupies or is in lawful control of, contrary to the provisions of this section.
- 2. The following on-site activities are prohibited as home businesses:
 - a. Motor vehicle, commercial truck and heavy equipment repair.
 - b. Motor vehicle, commercial truck and heavy equipment bodywork.
 - c. Motor vehicle, commercial truck and heavy equipment painting.
 - d. Motor vehicle, commercial truck and heavy equipment wash and/or detailing services.
 - e. Storage of motor vehicles, commercial trucks or heavy equipment.
 - f. Storage of used parts of vehicles and/or used machinery in inoperable condition.
 - g. Storage of building materials such as lumber, plasterboard, pipe, paint or other construction materials unless being used to construct a specific structure on the premises, pursuant to a current city building permit.

E. The following performance standards prescribe the parameters under which limited home business activities may be conducted when incidental to a residential use. Activities that exceed these performance standards are subject to Chapter 18.70 EMC, Permitted Land Uses, to determine the appropriate civic, commercial, or industrial use category that applies to the activity.

The following standards apply to all limited home business activities within the city of Edgewood:

1. A limited home business permit shall be obtained directly through the city clerk's office for each limited home business and any property on which a limited home business is undertaken.
 2. A city general business license must be obtained and maintained for each limited home business as described in Chapter 5.05 EMC.
 3. The limited home business shall be clearly incidental and secondary to the use of the property as residential purposes and shall not change the residential character of the dwelling or neighborhood.
 4. All the activities of the limited home business(es) shall be conducted indoors, except for those related to growing or storing of plants used by the limited home occupation(s).
 5. No modification shall be made to the dwelling to establish or operate the limited home business that would cause it to resemble anything other than a dwelling.
 6. There shall be no more than three deliveries per week to the residence by suppliers.
 7. Traffic generated by a limited home business shall not exceed 16 round trips per day associated with the home business, including deliveries and client-related trips.
 8. Sales, either retail or wholesale, shall be limited to mail order and telephone sales with off-site delivery.
 9. Services to patrons shall be arranged by appointment or provided off site.
 10. Utility demand for sewer, water, electricity, garbage or natural gas shall not exceed normal residential levels.
 11. Equipment or operation processes shall not be utilized which would produce or cause the emission of gases, dust, odors, vibration, electrical interference, smoke, noise, or light in a manner likely to cause offense or irritation to neighboring residents.
 12. The home business(es) shall not use electrical or mechanical equipment that results in:
 - a. A change to the fire rating of the structure(s) used for the home business(es);
 - b. Visual or audible interference in radio or television receivers, or electronic equipment located off premises; or
 - c. Fluctuations in line voltage at or beyond the property line.
 13. There shall be no storage, distribution and/or production of toxic or flammable materials, nor spray painting or spray finishing operations that involve toxic or flammable materials, which in the judgment of the fire marshal pose a dangerous risk to the residence, its occupants, and/or surrounding properties. An applicant shall make available the material safety data sheets, listing all potentially toxic and/or flammable materials associated with the home occupation, to the fire marshal if requested for review.
- F. One or more limited home business may be conducted in a residential dwelling as accessory uses, excepted as prohibited in EMC 18.100.070(C), Prohibited Activities; provided, that the limited home business shall:
1. Not have any employee, volunteer or other person engaged in the commercial activity on the site, other than residents of the dwelling.
 2. Be operated in its entirety within the principal dwelling.
 3. Not have a separate entrance from outside the building.
 4. Not use any mechanical equipment except that which is used normally for purely domestic or household purposes.
 5. Not utilize more than 25 percent of the total floor area of the living space of the dwelling. Areas within attached garages, unfinished basements and storage buildings shall not be considered living space for purposes of calculating allowable home business area but may be used for storage of goods associated with the limited home business.
 6. Not show any evidence that a business is being conducted from the premises.
 7. Not have any exterior signage that identifies the property as a business location.
 8. Not allow clients or customers to visit the premises for any reason.
 9. Not have any exterior storage of materials.
 10. Each business must meet the requirement of Chapter 5.05 EMC, Business Licenses and Regulations.
- G. Permit Revocation and Expiration.
1. The community development director or designee may revoke a home business permit if the conditions of approval have not been complied with and the home business is otherwise being conducted in a manner contrary to this title.
 2. When a home business permit has been revoked due to violation of these standards, a minimum period of one year shall elapse before another application for a home business permit by the applicant(s) or member of the family residing on the subject property will be considered.
 3. A home business permit shall become invalid if the applicant moves his or her residence.

H. An on-going home business may be granted nonconforming status; provided, that it was permitted under Pierce County authority prior to Edgewood's incorporation and has been in continuous operation since initial approval. The burden of providing a home business' nonconforming status rests with the property owner or tenant. A home business without city or county approval, which cannot prove nonconforming status, shall be considered in violation of this section and shall cease until the appropriate approvals have been granted. (Ord. 15-448 § 2 (Exh. A); Ord. 10-351 § 4 (Exh. C); Ord. 03-203 § 1).

18.100.100 Sexually oriented businesses.

A. The purpose of this section is to protect Edgewood's residents and corporate citizens from documented harmful secondary effects attributable to sexually oriented businesses as documented by the findings of a municipal task force organized to study these issues and the findings of other jurisdictions dealing with similar issues. The regulations included herein are intended to shield the community from crime, disease, and prostitution; to provide a quality environment for children in the community; to advance the goals and purposes of schools and religious organizations serving Edgewood; and to foster and preserve the family orientation of the city's residential neighborhoods.

B. This section shall apply to all sexually oriented businesses, as defined herein and as may be hereafter defined, located within the city of Edgewood.

C. Sexually oriented business uses are prohibited:

1. Within 330 feet of any property zoned for any residential use or of any property used for any single-family or multiple-family residential use;
2. Within 330 feet of any public or private elementary or secondary school property;
3. Within 330 feet of any child daycare center, child care service, nursery, preschool, or community youth center;
4. Within 330 feet of any church or other facility or institution used primarily for religious purposes;
5. Within 330 feet of any public park, open space or other place where children are likely to congregate;
6. Within 500 feet of any public or school bus stop; and
7. Within 1,000 feet of any other sexually oriented business use;
8. As used herein, the distances shall mean the straight-line distance between the edge or corner of the property on which the use is located to the nearest edge or corner of the property of another sexually oriented business use or any of the sensitive receptor areas set forth above.

D. Any business subject to the regulations of this section shall be required to obtain a conditional use permit, in conformance with EMC 18.50.040, Conditional use.

E. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

1. Any establishment where the business or activity of the facility includes the following:

- a. Any exhibition, performance, dance or conduct of any type conducted in a premises where such exhibition, performance, or dance involves a person who is unclothed or in such costume, attire, or clothing as to expose any portion of the female breast below the top of the areola or any portion of the pubic region, anus, buttocks, vulva or genitals, or wearing any device or covering exposed to view which simulates the appearance of any portion of the female breast below the top of the areola or any portion of the pubic region, anus, buttocks, vulva or genitals, or human male genitals in a discernibly turgid state, even if completely and opaquely covered; or
- b. Any exhibition, performance, dance or conduct of any type conducted in a premises where such exhibition, performance or dance is distinguished or characterized by a predominant emphasis on the depiction, description, simulation or relation to the following specified sexual activities:
 - i. Human genitals in a state of sexual stimulation or arousal; or
 - ii. Acts of human masturbation, sexual intercourse or sodomy; or
 - iii. Fondling or other erotic touching of human genitals, pubic region, buttocks or female breast; or
 - iv. Any exhibition, performance, dance or conduct which is intended to sexually stimulate any member of the public and which is conducted on a regular basis or as a substantial part of the activities in these premises. This includes, but is not limited to, any such exhibition, performance, dance or conduct performed for, arranged with or engaged in with fewer than all members of the public on the premises at that time, for which payment is made, either directly or indirectly, for such performance, exhibition, dance or conduct and which is commonly referred to as table dancing, couch dancing, taxi dancing, lap dancing, private dancing or straddle dancing, or similar types of performances, exhibitions, dances or conduct.
- c. Provided, however, that for the purposes of this section, adult entertainment activities do not include the following: plays, operas, musicals, or other dramatic works that are not obscene; classes, seminars and

lectures which are held for serious scientific or educational purposes and which are not obscene; or exhibitions, performances, expressions or dances that are not obscene.

d. Provided, further, that these exemptions shall not apply to the sexual conduct defined in Chapter 5.10 EMC, Business License, nor the sexual conduct described in RCW 7.48A.010 (2)(b)(ii) and (iii).

2. Any goods, products, commodities, or other wares, including, but not limited to, videos, CD-ROMs, DVDs, magazines, books, pamphlets, posters, cards, periodicals or nonclothing novelties, which depict, describe or simulate specified anatomical areas or specified sexual activities.

3. A retail establishment which, for money or any other form of consideration, either:

a. Has, as a primary part of its business, the purpose or function of selling, exchanging, renting, loaning, trading, transferring, and/or providing for viewing or use, off the premises, any adult oriented merchandise; or

b. Provides for, as its substantial stock in trade, the sale, exchange, rental, loan, trade, transfer, and/or provide for viewing or use, off the premises, any adult-oriented merchandise.

For the purposes of this section, a “primary part of [a] business” includes, but is not limited to, instances where a business provides or has advertising displays, merchandise, or product information reasonably visible to customers and other persons within the business facilities that shows, displays, or otherwise depicts adult-oriented merchandise or other sexually oriented business activities. Provided, however, that it shall not be considered a “primary part of [a] business” if such display, merchandise, or product information is only reasonably visible from within a limited portion of the business facility screened from general view, taking up not more than 20 percent of the customer floor space, and where the access to the limited portion can be controlled to prevent accidental or incidental viewing of the display, merchandise, or product information by customers and other persons outside the limited portion of the business facilities.

