



CITY OF EDGEWOOD

PLANNING COMMISSION MEETING AGENDA

Monday, January 13, 2025 – 6:00 PM ♦ City Hall – 2224 104th Avenue East ♦ Edgewood, WA

Virtual Meeting Via Zoom
Zoom Meeting ID: 970 6596 9184

1. CALL TO ORDER

- a. Pledge of Allegiance and Roll Call

2. CONSENT AGENDA: *All matters listed under Item 2, Consent Agenda, are considered routine in nature and will be enacted by one motion. Individual discussion of these items is not planned. A member, however, may remove any item to discuss as an item for separate consideration under New Business.*

- a. Agenda Approval and Modifications
- b. Review Planning Commission meeting minutes from December 9, 2024

3. CITIZEN COMMENT PERIOD *This portion of the agenda is reserved for the public to comment on items not on the agenda. The Planning Commission may invite additional public comment on agenda items noted for discussion later in the meeting.*

4. PUBLIC HEARINGS

- a. Non-Conforming Uses and Lawful Establishment Date
- b. EMC Title 18 Amendments for Animals

5. ACTION ITEMS

- a. Non-Conforming Uses and Lawful Establishment Date

6. DISCUSSION ITEMS

- a. Animals
- b. Middle Housing Ordinance Update
- c. Parking Standards (SSB 6015 / RCW 36.70A.622)
- d. Annual Comprehensive Plan Amendment Requests - Preliminary Docket
- e. Land Use Table Updates

7. STAFF COMMENTS

8. COMMISSIONER UPDATES

9. ADJOURN

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

PLANNING COMMISSION MEETING AGENDA SUMMARY

Monday, December 9, 2024 – 6:00 PM ♦ City Hall – 2224 104th Avenue East ♦ Edgewood, WA

1 CALL TO ORDER

a. Pledge of Allegiance and Roll Call

Chair Overfield called the meeting to order at 6pm and led attendees in the Pledge of Allegiance. **Present:** Carly Guillory, JoAnn Overfield, Tom Greene, Sarah Wagner, Jan Furey, Carly Lenoir **Excused:** Leyla Church **Staff Present:** Senior Planner Dorner, Community Development Director Metzler, Planning Manager Kubitza

2 CONSENT AGENDA:

a. Agenda Approval or Modifications

b. Review Planning Commission meeting minutes from November 6, 2024

Motion: As Read **Action:** Approved, **Moved by:** Commissioner Lenoir **Seconded by:** Commissioner Furey **Motion Passed 6-0**

3 CITIZEN COMMENT PERIOD

There were no citizen comments.

4 ACTION ITEMS

a. 2024 Comprehensive Plan Update

Motion: As Read **Action:** Approved, **Moved by:** Commissioner Lenoir **Seconded by:** Commissioner Greene **Motion Passed 6-0**

b. SB 5290 Process Code Updates

Motion: As Read **Action:** Approved, **Moved by:** Commissioner Furey **Seconded by:** Commissioner Wagner **Motion Passed 6-0**

5 DISCUSSION ITEMS

a. Animals/Livestock

Senior Planner Dorner brought this item back for further discussion and deliberation and a detailed discussion on the proposed amendments ensued.

b. Non-Conforming Uses and Lawful Establishment Date - Status Update

Community Development Director Metzler reviewed the details of this agenda item, explaining that staff prepared draft code redlines for review and discussion.

c. Middle Housing Grant - Public Participation Status Update

Planning Manager Kubitza discussed this agenda topic requesting commissioners review the Department of Commerce's Middle Housing resource webpage and review the previous Planning Commission recordings for more information.

6 STAFF COMMENTS

Community Development Director Metzler spoke briefly.

7 COMMISSIONER UPDATES

Commissioners Guillory and Chair Overfield spoke.

8 ADJOURN

Chair Overfield adjourned the meeting at 7:06pm.



CITY OF EDGEWOOD STAFF REPORT PLANNING COMMISSION AGENDA ITEM

Date: January 13, 2024
Title: Non-Conforming Uses and Lawful Establishment Date – Public Hearing
Attachments: Draft EMC Title 18 Redlines
Submitted By: Jeremy Metzler, PE – Community Development Director

Background Information:

When evaluating any use for non-conforming status, an applicant / proponent must prove that the use was lawfully established and existing prior to the effective date of the applicable regulation. There are some ongoing uses within the City of Edgewood that were established prior to our incorporation on February 28, 1996, and researching back beyond that date has proven in several cases to be challenging at best. In an effort to improve efficiencies, staff is interested in limiting any need for research beyond the City's date of incorporation. This might be accomplished by establishing a date in the municipal code before which the use in question is considered to be "self-evident", or in other words, the exact date of existence does not need to be proven if established prior to said specific date.

For reference, in Washington State, a landowner must satisfy the following three key elements to prove that a use was lawfully established or lawfully existing:

- The use must have existed prior to the enactment of a zoning ordinance that contradicts the use.
- The use must have been lawful at the time it was established.
- The landowner must not have abandoned or discontinued the use for over a year prior to the relevant change in the zoning code.

There are two additional scenarios to consider based on relevant case law:

- Clearly state that any trespass or encroachment would not qualify as "legally established", and
- Provide a clear process for how an applicant / property owner can prove continual use as simply as possible.

The City Council held an initial conversation on this topic at their July 16, 2024 study session, which can be viewed here: <https://vimeo.com/985745206> (starting at 1hr 16min). The discussion touched on some potential and experienced scenarios, determining which date to use, and resulted with interest in moving this forward using the City's date of incorporation.

As this would require a modification to the City's development regulation code, the matter was introduced to the Planning Commission at the November meeting. Staff prepared draft code redlines for review and discussion, and general support was expressed by the commissioners.

Current Discussion:

With no further comment or discussion being provided by the Planning Commission at their December 2024 meeting, staff scheduled tonight's Public Hearing to solicit any final input before a potential recommendation is made to the City Council. Staff also issued a SEPA Determination of Nonsignificance (DNS) on December 22, 2024, with the currently open SEPA public comment period set to close with tonight's public hearing. The Planning Commission may have further discussion after tonight's public hearing, with a formal recommendation to the City Council to be considered thereafter.

Public Hearing:

The Planning Commission is scheduled and duly noticed to hold a public hearing this evening to accept public comment regarding the attached proposed amendments to Edgewood Municipal Code regarding Non-Conforming Uses and a Lawful Establishment Date.

Draft Code Redlines
Edgewood Municipal Code (EMC) Title 18
Non-Conforming Uses and Lawful Establishment Date

18.20.170 N Definitions.

...

“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 (see EMC 16.01.040(D) for criteria), 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 that is proven to have existed legally established prior to the effective date of this title or subsequent amendment, on or before February 28, 1996, that was not a criminal use at the time or currently, or that was legally established after February 28, 1996 and prior to the effective date of this title or subsequent amendment, which that is no longer permitted by or in full compliance with the regulations of this title.

...

18.90.110 Nonconformities.

...

- I. The burden of demonstrating that nonconformity existed on or before February 28, 1996, or is otherwise lawful under this title, rests with the property or business owner. The exact date need not be proven, only that the nonconformity existed on or before February 28, 1996. Additionally, the nonconformity must not have been criminal at the time under City, State, or Federal law, nor can it be criminal under current law. Some examples of evidence that may indicate legal nonconforming status include: tax assessment records, construction or other permit records, personal or business income tax records, business license records, dated past advertising, dated business receipts to customers, dated rent receipts, affidavits from neighbors or tenants, testamentary documents, photographs whose date may be clearly ascertained, and other such information which is competent and factual. The city may, at its discretion, request such records from a property or business owner as a basis for determining whether nonconformity was legally established and preexisting.
- J. Termination of Nonconforming Status.

1. A nonconforming development or use shall terminate under the following conditions:
 - a. When the use has been vacated or abandoned for a period of ~~six~~ twelve (12) or more months.
 - b. When the structure, which is nonconforming, has been damaged or destroyed to an extent exceeding 50 percent or more of its fair market value as indicated by the records of the Pierce County assessor.
2. Provided, that damaged uses that are allowed to reestablish, as provided in subsection (K) of this section, Damage or Destruction, shall not be considered to be terminated. Once terminated, the use shall not be reestablished, and any subsequent use must comply with the regulations of the zoning district in which it is located.

...

N. The community development director or designee is hereby empowered to prohibit or condition any nonconforming use that poses a risk to public health, safety, or the environment, even if the use existed prior to February 28, 1996. The director or designee may also impose conditions to remediate or mitigate any such risks to ensure compliance with current standards.

...

18.100.070 Home business.

- ...
- H. An ongoing home business may be granted nonconforming status; provided, that it was previously 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, pursuant to EMC 18.90.110. 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.

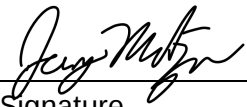
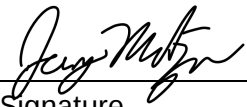
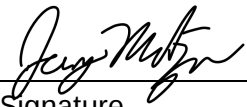
18.100.080 Limited home business.

- ...
- H. An ongoing home business may be granted nonconforming status; provided, that it was previously 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, pursuant to EMC 18.90.110. 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.



State Environmental Policy Act (SEPA) Determination of Nonsignificance (DNS)

City of Edgewood ■ 2224 104th Ave East ■ Edgewood, Washington 98372-1513 ■ 253-952-3299

Issued:	December 22, 2024				
File:	#24-009-CODE, EMC Title 18 Amendments for Nonconforming Uses and Lawful Establishment Date				
Lead Agency:	City of Edgewood				
Staff Contact:	Jeremy Metzler, Community Development Director 253-952-3299 comdev@cityofedgewood.org				
Proponent:	City of Edgewood				
Location:	City of Edgewood located in northern Pierce County, Washington. The proposal is for all areas within the City of Edgewood municipal boundaries.				
Proposal:	Amendments to Edgewood Municipal Code (EMC) Title 18 as related to nonconforming use regulations and a lawful establishment date.				
Existing Documents:	All existing environmental documents and studies associated with this proposal are available on the City of Edgewood Permit Portal via portal.cityofedgewood.org by searching the File No. 24-009-CODE. • SEPA Environmental Checklist; • DRAFT Title 18 Code Amendments;				
SEPA:	The City of Edgewood has determined that this proposal will not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of an Environmental Checklist and other information on file with the City. This DNS is issued under WAC 197-11-340(2). A final decision will not be made on this proposal until after January 28, 2025. SEPA Responsible Official: <table><tr><td></td><td>12/19/2024</td></tr><tr><td>Signature</td><td>Date</td></tr></table> Jeremy Metzler, PE, Community Development Director		12/19/2024	Signature	Date
	12/19/2024				
Signature	Date				
Comment Period:	Written comments may be submitted until January 13, 2025 by 5:00 PM via email, mail, or in-person via comdev@cityofedgewood.org or City of Edgewood, 2224 104th Avenue East, Edgewood, WA 98372. Verbal comments may be submitted during the Planning Commission public hearing.				
Public Hearing:	The City of Edgewood Planning Commission will convene a hybrid public hearing on the matter at 6:00pm on Monday, January 13, 2025. Members of the public can attend and participate in person at Edgewood City Hall, Council Chambers, 2224 104th Ave East, Edgewood, WA 98372 or virtually via Zoom by visiting zoom.us/join using Meeting ID: 970 6596 9184. Meeting information is available at cityofedgewood.org/calendar .				
Appeals:	Appeals for this threshold determination must be made to the City of Edgewood pursuant to EMC 20.05.250(J). Per EMC 20.05.250(E) appeals will be accepted until 5:00 PM on January 28, 2025. Appeals must be submitted in writing along with the appeal fee via the City's permit portal: portal.cityofedgewood.org .				



Community & Economic Development Department

2224 104th Avenue East, Edgewood, WA 98372

(253) 952-3299 | <https://www.cityofedgewood.org/>

STATE ENVIRONMENTAL POLICY ACT (SEPA)

ENVIRONMENTAL CHECKLIST

FILE#: 24-009CODE

Purpose of Checklist:

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

Instructions for Applicants:

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. You may use "not applicable" or "does not apply" only when you can explain why it does not apply and not when the answer is unknown. You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Use of Checklist for Nonproject Proposals:

For nonproject proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B plus the [supplemental sheet for nonproject actions \(part D\)](#). Please completely answer all questions that apply and note that the words "project," "applicant," and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in Part B - Environmental Elements –that do not contribute meaningfully to the analysis of the proposal.

A. Background (to be completed by applicant)

1. Name of proposed project, if applicable:			
Non-Conforming Uses and Lawful Establishment Date			
2. Applicant	Address (Street, City, State, Zip)	Phone	Email
City of Edgewood	2224 104 th Avenue E Edgewood, WA 98372	253-952-3299	comdev@cityofedgewood.org
3. Contact Person	Address (Street, City, State, Zip)	Phone	Email
Jeremy Metzler	See above	253-831-4266	jeremy@cityofedgewood.org
4. DATE CHECKLIST PREPARED			
December 11, 2023			
5. AGENCY REQUESTING CHECKLIST			
City of Edgewood			

1. Proposed timing of schedule (including phasing, if applicable):

Anticipating adoption of code amendments in February 2025

2. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.

None known.

3. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

Draft Edgewood Municipal Code (EMC) Amendments to Title 18

4. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.

Not applicable

5. List any government approvals or permits that will be needed for your proposal, if known.

Washington State Department of Commerce Review, City of Edgewood Planning Commission Recommendation, City of Edgewood Council Adoption by Ordinance

6. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)

Proposed amendments to EMC Title 18 regarding non-conforming uses, establishing the city's incorporation as the date before which any use in question is considered to be "self-evident", or in other words, the exact date of existence does not need to be proven if established prior to said specific date. When evaluating any use for non-conforming status, an applicant / proponent must prove that the use was lawfully established and existing prior to the effective date of the applicable regulation. There are some ongoing uses within the City of Edgewood that were established prior to our incorporation on February 28, 1996, and researching back beyond that date has proven in several cases to be challenging at best. In an effort to improve efficiencies, staff is interested in limiting any need for research beyond the City's date of incorporation.

7. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the

agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

Citywide

B. Environmental Elements

Section B is excluded for this proposed non-project action, as it would not contribute meaningfully to the analysis of the proposal. Refer to Section D below.

C. Signature

[Find help about who should sign¹](#)

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

X  _____

Type name of signee: Jeremy Metzler, PE

Position and agency/organization: Community Development Director, City of Edgewood

Date submitted: December 11, 2024

D. Supplemental sheet for nonproject actions

[Find help for the nonproject actions worksheet²](#)

Do not use this section for project actions.

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

There are no increases of these types anticipated, as it would at the most allow for existing non-conforming uses to continue in their existing state with no expansion of said use.

- Proposed measures to avoid or reduce such increases are:

Not applicable

¹ <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-C-Signature>

² <https://ecology.wa.gov/regulations-permits/sepa/environmental-review/sepa-guidance/sepa-checklist-guidance/sepa-checklist-section-d-non-project-actions>

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

There are no anticipated affects, as it would at the most allow for existing non-conforming uses to continue in their existing state with no expansion of said use.

- **Proposed measures to protect or conserve plants, animals, fish, or marine life are:**

Not applicable

3. How would the proposal be likely to deplete energy or natural resources?

Depletion of energy or natural resources is not anticipated, as it would at the most allow for existing non-conforming uses to continue in their existing state with no expansion of said use.

- **Proposed measures to protect or conserve energy and natural resources are:**

Not applicable

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection, such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

There are no anticipated affects, as it would at the most allow for existing non-conforming uses to continue in their existing state with no expansion of said use.

- **Proposed measures to protect such resources or to avoid or reduce impacts are:**

Not applicable

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

There are no anticipated affects, as it would at the most allow for existing non-conforming uses to continue in their existing state with no expansion of said use.

- **Proposed measures to avoid or reduce shoreline and land use impacts are:**

Not applicable

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

There are no increases of these types anticipated, as it would at the most allow for existing non-conforming uses to continue in their existing state with no expansion of said use.

- **Proposed measures to reduce or respond to such demand(s) are:**

Not applicable

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

There are no known conflicts with any local, state, or federal laws or requirements for the protection of the environment for the proposed code amendments.



CITY OF EDGEWOOD STAFF REPORT PLANNING COMMISSION AGENDA ITEM

Date: January 13, 2025

Title: Public Hearing – EMC Title 18 Amendments for Animals

Attachments: Notice of Public Hearing (NOPH)
State Environmental Policy Act (SEPA) Determination of Nonsignificance (DNS)
Draft Amendments to EMC 18.20 Definitions
Draft Amendments to EMC 18.70 Permitted Land Uses
Draft Amendments to EMC 18.100.030 Animals
Code Enforcement Officer Letter

Submitted By: Morgan Dorner, Senior Planner

Background Information:

In April 2024, the City Council received several public comments regarding livestock and large animals on residentially-zoned properties. To summarize, concerns were expressed about land use code changes in June 2020 that limited residents' ability to have large animals on their property. Those changes were implemented in Edgewood Municipal Code (EMC) under Ordinance 20-0579, which was a broad update of the City's land use table.

Following further research, the City Council continued conversation on this topic at their July 16, 2024 Study Session, and those materials can be found here: [Meeting Overview and Materials](#).

Following the July 16, 2024 study session discussion, public comments were received by email and at the regular meeting on July 23, 2024. The issue was then directed to the Planning Commission, the body responsible for reviewing amendments to development and land use regulations.

The Planning Commission met on the following dates regarding this item:

- September 9, 2024
- October 14, 2024
- November 11, 2024
- December 9, 2024
- **January 13, 2025** (day of this hearing – see discussion item 6a for more information)

Materials, minutes, and recordings of these prior meetings can be found here: [Agendas and Minutes](#).

