



CITY OF EDGEWOOD

PLANNING COMMISSION MEETING AGENDA

Monday, February 10, 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 or Modification
- b. Review Planning Commission meeting minutes from January 13, 2025

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. Preliminary Docket – Annual Comprehensive Plan Amendments

5. ACTION ITEMS

- a. EMC Title 18 Amendments for Animals
- b. Preliminary Docket – Annual Comprehensive Plan Amendments

6. DISCUSSION ITEMS

- a. 2025 Work Plan
- b. Middle Housing Ordinance Update
- c. Accessory Dwelling Unit Code Updates
- d. Parking Standards (SSB 6015 / RCW 36.70A.622)
- e. EMC 18.70 Permitted Land Uses Update
- f. Hazardous Vegetation / Tree Preservation Code Amendments

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, January 13, 2025 – 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, Sarah Wagner, Jan Furey, Leyla Church, Carly Lenoir, Tom Greene (arrived after roll call) **Staff Present:** Senior Planner Dorner, Community Development Director Metzler, Planning Manager Kubitza

2 CONSENT AGENDA:

a. Agenda Approval and Modifications

b. Review Planning Commission meeting minutes from December 9, 2024

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

3 CITIZEN COMMENT PERIOD

There was no citizen comment.

4 PUBLIC HEARINGS

a. Non-Conforming Uses and Lawful Establishment Date

Chair Overfield read the rules for the public hearing into the record. She then opened the public hearing at 6:02pm. Community Development Director Metzler spoke briefly about the topic. There were no public comments, and Chair Overfield closed the public hearing at 6:04pm.

b. EMC Title 18 Amendments for Animals

Chair Overfield opened the public hearing at 6:05pm. Senior Planner Dorner gave an overview of the topic. Jason Ramirez gave public comment, and Chair Overfield closed the public hearing at 6:18pm.

5 ACTION ITEMS

a. Non-Conforming Uses and Lawful Establishment Date

Motion: As Read **Action:** Approved, **Moved by:** Commissioner Furey **Seconded by:** Commissioner Green **Motion Passed 7-0**

6 DISCUSSION ITEMS

a. Animals

Commissioners reviewed the proposed amendments and a detailed discussion then ensued.

b. Middle Housing Ordinance Update

Planning Manager Kubitza brought this item forward regarding the Middle Housing Public Participation Plan, the Middle Housing Policies Survey, and the Middle Housing Open House scheduled for February 20, 2025.

c. Parking Standards (SSB 6015 / RCW 36.70A.622)

Staff and Commissioners reviewed the Department of Commerce's Draft Residential Parking Fact Sheet.

d. Annual Comprehensive Plan Amendment Requests - Preliminary Docket

This item was brought forward for discussion to allow staff to prepare for a public hearing to solicit input on the Preliminary Docket before a potential recommendation is made to the City Council.

e. Land Use Table Updates

Staff requested the Commissioners discuss the proposed land use table updates and provide any feedback and direction to them in preparation for further discussion at their February meeting.

7 STAFF COMMENTS

Planning Manager Kubitza provided an update on the Climate Planning RFP.

8 COMMISSIONER UPDATES

Commissioner Overfield spoke.

9 ADJOURN

Chair Overfield adjourned the meeting at 7:40pm.



CITY OF EDGEWOOD STAFF REPORT PLANNING COMMISSION AGENDA ITEM

Date: February 10, 2025

Title: Annual Comprehensive Plan Amendment Docket – Preliminary Docket Hearing

Attachments: N/A

Submitted By: Jeremy Metzler, PE – Community Development Director
Josh Kubitza, AICP – Planning Manager

Background Information:

Annual Comprehensive Plan Amendments are governed by Edgewood Municipal Code (EMC) Chapter 18.60. The Planning Commission has the authority to hold public hearings for any proposed amendments and to provide recommendations to the City Council (EMC 18.60.120(A)). Any interested party—citizens, hearing examiners, other agencies' staff, Planning Commission members, and City Council members—may propose an amendment to the Comprehensive Plan (EMC 18.60.130(B)).

Applications for amendments to the City's Comprehensive Plan may be considered only once a year (EMC 18.60.130(C)). All amendment applications must be submitted to the Planning Director by December 31st of the previous year (EMC 18.60.130(D)).