Also, for the purposes of this section, a “substantial stock in trade” refers to, but is not limited to, instances where 20 percent or more of the revenue generated by the business is derived from the sale, exchange, rental, loan, trade, transfer, and/or provision of adult-oriented merchandise; 20 percent or more of the inventory of the business is adult-oriented merchandise; or 20 percent or more of the customers of the business buy, exchange, rent, borrow, trade, transfer, and/or shop for adult-oriented merchandise in or from the business.

4. Any device which, for payment of a fee, membership fee, or other charge, is used to view, exhibit, or display a film, videotape, or videodisc. All such devices are denominated in this section by the terms “panoram” or “panoram device.” The terms panoram and panoram device as used in this section do not include games which employ pictures, views, or video displays; or state-regulated gambling devices.

5. Those uses and zoning designations where children are likely to congregate, including property zoned for residential use or any single-family or multifamily residential use; public or private elementary or secondary schools; daycare facilities, nurseries, or preschools for children; churches or other facilities or institutions used primarily for religious purposes; and public parks or open spaces where children are likely to congregate.

6. A business that includes, as a primary part of its business, any one or more of the following as defined herein: “adult entertainment facility,” “adult-oriented merchandise,” “adult retail use,” and/or “panoram”; or a similar facility, merchandise, or entertainment.

7. Specified Anatomical Areas. Any of the following:

a. Less than completely and opaquely covered human genitals, anus, pubic region, buttock, or female breast below a point immediately above the top of the areola; or

b. Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

8. Specified Sexual Activities. Any of the following:

a. Human genitals in a state of sexual stimulation or arousal; or

b. Acts of human masturbation, sexual intercourse, sodomy, oral copulation, or bestiality; or

c. Fondling or other erotic touching of human genitals, pubic region, buttocks, or female breasts, whether clothed or unclothed, of oneself or of one person by another; or

d. Excretory functions as part of or in connection with any of the activities set forth in this subsection.

F. If any portion of this section is deemed to be in conflict or inconsistent with any other provisions of the Edgewood Municipal Code, including, but not limited to, other sections of this title, such other provisions shall be construed in conformity herewith; provided, that if such other provisions are not able to be so construed, the provisions of this section shall control, and such other provisions shall be deemed modified to conform herewith, for the purposes of this section only. (Ord. 03-203 § 1).

18.100.120 Marijuana-related uses – Prohibited. Amended Ord. 20-0572

A. Definitions.

1. The definitions in RCW 69.51A.010 (relating to medical cannabis) are hereby adopted by reference.

2. The definitions in RCW 69.50.101 are hereby adopted by reference.

3. "Marijuana-related business" means any facility for the growing, production, processing, transportation, sale and/or delivery of marijuana or marijuana products in accordance with the provisions of Chapter 69.50 RCW. Without limitation of the foregoing, marijuana-related businesses specifically include marijuana producers, marijuana processors and marijuana retailers as defined by Chapter 69.50 RCW. "Cooperatives" as described in RCW 69.51A.250 are included in this definition of "marijuana-related businesses."

4. "Illegal marijuana uses" means any growing, production, processing, transportation, sale and/or delivery of cannabis or marijuana or marijuana products under Chapters 69.50 and 69.51A RCW which is in violation of either state or federal law; provided, however, that nothing herein shall be construed as criminalizing the growing or manufacture of cannabis by a qualifying patient or designated provider in accordance with RCW 69.51A.040.

B. Prohibition. Cooperatives, marijuana-related businesses and illegal marijuana uses are prohibited in the following zoning districts:

1. All single-family, multifamily and mixed residential zones, including without limitation SF-2, SF-3, SF-5, MR-1, MR-2 and MUR;
2. All town center, commercial and business park zones, including without limitation TC, C, and BP;
3. All industrial zones, including without limitation I;
4. All public zones, including without limitation P; and
5. Any new zoning district established after October 28, 2014.

C. Additional Violations.

1. It is unlawful to own, establish, operate, use or permit the establishment or operation of a marijuana-related business, marijuana cooperative, or to produce, process, dispense, barter, sell or deliver medical or recreational marijuana, except as otherwise allowed in the definition of "illegal marijuana uses" in subsection (A)(4) of this section. This prohibition extends to producers, processors, retailers and collectives, even if the same are licensed by the state of Washington. This prohibition applies to any person who participates as an employee, contractor, agent or volunteer, or in any other manner or capacity, in any marijuana-related business or illegal marijuana use, regardless of whether he/she has a license from the state of Washington.

2. It is unlawful to perform any group marijuana cultivation activities, including cooperatives, anywhere in the city, regardless of whether such group cultivation or cooperatives are addressed in Chapter 69.51A RCW and allowed with a license from the state.

3. It is unlawful to lease, rent, or otherwise allow any site, whether located indoors, outdoors, in any building, premises, location or land in the city, for marijuana-related businesses or illegal marijuana uses, regardless of whether such activity has been licensed by the state of Washington.

4. The city shall not issue any business license for any marijuana-related business or illegal marijuana use. Any business license obtained through misrepresentation of the activities conducted by the individual business or use shall be invalid and of no force and effect.

D. No Vested or Nonconforming Rights. Neither this section nor any other city ordinance, city action, failure to act, statement, representation, certificate, license, approval or permit issued by the city or its departments, or their respective representatives, agents, employees, attorneys or assigns, shall create, confer, or convey any vested or nonconforming right or benefit regarding any marijuana-related business or illegal marijuana use, even if licensed by the state of Washington.

E. Penalty. Violations of this section shall be enforced as set forth in Chapter 18.85 EMC, or, as applicable, the Uniform Controlled Substances Act, Chapter 69.50 RCW. In addition to any other applicable remedy and/or penalty, any violation of this section is declared to be a public nuisance per se, and may be abated by the city attorney under applicable provisions of this code or state law, including but not limited to the provisions of Chapters 1.10, 8.05 and 18.85 EMC. (Ord. 17-502 § 1; Ord. 14-425 § 2).



City Of Edgewood Council Agenda Summary Sheet

Subject: Discussion - Ordinance - Town Center Building Height Minor Modification	Agenda Item #: 2.F
	For Agenda of: 6/2/2020
	Prepared by: Darren Groth
Attachments (list): 1. ORD - Amending TC Building Height	
Approval of Materials: Darren Groth Rachel Pitzel 5/28/2020 Dave Gray 5/28/2020 Daryl Eiding 5/28/2020	Expenditure Required: N/A Amount Budgeted: N/A Timeline: 05/19/2020: SS 05/26/2020: RCM 06/02/2020: SS 06/09/2020: Final Action

Summary Statement:

The City of Edgewood has adopted EMC Chapter 18.95- Design Standards to assure that quality physical development occurs in the City of Edgewood. EMC 18.95.040 Building Design establishes standards through text and images that are meant to guide new development in a manner consistent with the City's Comprehensive Plan and the City Council's vision.

The City of Edgewood has also adopted EMC 18.80.080 to establish development standards for the Town Center (TC), Commercial (C), Mixed Use Residential (MUR), and Business Park (BP) zoning districts. In Table 2, there are Maximum Building Height standards that are outlined. It has come to City staff's attention that the maximum building height standards set in EMC 18.80.080 may limit the potential to approve buildings that are reflective of the images shown in EMC 18.95.040. City staff has discussed this topic with City Council and would like to involve the Planning Commission as well.

On February 10, 2020, the Planning Commission discussed various options pertaining to the building heights in the "Core Four" zoning districts of TC, C, MUR, and BP. On April 13, 2020 the Planning Commission continued the discussion on Town Center building height standards and suggested amending the Maximum Height (with FAR Bonus) per EMC 18.80.080 Table 2 in Town Center from 55 feet to 57 feet. Chair Overfield suggested having a Public Hearing on this topic on May 11, 2020.

On May 11, 2020, the Planning Commission voted 5-0 to recommend APPROVAL of the proposed changes. On May 26, 2020, City Council held their public hearing to solicit final input on this code revision prior to their scheduled final action on June 9, 2020.

Item History:

N/A

Recommended Action:

Hold a discussion and provide staff direction to Discussion - Ordinance - Town Center Building Height Minor Modification

Fiscal Note/Consideration:

N/A

ORDINANCE NO. 20-xxxx

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EDGEWOOD, PIERCE COUNTY, WASHINGTON, AMENDING EDGEWOOD MUNICIPAL CODE SECTION 18.80.080 RELATED TO MAXIMUM BUILDING HEIGHT WITH FAR BONUS IN TOWN CENTER; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City regulates maximum building height in the Edgewood Municipal Code (“EMC”); and

WHEREAS, Table 2 in EMC 18.80.080(D) provides that the maximum building height in the Town Center zoning district when utilizing the FAR bonus is 55 feet; and

WHEREAS, the City has received multiple applications that could not meet the City’s code requirements without exceeding the maximum building height limitations; and

WHEREAS, an increase in the maximum height by two (2) feet would have allowed the above-referenced designs to proceed and would also help achieve the desired target density in the City’s comprehensive plan; and

WHEREAS, the City sent a draft of this Ordinance to the Washington State Department of Commerce, as required by RCW 36.70A.106; and

WHEREAS, the City Planning Commission held a public hearing on this Ordinance on May 11, 2020, and sent its recommendation to the City Council; and

WHEREAS, the Edgewood City Council considered this draft Ordinance on May 19, 2020, in a study session; and

WHEREAS, the Council considered this Ordinance during its regular City Council meeting of May 26, 2020;

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

Section 1. EMC Subsection 18.80.080(D), Table 2, Amended. Table 2, “Development Standards Table,” of Subsection 18.80.080(D) of the Edgewood Municipal Code is hereby amended to read as shown in Exhibit A, attached hereto and incorporated herein by this reference.

Section 2. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or

unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 3. Effective Date. A summary of this Ordinance consisting of its title shall be published in the official newspaper of the City and shall take effect and be in full force five (5) days after the date of publication.