After the commission's review and discussion of the draft amendments on December 9, 2024, a Notice of Public Hearing and SEPA DNS was issued informing the public of the proposed drafts amendments, this public hearing date/time, and to provide an opportunity to submit comments.

These notices were issued on December 12, 2024 with a public comment period held December 12, 2024 – January 13, 2025. Public notice was submitted to SEPA agencies, tribes and public through the Tacoma News Tribune, the city's website, email, posting on the Statewide SEPA Register, and posting at the City Hall notice board. As of January 9, 2025 no public comments have been received. However, one (1) comment was submitted by the City's Code Enforcement Officer and is included in this packet. If any public comments are received by January 13, prior to the Planning Commission Public Hearing on January 13, 2025, staff will provide the commission with the comments prior to the meeting.

Current Discussion:

This is the Planning Commission Public Hearing for draft amendments to EMC Title 18, Development standards for animal related use and activity related regulations.

A brief presentation by staff will be provided describing the proposed draft amendments. After this, the public may submit their oral testimony to the Planning Commission. Please note, a sign-up sheet has been provided at the entry to receive future updates on this proposal.

Public Hearing:

The Planning Commission is scheduled and duly noticed to hold a public hearing this evening to accept public comment regarding proposed draft amendments to EMC Title 18 related to animals.



Notice of Public Hearing

City of Edgewood

2224 104th Ave East

Edgewood, Washington 98372-1513

253-952-3299

File: #24-006-CODE Title 18 Amendments for Animals

Notice Date: December 22, 2024

Hearing Date/Time: January 13, 2025 at 6:00 PM

Meeting Location: City of Edgewood City Hall, 2224 104th Avenue East, Edgewood, WA 98372
or join remote via Zoom at zoom.us/join using Meeting ID: 970 6596 9184

Staff Contact: Morgan Dorner, Senior Planner
253-952-3299 | comdev@cityofedgewood.org

Proponent: City of Edgewood

Proposal: Amendments to City of Edgewood Municipal Code (EMC) Title 18 as related to animal definitions, uses, allowances, and regulations within the City of Edgewood.

Existing Documents: Draft code amendments are provided electrically at noa.cityofedgewood.org.

Public Participation: All interested persons may appear in-person or virtually via Zoom and provide testimony, as well as request a copy of the decision. To allow for remote public participation, the City will also broadcast this meeting on Zoom. Written comments must be received by 5:00 PM on the hearing date. Only persons who submit written or oral comments to the hearing examiner may appeal the decision.

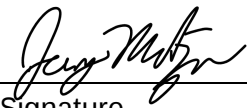
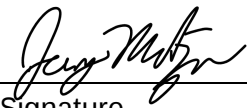
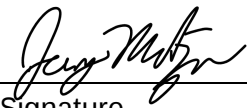
Please call (253) 952-3299 if you have any questions.

Any interested person/party has the right to comment on the proposal, review file materials, request a copy of the decision, and appeal the decision subject to requirements outlined in Edgewood Municipal Code Chapter 18 and the applicable regulations as adopted by the City.



State Environmental Policy Act (SEPA) Determination of Nonsignificance (DNS)

City of Edgewood ■ 2224 104th Ave East ■ Edgewood, Washington 98372-1513 ■ 253-952-3299

Issued:	December 22, 2024				
File:	#24-006-CODE EMC Title 18 Amendments for Animals				
Lead Agency:	City of Edgewood				
Staff Contact:	Morgan Dorner, Senior Planner 253-952-3299 comdev@cityofedgewood.org				
Proponent:	City of Edgewood				
Location:	City of Edgewood located in northern Pierce County, Washington. The proposal is for all areas within the City of Edgewood municipal boundaries.				
Proposal:	Amendments to City of Edgewood Municipal Code (EMC) Title 18 as related to animal definitions, uses, allowances, and regulations within the City of Edgewood.				
Existing Documents:	All existing environmental documents and studies associated with this proposal are available on the City of Edgewood Permit Portal via portal.cityofedgewood.org by searching the File No. 24-006-CODE. • SEPA Environmental Checklist; • DRAFT Title 18 Code Amendments;				
SEPA:	The City of Edgewood has determined that this proposal will not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of an Environmental Checklist and other information on file with the City. This DNS is issued under WAC 197-11-340(2). A final decision will not be made on this proposal until after January 28, 2025. SEPA Responsible Official: <table><tr><td></td><td>12/19/2024</td></tr><tr><td>Signature</td><td>Date</td></tr></table> Jeremy Metzler, PE, Community Development Director		12/19/2024	Signature	Date
	12/19/2024				
Signature	Date				
Comment Period:	Written comments may be submitted until January 13, 2025 by 5:00 PM via email, mail, or in-person via comdev@cityofedgewood.org or City of Edgewood, 2224 104th Avenue East, Edgewood, WA 98372. Verbal comments may be submitted during the Planning Commission public hearing.				
Public Hearing:	The City of Edgewood Planning Commission will convene a hybrid public hearing on the matter at 6:00pm on Monday, January 13, 2025. Members of the public can attend and participate in person at Edgewood City Hall, Council Chambers, 2224 104th Ave East, Edgewood, WA 98372 or virtually via Zoom by visiting zoom.us/join using Meeting ID: 970 6596 9184. Meeting information is available at cityofedgewood.org/calendar .				
Appeals:	Appeals for this threshold determination must be made to the City of Edgewood pursuant to EMC 20.05.250(J). Per EMC 20.05.250(E) appeals will be accepted until 5:00 PM on January 28, 2025. Appeals must be submitted in writing along with the appeal fee via the City’s permit portal: portal.cityofedgewood.org .				



Community & Economic Development Department

2224 104th Avenue East, Edgewood, WA 98372

(253) 952-3299 | <https://www.cityofedgewood.org/>

STATE ENVIRONMENTAL POLICY ACT (SEPA)

ENVIRONMENTAL CHECKLIST

FILE#: 24-006-CODE

Purpose of Checklist:

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

Instructions for Applicants:

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. You may use "not applicable" or "does not apply" only when you can explain why it does not apply and not when the answer is unknown. You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Use of Checklist for Nonproject Proposals:

For nonproject proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B plus the [supplemental sheet for nonproject actions \(part D\)](#). Please completely answer all questions that apply and note that the words "project," "applicant," and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in Part B - Environmental Elements –that do not contribute meaningfully to the analysis of the proposal.

A. Background (to be completed by applicant)

1. Name of proposed project, if applicable:			
City of Edgewood Municipal Code (EMC) Title 18 Amendments for Animals			
2. Applicant	Address (Street, City, State, Zip)	Phone	Email
City of Edgewood, Community & Economic Development Department	2224 104th Ave E, Edgewood, WA 98372	253-952- 3299	comdev@cityofedgewood.org
3. Contact Person	Address (Street, City, State, Zip)	Phone	Email
Morgan Dorner, Senior Planner	2224 104th Ave E, Edgewood, WA 98372	253-831- 4252	comdev@cityofedgewood.org
4. DATE CHECKLIST PREPARED			
December 12, 2024			
5. AGENCY REQUESTING CHECKLIST			
City of Edgewood			

1. Proposed timing of schedule (including phasing, if applicable):

Anticipated adoption by City Council in February 2025.

2. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.

There are no plans for future activities related to this proposal.

3. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

None.

4. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.

City of Edgewood City Council Approval, City of Edgewood Planning Commission Recommendation, and Washington State Department of Commerce 60-Day Notice.

5. List any government approvals or permits that will be needed for your proposal, if known.

- City of Edgewood City Council Approval
- City of Edgewood Planning Commission Recommendation
- City of Edgewood SEPA
- Washington State Department of Commerce 60-Day Notice.

6. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)

Amendments to City of Edgewood Municipal Code (EMC) Title [18](#), Development Standards as they relate to animals and animal uses, standards, and allowances.

7. **Location of the proposal.** Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

City of Edgewood in northern Pierce County, WA. All areas within City of Edgewood, WA municipal boundaries.

S/T/R: Township 20 North, Range 4 East, W.M.

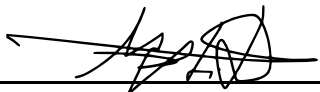
B. Environmental Elements

N/A. See item D below.

C. Signature

[Find help about who should sign](#)¹

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

X 

Type name of signee: Morgan Dorner

Position and agency/organization: Senior Planner, City of Edgewood Community & Economic Development Department

Date submitted: December 12, 2024

¹ <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-C-Signature>

D. Supplemental sheet for nonproject actions

[Find help for the nonproject actions worksheet²](#)

Do not use this section for project actions.

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

No increases are anticipated with the proposed amendments.

- **Proposed measures to avoid or reduce such increases are:**

The proposed amendments include provisions to reduce potential impacts for noise and smells. Any proposed commercial or industrial animal use would be reviewed on a project-level basis. All uses are subject to performance standards contained in EMC [18.90.140](#) for dangerous or objectionable elements, including the following:

- 1. Noise, vibration or glare.
- 2. Smoke, dust, odor or other form of air pollution.
- 3. Heat, cold or dampness.
- 4. Hazardous substances and wastes.

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

The proposed amendments establish regulations for animal uses, where they are allowed, setbacks, shelters, minimum spacing standards for general health, safety, and welfare.

- **Proposed measures to protect or conserve plants, animals, fish, or marine life are:**

No additional measures are proposed. The proposed amendments establish minimum standards that seek to protect domestic, livestock, exotic, and wildlife animals. The amendments include prohibiting exotic animals and the possession of wildlife animals.

3. How would the proposal be likely to deplete energy or natural resources?

The proposed amendments are not likely to deplete energy or natural resources.

- **Proposed measures to protect or conserve energy and natural resources are:**

No measures are proposed.

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection, such as parks, wilderness, wild and scenic

² <https://ecology.wa.gov/regulations-permits/sepa/environmental-review/sepa-guidance/sepa-checklist-guidance/sepa-checklist-section-d-non-project-actions>

rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

The proposed amendments seek to protect and conserve these areas and wildlife. Amendments to EMC [18.100.030](#) include a restriction stating that “No livestock animal shall be kept or allowed within any wetland or critical fish and wildlife habitat area, as regulated under EMC Title [14](#), Critical Areas.” The amendments include prohibiting exotic animals and the possession of wildlife animals. Wildlife animals are regulated under state and federal law and EMC Title [14](#), Critical Areas as applicable.

- **Proposed measures to protect such resources or to avoid or reduce impacts are:**

No additional measures are proposed.

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

The proposed amendments include updates to the EMC [18.70.050](#), Land Use Table and include allowances for small-scale agricultural for personal use and farming activities. Updates also include changes to where commercial and industrial animal related uses such as production are permitted.

- **Proposed measures to avoid or reduce shoreline and land use impacts are:**

No additional measures are proposed.

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

The proposed amendments are not likely to increase demands on transportation or public services and utilities.

- **Proposed measures to reduce or respond to such demand(s) are:**

N/A. No additional measures are proposed.

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

The proposed amendments are to be consistent with local, Pierce County, state, or federal laws or requirements for the protection of the environment

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. 20-579 § 1 (Exh. A); Ord. 03-203 § 1).

18.20.020 Words not defined, administrative interpretation.

Refer to EMC 18.50.020(F), Administrative Interpretations. (Ord. 20-579 § 1 (Exh. A); 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 North American Industry Classification System.

...

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. (Ord. 20-579 § 1 (Exh. A); Ord. 11-359 § 7 (Exh. D); Ord. 03-203 § 1).

18.20.040 A definitions.

...

“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.~~

“Animal, domestic” means any/all of the following:

1. Dog (canine) having no genetic portion of exotic animal;
2. Cat (feline) having no genetic portion of exotic animal;
3. Potbellied pig when housed within the residence of the owner;
4. Any animal certified by an approved training facility to perform assistance to a disabled person when housed within the residence of such person;
5. A bird such as a canary, parakeet, cockatiel, cockatoo, parrot, and similar bird which is capable of surviving in a caged environment within a residential structure, and is so caged;
6. Rabbit or hare when housed within the residence of its owner;
7. Carrier pigeon;
8. Hamster, gerbil, white mouse and other rodent which does not carry any disease.

“Animal, exotic”. See Title 6, Animal Control for definition.

“Animal, livestock” means any/all of the following:

1. Cow, bovine;
2. Horse, mule, donkey and other horse hybrid;
3. Sheep, goat, and ram;
4. Pig, hog, and swine;
5. Rabbit and hare when not housed within the residence of its owner;
6. Ostrich, emu, and similar fowl;
7. Llama;
8. Chicken, hen, rooster, duck, goose, swan, and similar poultry;
9. Any other cloven-hoofed animal;
10. Any domestic animal when bred and/or sold for commercial purposes.

“Animal, wildlife” means any animal which is not domestic, exotic or livestock.

~~“Animal production and aquaculture, all other” means uses involving the raising or fattening of 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 production and aquaculture” means establishments, such as ranches, farms, primarily engaged in raising, keeping, grazing, breeding, or feeding animals. These animals are kept for the products they produce or for eventual sale. The animals are generally raised in various environments, from total confinement or captivity to feeding on an open range pasture. Further described in NAICS 112 (except 112112, 1122, 112320).~~

~~“Animal production, all other” means animal production uses engaged in raising animals and insects, such as ranches and small-scale farms, primarily engaged in keeping, grazing, breeding, or feeding animals. These animals are kept for personal use, the products they produce or for eventual sale. Only permitted as an accessory use to a primary residential use and is subject to the standards and minimum spacing requirements contained in EMC 18.100.030(F).~~

“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.

...

18.20.050 B definitions.

...

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

...

“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.

...

18.20.060 C definitions.

...

“Cattle feedlots” means ~~uses involving establishments primarily engaged in~~ feeding cattle for fattening. ~~Examples include beef cattle feedlots, feed yards and feedlots (except stockyards for transportation).~~ Further described in NAICS 112112.

...

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

...

~~“Crop production” means establishments primarily engaged in 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 or “Crop production, all other” as defined in this chapter. Further described in NAICS 111.

“Crop production, all other” means uses which involve the raising and harvesting of row crops, field crops, or tree crops on a personal and small-scale agricultural or commercial basis, including small-scale packing, primary processing, and storage facilities such as barns or sheds for gardening equipment and small tractors or other small to medium-sized farming equipment. This use is intended for small-scale crop production such as cooperative gardens, community gardens, farming activities for personal consumption or small-scale retail at local markets and produce stands. This use category does not include the production of marijuana. Further described in NAICS 111.

18.20.090 F definitions.

...

~~“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.~~

~~“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.~~

...

18.20.110 H definitions.

...

“Hog and pig farming” means establishments primarily engaged in 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.

...

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.~~ “Kennels” means a place where six or more adult dogs or cats or any combination thereof is kept whether by owners of the dogs and cats or by persons providing facilities and care, whether or not for compensation, but not including a veterinary hospital or clinic. An adult dog or cat is one of either sex, altered or unaltered, that has reached the age of six months. Examples include animal shelters and dog pounds. Does not include boarding of pets as a service to pet owners.

...

18.20.190 P definitions.

...

“Pet and pet supplies stores” means places of business primarily engaged in retail sales associated with domestic or livestock~~small animals and household pets~~. Further described in NAICS 453910.

“Pet care services, all other” ~~establishments primarily engaged in providing pet care services such as boarding, grooming, sitting, and training domestic animals. Examples include pet grooming shops, pet daycare, and pet boarding services. This excludes veterinary services and kennels as defined in this chapter. 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 NAICS 812910.

...

18.20.250 V definitions.

...

“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.

...

18.20.290 Z definitions.

...

“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.

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
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 Conditions 1 and 6
Family Farm	111; Special	✓	✓	A	–	–	–	–	–	–	✓	✓	Activities must be performed on parcels larger than two acres in size, unless in the SF2 or SF3 zone
Agricultural Sales	454390, part Special	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	Activities permitted in all districts, but require TUP and must comply with 18.50.070
Crop Production													
Crop Production	111, part A	A	A	A	A	–	–	–	–	A	A	–	
Marijuana Production	111; Special	–	–	–	–	–	–	–	–	–	–	–	See Condition 2
Crop Production, All Other	111, part	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
Animal Production and Aquaculture	Personal animal uses permitted in all zones per EMC 18.100.030.												
Animal Production and Aquaculture	112210, part except 112112, 1122, 112320	✓	CUP	–	–	–	–	–	–	–	✓	CUP	

Hog and Pig Farming	112210	—	—	—	—	—	—	—	—	—	—	—	
Cattle Feedlots	112112	CUP	—	—	—	—	—	—	—	—	CUP	—	
Animal Production, All Other	112 part	✓	✓	✓	✓	A	—	—	—	—	✓	CUP	Only permitted as an accessory use to a primary residential use.
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	—	—	—	—	—	—	—	—	—	—	—	
Services (Sector 811-812)													
Pet Care Services													
Kennels	812910, part Special	—	—	—	—	—	A	—	A	CUP A	A	CUP	
Veterinary Services	541940	A	A	A	A	A	A ✓	A ✓	✓	✓	A	A	Only permitted in the single family zones and MR-1 as an accessory use to a primary residential use.
Pet Care Services, All Other	812910, part	A	A	A	A	A	✓	✓	✓	✓	A	—	Only permitted in the single family zones and MR-1 as an accessory use to a primary residential use and subject to EMC 18.100.030.

Conditions

(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 Ordinance Nos. 14-425 and/or 17-502; plus any regulations regarding cannabis in Chapter 69.51A RCW 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 is subject to the use regulations for said structure.

(5) Essential public facilities are subject to EMC 18.50.060, Essential public facilities permit.

(6) Subject to EMC 18.100.030, Animals.