The Planning Director is responsible for maintaining a preliminary docket, reviewing suggested amendments, and preparing a staff report for the Planning Commission (EMC 18.60.140). The Planning Commission holds a public hearing to gather input on the preliminary docket and recommends it to the City Council for further consideration (EMC 18.60.160). The City Council then establishes the final docket through a resolution.

The Preliminary Docket currently includes the following two requests:

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

Because the parcel under Item 2 is part of the study area covered by Item 1, the Planning Director has combined the two requests into one effort under Item 1. The property owner has been contacted and agrees with this consolidation.

Placement on the "final docket" does not guarantee approval. It merely means that the proposal will undergo further analysis by City staff and the Planning Commission. The final recommendation from the Planning Commission will be considered by the City Council. Only proposals placed on the "final docket" will be considered for adoption.

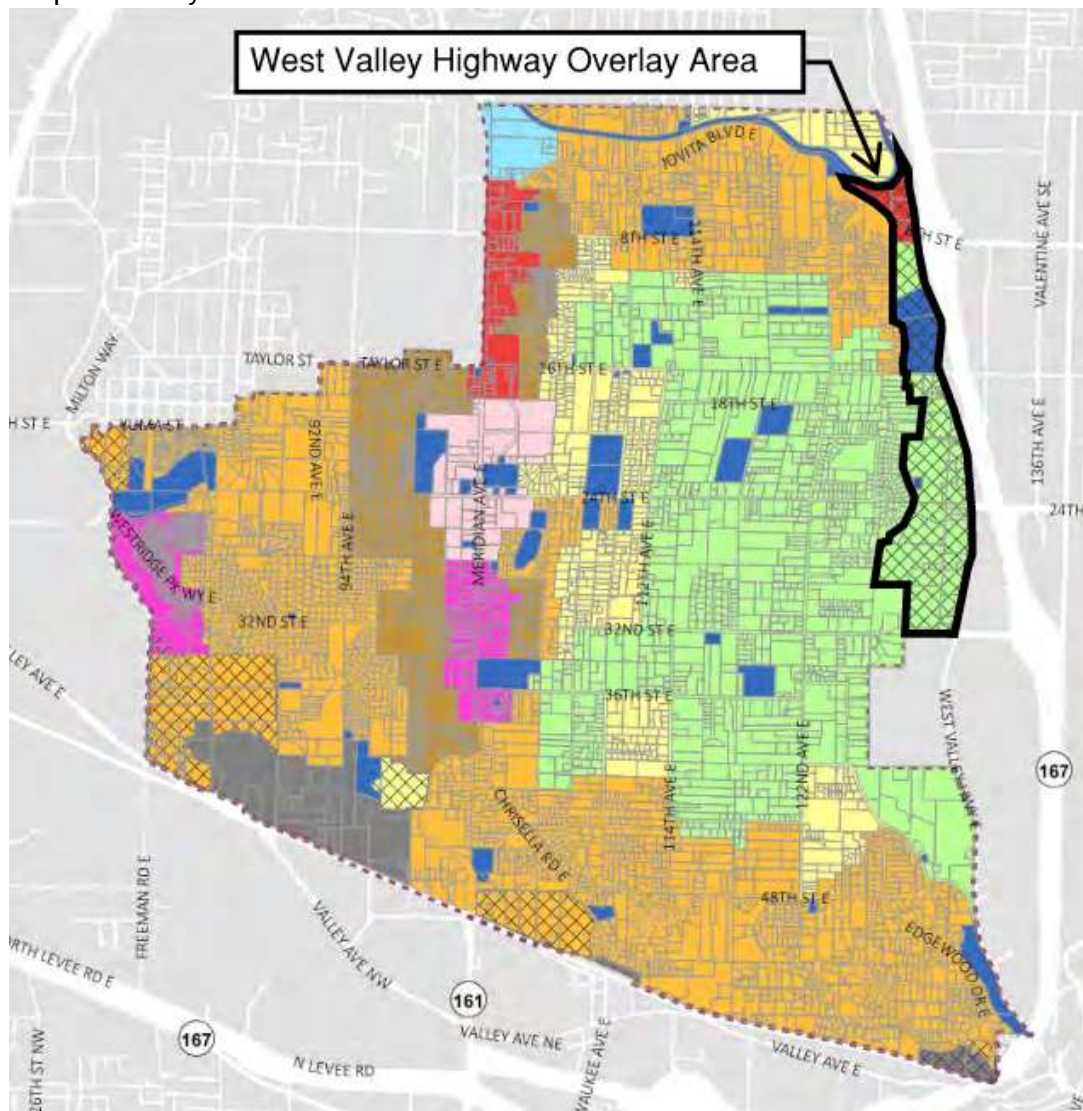
Preliminary Docket Discussion:

Below is a brief overview and response to EMC 18.60.140 Preliminary Docket criteria for each proposed item:

1. Future Land Use Study and Map Amendment for West Valley Highway Overlay Area:

Proposal: Complete a land use study along the West Valley Highway Corridor to identify the most appropriate land uses. The goal is to update the 2024 Comprehensive Plan Future Land Use Map and Zoning Map accordingly. The proposed study area is provided below.