PASSED BY THE CITY COUNCIL ON THE ____ DAY OF _____, 2020

Mayor Daryl Eiding

ATTEST/AUTHENTICATED:

Rachel Pitzel, CMC
City Clerk

APPROVED AS TO FORM:

Ann Marie Soto, City Attorney

Date of Publication:

Effective Date:

Exhibit A

Table 2: Development Standards Table

	TC	C	MUR	BP
Standards				
Maximum Height (without any bonus) (1)	45 feet	35 feet	35 feet	35 feet
Maximum Height (with FAR Bonus) (1)	55-57 feet (minimum 3:1 FAR)	45 feet (minimum 1.5:1 FAR)	35 feet	35 feet
Maximum Residential Net Density – Single-Use Project (3)(5)(14)	48 D.U./acre	N/A	24 D.U./acre	N/A (1)
Maximum Residential Net Density – If Part of a Mixed Use Project (2)(4)(5)(14)	Controlled by maximum height, FAR and Building Code	48 D.U./acre	48 D.U./acre	N/A (1)
Minimum Residential Net Density (5)(6)	24 D.U./acre	N/A	10 D.U./acre	N/A
Minimum Lot Frontage Occupied by a Building (7)	50%	35%	35%	None
Minimum Setback to TC, C, MUR or BP Zones (8)	None	None	None (9)	None, except 20 feet for light industrial
Minimum Setbacks to Zones Other Than TC, C, MUR or BP (10)	25 feet	25 feet	20 feet	25 feet
Maximum Floor Area Ratio (FAR) with Bonus Features (11)	4:1	3:1	2:1 (12)	2:1
Maximum Floor Area Ratio (FAR) without Bonus Features (13)	1:1	0.5:1	0.5:1 (12)	0.5:1
Maximum Hard Surface Area (Including Lot Coverage)	90%	85%	75%	80%
Maximum Effective Impervious Surface	75%	70%	60%	65%



City Of Edgewood Council Agenda Summary Sheet

Subject: Discussion - Resolution - Traffic Management Inc. Contract	Agenda Item #: 2.G
	For Agenda of: 6/2/2020
	Prepared by: Dave Gray
Attachments (list): 1. Resolution xxxx-2020 Traffic Management Inc On Call Flagging 2. TMI - Certificate- City of Edgewood 1 3. Edgewood WA - 2020 BL PMT 4. Exhibit A Signed TMI Contract-Original	
Approval of Materials: Dave Gray Rachel Pitzel 5/27/2020 Dave Gray 5/27/2020 Daryl Eidinger 5/27/2020	Expenditure Required: Not to exceed three year contract \$70,000 Amount Budgeted: The Annual Budget for Flagging Services is included in the Street & Surface Water Fund Budgets as part of the estimated Pierce County Intergovernmental Services Agreement (ILA) with Pierce County Public Works (PCPW). In general the use of TMI as opposed to PCPW would reduce the annual expenditure with PCPW. Timeline: Study Session June 2, 2020 Regular Council Meeting June 9, 2020

Summary Statement:

The TMI Purchased Service On-Call Contract for Flagging Services is to operate as a backup to the Pierce County Public Works Interlocal Service Agreement (ILA) to provide flagging services for periods of time that PCPW may not be available. This is most likely during a project run exclusively or extensively by City of Edgewood personnel, but may also be utilized if PCPW is having staffing shortages or their work load does not allow PCPW Flagging staff the ability to dedicate time to a COE project.

Item History:

Recommended Action:

Hold a discussion and provide staff guidance regarding Discussion - Resolution - Traffic Management Inc. Contract

Fiscal Note/Consideration:

The total cost of the Contract over three years is not to exceed \$70,000. It is likely the cost of utilizing most of the work TMI would do for the city would reduce the cost of services provided the city through the PCPW ILA.

RESOLUTION NO. 20-XXX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EDGEWOOD, PIERCE COUNTY, WASHINGTON, AUTHORIZING THE MAYOR TO EXECUTE A PURCHASED SERVICES ON-CALL CONTRACT FOR FLAGGING SERVICES WITH TRAFFIC MANAGEMENT INC.

WHEREAS, the City of Edgewood routinely requires certified flaggers manage traffic at work sites within the City in the right-of-way; and

WHEREAS, City employees have flagging certificates and perform flagging services for each other on small projects, or utilize Pierce County Public Works flagging personnel on larger projects both utilizing City personnel and/or Pierce County Public Works personnel; and

WHEREAS, at times project scheduling and/or labor demands on Pierce County Public Works and/or City personnel do not coincide with Pierce County flagging personnel availability; and

WHEREAS, the City finds it useful to have an on-call flagging service provider for instances where Pierce County Public Works flagging services are not available.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF EDGEWOOD, WASHINGTON, HEREBY RESOLVES AS FOLLOWS:

Section 1. Authorizes the Mayor to execute the three year Purchased Services On-Call contract Agreement with Traffic Management Inc., (TMI) attached hereto and incorporated herein as Exhibit A.

Section 2. Effective Date. This resolution will take effect immediately upon passage by the City Council.

ADOPTED THIS 10TH DAY OF June, 2020

Daryl Eiding, Mayor

ATTEST:

Rachel Pitzel, CMC
City Clerk



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

5/18/2020

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an **ADDITIONAL INSURED**, the policy(ies) must have **ADDITIONAL INSURED** provisions or be endorsed. If **SUBROGATION** IS **WAIVED**, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER The Dougherty Company, Inc. P.O. Box 7277 Long Beach CA 90807	CONTACT NAME: Caroline Price PHONE (A/C, No, Ext): 562-424-1621 E-MAIL ADDRESS: caroline@doughertyins.com FAX (A/C, No): 562-490-0432														
INSURED Traffic Management, Inc. 4900 Airport Plaza Dr., Suite 300 Long Beach CA 90815	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="text-align: center;">INSURER(S) AFFORDING COVERAGE</th> <th style="text-align: center;">NAIC #</th> </tr> <tr> <td>INSURER A : National Union Fire Ins. Co.</td> <td style="text-align: center;">19445</td> </tr> <tr> <td>INSURER B : Ins. Co. of the State of PA</td> <td style="text-align: center;">19429</td> </tr> <tr> <td>INSURER C : Indian Harbor Insurance Co.</td> <td style="text-align: center;">36940</td> </tr> <tr> <td>INSURER D : Continental Casualty Company</td> <td></td> </tr> <tr> <td>INSURER E : Underwriters at Lloyd's London</td> <td style="text-align: center;">15792</td> </tr> <tr> <td>INSURER F :</td> <td></td> </tr> </table>	INSURER(S) AFFORDING COVERAGE	NAIC #	INSURER A : National Union Fire Ins. Co.	19445	INSURER B : Ins. Co. of the State of PA	19429	INSURER C : Indian Harbor Insurance Co.	36940	INSURER D : Continental Casualty Company		INSURER E : Underwriters at Lloyd's London	15792	INSURER F :	
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INSURER F :															

COVERAGES
CERTIFICATE NUMBER: 291483051

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR ☒ No Ded applies GEN'L AGGREGATE LIMIT APPLIES PER: ☐ POLICY ☒ PRO-JECT ☐ LOC ☐ OTHER:	Y	Y	GL5268178	4/1/2020	4/1/2021	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 500,000 MED EXP (Any one person) \$ 25,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$
A	☒ AUTOMOBILE LIABILITY ☒ ANY AUTO ☐ OWNED AUTOS ONLY ☐ SCHEDULED AUTOS ☒ HIRED AUTOS ONLY ☒ NON-OWNED AUTOS ONLY	Y	Y	CA4489671	4/1/2020	4/1/2021	COMBINED SINGLE LIMIT (Ea accident) \$ 2,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ Deductible: \$ None
C	☒ UMBRELLA LIAB ☒ OCCUR ☐ EXCESS LIAB ☐ CLAIMS-MADE ☐ DED ☒ RETENTION \$ \$0	Y	Y	SXS005209802	4/1/2020	4/1/2021	EACH OCCURRENCE \$ 5,000,000 AGGREGATE \$ 5,000,000 \$
A B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y N/A	Y	WC15893706 WC15893705	4/1/2020 4/1/2020	4/1/2021 4/1/2021	☒ PER STATUTE ☐ OTH-ER Deductible: None E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000
D E	Professional/Pollution Liability Cyber Liability	Y Y	Y Y	MCH591872166 MPL206487919	4/1/2020 10/21/2019	4/1/2021 10/21/2020	Each Claim/Aggregate 5,000,000 Each Claim 1,000,000 Aggregate 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Professional Liability has a \$25,000 deductible per claim
 Pollution Liability has a \$25,000 deductible per claim
 TMI Job #247775. Job start date: 5/18/20

CERTIFICATE HOLDER
CANCELLATION

CITY OF EDGEWOOD, WASHINGTON
 2224 - 104th Avenue E.
 Edgewood WA 98372

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

ADDITIONAL INSURED - OWNERS, LESSEES OR CONTRACTORS - SCHEDULED PERSON OR ORGANIZATION

This endorsement modifies insurance provided under the following: COMMERCIAL
GENERAL LIABILITY COVERAGE PART

SCHEDULE

Name Of Additional Insured Person(s) Or	Location(s) Of Covered Operations
ANY PERSON OR ORGANIZATION WHOM YOU BECOME OBLIGATED TO INCLUDE AS AN ADDITIONAL INSURED AS A RESULT OF ANY CONTRACT OR AGREEMENT YOU HAVE ENTERED INTO	Per the contract or agreement.
Information required to complete this Schedule, if not shown above, will be shown in the Declarations.	

A. Section II - Who Is An Insured is amended to include as an additional insured the person(s) or organization(s) shown in the Schedule, but only with respect to liability for "bodily injury", "property damage" or "personal and advertising injury" caused, in whole or in part, by:

1. Your acts or omissions; or
2. The acts or omissions of those acting on your behalf;

in the performance of your ongoing operations for the additional insured(s) at the location(s) designated above.

However:

1. The insurance afforded to such additional insured only applies to the extent permitted by law; and
2. If coverage provided to the additional insured is required by a contract or agreement, the insurance afforded to such additional insured will not be broader than that which you are required by the contract or agreement to provide for such additional insured.