Chapter 18.100

DEVELOPMENT STANDARDS – USE SPECIFIC

Sections:

- 18.100.010 Accessory residential vehicle service and repair standards.
- 18.100.030 Animals.
- 18.100.040 Daycare facilities.
- 18.100.050 *Repealed.*
- 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.

...

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.~~

A. Purpose and Intent. The purpose of this section is to ensure the health, safety, and welfare of animals and the public are maintained within the City of Edgewood.

B. Applicability. All animals and animal uses within the City of Edgewood shall be regulated by this section, in addition to the development regulations contained in this title, as applicable. Regulations regarding animal control are provided in EMC Title 6, Animal Control. Owners and operators are responsible for obtaining all necessary local, state, and federal permits, licenses, and approvals.

C. Performance Standards. All animal uses, except for wildlife animals, are subject to EMC 18.90.140, Performance Standards.

D. Animal Uses.

1. Personal. Animals raised, bred, trained, or kept for personal use, enjoyment, and is accessory to a primary land use. Also includes animals raised for a variety of small-scale agricultural purposes, including labor, meat, eggs, milk, fur, leather, and wool for the owner's consumption or small-scale commercial activity. Personal animals are permitted in all zones and may be domestic, livestock, exotic, or wildlife, subject to the standards of this section.

2. Commercial. Animals raised, bred, boarded, fattened, trained, or kept for commercial service, sale, slaughter, or byproduct production for monetary gain or trade. Commercial animal uses are permitted as provided in EMC 18.70, Permitted Land Uses and are subject to the standards of this section.

3. Industrial. Animals processed for byproduct production other similar means for industrial production. Industrial animal uses are permitted as provided in EMC 18.70, Permitted Land Uses and are subject to the standards of this section.

4. Pet Care Services. Includes Pet Care Services, All Other and Veterinary Services as permitted in EMC 18.70 and defined in EMC 18.20.

a. Single family zones and MR-1. Only permitted as an accessory use, subject to the standards contained in this section, development regulations contained in this title, and the following:

i. All related use and activity for all pet care services is limited to a 5% maximum of the total lot area. This is inclusive of all outdoor and indoor areas.

ii. Animals must be kept within the area limits by structure, enclosure, fencing, or other similar containment feature as approved by the director or designee.

iii. The total square footage of all structures associated with the pet care service must be less than any primary or accessory residential dwelling structures combined.

iiiv. All use and activity shall maintain a minimum 25 foot setback from property lines and 50 feet from any neighboring residential structures. Additional setbacks may be required depending on the specific use and site conditions, as determined by the director or designee.

iv. An administrative use permit (AUP) and general business license are required by Chapter 5.05 EMC, and more than six (6) animals requires licensing as regulated under Title 6, Animal Control.

b. All other zones. Permitted as provided in EMC 18.70, Permitted Land Uses and subject to the development regulations contained in this title.

i. Additional setbacks and screening may be required depending on the specific use and site conditions, as determined by the director or designee.

E. Animals Permitted. The following animals are permitted within the City of Edgewood, as defined in EMC 18.20 Definitions and regulated under this title, except for exotic animals which are prohibited and subject to compliance under Title 6, Animal Control.

1. “Animal, domestic”

2. “Animal, livestock”

3. “Animal, exotic”

4. “Animal, wildlife”

F. Animal Standards and Minimum Space Requirements. For all animal uses, the minimum space requirements for domestic, livestock, and exotic shall be as followed. These provisions shall not apply to permitted kennels, grooming parlors, or veterinary clinics.

1. Domestic Animals.

a. Dogs are regulated under Title 6, Animal Control for space requirements.

b. Cats are not regulated for space requirements.

c. Potbellied pig: same as subsection (a) of this section, Dogs.

d. Birds are not regulated for space requirements.

e. All other domestic animals: as prescribed by a veterinarian, or qualified study, report or published industry standard, and approved by the director as required for the particular type of animal and circumstance.

f. All domestic animals shall be provided with shelter from excessive temperature and precipitation sufficient to protect the size, type and number of animals.

2. Livestock Animals.

a. Cow/bovine – 10,000 square feet open, fenced area for the first animal, plus 1,000 square feet per additional animal.

b. Horse – 10,000 square feet open, fenced area for the first animal, plus 1,000 square feet per additional animal.

c. Sheep, pig, llama, ostrich, and similar-sized animals – 5,000 square feet open, fenced area for the first animal, plus 500 square feet per additional animal.

d. Other fowl/poultry – Eight (8) square feet per animal within a coop or other enclosed structure plus eight (8) square feet open, fenced area for each animal outside the coop or structure.

i. Roosters and male turkeys are not permitted on lots less than one and a half (1.5) acres. Adjoining lots under common ownership may be combined.

ii. Roosters and male turkeys are permitted on individual lots or combined adjoining lots under common ownership of one and one half (1.5) acres or more subject to the following:

1. No rooster or male turkey shall become a public nuisance. Roosters or male turkeys that become a public nuisance shall be prohibited.

2. Must be kept overnight in an enclosed structure a minimum of 150 feet from any residence other than the rooster or male turkey owner residence.

3. Must be kept during the daytime a minimum 100 feet any residence other than the rooster or male turkey owner residence

e. Rabbit/hare – Eight (8) square feet per animal within a coop or other enclosed structure plus eight square feet open, fenced area for each animal outside the coop or structure.

f. Honey Beekeeping (Apiary).

i. Minimum lot area: The number of hives shall be limited as follows. Structures shall not be included in the minimum lot area calculation and must be set back as per the zoning standards.

Lot Area (Square footage)	# of Hives
6,000 to 10,000	2
10,001 to 20,000	4
20,001 to 43,560 (.46 to 1 acre)	10

The number of hives may not be restricted on parcels of land over one (1) acre in size under the following conditions:

1. During times of the year when there is minimal bee flight or activity (October – March); or

2. The parcel is in a rural or agricultural area; or

3. The hives with bees are being used for agricultural crop pollination; and
 4. A public nuisance is not created; and
 5. All other requirements of this Chapter are met.
- ii. Colonies shall be maintained in small movable frame hives, unless exempted by the Washington State Department of Agriculture as an educational exhibit.
 - iii. Apiaries shall be managed and kept in a clean and orderly condition, and adequate space shall be maintained in the hives to prevent overcrowding and swarming.
 - iv. Colonies shall be requeened with a young hybrid queen annually, or as often as necessary to prevent swarming or aggressive behavior.
 - v. All colonies shall be registered with the Washington State Department of Agriculture in accordance with apiary law, Chapter 15.60 RCW. This section is intended to be supplemental to the procedures in Chapter 15.60 RCW, and in case of any conflict Chapter 15.60 RCW shall govern.
 - vi. Hives shall not be located within 25 feet of any property line, except when there is a solid fence at least 6 feet high separating the hive from the property line, extending at least 20 feet from the hive along the property line in both directions, the hives can be within 10 feet.
 - vii. Hives are prohibited between the primary street frontage and the residence.
 - viii. Bees living in trees, buildings or any other space (except in movable frame hives), abandoned colonies or diseased bees shall constitute a public nuisance and shall be removed.
 - ix. An apiary(s) shall be marked in full compliance with WAC 16-602-040.
 - x. It shall be the duty of any person having honey bees on his or her property to prevent diseased hives as defined in RCW 15.60.005(13) and (16).
 - xi. A consistent source of water shall be provided as appropriate at the apiary. This requirement is intended to discourage bee visitation at swimming pools, hose bibs, animal watering sources, bird baths, or where people congregate.
- g. All other livestock – As prescribed by a licensed veterinarian or published industry standard and approved by the director for the specific type and number of animals and the specific circumstance.
 - h. Livestock fences. Livestock fences are any fences or features used for the purpose of containing livestock animals. No livestock fence shall be located:
 - i. Within any front/street setback-or required buffer under EMC Title 18, Development Standards, unless it is a Personal Animal Use;
 1. Legal nonconforming livestock fences constructed prior to January 1, 2025 are regulated under EMC 18.90.110, Nonconformities and may be maintained or replaced subject to EMC 18.90.060, Fences, bulkheads, and retaining walls.
 - ii. Within 50 feet of any residential structure which is not the residence of the person owning, maintaining or keeping livestock; or

iii. Within any wetlands and their buffers, as regulated under EMC Title 14, Critical Areas.

i. All livestock animals shall be provided with shelter from excessive temperature and precipitation sufficient to protect the size, type, and number of animals.

j. Shelters less than 120 total square feet for fowl/poultry and rabbit/hares may be located within five (5) feet of rear and side property lines. Chicken shelters shall be maintained so that odors are not detectable at or beyond the property line. Fencing shall be required around chicken area.

k. Shelters for other livestock animals, except honey beekeeping, shall be at least 50 feet from the side lot of adjoining lots and 100 feet from any public street. Adjoining lot owners may locate the shelters 25 feet from their common lot line, provided they each desire to provide a shelter to house one or more of the above described animals. This regulation shall not be construed to permit the keeping of animals in any place or manner which will endanger public health or safety.

l. No livestock animal shall be kept or allowed within any wetland or critical fish and wildlife habitat area or their buffers, as regulated under EMC Title 14, Critical Areas.

3. Exotic Animals. Exotic animals are prohibited and subject to compliance with Title 6, Animal Control.

a. Venomous species of snakes capable of inflicting serious physical harm or death to human beings;

b. Nonhuman primates and prosimians;

c. Bears;

d. Nondomesticated species of felines;

e. Nondomesticated species of canines and their hybrids, including wolf and coyote hybrids;

f. The order Crocodilia, including alligators, crocodiles, caimans and gavials.

g. Any other exotic animal as identified by state law.

4. Wildlife Animals. Possession of any wild animal which naturally lives in Washington State (ie., squirrels, crows) is prohibited unless you are transporting the animal to a licensed wildlife rehabilitator. Wildlife animals are regulated under state and federal law and EMC Title 14 as applicable.

(Ord. 20-579 § 7 (Exh. F); Ord. 03-203 § 1).



INTEROFFICE MEMORANDUM

To: Planning Commission
FROM: Debra Murdock – Code Compliance Specialist
DATE: January 6, 2025

SUBJECT: EMC Title 18 Amendments for Animals (24-006-CODE)

I am writing to express my concern with the current draft language that allows for roosters within city limits of the City of Edgewood. I do not agree with this draft language and highly recommend that the Commission look at prohibiting roosters within city limits, as 90% of the Cities in Washington do.

Prior to coming to the City of Edgewood I spent 8 years working in multiple jurisdictions as a Code Enforcement Officer. Prior to that I spent 7 years working as an Animal Control Officer for the Bothell Police Department. As an Animal Control Officer, I experienced firsthand the issues that roosters in residential areas can cause. The issues arose when the backyard farmers got baby chicks, and those chicks grew up and became roosters. Luckily, our City's code was simple; Roosters were prohibited within city limits. So, my direction to the property owner was simple. Remove the animal from the property and city limits.

I personally have owned a small hobby farm with chickens. If any of my chicks turned out to be roosters we would cull them, as the presence of a rooster was a nuisance even on my large property. At that time, I lived in a rural area with multiple farms that had chickens, none of which had roosters, because of the noise nuisance they create even in large rural area.

It is not enough to place land size restrictions when it comes to roosters. Even on a large property you can hear them from far away. The City of Edgewood has a "rural" feel, but it is far from rural. I believe the allowance of roosters would create an unnecessary nuisance condition, when it is standard practice for most cities to prohibit them outright to protect the peace and quiet of neighborhoods. There is a reason so many cities ban them.

The other issue is enforcement. Noise complaints are handled by the Edgewood Police Department. These types of nuisance noise complaints will add to an already understaffed police force who will have to triage these types of complaints along with all of the other life-safety issues that arise. Noise complaints usually need to be heard by the Officer, so it will most likely waste a lot of time with the Officer taking multiple trips to attempt to confirm the nuisance is occurring.



Lastly, you do not need a rooster to make eggs. It's a common misconception. You only need a rooster if you want to make fertilized eggs (more baby chicks).

In conclusion I strongly recommend amending the draft language to prohibit roosters except for commercial agricultural use.

Respectfully,

Debra Murdock

Code Compliance Specialist

Cc: Jeremy Metzler, P.E., Community Development Director
Josh Kubitza, Planning Manager
Morgan Dorner, Senior Planner



CITY OF EDGEWOOD
STAFF REPORT
PLANNING COMMISSION AGENDA ITEM

Date: January 13, 2024
Title: Non-Conforming Uses and Lawful Establishment Date – Action Item
Attachments: Draft Recommendation
Submitted By: Jeremy Metzler, PE – Community Development Director

Background Information:
Please see Agenda Item 4.a

Current Discussion:
The Planning Commission held a public hearing tonight and has now received any and all public comments. With no comments received as of January 9, 2025, the draft amendments attached to Agenda Item 4.a are the same that were presented to the Planning Commission at last month's meeting. A draft of the Planning Commission's formal recommendation to the City Council is **attached for consideration**.

Staff Recommendation:
Following any further discussion on the matter, the Planning Commission is invited to make a formal recommendation to the City Council on the proposed amendments to Edgewood Municipal Code (EMC) Title 18 relating to Non-Conforming Uses and Lawful Establishment Date, as presented under Agenda Item 4.a.



CITY OF EDGEWOOD
PLANNING COMMISSION
RECOMMENDATION

The Planning Commission voted **X-X** to recommend that the City Council adopt the proposed amendments to Edgewood Municipal Code (EMC) Title 18 relating to Non-Conforming Uses and Lawful Establishment Date, as presented herewith.

RECOMMENDED BY THE CITY OF EDGEWOOD PLANNING COMMISSION
ON THE 13TH DAY OF JANUARY 2025.

JoAnn Overfield
Planning Commission Chair

Attest by:

Jeremy Metzler, PE
Community Development Director



CITY OF EDGEWOOD STAFF REPORT PLANNING COMMISSION AGENDA ITEM

Date: January 13, 2025

Title: Animals

Attachments:

- Draft EMC 18.20, Definitions Amendments
- Draft EMC 18.70, Permitted Land Uses Amendments
- Draft EMC 18.100.030, Animals Amendments – Roosters Permitted
- Roosters Permitted Illustration
- Draft EMC 18.100.030, Animals Amendments – Roosters Prohibited
- December 9, 2024 Planning Commission Feedback
- Code Enforcement Officer Letter
- Public Comments Received Prior to Public Notice

Submitted By: Morgan Dorner, Senior Planner

Background Information:

On April 9, 2024, the City Council received several public comments regarding livestock and large animals on residentially-zoned properties. To summarize, concerns were expressed about land use code changes in June 2020 that limited residents' ability to have large animals on their property. Those changes were implemented in Edgewood Municipal Code (EMC) under Ordinance 20-0579, which was a broad update of the City's land use table.

Following further research, the City Council continued conversation on this topic at their July 16, 2024 Study Session, and those materials can be found here: [Meeting Overview and Materials](#). In summary:

- There was a focus on removing any slaughterhouse use from the land use table, which led to conversations about family farms and large animal limitations
- [EMC 18.20.090](#) defines "Family Farm", allowable in certain zones pursuant to [EMC 18.70.050](#)
- The provisions of [EMC 18.100.030](#)(B) are in conflict: "No other animals are allowed in residential districts other than pets."
- Staff believes the intent was to allow Family Farm uses pursuant to [EMC 18.70.050](#), in lieu of [EMC 18.100.030](#)
- Staff noted opportunities to add clarifying definitions to EMC 18.20, clarify the intent of several items listed in the Land Use Table in EMC 18.70, and consider adding performance standards to EMC 18.100
- DM Tomyne spoke to Growth Management Act (GMA) requirements and pressure to reduce/remove agricultural uses in cities

- CM Ramirez expressed interest in reviewing Lacey Municipal Code 16.21 (*attached for reference*), seeking assistance from the Pierce Conservation District, and considering portions of Pierce County code
- CM Southard asked about how far the Land Use Table could be "rolled back" and still be compliant with GMA (with others also expressing interest in this later in the meeting)
- CM West asked about what portion of the Land Use Table relating to agriculture is being driven by GMA requirements, and expressed interest in seeing a comparison of agricultural uses between old and current Land Use Tables
- CM Pazaruski noted several items listed in the Land Use Table that could use clarification regarding their intensity, identified that onsite slaughtering of animals raised onsite could use clarification, and noted that some pending Land Use and Zoning Map updates need to be considered

Following the July 16, 2024 study session discussion, public comments were received by email and at the regular meeting on July 23, 2024, summarized as follows:

- Expressing frustration with changes and loss of things that made Edgewood special
- Suggesting regulation that does not arbitrarily limit livestock by numbers or density, but instead allows for flexibility and responsible management
- Seeking preservation of small farms and animals in the community
- Seeking a clear path for allowing livestock in mixed residential low, including clear codes for pigs
- Supporting repeal of Ordinance 20-0579 and preserving Edgewood
- Question about the intent of Ordinance 20-0579, if there is a public concern regarding large animals, and exemptions for family farms larger than 10 acres operating for over 50 years
- Seeking restoration of EMC 18.100.030 to Ordinance 03-203 language, which included clear slaughtering language for farm animals
- Example of a small family farm in Edgewood for four generations, teaching responsibility, and hosting field trips for preschool students, closing by expressing support for updating the code

Planning Commission Meetings

September 9, 2024: Staff introduced this item to the Planning Commission with examples from other jurisdictions with some initial redlines. The commission discussed previous actions and code changes as they relate to animals and a request for clarity regarding regulations for Pet Care Services. See the September 9, 2024 Planning Commission [Meeting Materials](#) and [Recording](#) for additional information.