Proposal Study Area:



Criteria - Need and Urgency:

Staff Analysis: The zoning along the West Valley Highway is primarily residential, with most areas designated for single-family housing. However, there are also a few properties zoned for commercial and public uses. Since 2015, several property owners and prospective developers have requested or inquired about allowing non-residential uses along the West Valley Highway. This interest stems from the highway's proximity to State Route 167 and neighboring cities—Sumner and Pacific—which have zoned areas for industrial and commercial use. Notably, the City of Sumner has developed substantial industrial uses along its side of West Valley Highway.

The industrial and vehicle-heavy traffic conditions along the highway negatively impact the noise and air quality for any residential developments located there. This situation could worsen as the city moves forward with HB 1110, which allows for a greater number of residential developments in areas that may not be equipped to handle these additional stresses.

Given these factors, staff believes it is urgent to review the land uses along the West Valley Highway and consider a Comprehensive Plan Map Amendment. This review is necessary for the continued use and development of the area to the benefit of the community and property owners.

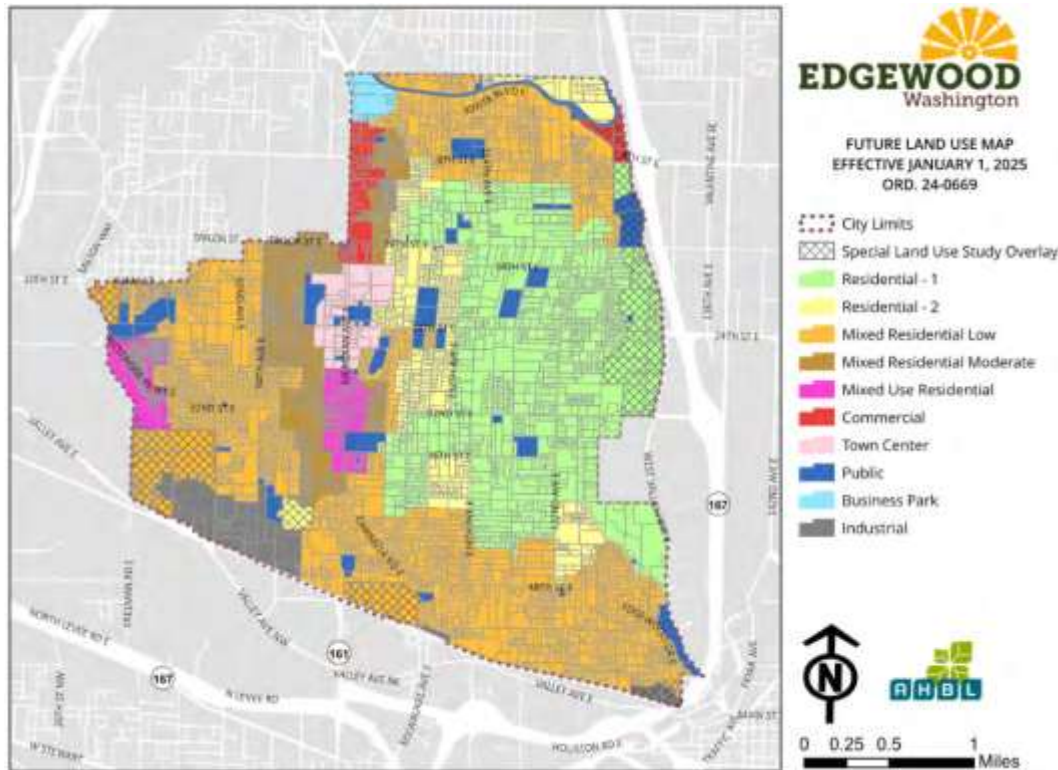
Criteria - Appropriateness:

Staff Analysis: The proposed land use study for the West Valley Highway and the associated Comprehensive Plan Map Amendment area were identified in the 2024 Comprehensive Plan under Land Use Goal 1.b. The goal, along with the land use analysis intent and relevant map, are provided below for context. As such, the proposal is appropriate.