B. With respect to the insurance afforded to these additional insureds, the following additional exclusions apply:

This insurance does not apply to "bodily injury"

or "property damage" occurring after:

1. All work, including materials, parts or equipment furnished in connection with such work, on the project (other than service, maintenance or repairs) to be performed by or on behalf of the additional insured(s) at the location of the covered operations has been completed; or
2. That portion of "your work" out of which the injury or damage arises has been put to its intended use by any person or organization other than another contractor or subcontractor engaged in performing operations for a principal as a part of the same project.

C. With respect to the insurance afforded to these additional insureds, the following is added to **Section III - Limits Of Insurance**:

If coverage provided to the additional insured is required by a contract or agreement, the most we will pay on behalf of the additional insured is the amount of insurance:

1. Required by the contract or agreement; or
2. Available under the applicable Limits of Insurance shown in the Declarations;

whichever is less.

This endorsement shall not increase the applicable Limits of Insurance shown in the Declarations. □

C. With respect to the insurance afforded to these additional insureds, the following is added to Section III - Limits Of Insurance:

If coverage provided to the additional insured is required by a contract or agreement, the most we will pay on behalf of the additional insured is the amount of insurance:

1. Required by the contract or agreement; or

2. Available under the applicable Limits of Insurance shown in the Declarations;

whichever is less.

This endorsement shall not increase the applicable Limits of Insurance shown in the Declarations.

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

ADDITIONAL INSURED – OWNERS, LESSEES OR CONTRACTORS – COMPLETED OPERATIONS

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART
PRODUCTS/COMPLETED OPERATIONS LIABILITY COVERAGE PART

SCHEDULE

Name Of Additional Insured Person(s) Or Organization(s)	Location And Description Of Completed Operations
ANY PERSON OR ORGANIZATION WHOM YOU BECOME OBLIGATED TO INCLUDE AS AN ADDITIONAL INSURED AS A RESULT OF ANY CONTRACT OR AGREEMENT YOU HAVE ENTERED INTO	Per the contract or agreement.
Information required to complete this Schedule, if not shown above, will be shown in the Declarations.	

A. Section II – Who Is An Insured is amended to include as an additional insured the person(s) or organization(s) shown in the Schedule, but only with respect to liability for "bodily injury" or "property damage" caused, in whole or in part, by "your work" at the location designated and described in the Schedule of this endorsement performed for that additional insured and included in the "products-completed operations hazard".

However:

1. The insurance afforded to such additional insured only applies to the extent permitted by law; and
2. If coverage provided to the additional insured is required by a contract or agreement, the insurance afforded to such additional insured will not be broader than that which you are required by the contract or agreement to provide for such additional insured.

B. With respect to the insurance afforded to these additional insureds, the following is added to **Section III – Limits Of Insurance:**

If coverage provided to the additional insured is required by a contract or agreement, the most we will pay on behalf of the additional insured is the amount of insurance:

1. Required by the contract or agreement; or
2. Available under the applicable Limits of Insurance shown in the Declarations;

whichever is less.

This endorsement shall not increase the applicable Limits of Insurance shown in the Declarations.

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

PRIMARY AND NONCONTRIBUTORY - OTHER INSURANCE CONDITION

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART
PRODUCTS/COMPLETED OPERATIONS LIABILITY COVERAGE PART

The following is added to the **Other Insurance Condition** and supersedes any provision to the contrary:

Primary And Noncontributory Insurance

This insurance is primary to and will not seek contribution from any other insurance available to an additional insured under your

policy provided that:

- (1) The additional insured is a Named Insured under such other insurance; and
- (2) You have agreed in writing in a contract or agreement that this insurance would be primary and would not seek contribution from any other insurance available to the additional insured.

POLICY NUMBER GL5268178

COMMERCIAL GENERAL LIABILITY
CG 24 04 05 09

WAIVER OF TRANSFER OF RIGHTS OF RECOVERY AGAINST OTHERS TO US

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART
PRODUCTS/COMPLETED OPERATIONS LIABILITY COVERAGE PART

SCHEDULE

Name Of Person Or Organization:
PURSUANT TO APPLICABLE WRITTEN CONTRACT OR AGREEMENT YOU ENTER INTO

Information required to complete this Schedule, if not shown above, will be shown in the Declarations.

The following is added to Paragraph 8. Transfer Of Rights Of Recovery Against Others To Us of Section IV - Conditions:

We waive any right of recovery we may have against the person or organization shown in the Schedule above because of payments we make for injury or damage arising out of your ongoing operations or "your work" done under a contract with that person or organization and included in the "products-completed operations hazard". This waiver applies only to the person or organization shown in the Schedule above.

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

**ADDITIONAL INSURED - MANAGERS OR LESSORS
OF PREMISES**

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART
SCHEDULE

Designation Of Premises (Part Leased To You):
ANY PREMISES OR PART THEREOF LEASED TO YOU.

Name Of Person(s) Or Organization(s) (Additional Insured):
ANY PERSON OR ORGANIZATION FROM WHOM YOU LEASE PREMISES OR WHO
MANAGES PREMISES YOU OWN AND TO WHOM YOU BECOME OBLIGATED TO
INCLUDE AS AN ADDITIONAL INSURED UNDER THIS POLICY AS A RESULT OF ANY
LEASE OR MANAGEMENT AGREEMENT YOU ENTER INTO WITH SUCH PARTIES.

Additional Premium: \$ INCLUDED

Information required to complete this Schedule, if not shown above, will be shown in the Declarations.

A. **Section II - Who Is An Insured** is amended to include as an additional insured the person(s) or organization(s) shown in the Schedule, but only with respect to liability arising out of the ownership, maintenance or use of that part of the premises leased to you and shown in the

Schedule and subject to the following additional exclusions:

This insurance does not apply to:

1. Any "occurrence" which takes place after you cease to be a tenant in that premises.

2. Structural alterations, new construction or demolition operations performed by or on behalf of the person(s) or organization(s) shown in the Schedule.

However:

1. The insurance afforded to such additional insured only applies to the extent permitted by law; and
2. If coverage provided to the additional insured is required by a contract or agreement, the insurance afforded to such additional insured will not be broader than that which you are required by the contract or agreement to provide for such additional insured.

- B. With respect to the insurance afforded to these additional insureds, the following is added to **Section III - Limits Of Insurance:**

If coverage provided to the additional insured is required by a contract or agreement, the most we will pay on behalf of the additional insured is the amount of insurance:

1. Required by the contract or agreement; or
2. Available under the applicable Limits of Insurance shown in the Declarations;

whichever is less.

This endorsement shall not increase the applicable Limits of Insurance shown in the Declarations.

ENDORSEMENT

This endorsement, effective 12:01 A.M. 04/01/2020 forms a part of

policy No. GL5268178 issued to Traffic Management, Inc.

by NATIONAL UNION FIRE INSURANCE COMPANY OF PITTSBURGH, PA

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

AMENDMENT OF LIMITS OF INSURANCE (Per Project or Per Location Aggregate Limit)

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE FORM

- I. Your policy is amended to include either a Per Project General Aggregate Limit, a Per Location General Aggregate Limit or a Per Project and Per Location General Aggregate Limit. Please select only one of the following:

☒ Per Project General Aggregate Limit	\$ 2,000,000
☐ Per Location General Aggregate Limit	\$
☐ Per Project and Per Location General Aggregate Limit	\$

IF NEITHER OF THESE BOXES ARE CHECKED, THIS ENDORSEMENT IS VOID. IF MORE THAN ONE OF THE THESE BOXES ARE CHECKED, THIS ENDORSEMENT IS VOID.

- II. SECTION III - LIMITS OF INSURANCE is amended to include the following:

1. The Limits of Insurance and the rules below fix the most we will pay regardless of the number of:
 - a. Insureds;
 - b. Claims made or "suits" brought; or
 - c. Persons or organizations making claims or bringing "suits".
2. The General Aggregate Limit is the most we will pay for the sum of:
 - a. Medical expenses under Coverage C;
 - b. Damages under Coverage A, except damages because of "bodily injury" or "property damage" included in the products-completed operations hazard; and
 - c. Damages under Coverage B.
3. The Products-Completed Operations Aggregate Limit is the most we will pay under Coverage A for damages because of "bodily injury" and "property damage" included in the "products-completed operations hazard".
4. Subject to 2. above, the Personal and Advertising Injury Limit is the most we will pay under Coverage B for the sum of all damages because of all "personal and advertising injury" sustained by any one person or organization.
5. Subject to 2. or 3. above, whichever applies, the Each Occurrence Limit is the most we will pay for the sum of:
 - a. Damages under Coverage A; and
 - b. Medical expenses under Coverage C

because of all "bodily injury" and "property damage" arising out of any one "occurrence".

5. Subject to 5. above, the Damage to Premises Rented To You Limit is the most we will pay under Coverage A because of "property damage" to any one premises, while rented to you, or in the case of damage by fire, while rented to you or temporarily occupied by you with permission of the owner.
7. Subject to 5. above, the Medical Expense Limit is the most we will pay under Coverage C for all medical expenses because of "bodily injury" sustained by any one person.
8. Subject to 2., 4., 5., 6., and/or 7. above, the Per Project Aggregate Limit is the most we will pay under Coverages A, B, and C combined for the sum of:
- a. Damages under Coverage A;
 - b. Damages under Coverage B; and
 - c. Medical Expenses under Coverage C

arising out of any single Project described above.

9. Subject to 2., 4., 5., 6., and/or 7. above, the Per Location Aggregate Limit is the most we will pay under Coverages A, B, and C combined for the sum of:
- a. Damages under Coverage A;
 - b. Damages under Coverage B; and
 - c. Medical expenses under Coverage C

arising out of the any single Location described above.

The Limits of Insurance of this Coverage Part apply separately to each consecutive annual period and to any remaining period of less than 12 months, starting with the beginning of the policy period shown in the Declarations, unless the policy period is extended after issuance for an additional period of less than 12 months. In that case, the additional period will be deemed part of the last preceding period for purposes of determining the Limits of Insurance.

- III. The Limits of Insurance shown in the Declarations are deleted in their entirety and replaced by the Limits of Insurance set forth below.