October 14, 2024: Staff introduced an initial draft of the proposed amendments with a presentation regarding the changes. Based on the input received and further research by staff, the enclosed amendments were prepared for tonight's discussion. Staff spoke with Cities of Sumner, Chehalis, Centralia, and the Washington State Department of Agriculture regarding rule clarification, authority, and performed external code analysis. The proposed amendments are heavily influenced by the Cities of Chehalis and Centralia, both are rural cities located in Lewis County with more frequent animal use

activity. Staff also addressed a lack of clarity regarding Pet Care Services, as requested by Commissioner Lenior.

The proposed amendments update the following sections:

- EMC 18.100.030, *Animals* regarding animal uses, allowances, and standards.
- The updates now clearly allow personal and smaller-scale agricultural uses for all zones, subject to minimum standards for health, safety, and welfare of the animals and community.
- Categorizes animals by type (domestic, livestock, exotic, and wildlife animals) and use (Personal, Commercial, Industrial, and Pet Care Services).
- EMC 18.70, *Permitted Land Uses* regarding land uses as they relate to animals for consistency with the proposed amendments to other code sections for this update.
- EMC 18.20, *Definitions* regarding conflicting and unclear definitions regarding animal uses, and additional definitions for domestic, livestock, exotic, and wildlife animals.

November 6, 2024: Based on the feedback from the planning commission at the prior meeting, staff revised the proposed amendments to address concerns. This included looking at clarity around kennel definitions and uses and home business permits and licensing. Staff revised definitions for “Kennels” under the land use code (Title 18) to only be with regard to animal shelters and dog pounds. All other uses are covered under “Pet Care Services, All Other”. Additional clarification added regarding any required permits for Pet Care Services. Staff requested feedback and input from the Commission on the revised amendments. Amendments generally accepted, except for prohibition of roosters. Staff recommended providing options to the Planning Commission at the next meeting for this item.

The proposed amendments update the following sections:

- EMC 18.100.030, *Animals* regarding animal uses, allowances, and standards.
 - The updates now clearly allow personal and smaller-scale agricultural uses for all zones, subject to minimum standards for health, safety, and welfare of the animals and community.
 - Categorizes animals by type (domestic, livestock, exotic, and wildlife animals) and use (Personal, Commercial, Industrial, and Pet Care Services).
 - (New) Clarity and standards for pet care services based on zoning.
 - (New) Administrative Use Permit (AUP) required, no longer requires a Home Business permit as previously proposed
 - (New) Addition stating that possession of wildlife animals is prohibited and is regulated under state, federal, and the city’s critical areas code for critical fish and wildlife habitat.
 - (New) Other additional amendments for clarity (shown in blue within attachment).
- EMC 18.70, *Permitted Land Uses* regarding land uses as they relate to animals for consistency with the proposed amendments to other code sections for this update. See below (in order of revision):
 - Remove – Family Farm
 - (New) Revise – Agricultural Sales
 - (New) Add – Crop Production

- (New) Revise – Crop Production, All Other
- (New) Revise – Animal Production and Aquaculture
- (New) Revise – Cattle Feedlots
- (New) Add – Animal Production, All Other
- (New) Revise – Kennels
- (New) Revise – Veterinary Services
- (New) Revise – Pet Care Services, All Other
- EMC 18.20, *Definitions* regarding conflicting and unclear definitions regarding animal uses, and additional definitions for domestic, livestock, exotic, and wildlife animals. See below (in order of revision):
 - Add – “Animal, domestic”
 - Add – “Animal, exotic”
 - Add – “Animal, livestock”
 - Add – “Animal, wildlife”
 - (New) Remove – “Animal production and aquaculture, all other”
 - (New) Add – “Animal production and aquaculture”
 - (New) Add – “Animal production, all other”
 - (New) Revise – “Cattle feedlots”
 - (New) Add – “Crop production”
 - (New) Revise – “Crop production, all other”
 - Remove – “Family farm”
 - Remove – “Farm animal, small”
 - (New) Revise – “Hog and pig farming”
 - (New) Revise – “Kennels”
 - (New) Revise – “Pet and pet supplies stores”
 - (New) Revise – “Pet care services, all other”
 - (New) Revise – “Veterinary services”

December 9, 2024: The proposed amendments were generally accepted, except for prohibition of roosters. Additional clarifications were made based on feedback from the last meeting for livestock fences. Staff provided draft language to the Planning Commission. The commission discussed rooster allowances, potential issues, and including a lot size restriction. See “December 9, 2024 Planning Commission Feedback” attachment for more information regarding the discussion.

Current Discussion:

After the commission's review and discussion of the draft amendments on December 9, 2024, a Notice of Public Hearing and SEPA DNS was issued informing the public of the proposed drafts amendments, this public hearing date/time, and to provide an opportunity to submit comments.

These notices were issued on December 12, 2024 with a public comment period held December 12, 2024 – January 13, 2025. Public notice was submitted to SEPA agencies, tribes and public through the Tacoma News Tribune, the city's website, email, posting on the Statewide SEPA Register, and posting at the City Hall notice board. As of January 9, 2025 no public comments have been received. However, one (1) comment was submitted by the City's Code Enforcement Officer and is included in this packet. If any public comments are received by January 13, prior to the Planning Commission Public Hearing on January 13, 2025, staff will provide the commission with the comments prior to the meeting.

For Planning Commission review, staff included public comments submitted to city staff prior to issuance of the proposed draft amendments and public comment periods. Please note, this means that these comments are not on the proposed draft amendments.

The proposed amendments were generally accepted by the commission, except as related to roosters. Staff has provided draft language to the Planning Commission for two (2) options:

1. Permit roosters under certain conditions (setbacks/overnight enclosures) and based on lot sizes (1.5 acre or more); or
2. Prohibit roosters over 6 months old, except for roosters owned prior to June 1, 2025 under certain conditions (setbacks/overnight enclosures).
 - a. Please note, 6 months old clause was added to address concerns for people who unknowingly became in possession of a rooster.

Staff Recommendation:

The Planning Commission should review the proposed amendments and select an option for staff to move forward with. Based on comments received during the public hearing, the commission can request any additional information from staff to assist the commission in making its final recommendations at the next meeting.

Next Meeting:

The Planning Commission is anticipated to make its final recommendation to City Council.

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. 20-579 § 1 (Exh. A); Ord. 03-203 § 1).

18.20.020 Words not defined, administrative interpretation.

Refer to EMC 18.50.020(F), Administrative Interpretations. (Ord. 20-579 § 1 (Exh. A); 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 North American Industry Classification System.

...

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. (Ord. 20-579 § 1 (Exh. A); Ord. 11-359 § 7 (Exh. D); Ord. 03-203 § 1).

18.20.040 A definitions.

...

“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.~~

“Animal, domestic” means any/all of the following:

1. Dog (canine) having no genetic portion of exotic animal;
2. Cat (feline) having no genetic portion of exotic animal;
3. Potbellied pig when housed within the residence of the owner;
4. Any animal certified by an approved training facility to perform assistance to a disabled person when housed within the residence of such person;
5. A bird such as a canary, parakeet, cockatiel, cockatoo, parrot, and similar bird which is capable of surviving in a caged environment within a residential structure, and is so caged;
6. Rabbit or hare when housed within the residence of its owner;
7. Carrier pigeon;
8. Hamster, gerbil, white mouse and other rodent which does not carry any disease.

“Animal, exotic”. See Title 6, Animal Control for definition.

“Animal, livestock” means any/all of the following:

1. Cow, bovine;
2. Horse, mule, donkey and other horse hybrid;
3. Sheep, goat, and ram;
4. Pig, hog, and swine;
5. Rabbit and hare when not housed within the residence of its owner;
6. Ostrich, emu, and similar fowl;
7. Llama;
8. Chicken, hen, rooster, duck, goose, swan, and similar poultry;
9. Any other cloven-hoofed animal;
10. Any domestic animal when bred and/or sold for commercial purposes.

“Animal, wildlife” means any animal which is not domestic, exotic or livestock.

~~“Animal production and aquaculture, all other” means uses involving the raising or fattening of 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 production and aquaculture” means establishments, such as ranches, farms, primarily engaged in raising, keeping, grazing, breeding, or feeding animals. These animals are kept for the products they produce or for eventual sale. The animals are generally raised in various environments, from total confinement or captivity to feeding on an open range pasture. Further described in NAICS 112 (except 112112, 1122, 112320).~~

~~“Animal production, all other” means animal production uses engaged in raising animals and insects, such as ranches and small-scale farms, primarily engaged in keeping, grazing, breeding, or feeding animals. These animals are kept for personal use, the products they produce or for eventual sale. Only permitted as an accessory use to a primary residential use and is subject to the standards and minimum spacing requirements contained in EMC 18.100.030(F).~~

“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.

...

18.20.050 B definitions.

...

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

...

“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.

...

18.20.060 C definitions.

...

“Cattle feedlots” means ~~uses involving establishments primarily engaged in~~ feeding cattle for fattening. ~~Examples include beef cattle feedlots, feed yards and feedlots (except stockyards for transportation).~~ Further described in NAICS 112112.

...

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

...

~~“Crop production” means establishments primarily engaged in 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 or “Crop production, all other” as defined in this chapter. Further described in NAICS 111.

“Crop production, all other” means uses which involve the raising and harvesting of row crops, field crops, or tree crops on a personal and small-scale agricultural or commercial basis, including small-scale packing, primary processing, and storage facilities such as barns or sheds for gardening equipment and small tractors or other small to medium-sized farming equipment. This use is intended for small-scale crop production such as cooperative gardens, community gardens, farming activities for personal consumption or small-scale retail at local markets and produce stands. This use category does not include the production of marijuana. Further described in NAICS 111.

18.20.090 F definitions.

...

~~“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.~~

~~“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.~~

...

18.20.110 H definitions.

...

“Hog and pig farming” means establishments primarily engaged in ~~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.

...

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.~~ “Kennels” means a place where six or more adult dogs or cats or any combination thereof is kept whether by owners of the dogs and cats or by persons providing facilities and care, whether or not for compensation, but not including a veterinary hospital or clinic. An adult dog or cat is one of either sex, altered or unaltered, that has reached the age of six months. Examples include animal shelters and dog pounds. Does not include boarding of pets as a service to pet owners.

...

18.20.190 P definitions.

...

“Pet and pet supplies stores” means places of business primarily engaged in retail sales associated with domestic or livestock ~~small animals and household pets~~. Further described in NAICS 453910.

“Pet care services, all other” ~~establishments primarily engaged in providing pet care services such as boarding, grooming, sitting, and training domestic animals. Examples include pet grooming shops, pet daycare, and pet boarding services. This excludes veterinary services and kennels as defined in this chapter. 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 NAICS 812910.

...

18.20.250 V definitions.

...

“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.

...

18.20.290 Z definitions.

...

“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.

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
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 Conditions 1 and 6
Family Farm	111; Special	✓	✓	A	–	–	–	–	–	–	✓	✓	Activities must be performed on parcels larger than two acres in size, unless in the SF2 or SF3 zone
Agricultural Sales	454390, part Special	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	Activities permitted in all districts, but require TUP and must comply with 18.50.070
Crop Production													
Crop Production	111, part A	A	A	A	A	–	–	–	–	A	A	–	
Marijuana Production	111; Special	–	–	–	–	–	–	–	–	–	–	–	See Condition 2
Crop Production, All Other	111, part	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
Animal Production and Aquaculture	Personal animal uses permitted in all zones per EMC 18.100.030.												
Animal Production and Aquaculture	112210, part except 112112, 1122, 112320	✓	CUP	–	–	–	–	–	–	–	✓	CUP	

Hog and Pig Farming	112210	—	—	—	—	—	—	—	—	—	—	—	
Cattle Feedlots	112112	CUP	—	—	—	—	—	—	—	—	CUP	—	
Animal Production, All Other	112 part	✓	✓	✓	✓	A	—	—	—	—	✓	CUP	Only permitted as an accessory use to a primary residential use.
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	—	—	—	—	—	—	—	—	—	—	—	
Services (Sector 811-812)													
Pet Care Services													
Kennels	812910, part Special	—	—	—	—	—	A	—	A	CUP A	A	CUP	
Veterinary Services	541940	A	A	A	A	A	A ✓	A ✓	✓	✓	A	A	Only permitted in the single family zones and MR-1 as an accessory use to a primary residential use.
Pet Care Services, All Other	812910, part	A	A	A	A	A	✓	✓	✓	✓	A	—	Only permitted in the single family zones and MR-1 as an accessory use to a primary residential use and subject to EMC 18.100.030.

Conditions

(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 Ordinance Nos. 14-425 and/or 17-502; plus any regulations regarding cannabis in Chapter 69.51A RCW 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 is subject to the use regulations for said structure.

(5) Essential public facilities are subject to EMC 18.50.060, Essential public facilities permit.

(6) Subject to EMC 18.100.030, Animals.

Chapter 18.100

DEVELOPMENT STANDARDS – USE SPECIFIC

Sections:

- 18.100.010 Accessory residential vehicle service and repair standards.
- 18.100.030 Animals.
- 18.100.040 Daycare facilities.
- 18.100.050 *Repealed.*
- 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.

...

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.~~

A. Purpose and Intent. The purpose of this section is to ensure the health, safety, and welfare of animals and the public are maintained within the City of Edgewood.

B. Applicability. All animals and animal uses within the City of Edgewood shall be regulated by this section, in addition to the development regulations contained in this title, as applicable. Regulations regarding animal control are provided in EMC Title 6, Animal Control. Owners and operators are responsible for obtaining all necessary local, state, and federal permits, licenses, and approvals.

C. Performance Standards. All animal uses, except for wildlife animals, are subject to EMC 18.90.140, Performance Standards.

D. Animal Uses.

1. Personal. Animals raised, bred, trained, or kept for personal use, enjoyment, and is accessory to a primary land use. Also includes animals raised for a variety of small-scale agricultural purposes, including labor, meat, eggs, milk, fur, leather, and wool for the owner's consumption or small-scale commercial activity. Personal animals are permitted in all zones and may be domestic, livestock, exotic, or wildlife, subject to the standards of this section.

2. Commercial. Animals raised, bred, boarded, fattened, trained, or kept for commercial service, sale, slaughter, or byproduct production for monetary gain or trade. Commercial animal uses are permitted as provided in EMC 18.70, Permitted Land Uses and are subject to the standards of this section.

3. Industrial. Animals processed for byproduct production other similar means for industrial production. Industrial animal uses are permitted as provided in EMC 18.70, Permitted Land Uses and are subject to the standards of this section.

4. Pet Care Services. Includes Pet Care Services, All Other and Veterinary Services as permitted in EMC 18.70 and defined in EMC 18.20.

a. Single family zones and MR-1. Only permitted as an accessory use, subject to the standards contained in this section, development regulations contained in this title, and the following:

i. All related use and activity for all pet care services is limited to a 5% maximum of the total lot area. This is inclusive of all outdoor and indoor areas.

ii. Animals must be kept within the area limits by structure, enclosure, fencing, or other similar containment feature as approved by the director or designee.

iii. The total square footage of all structures associated with the pet care service must be less than any primary or accessory residential dwelling structures combined.

iiiv. All use and activity shall maintain a minimum 25 foot setback from property lines and 50 feet from any neighboring residential structures. Additional setbacks may be required depending on the specific use and site conditions, as determined by the director or designee.

iv. An administrative use permit (AUP) and general business license are required by Chapter 5.05 EMC, and more than six (6) animals requires licensing as regulated under Title 6, Animal Control.

b. All other zones. Permitted as provided in EMC 18.70, Permitted Land Uses and subject to the development regulations contained in this title.

i. Additional setbacks and screening may be required depending on the specific use and site conditions, as determined by the director or designee.

E. Animals Permitted. The following animals are permitted within the City of Edgewood, as defined in EMC 18.20 Definitions and regulated under this title, except for exotic animals which are prohibited and subject to compliance under Title 6, Animal Control.

1. “Animal, domestic”

2. “Animal, livestock”

3. “Animal, exotic”

4. “Animal, wildlife”

F. Animal Standards and Minimum Space Requirements. For all animal uses, the minimum space requirements for domestic, livestock, and exotic shall be as followed. These provisions shall not apply to permitted kennels, grooming parlors, or veterinary clinics.

1. Domestic Animals.

a. Dogs are regulated under Title 6, Animal Control for space requirements.

b. Cats are not regulated for space requirements.

c. Potbellied pig: same as subsection (a) of this section, Dogs.

d. Birds are not regulated for space requirements.

e. All other domestic animals: as prescribed by a veterinarian, or qualified study, report or published industry standard, and approved by the director as required for the particular type of animal and circumstance.

f. All domestic animals shall be provided with shelter from excessive temperature and precipitation sufficient to protect the size, type and number of animals.

2. Livestock Animals.

a. Cow/bovine – 10,000 square feet open, fenced area for the first animal, plus 1,000 square feet per additional animal.

b. Horse – 10,000 square feet open, fenced area for the first animal, plus 1,000 square feet per additional animal.

c. Sheep, pig, llama, ostrich, and similar-sized animals – 5,000 square feet open, fenced area for the first animal, plus 500 square feet per additional animal.

d. Other fowl/poultry – Eight (8) square feet per animal within a coop or other enclosed structure plus eight (8) square feet open, fenced area for each animal outside the coop or structure.

i. Roosters and male turkeys are not permitted on lots less than one and a half (1.5) acres. Adjoining lots under common ownership may be combined.

ii. Roosters and male turkeys are permitted on individual lots or combined adjoining lots under common ownership of one and one half (1.5) acres or more subject to the following:

1. No rooster or male turkey shall become a public nuisance. Roosters or male turkeys that become a public nuisance shall be prohibited.

2. Must be kept overnight in an enclosed structure a minimum of 150 feet from any residence other than the rooster or male turkey owner residence.