LU.1.b: Use the Future Land Use Map that is adopted as part of this plan to guide land use and development regulations, and update it as needed (Figure 3).

The City is planning to study the feasibility of changing land use designations in the Special Land Use Study Overlay shown on the Future Land Use Map (Figure 3). A number of factors have led to interest in possible redesignation of land uses (together with zoning and allowed uses) in the overlay areas.

2024 Comprehensive Plan Figure 3:



Criteria - The availability of sufficient planning staff to substantively review the suggested amendments and manage the public review process with available staff:

Staff Analysis: Planning Staff is working on a variety of project permits, code amendments to ensure compliance with state law, other development code updates requested by City Council, Climate Planning, and Critical Area ordinance Update. Given this workload, staff is unable to conduct the West Valley Highway Land Use Analysis and will require a consultant to complete the study. However, staff anticipates being able to review the associated Comprehensive Plan Map Amendment and manage the public review process if the Planning Commission and City Council determine that this proposal is a priority.

Criteria - Anticipated planning costs and budget for processing the suggested amendments:

Staff Analysis: The city-initiated proposal does not involve permit processing fees. It is estimated that staff time for review and public engagement will total approximately 40 hours, resulting in an estimated staff cost of \$7,500. Additionally, the land use study, including assistance with Environmental Review (SEPA), staff reports, and development regulations, will require consultant services. The cost for these services is expected to range from \$25,000 to \$30,000. In total, the proposal is anticipated to cost approximately \$37,500.

Staff Recommendation:

Staff is recommending that the Planning Commission include the Future Land Use Study and Map Amendment for West Valley Highway Overlay Area as the sole item on the 2025 Annual Comprehensive Plan Amendment Preliminary Docket in their recommendation to City Council.

Public Hearing:

The Planning Commission will hold a public hearing to solicit public input on the establishment of a final docket for the City's 2025 annual comprehensive plan amendment process, per EMC 18.60.160.



CITY OF EDGEWOOD STAFF REPORT PLANNING COMMISSION AGENDA ITEM

Date: February 10, 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
Draft Recommendation Letter to City Council

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 Tomyn 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.

January 13, 2025: A public hearing was held and comments on the proposed amendments from the public and city staff were provided to the Commission. Materials for the public noticing and SEPA DNS were provided to the Commission. Two (2) options for the Animals code amendments were presented and the Commission chose the option to permit roosters under certain conditions (setbacks/overnight enclosures) and based on lot sizes (1.5 acre or more). The amendments were accepted and staff were directed to prepare for a formal recommendation at the next meeting.

Current Discussion:

Draft amendments based on the Planning Commission's feedback and direction have been prepared for formal recommendation to City Council. The Commission will vote to recommend approval, amendments, or denial to City Council.

Staff Recommendation:

The Planning Commission should review the proposed amendments vote to recommend approval, amendments, or denial to City Council.

Action:

Vote to recommend approval, amendments, or denial to City Council for the proposed amendments to EMC Title 18 as they relate to animal uses, activity, and allowances.

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.

Draft EMC 18.70, Permitted Land Uses Amendments

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	–	
Marijuana Production	111; Special	–	–	–	–	–	–	–	–	–	–	–	See Condition 2
Crop Production, All Other	111, part	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
Animal Production and Aquaculture	All Uses Subject to Condition 6. Personal animal uses are 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	All Uses Subject to Condition 6.												
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 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 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).



CITY OF EDGEWOOD
PLANNING COMMISSION
RECOMMENDATION

The Planning Commission voted _____ to recommend that the City Council adopt the proposed amendments to Edgewood Municipal Code (EMC) Title 18 relating to Animal related uses, activity, and allowances, as presented herewith.

RECOMMENDED BY THE CITY OF EDGEWOOD PLANNING COMMISSION
ON THE 10TH DAY OF FEBRUARY 2025.