	Limits of Insurance
General Aggregate Limit	\$ 10,000,000
Each Occurrence Limit	\$ 1,000,000
Products-Completed Operations Aggregate Limit	\$ 2,000,000
Personal & Advertising Injury Limit	\$ 1,000,000
Damage to Premises Rented to You	\$ 500,000
Medical Expense Limit	\$ 25,000
Per Project General Aggregate Limit, Per Location General Aggregate Limit or Per Project and Per Location General Aggregate Limit	\$ 2,000,000

- IV. SECTION V - DEFINITIONS, is amended to include the following:

23. "Location" means premises involving the same or connecting lots, or premises whose connection is interrupted only by a street, roadway, waterway, or right-of-way railroad.

All other terms and conditions of this policy remain the same.


Authorized Representative or
Countersignature (in States Where
Applicable)

ENDORSEMENT

This endorsement, effective 12:01 A.M. 04/01/2020 - forms a part of

policy No. CA4489671 issued to Traffic Management, Inc.

by NATIONAL UNION FIRE INSURANCE COMPANY OF PITTSBURGH, PA

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

ADDITIONAL INSURED - WHERE REQUIRED UNDER CONTRACT OR AGREEMENT

This endorsement modifies insurance provided under the following:

BUSINESS AUTO COVERAGE FORM

SCHEDULE

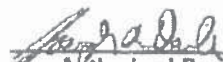
ADDITIONAL INSURED:

ANY PERSON OR ORGANIZATION FOR WHOM YOU ARE CONTRACTUALLY BOUND TO PROVIDE ADDITIONAL INSURED STATUS BUT ONLY TO THE EXTENT OF SUCH PERSON OR ORGANIZATIONS LIABILITY ARISING OUT OF THE USE OF A COVERED AUTO.

I. SECTION II - LIABILITY COVERAGE, A. Coverage, 1. - Who Is Insured, is amended to add:

d. Any person or organization, shown in the schedule above, to whom you become obligated to include as an additional insured under this policy, as a result of any contract or agreement you enter into which requires you to furnish insurance to that person or organization of the type provided by this policy, but only with respect to liability arising out of use of a covered "auto". However, the insurance provided will not exceed the lesser of:

- (1) The coverage and/or limits of this policy, or
- (2) The coverage and/or limits required by said contract or agreement.


Authorized Representative or
Countersignature (in States Where
Applicable)

ENDORSEMENT

This endorsement, effective 12:01 A.M. 04/01/2020 forms a part of

policy No. CA4489671 issued to Traffic Management, Inc.

by NATIONAL UNION FIRE INSURANCE COMPANY OF PITTSBURGH, PA

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

INSURANCE PRIMARY AS TO CERTAIN ADDITIONAL INSURED

This endorsement modifies insurance provided under the following:

BUSINESS AUTO COVERAGE FORM

Section IV - Business Auto Conditions, B., General Conditions, 5., Other Insurance, c., is amended by the addition of the following sentence:

The insurance afforded under this policy to an additional insured will apply as primary insurance for such additional insured where so required under an agreement executed prior to the date of accident. We will not ask any insurer that has issued other insurance to such additional insured to contribute to the settlement of loss arising out of such accident.

All other terms and conditions remain unchanged.


Authorized Representative or
Countersignature (in States Where
Applicable)

74445 (10/99)

ENDORSEMENT

This endorsement, effective 12:01 A.M. 04/01/2020 forms a part of

policy No. CA4489671 issued to Traffic Management, Inc.

by NATIONAL UNION FIRE INSURANCE COMPANY OF PITTSBURGH, PA

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

WAIVER OF TRANSFER OF RIGHTS OF RECOVERY AGAINST OTHERS TO US

This endorsement modifies insurance provided under the following:

BUSINESS AUTO COVERAGE FORM

Section IV - Business Auto Conditions, A - Loss Conditions, 5. - Transfer of Rights of Recovery Against Others to Us, is amended to add:

However, we will waive any right of recover we have against any person or organization with whom you have entered into a contract or agreement because of payments we make under this Coverage Form arising out of an "accident" or "loss" if:

- (1) The "accident" or "loss" is due to operations undertaken in accordance with the contract existing between you and such person or organization; and
- (2) The contract or agreement was entered into prior to any "accident" or "loss".

No waiver of the right of recovery will directly or indirectly apply to your employees or employees of the person or organization, and we reserve our rights or lien to be reimbursed from any recovery funds obtained by any injured employee.


AUTHORIZED REPRESENTATIVE

BLANKET WAIVER OF OUR RIGHT TO RECOVER FROM OTHERS ENDORSEMENT

This endorsement changes the policy to which it is attached effective on the inception date of the policy unless a different date is indicated below.

(The following "attaching clause" need be completed only when this endorsement is issued subsequent to preparation of the policy).

This endorsement, effective 12:01 AM 04/01/2020 forms a part of Policy No. WC 015-89-3706

Issued to TRAFFIC MANAGEMENT, INC.

By NATIONAL UNION FIRE INSURANCE COMPANY OF PITTSBURGH, PA.

We have a right to recover our payments from anyone liable for an injury covered by this policy. We will not enforce our right against any person or organization with whom you have a written contract that requires you to obtain this agreement from us, as regards any work you perform for such person or organization.

The additional premium for this endorsement shall be 2.00 % of the total estimated workers compensation premium for this policy.

WAIVER OF OUR RIGHT TO RECOVER FROM OTHERS ENDORSEMENT

This endorsement changes the policy to which it is attached effective on inception date of the policy unless a different date is indicated below.

This endorsement, effective 12:01 AM 04/01/2020 forms a part of Policy No. WC 015-89-3705

Issued to TRAFFIC MANAGEMENT, INC.

By THE INSURANCE COMPANY OF THE STATE OF PENNSYLVANIA

We have the right to recover our payments from anyone liable for an injury covered by this policy. We will not enforce our right against the person or organization named in the Schedule. This agreement applies only to the extent that you perform work under a written contract that requires you to obtain this agreement from us.

This agreement shall not operate directly or indirectly to benefit any one not named in the Schedule.

Schedule

ANY PERSON OR ORGANIZATION TO WHOM YOU BECOME
OBLIGATED TO WAIVE YOUR RIGHTS OF RECOVERY
AGAINST, UNDER ANY WRITTEN CONTRACT OR AGREEMENT
YOU ENTER INTO PRIOR TO THE OCCURRENCE OF LOSS.

Any person or organization for which the employer has agreed by written contract, executed prior to loss, may execute a waiver of subrogation. However, for purposes of work performed by the employer in Missouri, this waiver of subrogation does not apply to any construction group of classifications as designated by the waiver of right to recover from others (subrogation) rule in our manual.

This form is not applicable in California, Kentucky, New Hampshire, New Jersey, Texas, or Utah.

WC 00 03 13
(Ed. 04/84)

Countersigned by _____



Authorized Representative

Endorsement No.: 011 Form: CXU 446 0715
Effective Date: April 1, 2020 Issue Date: April 1, 2020
Attached to and forming part of Policy No.: SXS005209802
Issued To: TRAFFIC MANAGEMENT INC.
By: Indian Harbor Insurance Company

Waiver of Subrogation Endorsement – Additional Insured

This endorsement changes the policy. Please read it carefully.

This endorsement modifies insurance provided under the following:

Excess Liability Policy

I. This policy is amended as follows:

If prior to the time of an "Occurrence", you and the insurer(s) of the "Underlying Insurance" waived the right of recovery against a specific person or organization in a written "Insured Contract", we hereby also agree to waive our right of recovery in the same manner. This waiver shall apply only with respect to a "Loss" occurring due to operations undertaken as per the specific contract in which you waived the right of recovery.

This waiver applies to the entity(ies) shown in the Schedule below.

SCHEDULE

AS PER WRITTEN CONTRACT

II. Solely with respect to this endorsement, **SECTION VI – DEFINITIONS** is amended to add the following:

"Insured Contract" will have the same definition as such term or equivalent term in the "Controlling Underlying Policy".

II other terms, conditions, definitions and exclusions of this policy remain unchanged.

Endorsement No.: 012 Form: CXU 434 0715
Effective Date: April 1, 2020 Issue Date: 04/01/2020
Attached to and forming part of Policy No.: SX005209802
Issued To: TRAFFIC MANAGEMENT INC.
By: Indian Harbor Insurance Company

Additional Insured Endorsement

This endorsement changes the policy. Please read it carefully.

This endorsement modifies insurance provided under the following:

Excess Liability Policy

Subject to the terms and conditions of this policy, this insurance will apply to the below named additional "Insured", but only:

1. If such additional "Insured" is insured in all "Underlying Insurance" for the full limits of liability of such "Underlying Insurance"; and
2. for the hazards for which coverage is afforded under such "Underlying Insurance".

ADDITIONAL INSURED

AS PER WRITTEN CONTRACT

All other terms, conditions, definitions and exclusions of this policy remain unchanged.

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

EARLIER NOTICE OF CANCELLATION PROVIDED BY US

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART
LIQUOR LIABILITY COVERAGE PART
POLLUTION LIABILITY COVERAGE PART
PRODUCTS/COMPLETED OPERATIONS LIABILITY COVERAGE PART

SCHEDULE

Number of Days' Notice 60

(If no entry appears above, information required to complete this Schedule will be shown in the Declarations as applicable to this endorsement.)

For any statutorily permitted reason other than nonpayment of premium, the number of days required for notice of cancellation, as provided in paragraph 2. of either the CANCELLATION Common Policy Condition or as amended by an applicable state cancellation endorsement, is increased to the number of days shown in the Schedule above.