3. Must be kept during the daytime a minimum 100 feet any residence other than the rooster or male turkey owner residence

e. Rabbit/hare – Eight (8) square feet per animal within a coop or other enclosed structure plus eight square feet open, fenced area for each animal outside the coop or structure.

f. Honey Beekeeping (Apiary).

i. Minimum lot area: The number of hives shall be limited as follows. Structures shall not be included in the minimum lot area calculation and must be set back as per the zoning standards.

Lot Area (Square footage)	# of Hives
6,000 to 10,000	2
10,001 to 20,000	4
20,001 to 43,560 (.46 to 1 acre)	10

The number of hives may not be restricted on parcels of land over one (1) acre in size under the following conditions:

1. During times of the year when there is minimal bee flight or activity (October – March); or

2. The parcel is in a rural or agricultural area; or

3. The hives with bees are being used for agricultural crop pollination; and
 4. A public nuisance is not created; and
 5. All other requirements of this Chapter are met.
- ii. Colonies shall be maintained in small movable frame hives, unless exempted by the Washington State Department of Agriculture as an educational exhibit.
 - iii. Apiaries shall be managed and kept in a clean and orderly condition, and adequate space shall be maintained in the hives to prevent overcrowding and swarming.
 - iv. Colonies shall be requeened with a young hybrid queen annually, or as often as necessary to prevent swarming or aggressive behavior.
 - v. All colonies shall be registered with the Washington State Department of Agriculture in accordance with apiary law, Chapter 15.60 RCW. This section is intended to be supplemental to the procedures in Chapter 15.60 RCW, and in case of any conflict Chapter 15.60 RCW shall govern.
 - vi. Hives shall not be located within 25 feet of any property line, except when there is a solid fence at least 6 feet high separating the hive from the property line, extending at least 20 feet from the hive along the property line in both directions, the hives can be within 10 feet.
 - vii. Hives are prohibited between the primary street frontage and the residence.
 - viii. Bees living in trees, buildings or any other space (except in movable frame hives), abandoned colonies or diseased bees shall constitute a public nuisance and shall be removed.
 - ix. An apiary(s) shall be marked in full compliance with WAC 16-602-040.
 - x. It shall be the duty of any person having honey bees on his or her property to prevent diseased hives as defined in RCW 15.60.005(13) and (16).
 - xi. A consistent source of water shall be provided as appropriate at the apiary. This requirement is intended to discourage bee visitation at swimming pools, hose bibs, animal watering sources, bird baths, or where people congregate.
- g. All other livestock – As prescribed by a licensed veterinarian or published industry standard and approved by the director for the specific type and number of animals and the specific circumstance.
 - h. Livestock fences. Livestock fences are any fences or features used for the purpose of containing livestock animals. No livestock fence shall be located:
 - i. Within any front/street setback-or required buffer under EMC Title 18, Development Standards, unless it is a Personal Animal Use;
 1. Legal nonconforming livestock fences constructed prior to January 1, 2025 are regulated under EMC 18.90.110, Nonconformities and may be maintained or replaced subject to EMC 18.90.060, Fences, bulkheads, and retaining walls.
 - ii. Within 50 feet of any residential structure which is not the residence of the person owning, maintaining or keeping livestock; or

iii. Within any wetlands and their buffers, as regulated under EMC Title 14, Critical Areas.

i. All livestock animals shall be provided with shelter from excessive temperature and precipitation sufficient to protect the size, type, and number of animals.

j. Shelters less than 120 total square feet for fowl/poultry and rabbit/hares may be located within five (5) feet of rear and side property lines. Chicken shelters shall be maintained so that odors are not detectable at or beyond the property line. Fencing shall be required around chicken area.

k. Shelters for other livestock animals, except honey beekeeping, shall be at least 50 feet from the side lot of adjoining lots and 100 feet from any public street. Adjoining lot owners may locate the shelters 25 feet from their common lot line, provided they each desire to provide a shelter to house one or more of the above described animals. This regulation shall not be construed to permit the keeping of animals in any place or manner which will endanger public health or safety.

l. No livestock animal shall be kept or allowed within any wetland or critical fish and wildlife habitat area or their buffers, as regulated under EMC Title 14, Critical Areas.

3. Exotic Animals. Exotic animals are prohibited and subject to compliance with Title 6, Animal Control.

a. Venomous species of snakes capable of inflicting serious physical harm or death to human beings;

b. Nonhuman primates and prosimians;

c. Bears;

d. Nondomesticated species of felines;

e. Nondomesticated species of canines and their hybrids, including wolf and coyote hybrids;

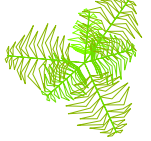
f. The order Crocodilia, including alligators, crocodiles, caimans and gavials.

g. Any other exotic animal as identified by state law.

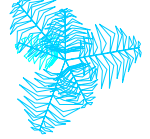
4. Wildlife Animals. Possession of any wild animal which naturally lives in Washington State (ie., squirrels, crows) is prohibited unless you are transporting the animal to a licensed wildlife rehabilitator. Wildlife animals are regulated under state and federal law and EMC Title 14 as applicable.

(Ord. 20-579 § 7 (Exh. F); Ord. 03-203 § 1).

Roosters in Edgewood (Proposed Allowances)



= 2 acres or more
(individual and combined
common adjoining ownership)



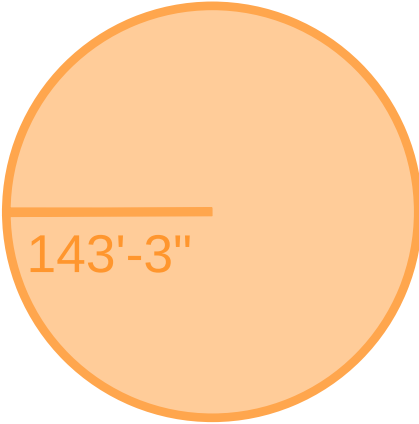
= 1.5 acre minimum
(individual and combined
common adjoining ownership)



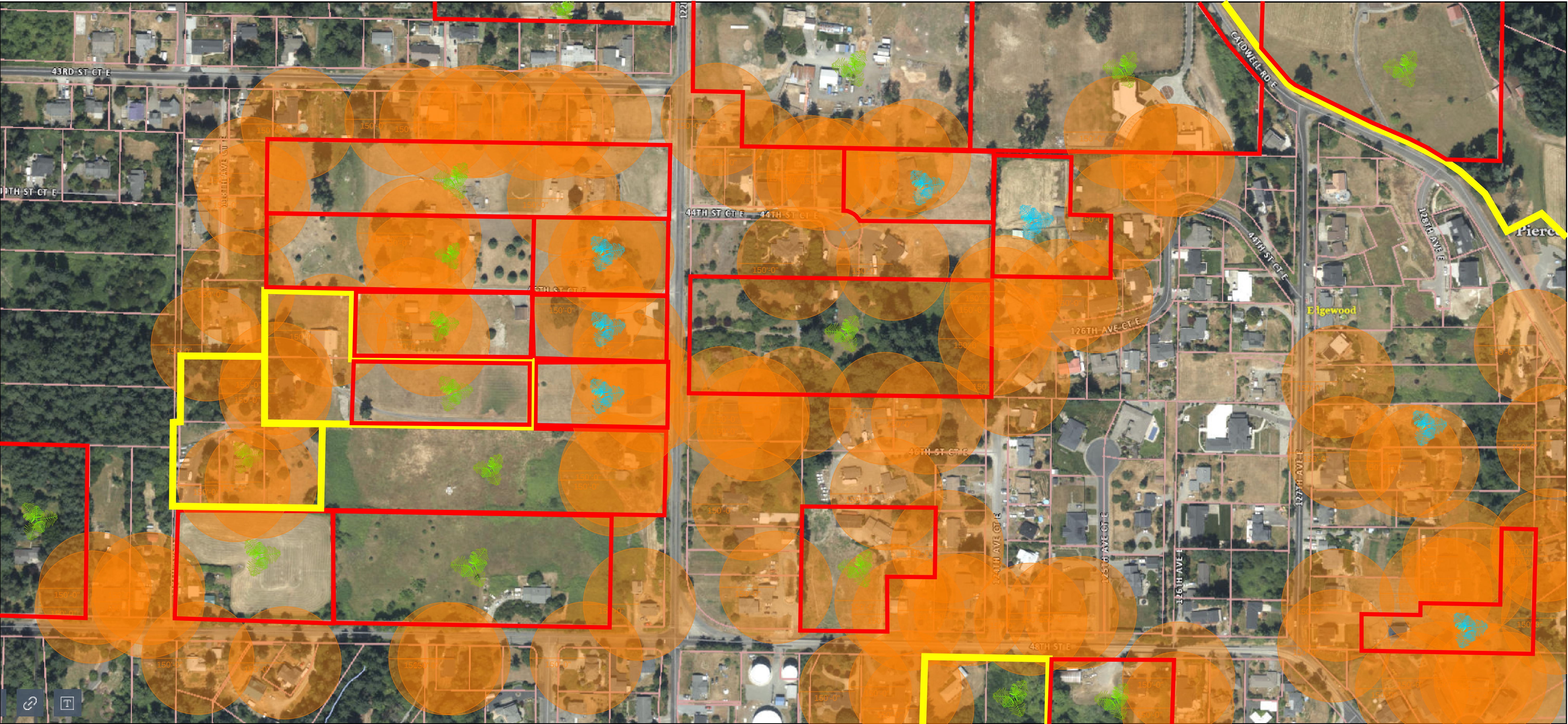
= 2 acres or more
(individual lots)



= 2 acres or more
(combined common
adjoining ownership)



= 150' from nearby
residences
(areas not allowed)



Disclaimer: The measurements on this map are approximate and an attempt to help visualize the proposed amendments for discussion only. See the proposed amendments for additional information and details.

Scale: → 150'-0" ←

Chapter 18.100

DEVELOPMENT STANDARDS – USE SPECIFIC

Sections:

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18.100.030 Animals.

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~~B. No other animals are allowed in residential districts other than pets.~~

A. Purpose and Intent. The purpose of this section is to ensure the health, safety, and welfare of animals and the public are maintained within the City of Edgewood.

B. Applicability. All animals and animal uses within the City of Edgewood shall be regulated by this section, in addition to the development regulations contained in this title, as applicable. Regulations regarding animal control are provided in EMC Title 6, Animal Control. Owners and operators are responsible for obtaining all necessary local, state, and federal permits, licenses, and approvals.

C. Performance Standards. All animal uses, except for wildlife animals, are subject to EMC 18.90.140, Performance Standards.

D. Animal Uses.

1. Personal. Animals raised, bred, trained, or kept for personal use, enjoyment, and is accessory to a primary land use. Also includes animals raised for a variety of small-scale agricultural purposes, including labor, meat, eggs, milk, fur, leather, and wool for the owner's consumption or small-scale commercial activity. Personal animals are permitted in all zones and may be domestic, livestock, exotic, or wildlife, subject to the standards of this section.

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3. Industrial. Animals processed for byproduct production other similar means for industrial production. Industrial animal uses are permitted as provided in EMC 18.70, Permitted Land Uses and are subject to the standards of this section.

4. Pet Care Services. Includes Pet Care Services, All Other and Veterinary Services as permitted in EMC 18.70 and defined in EMC 18.20.

a. Single family zones and MR-1. Only permitted as an accessory use, subject to the standards contained in this section, development regulations contained in this title, and the following:

i. All related use and activity for all pet care services is limited to a 5% maximum of the total lot area. This is inclusive of all outdoor and indoor areas.

ii. Animals must be kept within the area limits by structure, enclosure, fencing, or other similar containment feature as approved by the director or designee.

iii. The total square footage of all structures associated with the pet care service must be less than any primary or accessory residential dwelling structures combined.

iv. All use and activity shall maintain a minimum 25 foot setback from property lines and 50 feet from any neighboring residential structures. Additional setbacks may be required depending on the specific use and site conditions, as determined by the director or designee.

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f. All domestic animals shall be provided with shelter from excessive temperature and precipitation sufficient to protect the size, type and number of animals.

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b. Horse – 10,000 square feet open, fenced area for the first animal, plus 1,000 square feet per additional animal.

c. Sheep, pig, llama, ostrich, and similar-sized animals – 5,000 square feet open, fenced area for the first animal, plus 500 square feet per additional animal.

d. Other fowl/poultry – Eight (8) square feet per animal within a coop or other enclosed structure plus eight (8) square feet open, fenced area for each animal outside the coop or structure.

i. Roosters and male turkeys over 6 months old are prohibited, except for those owned prior to June 1, 2025 which may be kept subject to the following conditions:

1. No rooster or male turkey shall become a public nuisance. Roosters or male turkeys that become a public nuisance shall be prohibited.

2. Must be kept overnight in an enclosed structure a minimum of 150 feet from any residence other than the rooster or male turkey owner residence.

3. Must be kept during the daytime a minimum 100 feet any residence other than the rooster or male turkey owner residence.

e. Rabbit/hare – Eight (8) square feet per animal within a coop or other enclosed structure plus eight square feet open, fenced area for each animal outside the coop or structure.

f. Honey Beekeeping (Apiary).

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10,001 to 20,000	4
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The number of hives may not be restricted on parcels of land over one (1) acre in size under the following conditions:

1. During times of the year when there is minimal bee flight or activity (October – March); or

2. The parcel is in a rural or agricultural area; or

3. The hives with bees are being used for agricultural crop pollination; and

4. A public nuisance is not created; and

5. All other requirements of this Chapter are met.
 - ii. Colonies shall be maintained in small movable frame hives, unless exempted by the Washington State Department of Agriculture as an educational exhibit.
 - iii. Apiaries shall be managed and kept in a clean and orderly condition, and adequate space shall be maintained in the hives to prevent overcrowding and swarming.
 - iv. Colonies shall be requeened with a young hybrid queen annually, or as often as necessary to prevent swarming or aggressive behavior.
 - v. All colonies shall be registered with the Washington State Department of Agriculture in accordance with apiary law, Chapter 15.60 RCW. This section is intended to be supplemental to the procedures in Chapter 15.60 RCW, and in case of any conflict Chapter 15.60 RCW shall govern.
 - vi. Hives shall not be located within 25 feet of any property line, except when there is a solid fence at least 6 feet high separating the hive from the property line, extending at least 20 feet from the hive along the property line in both directions, the hives can be within 10 feet.
 - vii. Hives are prohibited between the primary street frontage and the residence.
 - viii. Bees living in trees, buildings or any other space (except in movable frame hives), abandoned colonies or diseased bees shall constitute a public nuisance and shall be removed.
 - ix. An apiary(s) shall be marked in full compliance with WAC 16-602-040.
 - x. It shall be the duty of any person having honey bees on his or her property to prevent diseased hives as defined in RCW 15.60.005(13) and (16).
 - xi. A consistent source of water shall be provided as appropriate at the apiary. This requirement is intended to discourage bee visitation at swimming pools, hose bibs, animal watering sources, bird baths, or where people congregate.
- g. All other livestock – As prescribed by a licensed veterinarian or published industry standard and approved by the director for the specific type and number of animals and the specific circumstance.
- h. Livestock fences. Livestock fences are any fences or features used for the purpose of containing livestock animals. No livestock fence shall be located:
 - i. Within any front/street setback-or required buffer under EMC Title 18, Development Standards, unless it is a Personal Animal Use;
 1. Legal nonconforming livestock fences constructed prior to January 1, 2025 are regulated under EMC 18.90.110, Nonconformities and may be maintained or replaced subject to EMC 18.90.060, Fences, bulkheads, and retaining walls.
 - ii. Within 50 feet of any residential structure which is not the residence of the person owning, maintaining or keeping livestock; or
 - iii. Within any wetlands and their buffers, as regulated under EMC Title 14, Critical Areas.
- i. All livestock animals shall be provided with shelter from excessive temperature and precipitation sufficient to protect the size, type, and number of animals.

j. Shelters less than 120 total square feet for fowl/poultry and rabbit/hares may be located within five (5) feet of rear and side property lines. Chicken shelters shall be maintained so that odors are not detectable at or beyond the property line. Fencing shall be required around chicken area.

k. Shelters for other livestock animals, except honey beekeeping, shall be at least 50 feet from the side lot of adjoining lots and 100 feet from any public street. Adjoining lot owners may locate the shelters 25 feet from their common lot line, provided they each desire to provide a shelter to house one or more of the above described animals. This regulation shall not be construed to permit the keeping of animals in any place or manner which will endanger public health or safety.

l. No livestock animal shall be kept or allowed within any wetland or critical fish and wildlife habitat area or their buffers, as regulated under EMC Title 14, Critical Areas.

3. Exotic Animals. Exotic animals are prohibited and subject to compliance with Title 6, Animal Control.

a. Venomous species of snakes capable of inflicting serious physical harm or death to human beings;

b. Nonhuman primates and prosimians;

c. Bears;

d. Nondomesticated species of felines;

e. Nondomesticated species of canines and their hybrids, including wolf and coyote hybrids;

f. The order Crocodilia, including alligators, crocodiles, caimans and gavials.

g. Any other exotic animal as identified by state law.

4. Wildlife Animals. Possession of any wild animal which naturally lives in Washington State (ie., squirrels, crows) is prohibited unless you are transporting the animal to a licensed wildlife rehabilitator. Wildlife animals are regulated under state and federal law and EMC Title 14 as applicable.

(Ord. 20-579 § 7 (Exh. F); Ord. 03-203 § 1).

December 9, 2024 Planning Commission Feedback – Animals

General:

- Proposed amendments generally accepted, except for prohibition of roosters (see Roosters section below).