JoAnn Overfield
Planning Commission Chair

Attest by:

Jeremy Metzler, PE
Community Development Director



CITY OF EDGEWOOD STAFF REPORT PLANNING COMMISSION AGENDA ITEM

Date: February 10, 2025

Title: Annual Comprehensive Plan Amendment Docket – Preliminary Docket Action

Attachments: Draft Planning Commission Recommendation

Submitted By: Jeremy Metzler, PE – Community Development Director
Josh Kubitza, AICP – Planning Manager

Background Information:

Annual Comprehensive Plan Amendments are governed by Edgewood Municipal Code (EMC) Chapter 18.60. The Planning Commission has the authority to hold public hearings for any proposed amendments and to provide recommendations to the City Council (EMC 18.60.120(A)). Any interested party—citizens, hearing examiners, other agencies' staff, Planning Commission members, and City Council members—may propose an amendment to the Comprehensive Plan (EMC 18.60.130(B)).

Applications for amendments to the City's Comprehensive Plan may be considered only once a year (EMC 18.60.130(C)). All amendment applications must be submitted to the Planning Director by December 31st of the previous year (EMC 18.60.130(D)).

The Planning Director is responsible for maintaining a preliminary docket, reviewing suggested amendments, and preparing a staff report for the Planning Commission (EMC 18.60.140). The Planning Commission holds a public hearing to gather input on the preliminary docket and recommends it to the City Council for further consideration (EMC 18.60.160). The City Council then establishes the final docket through a resolution.

The Preliminary Docket currently includes the following two requests:

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

Because the parcel under Item 2 is part of the study area covered by Item 1, the Planning Director has combined the two requests into one effort under Item 1. The property owner has been contacted and agrees with this consolidation.

Placement on the "final docket" does not guarantee approval. It merely means that the proposal will undergo further analysis by City staff and the Planning Commission. The final recommendation from the Planning Commission will be considered by the City Council. Only proposals placed on the "final docket" will be considered for adoption.

Current Discussion:

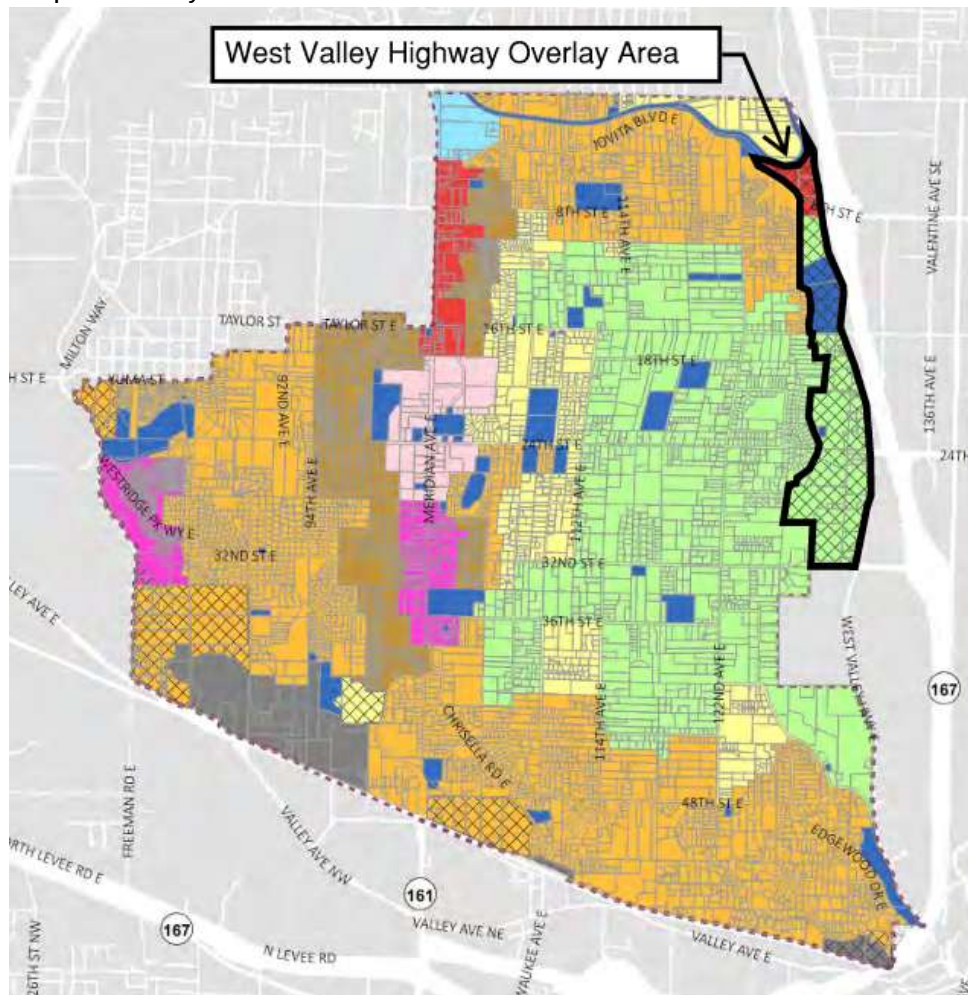
On February 10, 2025, the Planning Commission held a public hearing to solicit public input on the establishment of a preliminary docket for the City's 2025 annual comprehensive plan amendment process.