ENDORSEMENT #

This endorsement, effective 12:01 A.M. 04/01/2020 forms a part of Policy

No. CA 448-96-71 issued to TRAFFIC MANAGEMENT, INC.

by NATIONAL UNION FIRE INSURANCE COMPANY OF PITTSBURGH, PA

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

EARLY NOTICE OF CANCELLATION PROVIDED BY US

This endorsement modifies insurance provided under the following:

AUTO DEALERS COVERAGE FORM
COMMERCIAL GENERAL LIABILITY COVERAGE FORM
BUSINESS AUTO COVERAGE FORM
MOTOR CARRIER COVERAGE FORM

COMMON POLICY CONDITIONS, A. - Cancellation, 2. is amended to read:

2. We may cancel this policy by mailing or delivering to the first Named Insured written notice of cancellation at least:
- a. TEN (10) * days before the effective date of cancellation if we cancel for nonpayment of premium; or
 - b. SIXTY (60) * days before the effective date of cancellation if we cancel for any other reason.

* The notice period provided shall not be less than that required by applicable state law(s).



AUTHORIZED REPRESENTATIVE

CALIFORNIA ADVANCE NOTICE OF CANCELLATION OR NON-RENEWAL BY US EXTENDED

This endorsement changes the policy to which it is attached effective on the inception date of the policy unless a different date is indicated below.

(The following "attaching clause" need be completed only when this endorsement is issued subsequent to preparation of the policy).

This endorsement, effective 12:01 AM 04/01/2020 forms a part of Policy No. WC 015-89-3706

Issued to TRAFFIC MANAGEMENT, INC.

By NATIONAL UNION FIRE INSURANCE COMPANY OF PITTSBURGH, PA.

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

This endorsement modifies insurance provided under the following:

WORKERS COMPENSATION AND EMPLOYERS LIABILITY INSURANCE POLICY

PART SIX - CONDITIONS, D. - Cancellation, 2. is deleted in its entirety and replaced with:

We may cancel or non-renew this policy. We will mail or deliver to you not less than 10 days advance written notice of cancellation for reasons (a) through (g) and 30 days advance written notice of cancellation for reasons (h) through (m) of California Cancellation Endorsement WC990017. We will mail or deliver to you not less than 30 days and not more than 120 days advance written notice of non-renewal.

Except for non-payment of premium and non-payment of loss reimbursement or non-delivery of satisfactory security or collateral when due, for which we will provide advance written notice in accordance with the provisions of any applicable statute or regulation, we shall not provide less than the number of days set forth below.

Mailing that notice to you, at your mailing address shown in Item 1 of the Information Page will be sufficient to prove notice.

Cancellation: 60 Days

Non-Renewal: 60 Days

WC 99 04 11
(Ed. 08/03)

Countersigned by _____



Authorized Representative

TEXAS ONLY - ADVANCE NOTICE OF CANCELLATION OR NON-RENEWAL BY US EXTENDED

This endorsement changes the policy to which it is attached effective on the inception date of the policy unless a different date is indicated below.

(The following "attaching clause" need be completed only when this endorsement is issued subsequent to preparation of the policy).

This endorsement, effective 12:01 AM 04/01/2020 forms a part of Policy No. WC 015-89-3705

Issued to TRAFFIC MANAGEMENT, INC.

By THE INSURANCE COMPANY OF THE STATE OF PENNSYLVANIA

This endorsement modifies insurance provided under the following:

WORKERS COMPENSATION AND EMPLOYERS LIABILITY INSURANCE POLICY

PART SIX - CONDITIONS, D. - Cancellation of the Texas Amendatory Endorsement (WC 42 03 01F) is deleted in its entirety and replaced with the following:

You may cancel this policy. You must mail or deliver advance notice to us stating when the cancellation is to take effect.

We may cancel or non-renew this policy. We must send by certified mail or deliver to you in person, not less than the number of days shown below, advance written notice stating when the cancellation or non-renewal is to take effect. A copy of the written notice will be sent to the Texas Workers Compensation Commission.

Except for non-payment of premium, non-payment of loss reimbursement or non-delivery of satisfactory security or collateral when due for which we will provide the advance written notice required by law, we shall not provide less than the number of days advance notice set forth below, or in the policy and endorsements attached thereto, or as required by state law.

If another insurance company notifies the Texas Workers' Compensation Commission that it is insuring you as an employer, such notice shall be a cancellation of this policy effective when the other policy starts.

Texas law requires a minimum of ten (10) days advance written notice for cancellation or nonrenewal due to fraud in obtaining coverage, misrepresentation of the amount of payroll for purposes of premium calculation, failure to pay premium when payment was due, and increase in hazard for which you seek coverage that results from an action or omission and that would produce an increase in the rate, including an increase because of failure to comply with reasonable recommendations for loss control or to comply within a reasonable period with recommendations designed to reduce a hazard that is under your control, and a determination by the Commissioner of Insurance that the continuation of the policy would place us in violation of the law, or would be hazardous to the interests of subscribers, creditors, or the general public. Texas law requires a minimum of thirty (30) days advance written notice for other cancellation or nonrenewal reasons.

Cancellation: 60 Days

Non-Renewal: 60 Days

WC 99 42 07A
(Ed. 03/04)

Countersigned by _____



Authorized Representative

ALTERNATE EMPLOYER ENDORSEMENT

This endorsement changes the policy to which it is attached effective on the inception date of the policy unless a different date is indicated below.

(The following "attaching clause" need be completed only when this endorsement is issued subsequent to preparation of the policy).

This endorsement, effective 12:01 AM 04/01/2020 forms a part of Policy No. WC 015-89-3705

Issued to TRAFFIC MANAGEMENT, INC.

By THE INSURANCE COMPANY OF THE STATE OF PENNSYLVANIA

This endorsement applies only with respect to bodily injury to your employees while in the course of special or temporary employment by the alternate employer in the state named in Item 2 of the Schedule. Part One (Workers Compensation Insurance) and Part Two (Employers Liability Insurance) will apply as though the alternate employer is insured. If an entry is shown in Item 3 of the Schedule the insurance afforded by this endorsement applies only to work you perform under the contract or at the project named in the Schedule.

Under Part One (Workers Compensation Insurance) we will reimburse the alternate employer for the benefits required by the workers compensation law if we are not permitted to pay the benefits directly to the persons entitled to them.

The insurance afforded by this endorsement is not intended to satisfy the alternate employer's duty to secure

its obligations under the workers compensation law. We will not file evidence of this insurance on behalf of the alternate employer with any government agency.

We will not ask any other insurer of the alternate employer to share with us a loss covered by this endorsement.

Premium will be charged for your employees while in the course of special or temporary employment by the alternate employer.

The policy may be cancelled according to its terms without sending notice to the alternate employer.

Part Four (Your Duties If Injury Occurs) applies to you and the alternate employer. The alternate employer will recognize our right to defend under Parts One and Two and our right to inspect under Part Six.

Schedule

(1) Alternate Employer and Address (2) State of Special or Temporary Employment (3) Contract or Project
(1) Alternate Employer : ANY ALTERNATE EMPLOYER OF YOUR EMPLOYEES

WC 00 03 01A
(Ed. 02/89)

Countersigned by



Authorized Representative

EMPLOYERS LIABILITY COVERAGE ENDORSEMENT

This endorsement changes the policy to which it is attached effective on the inception date of the policy unless a different date is indicated below.

(The following "attaching clause" need be completed only when this endorsement is issued subsequent to preparation of the policy).

This endorsement, effective 12:01 AM 04/01/2020 forms a part of Policy No. WC 015-89-3705

Issued to **TRAFFIC MANAGEMENT, INC.**

By **THE INSURANCE COMPANY OF THE STATE OF PENNSYLVANIA**

This endorsement applies only to work in the states shown in the Schedule.

- A. Part One (Workers Compensation Insurance) does not apply to work in a state shown in the Schedule.
- B. Part Two (Employers Liability Insurance) applies to work in states shown in the Schedule as though they were shown in Item 3.A. of the Information Page.
- C. Part Two (Employers Liability Insurance), C. Exclusions is changed by adding these exclusions.

This insurance does not cover:

- 13. bodily injury to an employee when you are deprived of common law defenses or are subject to penalty because of your failure to secure your obligations under the workers compensation law of any state shown in the Schedule or otherwise fail to comply with that law.

Schedule

States

NORTH DAKOTA

WYOMING

WASHINGTON

WC 00 03 03 C
(Ed. 10/04)

Countersigned by _____



Authorized Representative

OHIO EMPLOYERS LIABILITY COVERAGE ENDORSEMENT

This endorsement changes the policy to which it is attached and is effective on the date issued unless otherwise stated.

(The information below is required only when this endorsement is issued subsequent to preparation of the policy.)

This endorsement, effective 12:01 AM 04/01/2020 forms a part of Policy No. WC15893705

Issued to Traffic Management, Inc.

By THE INSURANCE COMPANY OF THE STATE OF PENNSYLVANIA

This endorsement applies only to work in Ohio.

- A. Part One (Workers Compensation Insurance) does not apply to work in Ohio.
- B. Part Two (Employers Liability Insurance) applies to work in Ohio as though it were shown in Item 3.A. of the Information Page.
- C. Part Two (Employers Liability Insurance), C. Exclusions is changed by adding these exclusions.

C. Exclusions

This Insurance does not cover:

- 5. bodily injury intentionally caused or aggravated by you, or bodily injury resulting from an act which is determined to have been committed by you with the belief that an injury is substantially certain to occur;
- 13. bodily injury to an employee when you are deprived of common law defenses or are subject to penalty because of your failure to secure your obligations under the workers compensation law of Ohio or otherwise fail to comply with that law.

WC 34 03 01 C
(Ed. 03/10)

Countersigned by _____



Authorized Representative

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STATE OF WASHINGTON
BUSINESS LICENSING SERVICE

Thank you for filing online

Our processing time generally takes up to 10 business days. Some endorsements may take more time for state or city approval. You will receive your business license with approved endorsements in the mail. An updated business license will be mailed to you when additional endorsements are approved.

Confirmation Number: 0-014-261-538

Filing Date and Time: 05/15/2020 02:27:12 PM

Payment Method: Credit Card ending in 1001
There is a 2.5% credit card convenience fee charged by a third party vendor.