Roosters:

- Chair Overfield – How do we enforce? What action do we take? Maybe prohibit them and see what comments we get back. Discourage rooster ownership.
Staff Response: Metro Animal Services for animal related noise complaints. The city does not currently have a clear way to enforce noise complaints.
- Chair Overfield – Prohibit them and see what comments we get back. Discourage rooster ownership.
Staff Response: Metro Animal Services for animal related noise complaints. The city does not currently have a clear way to enforce noise complaints.
- Furey – If we are allowing roosters subject to these conditions (setbacks, housing, etc.), would these conditions prevent nuisances? Looking for enforcement. Since the conditions do not completely address a nuisance, then maybe we need to decide on whether we want roosters or not.
Staff Response: Staff has presented two options to the planning commission for the January 13, 2025 meeting that either allow or prohibit roosters based on previous feedback from the commission. Staff are not confident that resources will be available to enforce allowances. The City does not have the resources to monitor noise.
- Lenior – What do people do with roosters that they unknowingly purchased/raised? Is this an prevalent issue?
Staff Response: Owner would need to rehome. The City has received 5 rooster-related complaints since June 2024.
- Councilmember Pazaruski – Roosters are not always planned when purchasing chicks. Chicken ownership become more common since covid. Would not support a rooster ban.
Staff Response: Revisions provided to allow for people to own for up to 6 months for rehoming.

November 6, 2024 Feedback (for reference):

- Church – Supported not allowing roosters due to difficulty in regulating noise and disruption.
- Chair Overfield – Rooster crow carries for miles, so prohibition might be good. Maybe consider not allowing *new* roosters.
- Furey – Compare with other municipalities.
- Lenior – Has a rooster and supports allowing roosters with setbacks. Asked if there have been any complaints. Donkeys are also loud, so should we ban those too?
 - o Staff Response: Staff followed up with code enforcement officer and they have received about five (5) complaints since July, with the last one being on December 4, 2024.
- Wagner – Discourage and conditions (setbacks, enclosure, etc.)

- Staff suggestion of min. 5 acres with minimum setbacks. Some support for this from the commission. Staff looked into this after and can't determine if this is supported or can address concerns over noise and how it travels.
- Allow roosters, but apply setbacks and conditions to reduce any potential impacts



INTEROFFICE MEMORANDUM

To: Planning Commission
FROM: Debra Murdock – Code Compliance Specialist
DATE: January 6, 2025

SUBJECT: EMC Title 18 Amendments for Animals (24-006-CODE)

I am writing to express my concern with the current draft language that allows for roosters within city limits of the City of Edgewood. I do not agree with this draft language and highly recommend that the Commission look at prohibiting roosters within city limits, as 90% of the Cities in Washington do.

Prior to coming to the City of Edgewood I spent 8 years working in multiple jurisdictions as a Code Enforcement Officer. Prior to that I spent 7 years working as an Animal Control Officer for the Bothell Police Department. As an Animal Control Officer, I experienced firsthand the issues that roosters in residential areas can cause. The issues arose when the backyard farmers got baby chicks, and those chicks grew up and became roosters. Luckily, our City's code was simple; Roosters were prohibited within city limits. So, my direction to the property owner was simple. Remove the animal from the property and city limits.

I personally have owned a small hobby farm with chickens. If any of my chicks turned out to be roosters we would cull them, as the presence of a rooster was a nuisance even on my large property. At that time, I lived in a rural area with multiple farms that had chickens, none of which had roosters, because of the noise nuisance they create even in large rural area.

It is not enough to place land size restrictions when it comes to roosters. Even on a large property you can hear them from far away. The City of Edgewood has a "rural" feel, but it is far from rural. I believe the allowance of roosters would create an unnecessary nuisance condition, when it is standard practice for most cities to prohibit them outright to protect the peace and quiet of neighborhoods. There is a reason so many cities ban them.

The other issue is enforcement. Noise complaints are handled by the Edgewood Police Department. These types of nuisance noise complaints will add to an already understaffed police force who will have to triage these types of complaints along with all of the other life-safety issues that arise. Noise complaints usually need to be heard by the Officer, so it will most likely waste a lot of time with the Officer taking multiple trips to attempt to confirm the nuisance is occurring.



Lastly, you do not need a rooster to make eggs. It's a common misconception. You only need a rooster if you want to make fertilized eggs (more baby chicks).

In conclusion I strongly recommend amending the draft language to prohibit roosters except for commercial agricultural use.

Respectfully,

Debra Murdock

Code Compliance Specialist

Cc: Jeremy Metzler, P.E., Community Development Director
Josh Kubitza, Planning Manager
Morgan Dorner, Senior Planner

Public Comments Received Prior to Public Notice

For Planning Commission review, staff consolidated the following public comments submitted to city staff prior to issuance of the proposed draft amendments and public comment periods.

Public Comment 1:

From: Maryann Futrell <136937@gmail.com>
Sent: Thursday, November 7, 2024 10:02 AM
To: Jill Schwerzler-Herrera <jill@cityofedgewood.org>
Subject: Let's talk Animals comment

***This message is from an External Sender**

I am from Washington, the great PNW. I moved to Edgewood because of the farming and ranching.

I do not want to see that go away. Please no more cramming us all into cracker boxes living on postage stamp sized pieces of land. If someone doesn't like it then move.

Our forefathers entrusted us with the land to care for it, not pave it over.

Thank you for you time and serves to Edgewood
Maryann Futrell

Public Comment 2:

From: Jan Michaelson <jgmichaelson111@gmail.com>
Sent: Saturday, August 31, 2024 8:31 AM
To: Jill Schwerzler-Herrera <jill@cityofedgewood.org>
Subject: Large animals

I agree that there needs to be protections for animals. I don't agree with the blanket adoption of standards proposed by the consultants. It was against state/county regulations to adopt a rule having a major impact on the community without specific notification . This change specifically required public hearings and notification. Mr West stated in the April meeting that the council was unaware of this issue because it was not properly presented to the council by the previous planning department. I still do not understand why this animal restriction cannot be repealed at this time. GMA doesn't require this.

Public Comment 3:

From: Shell Rasmussen <shell.rasmussen@gmail.com>

Sent: Thursday, July 18, 2024 4:28 PM

To: Jill Schwerzler-Herrera <jill@cityofedgewood.org>

Subject: Tuesdays Study Session Comments

Good afternoon,

I was in attendance at Tuesday's study session and wanted to thank the city council for their efforts in fixing the conflicting codes and providing clarity for residents. I live on a 1923 homestead. We are only the second family to live on the property, which originally held cows, chickens and horses. Despite being under 2 acres, it is our dream to make the property a homestead again, including livestock, albeit nothing quite so large. Unfortunately my property is due to be rezoned to mixed residential low. This is a hilarious designation as it takes nearly half an acre just to service our septic as our soil has a tremendously high water table. It would be impossible to develop anything on it. Even adding a shop for my husband will require adding a storm water pond.

I was relieved to hear the supportive voices on council for maintaining animals and a rural atmosphere to Edgewood. I would protest rezoning so much of the city but would implore you if it be necessary to do so from the state, that you make a clear pathway for livestock in mixed residential low, including clear codes related to pigs. Pigs are a natural way to restore pastures from the many invasive plant species we have in Edgewood such as Himalayan blackberry, without damaging the land.

One council member mentioned an action day with our representatives to address the larger issues leading to these code conflicts. I would be very happy to participate in that, though I have not done so before. The last homeowner on my property lived there over 90 years. We would like to make her proud but if we cannot pursue our homestead dream, we cannot stay.

Thank you. I will be attending many more meetings on this subject in the future.

-Shelly Osmonson

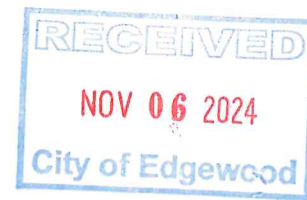
Public Comment 4:

From: Jan Michaelson <jgmichaelson111@gmail.com>
Sent: Thursday, July 11, 2024 8:57 PM
To: Jill Schwerzler-Herrera <jill@cityofedgewood.org>
Subject: Animals in Edgewood

I think the actions of the planning commission and Department at the time were solely focused on building out Edgewood. This is NOT why we became a City. The intent was to manage development along Meridian and preserve the very special place that is Edgewood. There is no good reason this ordinance can not be changed immediately! Apparently no big deal to adopt without discussion because no one knew about it!! By all means some form of regulation for the welfare of the animals deserves discussion. AFTER the ordinance is removed. I am sorry you feel the planning department is more important than the citizens who EMPLOY you to manage OUR City. Now that people are waking up we may need to address this issue as well. Feel free to contact me if anyone is interested in discussing this further. 253-208-8009. After the debacle of the Sewer Extension that literally ruined people's lives we should have learned to be much more vigilant regarding actions proposed in our home! We are depending and expecting the new administration to do a better job.

Public Comment 5:

Seen enclosure from Karen Baldrige dated November 6, 2024.



November 6, 2024

Edgewood City Council,

Thank you for the opportunity to express my views regarding the recent changes that the City of Edgewood is considering, regarding agriculture and farming practices in Edgewood.

I live in Edgewood, on nearly 20 acres of land that I inherited through my grandparents, when they arrived 101 years ago from Sweden. My grandparents raised 5000 chickens, as many did in this area, and as a noble effort during WW2, my grandparents provided eggs to feed WW2 soldiers.

My farm, and many others in the area have continued the same perpetuity, as my farm, as land is passed to the next generation to steward. Currently, I raise grass fed beef and provide grass fed, non-GMO beef for sale in Pierce County.

I am very concerned regarding the tone I heard at the last city council meeting regarding restrictions, and likely loss of services to those farming, and those interested in farming in Edgewood. Edgewood has always been a place where farming and farming practices are welcomed and have become a way of life.

It is imperative that we continue to allow farming in its various forms, and that the City Council **continues to allow and encourage** farming practices in Edgewood. These practices **MUST** include:

- 1) **The continuation of mobile slaughter units.** Without mobile slaughter units, I could not farm. It would be absolutely prohibitive for me to haul live animals to a slaughter site, as I do not own an enclosed trailer, and I would need to rent that trailer. This would remove any profit margin and I would incur a loss.
- 2) **We must be allowed to legally butcher small animals** such as: chickens, turkeys, rabbits and small birds.
- 3) Although I am not a Muslim, **we must consider the cultures and practices** of others in our community. We must honor their religious exemptions for halal goats.

Thank you for the consideration of our many requests to keep Edgewood a farming friendly community. I want to remind you again, that a FARMER donated the land for this City of Edgewood building. Let's honor this land, and NOT lose the culture of farming in Edgewood!


Karen L. Baldrige



CITY OF EDGEWOOD STAFF REPORT PLANNING COMMISSION AGENDA ITEM

Date: January 13, 2024

Title: Middle Housing Ordinance Update

Attachments: N/A

Submitted By: Josh Kubitza, AICP – Planning Manager

Background Information:

Middle housing is a term for homes that are at a middle scale between detached single-family houses and large multifamily complexes. Examples include: duplexes, triplexes, fourplexes, fiveplexes, sixplexes, courtyard apartments, cottage clusters, and townhomes. These types are typically “house-scale”; that is, the buildings are about the same size and height as detached houses. During the 2023-24 legislative session, [HB 1110 \(2023\)](#) was adopted to implement middle housing across the state.

HB 1110 (2023) directs Commerce to provide technical assistance including model ordinances, for implementing the bill. The models are intended to serve as the middle housing ordinance in cities that are unable to adopt regulations within six-months of their next periodic update (June 2025 for City of Edgewood) required under [RCW 36.70A.130](#) and [RCW 36.70A.635\(11\)](#).

Department of Commerce released new model ordinance, new middle housing checklist, and a new middle housing user guide in October 2024. As such, some of the information provided in previous Planning Commission meetings, including the final draft middle house ordinance, may be obsolete. All updated information is available on the Department of Commerce’s [Middle Housing resource webpage¹](#).

The city is required to comply with HB 1110 within six months of the Comprehensive Plan periodic update, which is expected to be effective by January 1, 2025. As such, the city is required to adopt middle housing ordinance by June 31, 2025. Additionally, the city was awarded a Department of Commerce grant that includes deliverables due March 2025 and June 2025. To ensure compliance with RCW, staff has provided a general timeline below that outlines the next major steps.

Middle Housing Ordinance Timeline:

- **January 13, 2025:** Review Middle Housing Survey Questions
- **February 10, 2025:** Prepare for a public open house and continue ordinance discussions.
- **February 20, 2025:** Public Open House (6-8 PM).
- **March 10, 2025:** Review feedback from the open house and discuss the draft Public Engagement Results Report.

¹ <https://www.commerce.wa.gov/serving-communities/growth-management/growth-management-topics/planning-for-middle-housing/>

- **April 14, 2025:** Hold public hearing and discussion.
- **May 12, 2025:** Final discussions and action on the ordinance.
- **May 20, 2025:** City Council Study Session introduction and discussion
- **June 3, 2025:** City Council Study Session discussion
- **June 10, 2025:** Potential City Council action on the ordinance.

Current Discussion:

The Middle Housing Public Participation Plan indicates that a Middle Housing Policies Survey shall be conducted in January and February 2025. The Middle Housing Open House is Scheduled for February 20, 2025. Staff is looking to issue the Middle Housing Policy Survey from January 17, 2025 to February 16, 2025 so that the survey can be presented at the Middle Housing Open House.

Staff is proposing the following survey questions:

1. Do you live within the City of Edgewood? If yes:
 - a. Do you own or rent your residence?
 - b. How long have you lived in Edgewood?
 - i. Less than 1, 1 to 9 years, 10 years or longer
2. Do you work within the City of Edgewood?
3. Is at least one person in the household 65 years old or older?
4. Is at least one person in the household 18 years old or younger?
5. How would you describe your current housing:
 - a. Single-family detached, apartment, townhouse, duplex, triplex, attached ADU, detached ADU, Manufacture Home, co-living, or Other
6. Do any of the following apply to your current living situation?
 - a. Aging in place, multi-generational, first-time homeowner, prefer not to answer
7. Are you current housing needs being adequately met in Edgewood?
8. Do you think there are adequate housing options if family or friends want to move to Edgewood?
9. What type housing do you want to live in 5-10 years from now?
 - a. Single-family detached, apartment, townhouse, condo, duplex, triplex, ADU, assisted living/retirement home, current housing, or other
10. Do you expect to need a larger or smaller home in the next 5 years?
11. What types of the below "middle housing" types would you personally be interested in living in? Select all that apply.
 - a. Duplex, small cottages, ADU, triplex, townhome, stacked flat, none, unsure.
12. Would you support universal design principles?
13. Would you support reduced or no parking requirements for housing?
14. Should the city support developer requests for Low-Income Housing Planning Grant support?

Staff Recommendation:

Planning Commission is encouraged to review the proposed Middle Housing Policy Survey Questions.



CITY OF EDGEWOOD STAFF REPORT PLANNING COMMISSION AGENDA ITEM

Date: January 13, 2025

Title: SSB 6015 Residential Parking

Attachments: DRAFT Commerce Residential Parking Fact Sheet

Submitted By: Josh Kubitza, AICP – Planning Manager

Background Information:

The 2024 Washington State Legislature adopted [Substitute Senate Bill 6015](#) (SB 6015), and codified under RCW 36.70A.622, to regulate residential parking regulations. While SB 6015 effective date is June 6, 2024, Washington State Department of Commerce (Commerce) guidance (see attachment) states that cities must adopt the residential parking regulations by their next periodic update and/or development regulations. The city's comprehensive plan went into effect on January 1, 2025, but the required development regulation updates are not due until June 30, 2025. As such, the city needs to move forward with development code updates to ensure compliance with RCW 36.70A.622.

Summary of the Required Residential Parking Changes:

- Minimum residential parking dimensions be no wider than eight (8) feet by twenty (20) feet.
- Allow tandem parking spaces
- Allow required parking spaces to be enclosed or unenclosed
- Allow required parking spaces to be paved with grass block pavers
- Allow up to six parking spaces in legally nonconforming gravel parking areas to be allowed to count toward minimum parking requirements
- Not require minimum parking spaces if compliance with tree retention would otherwise make a residential development infeasible.

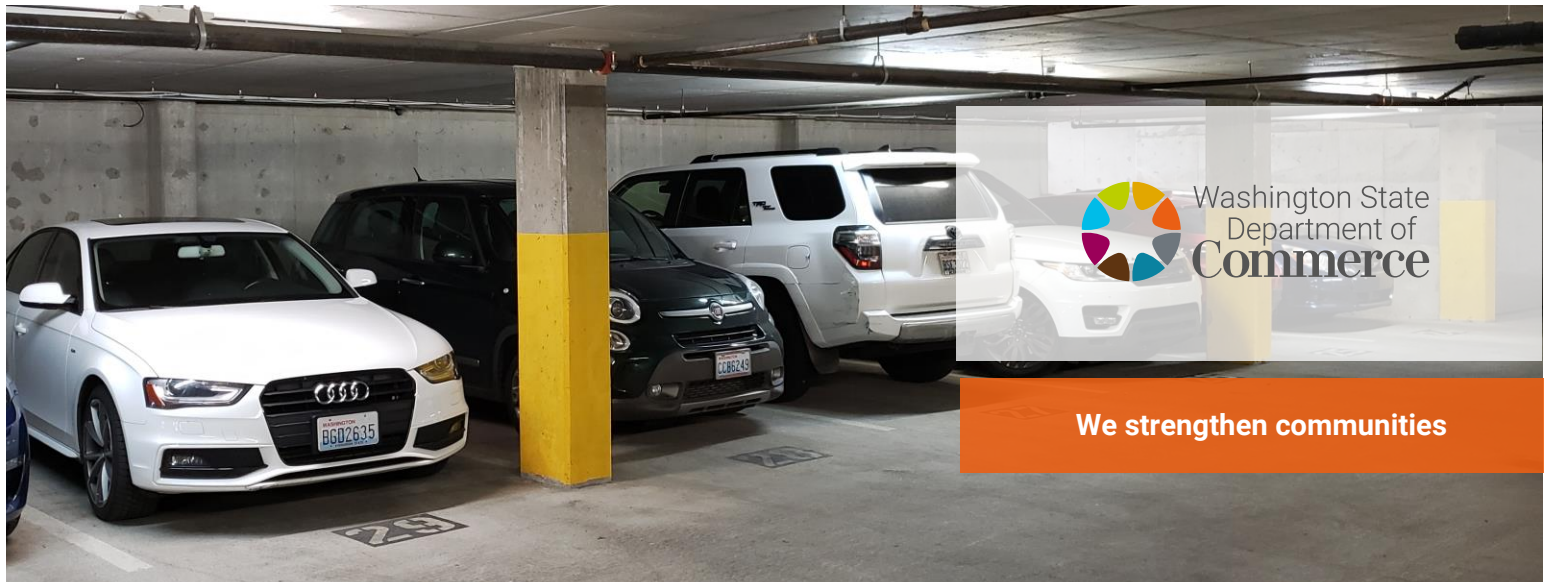
Note on Commerce Guidance: Commerce provided draft guidance document in November 2024 and held a webinar on the guidance in [December 2024](#). Final guidance documents are anticipated in February or March 2025.