The preliminary docket includes the following item(s):

1. Future Land Use Study and Map Amendment for West Valley Highway Overlay Area

Proposal: Complete a land use study along the West Valley Highway Corridor to identify the most appropriate land uses. The goal is to update the 2024 Comprehensive Plan Future Land Use Map and Zoning Map accordingly. The proposed study area is provided below.

Proposal Study Area:



Following the February 10, 2025 public hearing, the Planning Commission shall provide a recommendation identifying the suggested amendments that it is recommending for consideration by the City Council during the annual amendment final docket-setting process.

The Planning Commission's recommendation shall be based upon the perceived need, urgency and appropriateness of the suggested amendment (EMC 18.60.140). Staff has provided a detailed report of the request pursuant to EMC 18.60.140 which is provided in Agenda Item 4.a.

Staff Recommendation:

Following any further discussion on the matter, the Planning Commission is invited to make a formal recommendation to the City Council on adoption of the 2025 Annual Comprehensive Plan Amendment Preliminary Docket. A draft recommendation has been prepared by staff, included as attachment 1.



CITY OF EDGEWOOD
PLANNING COMMISSION
RECOMMENDATION

The Planning Commission voted _____ to recommend that the City Council include the Future Land Use Study and Map Amendment for West Valley Highway Overlay Area in the 2025 Annual Comprehensive Plan Amendment Final Docket, as presented herewith.

RECOMMENDED BY THE CITY OF EDGEWOOD PLANNING COMMISSION
ON THE 10TH DAY OF FEBRUARY 2025.

JoAnn Overfield
Planning Commission Chair

Attest by:

Jeremy Metzler, PE
Community Development Director



CITY OF EDGEWOOD STAFF REPORT PLANNING COMMISSION AGENDA ITEM

Date: February 10, 2025

Title: 2025 Work Plan

Attachments: None

Submitted By: Jeremy Metzler, Community Development Director

Background Information:

The City Council meets annually during their second study session in February with the Planning Commission and other advisory boards to review and set their annual work plans.

Current Discussion:

The following is a list of items currently slated by staff for Planning Commission review in 2025:

- Annual Comprehensive Plan Amendment(s) – West Valley Land Use Overlay
- Critical Areas Ordinance Update
- Middle Housing Code Amendments
- Accessory Dwelling Unit (ADU) Code Amendments
- Impact Fees for Middle Housing and ADUs (SB 5258)
- Co-Living Housing Code Amendments (HB 1998)
- Parking Standards (SSB 6015 / RCW 36.70A.622)
- Preliminary Planning for the Comprehensive Plan Climate Element (HB 1181)
- Hazardous Vegetation / Tree Preservation Code Amendments
- Land Use Table Updates
- Title 18 Definition Updates (housekeeping)
- Fencing Regulation Updates
- Public Works Design and Construction Standards
- Sanitary Sewer Code Amendments (General Sewer Plan Implementation)
- Special Events Code

Also, the following objectives were identified by the Planning Commission and affirmed by the City Council in 2024, up for review and consideration this year:

- Identify community outreach, education, and engagement opportunities
- Identify training opportunities for Planning Commissioners
- Promote diversity, equity, and inclusion in recommendations to City Council

- Collaborate with the Economic Development Advisory Board (EDAB)
- Collaborate with Parks and Recreation Advisory Board (PRAB)

Staff Recommendation:

Provide staff with feedback on the proposed work plan and objectives, so staff may prepare the final summary for the Planning Commission to review with the City Council at next week's study session.



CITY OF EDGEWOOD STAFF REPORT PLANNING COMMISSION AGENDA ITEM

Date: February 10, 2025

Title: Middle Housing Ordinance Update

Attachments:

1. Middle Housing Zoning Map
2. 2024 Draft Middle Housing Ordinance

Submitted By: Josh Kubitza, AICP – Planning Manager

Introduction and Background Information:

“Middle housing” is a term for homes 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”; meaning that the buildings are about the same size and height as typical detached house.