Business Entity Information

Entity Type: Corporation
Name of Entity: TRAFFIC MANAGEMENT, INC.
UBI: 603612193

Business Location Information

Firm Name: TRAFFIC MANAGEMENT INC, DBA TRAFFIC MANAGEMENT INDUSTRIES
Phone Number: (562) 595-4278
Fax Number: None
Location Address: 1650 W VALLEY HWY S AUBURN WA 98001-6504
Mailing Address: 4900 AIRPORT PLAZA DR STE 300 LONG BEACH CA 90815

Trade Names Added

TRAFFIC MANAGEMENT INC, DBA TRAFFIC MANAGEMENT INDUSTRIES

Governing Person

SPANO JONATHAN
SPANO CHRISTOPHER

Endorsement(s) Applied For	Begin	End	Count	Fee
Tax Registration	05/15/2020		1	\$0.00
Edgewood General Business - Non-Resident	05/15/2020	05/31/2021	1	\$40.00
				\$40.00
Fee Type	Begin	End	Count	Fee
BLS Processing Fee	05/15/2020		1	\$19.00
Trade Name Registration	05/15/2020		1	\$5.00
				\$24.00
Third Party Credit Card Fee				\$1.60
Grand Total:				\$65.60

CITY OF EDGEWOOD PURCHASED SERVICES AGREEMENT

THIS Agreement is made effective as of the 15th day of May, 2020, by and between the City of Edgewood, a municipal corporation, organized under the laws of the State of Washington, whose address is:

CITY OF EDGEWOOD, WASHINGTON (hereinafter the “CITY”)
2224 - 104th Avenue E.
Edgewood, Washington 98372
Contact: Jeremy Metzler Phone: 253-952-3299

and a Corporation, organized under the laws of the State of Washington, doing business at:

TRAFFIC MANAGEMENT, INC. (hereinafter the “CONTRACTOR”)
1650 W Valley Hwy S
Auburn, Washington 98001

Contact: Michael Flanagan Phone: 877-875-8226

for purchased services in connection with the following Project:

Annual Vegetation Maintenance Program – Traffic Control Services

TERMS AND CONDITIONS

1. Services by Contractor.

A. Contractor shall perform on-call traffic control operation services to support the ongoing annual vegetation maintenance program (the “Scope of Work”). Specific services shall be as identified on a purchase order or other document such as an estimate in the form of Exhibit A, attached to this Agreement.

B. The City may from time to time require changes or modifications in the Scope of Work. Such changes, including any decrease or increase in the amount of compensation, shall be agreed to by the parties and incorporated in written amendments to the Agreement.

2. Schedule of Work. Contractor shall perform the services on an as-needed basis as specified and authorized by the City in a purchase order or other document such as an estimate in the form of Exhibit A, attached to this Agreement. Contractor shall not perform any additional work without prior written authorization from the City.

3. Terms. This Agreement shall commence on May 18, 2020 and shall terminate on May 31, 2023, unless extended or terminated in writing as provided herein.

4. Compensation.



LUMP SUM. Compensation for these services shall be a Lump Sum of \$ _____, which includes all applicable tax.

- ☒ **TIME AND MATERIALS NOT TO EXCEED.** Compensation for these services shall not exceed \$70,000, including all applicable tax, without prior written authorization, and will be based on billing rates and reimbursable expenses attached hereto as Exhibit A.
- ☐ **TIME AND MATERIALS.** Compensation for these services shall be on a time and material basis according to the list of billing rates and reimbursable expenses attached hereto as Exhibit “_____”.
- ☐ **OTHER.** _____

5. Payment.

A. Contractor shall submit monthly invoices to the City for all work performed during the preceding month. All invoices shall be paid by City warrant within thirty (30) days of receipt of a proper invoice. If the City objects to all or any portion of any invoice, it shall so notify the Contractor of the same within fifteen (15) days from the date of receipt and shall pay that portion of the invoice not in dispute, and the parties shall immediately make every effort to settle the disputed portion. Unlike a public works contract this purchased services contract contains no provision for public works type retainages.

B. If payment is not issued to the Contractor as prescribed, the City may be subject to applicable service charge(s) or interest fee(s) from the date due until paid.

C. Contractor shall keep cost records and accounts pertaining to this Agreement available for inspection by City representatives for three (3) years after final payment, unless a longer period is required by a third-party agreement. Copies shall be made available on request.

D. On the effective date of this Agreement (or shortly thereafter), the Contractor shall comply with all federal and state laws applicable to independent contractors, including, but not limited to, the maintenance of a separate set of books and records that reflect all items of income and expenses of the Contractor’s business, pursuant to Revised Code of Washington (RCW) 51.08.195, as required by law, to show that the services performed by the Contractor under this Agreement shall not give rise to an employer-employee relationship between the parties, which is subject to Title 51 RCW, Industrial Insurance.

E. If the services rendered do not meet the requirements of the Agreement, Contractor will correct or modify the work to comply with the Agreement. City may withhold payment for such work until the work meets the requirements of the Agreement.

6. Prevailing Wages. Contractor shall file an Intent to Pay Prevailing Wages with the Washington State Department of Labor and Industries (“L&I”), shall pay its employees prevailing wages as established by L&I for all work under this Agreement for the duration thereof, and shall in all respects comply with the provisions of chapter 39.12 RCW in the performance of the work.

7. Discrimination and Compliance with Laws

A. Contractor agrees not to discriminate against any employee or applicant for employment or any other person in the performance of this Agreement because of race, creed, color, national origin, marital status, sex, age, disability, or other circumstance prohibited by federal, state, or local law or ordinance, except for a bona fide occupational qualification.

B. Even though the Contractor is an independent contractor with the authority to control and direct the performance and details of the work authorized under this Agreement, the work must meet the approval of the City and shall be subject to the City's general right inspection to secure the satisfactory completion thereof. The Contractor agrees to comply with all federal, state and municipal laws, rules and regulations that are now effective or become applicable within the terms of this Agreement to the Contractor's business, equipment and personnel engaged in operations covered by this Agreement or accruing out of the performance of such operations.

C. Contractor shall obtain, and maintain for the duration of this Agreement, a City of Edgewood business license prior to performing any work under of this Agreement.

D. Violation of this Section 6 shall be a material breach of this Agreement and grounds for cancellation, termination, or suspension of the Agreement by City, in whole or in part, and may result in ineligibility for further work for City.

8. Relationship of Parties. The parties intend that an independent contractor-client relationship will be created by this Agreement. As the Contractor is customarily engaged in an independently established trade which encompasses the specific service provided to the City hereunder, no agent, employee, representative or sub-Contractor of the Contractor shall be or shall be deemed to be the employee, agent, representative or sub-Contractor of the City. In the performance of the work, the Contractor is an independent contractor with the ability to control and direct the performance and details of the work, the City being interested only in the results obtained under this Agreement. None of the benefits provided by the City to its employees including, but not limited to, compensation, insurance, and unemployment insurance are available from the City to the employees, agents, representatives or sub-Contractors of the Contractor. The Contractor will be solely and entirely responsible for its acts and for the acts of its agents, employees, representatives and sub-Contractors during the performance of this Agreement. The City may, during the term of this Agreement, engage other independent contractors to perform the same or similar work that the Contractor performs hereunder.

9. Suspension and Termination of Agreement

A. Termination. This Agreement may be terminated by the City at any time for any reason.

B. Rights Upon Termination.

1. Upon termination for any reason, all finished or unfinished documents, reports, or other material or work of Contractor pursuant to this Agreement shall be submitted to City, and Contractor shall be entitled to just and equitable compensation for any satisfactory work completed prior to the date of termination, not to exceed the total compensation set forth herein. Contractor shall not be entitled to any reallocation of cost, profit or overhead. Contractor shall not in any event be entitled to anticipated profit on work not performed because of such termination. Contractor shall use its best efforts to minimize the compensation payable under this Agreement in the event of such termination. Upon termination, the City may take over the work and prosecute the same to completion, by contract or otherwise.

2. *Default.* If the Agreement is terminated for default, the Contractor shall not be entitled to receive any further payments under the Agreement until all work called for has been fully performed. Any extra cost or damage to the City resulting from such default(s) shall be deducted from any money due or coming due to the Contractor. The Contractor shall bear any extra expenses incurred by the City in completing the work, including all increased costs for completing

the work, and all damage sustained, or which may be sustained by the City by reason of such default.

C. Suspension. The City may suspend this Agreement, at its sole discretion. Any reimbursement for expenses incurred due to the suspension shall be limited to the Contractor's reasonable expenses, and shall be subject to verification. The Contractor shall resume performance of services under this Agreement without delay when the suspension period ends.

D. Notice of Termination or Suspension. If delivered to the Contractor in person, termination shall be effective immediately upon the Contractor's receipt of the City's written notice or such date as stated in the City's notice of termination, whichever is later. Notice of suspension shall be given to the Contractor in writing upon one week's advance notice to Contractor. Such notice shall indicate the anticipated period of suspension. Notice may also be delivered to the Contractor at the address set forth in Section 16 herein.

10. Standard of Care. Contractor represents and warrants that it has the requisite training, skill and experience necessary to provide the services under this Agreement and is appropriately accredited and licensed by all applicable agencies and governmental entities. Services provided by Contractor under this agreement will be performed in a manner consistent with that degree of care and skill ordinarily exercised by members of the same profession currently practicing in similar circumstances.

11. Ownership of Work Product.

A. All data materials, reports, memoranda, and other documents developed under this Agreement whether finished or not shall become the property of City, shall be forwarded to City at its request and may be used by City as it sees fit. Upon termination of this Agreement, all finished or unfinished documents, reports, or other material or work of Contractor pursuant to this Agreement shall be submitted to City.

B. All written information submitted by the City to the Contractor in connection with the services performed by the Contractor under this Agreement will be safeguarded by the Contractor to at least the same extent as the Contractor safeguards like information relating to its own business. If such information is publicly available or is already in Contractor's possession or known to it, or is rightfully obtained by the Contractor from third parties, the Contractor shall bear no responsibility for its disclosure, inadvertent or otherwise.