Current Discussion:

To ensure that city complies with RCW 36.70A.622 as soon as reasonably possible, city staff present draft development code revisions at the next planning commission meeting.

Staff Recommendation:

Planning Commission is encouraged to review the Department of Commerce's Draft Residential Parking Fact Sheet resource that has been attached to the staff report.



RESIDENTIAL PARKING FACT SHEET | PUBLIC DRAFT – NOVEMBER 2024

Residential Parking

State Law Requirements

In 2024, the Washington Legislature adopted Substitute Senate Bill 6015 to establish new requirements for residential parking regulations in the Growth Management Act (GMA). The law is codified under [RCW 36.70A.622](#). In summary, the law requires cities and counties planning under the GMA and requiring residential parking to:

- Require minimum parking spaces no wider than eight (8) feet by twenty (20) feet
- Allow tandem parking spaces
- Allow required parking spaces to be enclosed or unenclosed
- Allow required parking spaces to be paved with grass block pavers
- Allow up to six parking spaces in legally nonconforming gravel parking areas to be allowed to count toward minimum parking requirements
- Not require minimum parking spaces if compliance with tree retention would otherwise make a residential development infeasible (this includes counties, and cities within those counties with a population greater than 6,000)

Adoption Deadlines

Subject cities and counties subject must adopt residential off-street parking regulations complying with the law by their next periodic update for comprehensive plans and/or development regulations. See [WAC 365-196-610](#) and Commerce's [periodic update](#) page for more information on deadlines.

Agency contact

Lilith Vespier
INFILL HOUSING MANAGER

Local Government Division

Lilith.Vespier@commerce.wa.gov

Phone: 360.890.5100

**GROWTH MANAGEMENT
SERVICES**

Applicability to Jurisdictions

The “fully planning” counties under the Growth Management Act, and the cities and towns within those counties, are subject to RCW 36.70A.622.¹

Per RCW 36.70A.622(3), subsection (1) of law does not apply to portions of cities within a one-mile radius of a commercial airport in Washington with at least 9,000,000 annual enplanements.² Subsection (2) regarding non-conforming parking spaces does apply to portions of cities within a one-mile radius of a commercial airport in Washington with at least 9,000,000 annual enplanements.

Regulatory Guidance

The provisions of RCW 36.70A.622 apply to jurisdictions’ off-street parking requirements for any type of residential development or redevelopment, regardless of the nature of the use. This includes, but is not limited to, detached single-family residences, accessory dwelling units, middle housing, multifamily housing, co-living housing, senior housing, assisted living facilities and nursing homes, and group homes. The provisions of RCW 36.70A.622 also apply regardless of whether the residential use is mixed with non-residential uses. For example, in a surface parking facility shared by apartment residents and retail business, any of the spaces assigned to the residents may be paved with grass block pavers per RCW 36.70A.622(1)(g). If residents are not allowed to park in the retail spaces, then the retail spaces can be prohibited from being paved with grass block pavers.

Jurisdictions with no residential off-street parking requirements are not subject to most of the provisions of RCW 36.70A.622. The applicability of each provision is noted below.

¹ Department of Commerce. “The Growth Management Act status of Washington counties and cities.” April 2017.

<https://deptofcommerce.app.box.com/s/z8ygn0ifeimybnlh4j6v8cl1wxkp1jfa>

² This only applies to Seattle-Tacoma International Airport. Enplanement data is provided by the Federal Aviation Administration:

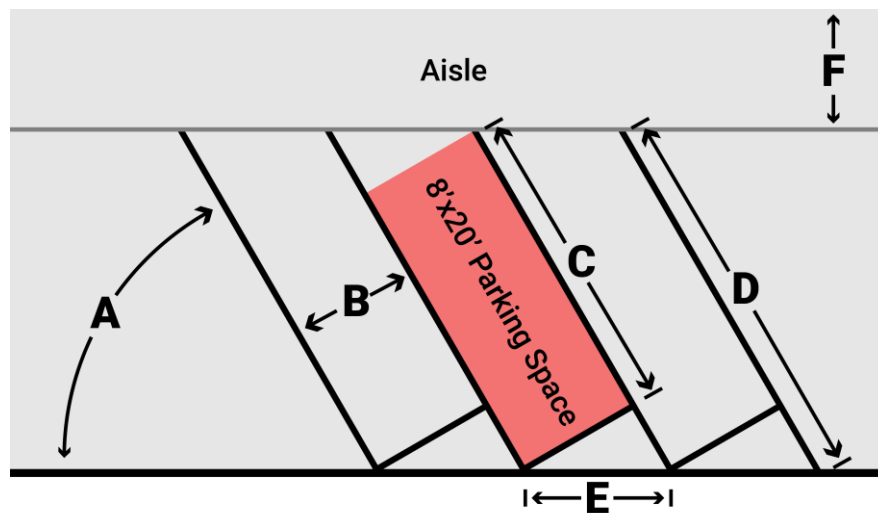
https://www.faa.gov/airports/planning_capacity/passenger_allcargo_stats/passenger

Parking Space Dimensions

RCW 36.70A.622(1)(e) states: "Parking spaces may not be required to exceed eight (8) feet by twenty (20) feet, except for required parking for people with disabilities."

This provision applies to the minimum required dimensions of any off-street parking space for residential development, whether required or provided voluntarily. Jurisdictions may establish smaller minimum dimensions than 8 feet by 20 feet, such as for designated compact parking spaces. Jurisdictions may establish larger minimum dimensions only for required parking for people with disabilities. A property owner may choose to provide general parking spaces larger than 8 feet by 20 feet, provided the spaces do not exceed any maximum dimensions adopted by the jurisdiction.

The graphic and table below provide an example of minimum dimensional standards in code based on an eight (8) foot by twenty (20) foot dimension, including for angled spaces.



The columns A–E below refer to the parking layout graphic above. Column A is measured in degrees and columns B–F are measured in feet.

Minimum Dimensions					
A Parking Angle	B Space Width	C Space Length	D Total Length*	E Curb Width*	F Aisle Width (Two-Way Traffic)*
90 (Perpendicular)	8	20	20	8	24
60	8	20	24.5	9.25	20
45	8	20	28	11.25	20
30	8	20	34	16	20
0 (Parallel)	8	20	N/A	23	20

* Note to readers: The total length, curb width and aisle width measurements in columns D, E and F are not regulated by RCW 36.70A.622(1)(e) nor is a jurisdiction required to adopt these standards, but they are shown here as example for a complete set of standards.

Minimum dimensions for required parking for people with disabilities is regulated by jurisdictions' adopted building code. Minimum dimensions for residential loading spaces are not subject to the dimensional requirements of RCW 36.70A.622(1)(e).

Tandem Parking

RCW 36.70A.622(c) states: "Parking spaces in tandem must count towards meeting minimum parking requirements at a rate of one space for every 20 linear feet with any necessary provisions for turning radius. For purposes of this subsection, "tandem" is defined as having two or more vehicles, one in front of or behind the others with a single means of ingress and egress."

The provision only applies to minimum required off-street parking spaces for residential development.

Like the other dimensions standard discussed above, 20 linear feet is the maximum length that jurisdictions can require for the size of tandem parking spaces. Jurisdictions may allow smaller parking spaces to count as tandem parking. Tandem parking spaces can be as shallow as 16 feet (32 feet total) and accommodate the average car length of 15 feet.³

Tandem parking significantly reduces the land area required for parking spaces, as it reduces the amount of driveway and maneuvering areas needed for each parking space. Separated tandem spaces is common on small lots for single-family and middle housing, where one car is parked in a single-car garage and another car is parked immediately outside the garage on a driveway. Tandem spaces are also common for multifamily developments in urban environments where land values are higher, and where public transit and other transportation options are available to reduce residents' reliance on cars for daily needs.



Figure 1. Tandem parking in a residential parking garage. Photo courtesy of Natural and Built Environments, LLC.

Residents who use tandem parking are self-selecting and are aware of its limitations before moving into the property. Property managers can assign tandem parking spaces to residents living in the same unit or separate units. For example, someone who only uses their car on the weekends understands the need to coordinate with others to access a vehicle. In larger developments, sometimes two households are assigned parking spaces based on their reported car usage patterns, such as the more frequent user parking in the rear with access to the drive aisle. When there are two tandem parking spaces associated with a specific dwelling unit, only a single household needs to coordinate internally.

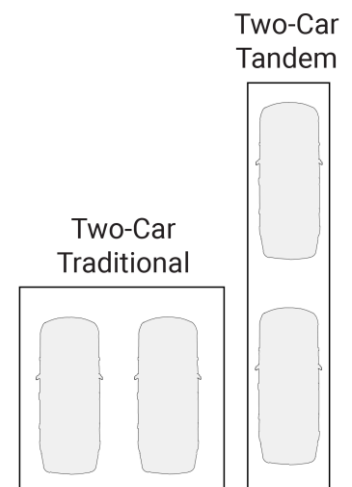


Figure 2. Tandem parking compared to non-tandem parking. Graphic by MAKERS.

³ "Why Does the Length of the Average Car Matter?" Carparts.com <https://www.carparts.com/blog/why-does-the-length-of-the-average-car-matter/>

Enclosed Parking Spaces

Two provisions relate to parking space enclosure:

- RCW 36.70A.622(1)(a) states: “Garages and carports may not be required as a way to meet minimum parking requirements for residential development.”
- RCW 36.70A.622(1)(b) states: “Parking spaces that count towards minimum parking requirements may be enclosed or unenclosed.”

The two provisions are similar. Subsection (1)(a) applies specifically to garages and carports, which are common features of lower density development such as detached single-family residences and middle housing. The word “garage” also applies to larger parking facilities. Subsection (1)(b) is broad and covers all types of parking enclosure including aboveground and underground parking structures.

The two provisions only apply to minimum required off-street parking spaces for residential development. Spaces that are voluntarily provided above and beyond minimum quantitative requirements may be required to be enclosed in garages, carports, or parking structures. For example, in one Washington jurisdiction’s downtown zones there are 0.75 parking spaces required per multifamily unit and at least 50 percent of required off-street residential parking spaces must be enclosed within a parking structure. This enclosure requirement must be removed to comply with the law. If the jurisdiction does not require a minimum number of parking spaces, the jurisdiction can require that parking spaces be enclosed in parking structures.

The law does not affect permitted uses for commercial parking facilities that are not accessory to another land use. The law also does not affect location-related design standards that apply to residential parking, such as requirements that parking be located on the side or rear of a building. However, jurisdictions cannot use development regulations to indirectly force minimum required residential parking to be enclosed – a prohibited example would be a limitation on how much of a lot can be used for surface parking and the allowed area isn’t sufficient to provide the minimum number of parking spaces.

Surfacing

Two provisions relate to parking space surfacing:

- RCW 36.70A.622(1)(g): “Parking spaces that consist of grass block pavers may count toward minimum parking requirements.”
- RCW 36.70A.622(1)(d): “Existence of legally nonconforming gravel surfacing in existing designated parking areas may not be a reason for prohibiting utilization of existing space in the parking area to meet local parking standards, up to a maximum of six parking spaces.”



Figure 3. Example of grass block pavers at a residential development. Photo by MAKERS.

Subsection (1)(g) allows grass block pavers, also marketed as “grasscrete” or “turf stone”, as an alternative to full concrete or asphalt paving. It can provide durability at a lower cost, improve the aesthetic appearance of parking spaces, and reduce impervious surface.⁴ However, this material is not a substitute for stormwater drainage and jurisdictions are encouraged to review and add code provisions for this material, as

⁴ “Discover the Benefits of Grasscrete & Its Installation Process.” The Constructor.
<https://theconstructor.org/building/flooring/discover-the-benefits-of-grasscrete-its-installation-process/571048/>

recommended by their engineer or stormwater manager. Where impervious surface is regulated, whether grass block pavers are considered pervious or impervious surface is dependent upon the soil conditions and the measurement and material standards adopted by local jurisdictions.

Subsection (1)(d) requires jurisdictions to allow a residential development to have up to six required off-street parking spaces that are nonconforming due to gravel surfacing. The existence of up to six nonconforming gravel parking spaces cannot be a reason for a jurisdiction to prohibit parking on those spaces or other spaces in the same parking area.

Non-Conforming Parking Spaces

RCW 36.70A.622(2) states: “Existing parking spaces that do not conform to the requirements of this section by June 6, 2024, are not required to be modified or resized, except for compliance with the Americans with disabilities act. Existing paved parking lots are not required to change the size of existing parking spaces during resurfacing if doing so will be more costly or require significant reconfiguration of the parking space locations.” Note that portions of cities within a one-mile radius of a commercial airport in Washington with at least 9,000,000 annual enplanements are not exempt from this provision.

RCW 36.70A.622 will not create many nonconforming parking spaces because the law engenders more flexibility in the design of and improvements to parking spaces, not less. Property owners must be allowed to: provide parking spaces as small as 8'x20'; use tandem parking; make parking spaces enclosed or unenclosed; and use alternate surface materials (i.e. grass block pavers).

In cases where existing surface parking lots undergo resurfacing, the size of parking spaces does not need to change if doing so will be “more costly or require significant reconfiguration of the parking space locations.”

- “More costly” means increased costs compared to only doing a resurfacing that retains the existing parking layout. Increased costs should be demonstrated by the applicant or property owner. Increased costs might result from, for example, needing to construct or reconstruct a significant amount of stormwater management and landscaping features.
- “Significant reconfiguration of the parking space locations” means a significant share of the parking spaces change location or orientation. The meaning of the word “significant” can be determined by local jurisdictions’ practices or definitions.

Some jurisdictions require permits for parking lot resurfacing or other design changes to existing parking lots.⁵ The benefit of requiring a permit for resurfacing is ensuring the minimum number of parking spaces continue to be provided and that dimensional standards are met, especially for parking spaces that implement the Americans with Disabilities Act. The permit process can also align with stormwater regulations that prohibit debris from entering the storm drain system.

⁵ “Parking Lot Changes.” City of Tacoma. <https://www.tacomapermits.org/tip-sheet-index/parking-lot-changes>

Tree Retention

RCW 36.70A.622(1)(f) states, “Any county planning under this chapter, and any cities within those counties with a population greater than 6,000, may not require off-street parking as a condition of permitting a residential project if compliance with tree retention would otherwise make a proposed residential development or redevelopment infeasible.”

This means tree retention standards will supersede off-street parking requirements for residential development. The project applicant will be responsible to demonstrate that compliance with both the requirements of minimum off-street parking and tree retention standards makes a proposed residential development infeasible; therefore, the minimum off-street parking standards would not apply for the project but the tree retention standards would apply.

Applicability

There are specific types of developments and tree standards that are subject to this law.

Residential Projects

Applicable residential projects are any proposed development or redevelopment containing at least one dwelling unit. This includes, but is not limited to, detached single-family residences, accessory dwelling units, middle housing, multifamily housing, co-living housing, senior housing, assisted living facilities and nursing homes, and group homes. It also includes the residential portion of mixed-use developments.

Tree Retention Standards

Applicable tree retention standards are any standards that condition the permitting of a residential development on the retention of existing trees. This includes the full range of restrictive and flexible tree retention standards that start with the base assumption that some type of tree must be retained (often, but not exclusively, referred to as “significant trees”), even if there are options available to remove or replace trees under certain criteria. Standards or guidelines that only encourage tree retention, but not require it, are not applicable. Standards that only require planting of new trees are not applicable.

Determining Infeasible Residential Projects

A residential project might be infeasible if a site plan shows that trees required for retention, including any protected tree canopy overhangs under which development is restricted, overlap with any minimum required parking spaces and associated maneuvering areas and driveways. Applicant or property owners need to demonstrate site conditions and applicable parking and tree retention standards that impact feasibility.

Review Process

Per [RCW 36.70B.120](#)(1), local jurisdictions are required to create a permit review process that integrates and consolidates the various reviews, including “a single application review and approval process covering all project permits requested by an applicant for all or part of a project action and a designated permit coordinator.” The parking and tree retention analysis required by RCW 36.70A.622(1)(f), when applicable, should be integrated into the consolidated permit review process.