During the 2023-24 legislative session, [HB 1110 \(2023\)](#) was adopted to implement middle housing across the state. HB 1110 (middle housing bill) directs WA Department of Commerce (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\(11\)](#).

Commerce released a new *model* ordinance, new middle housing checklist, and 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 Commerce's [Middle Housing resource webpage](#)¹.

Edgewood is required to comply with the middle housing bill within 6 months of our Comprehensive Plan Periodic Update, which was effective January 1, 2025. Therefore, we need to adopt a middle housing ordinance by June 30, 2025. To assist with meeting this timeline, Edgewood was awarded a grant from Commerce. This grant has certain tasks or items that must be completed by March 2025 and June 2025. These are addressed in the timeline provided in this staff report.

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

Middle Housing Ordinance Update 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.
- 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.

Public Involvement Update:

A [Middle Housing Community Survey](#) went live on January 31, 2025, and will run until February 28, 2025. Prior to this, staff distributed the survey to Commissioners requesting feedback and incorporated their feedback into the survey. Flyers with a QR code were posted at all city parks, the Mountain View Community Center, local food bank, library, post office, and city hall. Staff will present survey responses at the March 10, 2025 Planning Commission Meeting. As of February 6, we have received 43 responses.

A Middle Housing Open House on February 20, 2025, at 6:00 p.m. will be held at Edgewood City Hall. The purpose of the Open House is for staff to provide more information to the community, answer questions, and encourage residents to complete the survey. Commissioners are invited to attend.

General Information (per HB 1110):

- A. “*Middle housing*” means buildings that are compatible in scale, form, and character with single-family houses and contain two or more attached, stacked, or clustered homes including duplexes, triplexes, fourplexes, fiveplexes, sixplexes, townhouses, stacked flats, courtyard apartments, and cottage housing.

Please note, this definition does not include detached single-family homes or accessory dwelling units (ADUs). However, the middle housing bill does allow cities to consider accessory dwelling units as middle housing units.

- B. Middle Housing Tiers:

Cities are put into three (3) “Tiers” based on population or location (for the purposes of model ordinances and references only):

- Tier 1: Cities with a population of at least 75,000
- Tier 2: Cities with a population of at least 25,000 but less than 75,000
- Tier 3: Cities with a population less than 25,000, located in a county with a population of more than 275,000, and in a contiguous urban growth area with the largest city in the county

The City of Edgewood is classified as a Tier 3 city because it is within the contiguous urban growth area (UGA) of Tacoma. Specifically, the Tacoma UGA touches the Fife and Milton UGAs, which in turn border the Edgewood UGA.

- C. “Unit Density” or “Units per lot” is not defined by the statute, but Commerce provides the following definition: “the number of dwelling units allowed on a lot, regardless of lot size.”
- D. Base Unit Lot Density:
The middle housing bill requires cities allow at least two (2) middle housing units per lot.
- E. Applicability:
- Middle housing unit density standards apply to “all lots zoned predominantly for residential use.” In Edgewood, Middle housing updates would apply to Single-Family 2, Single-Family 3, Mixed Residential 1, and Mixed Residential 2 zoning district (See Attachment 1).
 - Middle housing unit density do not apply to lots less than 1,000 square feet.
 - Any property not connected to sewer will be severely limited to the number of units due Tacoma-Pierce County Health Department on-site sewage system requirements.
- F. General Key Phrase:
Middle housing standards can’t be more restrictive than single-family detached, except for design.

Discussion Items:

1. Replace “Density Per Acre” for “Unit Density”
Currently, the city measures density based on “density per acre,” which correlates with the minimum lot size. However, including “unit density” alongside this measure makes the “density per acre” calculation inaccurate for zoning districts that must allow two middle housing units per lot which previously assumed one single-family unit.
Additionally, Commerce guidance recommends replacing “density per acre” with “unit density,” as this term more accurately reflects the allowed conditions. For example, in a 32-lot single-family subdivision with a net developable area of 17.98 acres, the calculation based on “density per acre” would yield 1.78 dwelling units per acre. However, the actual condition is that these lots could accommodate up to 64 dwelling units, which would equal 3.56 dwelling units per acre. Replacing “density per acre” with “unit density” would eliminate confusion about the number of units allowed per lot. Staff does not foresee any issues with this change, as the minimum lot size will continue to restrict subdivision sizes.