12. Work Performed at the Contractor's Risk. The Contractor shall take all precautions necessary and shall be responsible for the safety of its employees, agents and sub-Contractors in the performance of the work hereunder, and shall utilize all protection necessary for that purpose. All work shall be done at the Contractor's own risk, and the Contractor shall be responsible for any loss or damage to materials, tools, or other articles used or held by the Contractor for use in connection with the work.

13. Indemnification. The Contractor shall defend, indemnify and hold the City, its officers, officials, employees, agents and volunteers harmless from claims, injuries, damages, losses or suits, including all legal costs and attorneys' fees, arising out of the performance of this Agreement, except for injuries and damages caused by the sole negligence of the City. The City's inspection or acceptance of any of the Contractor's work when completed shall not be grounds to avoid any of these covenants of indemnification.

Should a court of competent jurisdiction determine that this Agreement is Subject to RCW 4.24.115, then, in the event of liability for damages arising out of bodily injury to persons or damages to property caused by or resulting from the concurrent negligence of the Contractor and the City, its officers, officials, employees, agents and Volunteers, the Contractor's liability hereunder shall be only to the extent of the Contractor's negligence.

IT IS FURTHER SPECIFICALLY AND EXPRESSLY UNDERSTOOD THAT THE INDEMNIFICATION PROVIDED HEREIN CONSTITUTES THE CONTRACTOR'S WAIVER OF IMMUNITY UNDER INDUSTRIAL INSURANCE, TITLE 51 RCW, SOLELY FOR THE PURPOSES OF THIS INDEMNIFICATION. THE PARTIES FURTHER ACKNOWLEDGE THAT THEY HAVE MUTUALLY NEGOTIATED THIS WAIVER. THE CONTRACTOR'S WAIVER OF IMMUNITY UNDER THE PROVISIONS OF THIS SECTION DOES NOT INCLUDE, OR EXTEND TO, ANY CLAIMS BY THE CONTRACTOR'S EMPLOYEES DIRECTLY AGAINST THE CONTRACTOR. THE PROVISIONS OF THIS SECTION SHALL SURVIVE THE EXPIRATION OF TERMINATION OF THIS AGREEMENT.

14. Insurance. The Contractor shall procure and maintain for the duration of the Agreement, insurance against claims for injuries to persons or damage to property which may arise from or in connection with the performance of the work hereunder by the Contractor, its agents, representatives, or employees.

A. Minimum Scope of Insurance

Contractor shall obtain insurance of the types described below:

1. Automobile Liability insurance covering all owned, non-owned, hired and leased vehicles. Coverage shall be written on Insurance Services Office (ISO) form CA 00 01 or a substitute form providing equivalent liability coverage.
2. Commercial General Liability insurance shall be written on ISO occurrence form CG 00 01 or a substitute form providing equivalent liability coverage and shall cover liability arising from premises, operations, independent contractors, products-completed operations, stop gap liability, and personal injury and advertising injury. The Commercial General Liability insurance shall be endorsed to provide a per project general aggregate limit using ISO form CG 25 03 05 09 or an equivalent endorsement. The City shall be named by endorsement as an additional insured under the Contractor's Commercial General Liability insurance policy with respect to the work performed for the City using ISO Additional Insured endorsement CG 20 10 10 01 and Additional Insured-Completed Operations endorsement CG 20 37 10 01 or substitute endorsements providing at least as broad coverage.
3. Workers' Compensation coverage as required by the Industrial Insurance laws of the State of Washington and Employer's Liability Insurance.

B. Minimum Amounts of Insurance

Contractor shall maintain the following insurance limits:

1. Automobile Liability insurance with a minimum combined single limit for bodily injury and property damage of \$1,000,000 per accident.
2. Commercial General Liability insurance shall be written with limits no less than \$1,000,000 each occurrence, \$2,000,000 general aggregate.
3. Employer's Liability insurance each accident \$1,000,000; Employer's Liability Disease each employee \$1,000,000; and Employer's Liability Disease – Policy Limit \$1,000,000.

C. Other Insurance Provisions

The insurance policies are to contain, or be endorsed to contain, the following provisions for Automobile Liability, Professional Liability and Commercial General Liability insurance:

1. The Contractor's insurance coverage shall be primary insurance as respect the City. Any insurance, self-insurance, or insurance pool coverage maintained by the City shall be excess of the Contractor's insurance and shall not contribute with it.
2. The Contractor's insurance shall be endorsed to state that coverage shall not be cancelled by either party, except after thirty (30) days prior written notice by certified mail, return receipt requested, has been given to the City.
3. The City will not waive its right to subrogation against the Contractor. The Contractor's insurance shall be endorsed acknowledging that the City will not waive their right to subrogation. The Contractor's insurance shall be endorsed to waive the right of subrogation against the City, or any self-insurance, or insurance pool coverage maintained by the City.
4. If any coverage is written on a "claims made" basis, then a minimum of a three (3) year extended reporting period shall be included with the claims made policy, and proof of this extended reporting period provided to the City.

D. Acceptability of Insurers

Insurance is to be placed with insurers with a current A.M. Best rating of not less than A:VII.

E. Verification of Coverage

Contractor shall furnish the City with original certificates and a copy of the amendatory endorsements, including but not necessarily limited to the additional insured endorsement, evidencing the insurance requirements of the Contractor before commencement of the work. Upon request by the Public Entity, the Contractor shall furnish certified copies of all required insurance policies, including endorsements, required in this contract and evidence of all subcontractors' coverage.

F. Subcontractors' Insurance

The Contractor shall cause each and every Subcontractor to provide insurance coverage that complies with all applicable requirements of the Contractor-provided insurance as set forth herein, except the Contractor shall have sole responsibility for determining the limits of coverage required to be obtained by Subcontractors. The Contractor shall ensure that the City is an additional insured on each and every Subcontractor's Commercial General liability insurance policy using an endorsement at least as broad as ISO Additional Insured endorsement CG 20 38 04 13.

G. Notice of Cancellation

The Contractor shall provide the City and all Additional Insureds for this work with written notice of any policy cancellation within two business days of their receipt of such notice.

H. Failure to Maintain Insurance

Failure on the part of the Contractor to maintain the insurance as required shall constitute a material breach of contract, upon which the City may, after giving five business days' notice to the Contractor to correct the breach, immediately terminate the contract or, at its discretion, procure or renew such insurance and pay any and all premiums in connection therewith, with any sums so expended to be repaid to the City on demand, or at the sole discretion of the City, offset against funds due the Contractor from the City.

15. Assigning or Subcontracting. Contractor shall not assign, transfer, subcontract or encumber any rights, duties, or interests accruing from this Agreement without the express prior written consent of the City, which consent may be withheld in the sole discretion of the City.

16. Notice. Any notices required to be given by the City to Contractor or by Contractor to the City shall be in writing and delivered to the parties at the following addresses:

Jeremy Metzler, Public Works Director
City of Edgewood
2224 - 104th Avenue E.
Edgewood, WA 98372

Phone: 253-952-3299 x114
Email: jeremy@cityofedgewood.org

TRAFFIC MANAGEMENT, INC.
Attn: Michael Flanagan/Contract
4900 Airport Plaza Dr., STE 300
Long Beach, CA 90815____

Phone: 877-875-8226
Email: Michael.flanagan@trafficmanagement.com

17. Resolution of Disputes and Governing Law.

A. Should any dispute, misunderstanding or conflict arise as to the terms and conditions contained in this Agreement, the matter shall first be referred to the Mayor, who shall determine the term or provision's true intent or meaning. The Mayor shall also decide all questions which may arise between the parties relative to the actual services provided or to the sufficiency of the performance hereunder.

B. If any dispute arises between the City and the Contractor under any of the provisions of this Agreement which cannot be resolved by the Mayor or Administrator's determination in a reasonable time, or if the Contractor does not agree with the Mayor or Administrator's decision on a disputed matter, jurisdiction of any resulting litigation shall be filed in Pierce County Superior Court, Pierce County, Washington.

C. This Agreement shall be governed by and construed in accordance with the laws of the State of Washington. In any suit or action instituted to enforce any right granted in this Agreement, the substantially prevailing party shall be entitled to recover its costs, disbursements, and reasonable attorney's fees from the other party.

18. General Provisions.

A. Non-waiver of Breach. The failure of either party to insist upon strict performance of any of the covenants and agreements contained herein, or to exercise any option herein contained in one or more instances, shall not be construed to be a waiver or relinquishment of said covenants, agreements, or options, and the same shall be in full force and effect.

B. Modification. No waiver, alteration, modification of any of the provisions of this Agreement shall be binding unless in writing and signed by a duly authorized representative of the City and the Contractor.

C. Conflict. In the event of any conflict between the terms of this Agreement and the terms of any estimate or purchase order for on-call services requested under this Agreement, the terms of this Agreement shall prevail.

D. Severability. The provisions of this Agreement are declared to be severable. If any provision of this Agreement is for any reason held by a court of competent jurisdiction to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other provision.

E. Entire Agreement. The written provisions of this Agreement, together with any Exhibits attached hereto, shall supersede all prior verbal statements of any officer or other representative of the City, and such statements shall not be effective or be construed as entering into or forming a part of or altering in any manner whatsoever, the Agreement or the Agreement documents. The entire agreement between the parties with respect to the subject matter hereunder is contained in this Agreement and the Exhibits attached hereto, which may or may not have been dated prior to the execution of this Agreement. All of the above documents are hereby made a part of this Agreement and form the Agreement document as fully as if the same were set forth herein. Should any language in any of the Exhibits to this Agreement conflict with any language contained in this Agreement, then this Agreement shall prevail.

IN WITNESS WHEREOF, the parties have executed this Agreement on the day and year set forth above.

CITY OF EDGEWOOD, WASHINGTON

CONTRACTOR

By: _____
Daryl Eidingen
Mayor

By: *Darla Lersch*
Darla Lersch, Sr. Contract Administrator

Date: _____

Date: May 15, 2020

Attest:

By: _____
Rachel Pitzel
City Clerk

APPROVED AS TO FORM:

By: _____
Ann Marie J. Soto
City Attorney