Submittal Considerations

Jurisdictions should create a separate application for residential project applicants to request a waiver of minimum off-street parking requirements. The application could include these types of submittal requirements:

- A site plan depicting the jurisdiction's requirements for:
 - Location of buildings and dwelling units, required setbacks, required open spaces, and other features.
 - Trees that are required for retention.
 - The location of minimum required off-street parking spaces, maneuvering areas, and driveways.
 - The location of protected critical areas and required buffers, if applicable.
- A narrative demonstrating site conditions and applicable off-street parking and tree retention standards that impact feasibility.
- Any other evidence and supporting information the applicant wishes to provide to help the jurisdiction analyze the waiver request.

Feasibility Review

Each jurisdiction should codify their definition of residential parking feasibility and decision criteria for making that determination. Key criteria are the placement of minimum required off-street parking spaces relative to all other site planning needs.

Examples situations that could make a residential project infeasible to meet both minimum off-street parking requirements and tree retention requirements:

- The number of dwelling units must be reduced below the level required to generate return on investment or meet minimum density requirements in the zone.
- The size of dwelling units must be reduced below the level required to generate return on investment or meet other development regulations.
- Some or all off-street parking must be located in an above-ground or underground structure due to the lack of available space from retaining one or more trees. Additional feasibility challenges could include soil conditions not conducive to excavation or other development regulations that prohibit above-ground structured parking.
- The jurisdiction does not have code allowing alternatives to the minimum amount of off-street parking, such as reduced minimums for providing a parking study, providing certain transportation features, providing shared parking, being allowed credit for on-street parking.

Example situations that do not make a residential project infeasible to meet both minimum off-street parking requirements and tree retention requirements:

- The amount of open space beyond minimum code requirements and not related to tree retention on the site must be reduced. For example, parking could be located where an applicant desires a large ground-level open space where a much smaller open space meets minimum requirements.
- A tree required to be retained can be located within a required landscaped area and there is adequate space and soil conditions for the long-term health of the tree.

Determinations and Appeals

A jurisdiction determines either the residential project is infeasible, or determines that the residential project can be made feasible with adjustments to the project design. If the applicant disagrees with a jurisdiction's determination, they can appeal and go through the jurisdiction's appeal process or the appeal process under [Chapter 36.70C RCW](#).

Waived Parking Standards

For infeasible residential projects, minimum off-street parking standards are waived entirely. The law does not provide an option for jurisdictions to only partially reduce the number of required parking spaces. The law also

does not provide an option for jurisdictions to require off-site parking or other alternatives to on-site parking. However, an applicant could still choose to develop any number of parking spaces with the project.

Other Parking Considerations

State Law Requirements

The Growth Management Act has limitations on minimum parking requirements for several housing types:

- **Accessory dwelling units:** [RCW 36.70A.681](#)(2)(a) sets limitations based on proximity to transit and lot size. See more information in the Commerce Guidance for Accessory Dwelling Units.
- **Middle housing:** [RCW 36.70A.635](#)(6) and (7) sets limitations based on proximity to transit and lot size. See more information in the Commerce Middle Housing Ordinances User Guide.
- **Multifamily, senior, and low-income housing:** [RCW 36.70A.620](#) sets limitations based on proximity to transit.
- **Existing non-residential buildings converted to residential use** (cities only): [RCW 35.21.990](#) and [RCW 35A.21.440](#) prohibit the application of minimum parking requirements on the addition of dwelling units or living units added within an existing building.

Other state laws on parking, along with management strategies, are referenced by the Municipal Research Services Center and the [Commerce Residential Parking Checklist](#).⁶

Eliminating Off-Street Parking Requirements

Jurisdictions with no residential off-street parking requirements, such as [Port Townsend](#) and [Spokane](#), are not subject to most of the provisions of RCW 36.70A.622.⁷ Jurisdictions may consider eliminating minimum off-street parking requirements entirely for residential development (and other land uses) to reduce the costs and physical complexity of providing housing and reduce the costs of owning and renting housing.

Off-street parking takes up land area and can create both physical and economic feasibility barriers to residential development. Reducing parking requirements is helpful in supporting diverse housing types at lower price points. This is particularly an opportunity where local transit service is strong, bike and pedestrian infrastructure is well-connected, and residential areas are within close proximity to job centers and shopping areas. Even without regulatory requirements for parking, builders can continue to build parking at their discretion to meet market demand and lender criteria.⁸

The cost of providing surface parking can significantly increase the per-unit construction cost of housing depending on the type of parking, number of stalls required, drive aisle area, and turnaround space. Enclosed parking spaces can add even more costs to the construction cost of a housing unit depending on the level of conditioning and finishing requirements.

In addition, off-street parking can create significant physical barriers to housing development on infill sites, especially when space limitations require that parking be located in what would otherwise be buildable area for the structure. These physical limitations translate to economic impacts to development feasibility and financial yield that can cause housing to be built at lower densities or not be feasible at all.

⁶ "Parking Regulations." Municipal Research Service Center. <https://mrsc.org/explore-topics/planning/zoning/parking-regulations>

⁷ List of other jurisdictions that have repealed minimum requirements: <https://parkingreform.org/resources/mandates-map/>

⁸ "People Over Parking." American Planning Association. 2018. <https://www.planning.org/planning/2018/oct/peopleoverparking/>

In summary:

- Parking is expensive. Parking space construction ranges from \$5,000 - \$6,000 a stall for surface parking, \$20,000 - \$25,000 a stall for above ground structured parking, and \$30,000 - \$50,000 a stall for underground parking^{9, 10, 11}
- High parking mandates negatively impact the financial feasibility of housing development.
- High parking mandates are spatially difficult to fit on a lot and compete against livable and open space.
- Parking is a popular amenity and developers will often choose to include off-street parking in housing projects where feasible or required by lending criteria.

Parking Spaces in Required Setbacks

Jurisdictions should permit required parking spaces to be located within required setbacks, especially in the front of lots and the rear where there is alley access. Where parking is allowed to be located in driveways accessed by a street or alley, which is most cases, this particularly benefits the development of middle housing on smaller lots (see the [Commerce Middle Housing Model Ordinance User Guide](#)).

If parking is explicitly prohibited in setbacks, this requires driveways to be longer than necessary – usually by 5-20 feet. Compared to shorter driveways, longer driveways create more impervious surface, more expensive site development, and reduced area available on the lot useable for housing units and open space. Shorter driveways allow more efficient use of land, and also create more pedestrian-friendly neighborhoods by allowing buildings to be located closer to the street.

On-Street Parking Credits

To add flexibility and reduce construction costs, jurisdictions may consider allowing on-street parking to be credited toward minimum off-street parking requirements. The credit could be written with these types of criteria to promote on-street parking in appropriate locations:

- Must abut the project site or be within some specified distance.
- Must be at least 20 feet long.
- Must not obstruct a required sight distance area.
- On-street parking will not be deeded, or for exclusive use, to any property.

Port Angeles has example of code for on-street parking credits.¹²

Car Share

Car sharing builds on the neighborly idea of borrowing a chair or power tool. Personal cars are unused for 95 percent of their lifetime, so car sharing services allow multiple people to rent a single car by the hour or the day and forego insurance, gas, parking, maintenance, and all of the other costs of car ownership.¹³ Local

⁹ "Puget Sound Missing Middle Housing Implementation." Cascadia Partners, 2023.

<https://deptofcommerce.app.box.com/s/rs8ac1h2u4dno7s1ibdn8lugql3vli3v>

¹⁰ "Transportation Cost and Benefit Analysis II – Parking Costs." Victoria Transport Policy Institute.

<https://www.vtpi.org/tca/tca0504.pdf>

¹¹ Planning Commission Staff Report, City of Lacey, 2021. <https://laceywa.portal.civicclerk.com/event/636/files/agenda/781>

¹² Port Angeles Municipal Code 14.40.045(E).

https://library.municode.com/wa/port_angeles/codes/code_of_ordinances?nodeId=TIT14BUCO_CH14.40OREPA

¹³ ""Cars are parked 95% of the time". Let's check!" Reinventing Parking. <https://www.reinventingparking.org/2013/02/cars-are-parked-95-of-time-lets-check.html>

jurisdictions can explore partnerships with commercial car share providers, or work with property owners to encourage private agreements.

For example, Seattle allows large developments to reduce the minimum amount of required off-street parking spaces at a ratio of 3 spaces for every shared car, up to 15 percent of required spaces.¹⁴ The Cul de Sac project in Tempe, AZ provides car-sharing instead of private parking spaces – along with many other transportation incentives and options – for 1,000 residents in a suburban environment.¹⁵

Each shared car occupying a parking space can replace up to a dozen private cars, depending on the local urban form and the availability of transit and other services.¹⁶ This can significantly reduce the need for building new parking spaces and reduce impacts on the transportation network. This opportunity is especially viable for low-to-moderate income residents, college students, traveling nurses, seniors who are aging out of driving, and others who may be on the margin of needing a personal car for daily use or who cannot keep up with the rising cost of vehicle ownership (over [\\$12,000 per year](#) for a new vehicle).¹⁷

Parking Safety and Vehicle Size

In the United States since 2010, sales of vehicles classified as “light trucks” – pickup trucks and SUVs – have greatly outpaced sales of smaller passenger cars.¹⁸ The average size of new vehicles has also been increasing due to federal regulations and market trends. Larger vehicles tend to be more difficult to maneuver in and out of standard parking facilities. RCW 36.70A.622(e) prohibits local jurisdictions from requiring developments to provide parking spaces larger than 8 feet by 20 feet, but a property owner may provide general parking spaces larger than 8 feet by 20 feet if the spaces do not exceed any maximum dimensions adopted by the jurisdiction.

Larger vehicles have greater risk of blind spot backovers and frontovers in parking areas and driveways, especially involving children and wheelchair users.¹⁹ Beyond parking, jurisdictions should consider the negative public health externalities of taller, wider, and heavier vehicles. Increased safety risks extend to people in smaller cars and people who are walking and bicycling.²⁰ Larger gas-powered vehicles have offset recent gains in fuel efficiency, and heavier vehicles, including electric vehicles, generate more tire wear particles.^{21,22}

While vehicle design is regulated at the federal level, local jurisdictions have options to promote public health and safety with their parking standards, street designs, and budget policies. Examples:

¹⁴ Seattle Municipal Code 23.54.020.

https://library.municode.com/wa/seattle/codes/municipal_code?nodeId=TIT23LAUSCO_SUBTITLE_IILAUSRE_CH23.54QUDESTACOR_EPASOWAST_23.54.020PAQUX

¹⁵ Cul de Sac Tempe. <https://culdesac.com/>

¹⁶ “Carsharing: Vehicle Rental Services That Substitute for Private Vehicle Ownership.” Victoria Transport Policy Institute.

<https://www.vtpi.org/tdm/tdm7.htm>

¹⁷ “Annual New Car Ownership Costs Boil Over \$12K.” American Automobile Association. <https://newsroom.aaa.com/2023/08/annual-new-car-ownership-costs-boil-over-12k/>

¹⁸ “New and Used Passenger Car and Light Truck Sales and Leases.” Bureau of Transportation Statistics.

<https://www.bts.gov/content/new-and-used-passenger-car-sales-and-leases-thousands-vehicles>

¹⁹ “Why Does the Vision Zero Movement Stop At the Edge of the Road?” Streetsblog USA. <https://usa.streetsblog.org/2024/04/18/why-does-the-vision-zero-movement-stop-at-the-edge-of-the-road>

²⁰ Justin Tyndall, “The effect of front-end vehicle height on pedestrian death risk”, Economics of Transportation, Volume 37, 2024, 100342, ISSN 2212-0122, <https://doi.org/10.1016/j.ecotra.2024.100342>.

²¹ “Buyers worldwide go for bigger cars, erasing gains from cleaner tech. EVs would help.” Associated Press.

<https://apnews.com/article/climate-environment-vehicles-56128f2121a77063f9c47803def36b76>

²² “Road Hazard: Evidence Mounts on Toxic Pollution from Tires.” Yale Environment 360. <https://e360.yale.edu/features/tire-pollution-toxic-chemicals>

- Require or encourage compact parking spaces to be located closer to destinations like store entrances.
- Adopt parking lot design and street design standards that slow down vehicles and protect vulnerable people who are walking, biking, and rolling. This includes features like sidewalks and curb ramps, bollards in vulnerable locations, narrower vehicle lanes and shorter curb radii, frequent crosswalk spacing, raised crossings, and protected bike lanes.²³
- Purchase smaller government fleet vehicles with lower hood height and minimal blind spots.

Other Provisions for Regulatory Flexibility

Some local jurisdictions provide other types of flexibility for residential uses to meet minimum parking standards. These include, but are not limited to:

- Parking studies that support a reduction or full waiver of minimum parking requirements. These are typically required to make a case using data on transportation options and actual parking demand in the project vicinity or at comparable projects. Example: [Anacortes Municipal Code 19.64.060\(D\)\(1\)](#).
- Reduced minimum parking requirements in exchange for transportation demand management strategies such as providing transit passes to residents.
- Reduced minimum parking requirements for cooperative or shared parking between complementary uses or properties.
- Reduced minimum parking requirements in proximity to transit service, beyond current state law requirements. Example: [Port Angeles Municipal Code 14.40.045\(B\)](#).
- Reduced minimum parking requirements when parking is located in aboveground or underground structures.
- Allowed shared parking lots in small lot subdivisions or planned unit developments. Example: [Ridgefield Municipal Code 18.401.075](#).
- Waiving parking requirements for all uses in central business districts or historic downtowns. Example: [Bellingham Municipal Code 20.37.540\(B\)\(1\)](#).
- Encourage private property owners to charge fees for parking to manage supply and demand.
- Agreements associated with specialized parking enforcement activities.

Resources

- [Department of Commerce Residential Parking Checklist](#)
- [King County Metro Right Size Parking: Multifamily Residential Parking Policy Best Practices](#)
- [Victoria Transport Policy Institute: "Parking Requirement Impacts on Housing Affordability"](#)

²³ "Urban Street Design Guide." National Association of City Transportation Officials. <https://nacto.org/publication/urban-street-design-guide/>



CITY OF EDGEWOOD STAFF REPORT PLANNING COMMISSION AGENDA ITEM

Date: January 13, 2024

Title: Annual Comprehensive Plan Amendment Requests – Preliminary Docket

Attachments: N/A

Submitted By: Jeremy Metzler, PE – Community Development Director

Background Information:

Annual Comprehensive Plan Amendments are regulated under Edgewood Municipal Code (EMC) Chapter 18.60. The planning commission shall have the authority to hold the public hearing on any proposed comprehensive plan amendment(s), and to provide a recommendation to the city council (EMC 18.60.120(A)). Any interested person, including citizens, hearing examiners, staff of other agencies, planning commission and city council members, may suggest an amendment to the comprehensive plan (EMC 18.60.130(B)). Applications for amendments to the city's comprehensive plan may not be considered more frequently than once every year (EMC 18.60.130(C)), and all applications for comprehensive plan amendments shall be submitted to the planning director by December 31st (EMC 18.60.130(D)).

The planning director is responsible for maintaining a preliminary docket, reviewing the suggested amendments, and preparing a staff report pursuant to EMC 18.60.140. Following a public hearing with the Planning Commission, they shall prepare a report and recommendation to the City Council for consideration (EMC 18.60.160).

Current Discussion:

The Preliminary Docket currently includes two requests:

1. Future Land Use Study and Map Amendment for West Valley Highway Overlay Area
2. Future Land Use Map Amendment Request for Tax Parcel 0420024003

With the parcel under item 2 being included in the study area covered by item 1, staff recommends consolidating them into a single effort. Staff is preparing to schedule a Public Hearing to solicit input on the Preliminary Docket before a potential recommendation is made to the City Council.

Staff Recommendation:

Hold a discussion on the proposed Preliminary Docket and provide any feedback and direction to staff in preparation for the Public Hearing to be held at the Planning Commission's February 10, 2024 meeting.



CITY OF EDGEWOOD STAFF REPORT PLANNING COMMISSION AGENDA ITEM

Date: January 13, 2024
Title: Land Use Table Updates
Attachments: N/A
Submitted By: Jeremy Metzler, PE – Community Development Director

Background Information:

Through the course of daily business, staff has been maintaining a list of potential code updates to discuss with the Planning Commission for consideration. This list contains several items that are directly tied to the City's Land Use Table in EMC 18.70.050. With the recent adoptions of the Comprehensive Plan Periodic Update and General Sewer Plan Update, including adoption of a revised Current Zoning Map, now is a great time to review the Land Use Table for consistency and make any necessary changes to ensure compliance.

Current Discussion:

The following list summarizes items identified by staff since the last significant Land Use Table update, items brought to staff's attention by others, and items that need to be reviewed for consistency with the recent adoption of the City's Comprehensive Plan Periodic Update (*in no particular order*):

1. Apartment Use in the BP zone – ✓ in the table, but CUP required in EMC 18.80.080
2. Multifamily Uses in TC and C zones – Concerns about losing available commercial space
3. EMC 18.80.080 Use Restrictions – Recommend relocating to Land Use Table as appropriate
4. Personal Care Services – Requiring a CUP in the MUR zone does not seem reasonable
5. Caretaker Residence – Requiring a CUP in most zones does not seem reasonable
6. Electric Power Generation – Consider adding specific rows for Solar and Wind
7. Sewage Collection or Treatment Facility – Need to consider new General Sewer Plan
8. Gasoline Stations – Consider limitations in TC and C zones, allowance for alternative fuels
9. Manufacturing, Light – Consider allowances for lowest impact use classifications, such as limited footprint breweries, wineries and distilleries (NAICS 312120, 312130, 312140)

Staff Recommendation:

Hold a discussion on the proposed land use table updates and provide any initial feedback and direction to staff in preparation for further discussion at the Planning Commission's February 10, 2024 meeting.