Planning Commission Question: Should “density per acre” be replaced by “unit density” in Single-Family 2, Single-Family 3, Mixed Residential 1, and Mixed Residential 2 zoning districts?

2. Middle Housing Types:
 - a. Middle Housing Definition Revision:
The middle housing bill defines middle housing as follows:

“Middle housing” means buildings that are compatible in scale, form, and character with single-family houses and contain two or more attached, stacked, or clustered homes including duplexes, triplexes, fourplexes, fiveplexes, sixplexes, townhouses, stacked flats, courtyard apartments, and cottage housing.

However, Tier 3 cities are only required to allow middle housing types that meet the two-unit density requirement. As a result, the city is only required to allow duplexes, stacked flats, courtyard apartments, and cottage housing.

If the city maintains the current statutory definition, it could cause confusion. Terms like triplexes, fourplexes, sixplexes, and townhouses would be classified as middle housing, suggesting these uses are subject to middle housing standards rather than multifamily standards. Once the city reaches the 25,000-population threshold for Tier 2—20 or more years from now—the definition and associated standards would need to be revised.

Planning Commission Question: Would Planning Commission support this revised definition?

“Middle housing” means buildings that are compatible in scale, form, and character with single-family houses and contain two attached, stacked, or clustered homes including duplexes, stacked flats, courtyard apartments, and cottage housing.

b. Accessory Dwelling Units (ADU):

HB 1110 (middle housing bill) and HB 1337 (ADU bill) both have language regarding ADU's. The ADU bill requires at least two ADUs on all lots within zoning districts that permit single-family homes. On the other hand, the middle housing bill states that cities may choose to count accessory dwelling units (ADUs) toward meeting the middle housing unit density requirement but are not required to allow ADUs beyond the unit density requirements. However, there is nothing in the middle housing bill that supersedes the ADU bill.

Currently, Edgewood does not count ADUs toward density on a lot.

There are two (2) regulatory options:

- 1) Edgewood chooses to count ADUs toward middle housing unit density, then ADUs would not be permitted on lots with middle housing but could still be allowed on lots with a single-family house (Figure 1).
- 2) Edgewood does not count ADUs toward middle housing unit density, then two ADUs would be allowed with middle housing units (Figure 1 and Figure 2).

Figure 1: Required Configuration

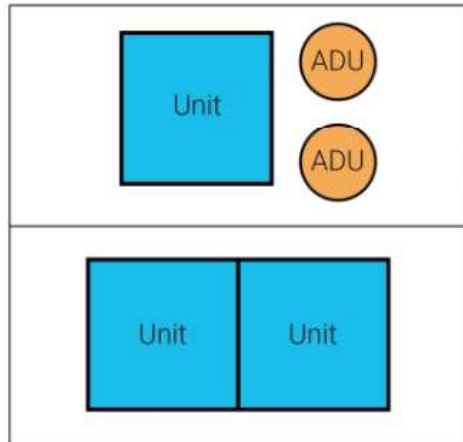
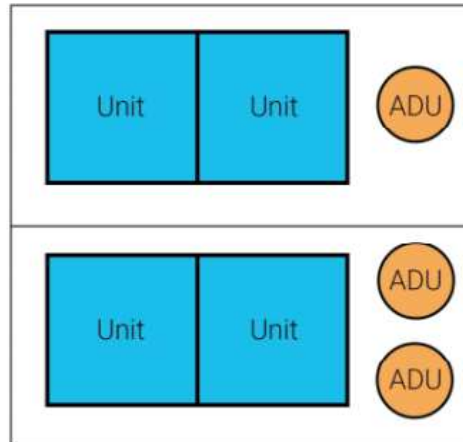


Figure 2: Optional Configuration



Not counting ADUs toward density allows lots with existing ADUs to convert the primary residence into a middle housing form. However, excluding ADUs from the density calculation could increase development pressure on properties.

Planning Commission Question: Should ADUs be considered a middle housing type and count towards the total allowed number of units on a lot?

3. Residential Design Standards:

The middle housing bill allows for design review to ensure that “buildings are compatible in scale, form, and character with single-family houses.” House Bill 1293 outlines how cities can integrate design provisions into the development review process by specifying that:

- A. Only clear and objective development regulations be used to regulate the exterior design of new development.
- B. Such “clear and objective” development regulations must include one or more ascertainable guideline, standard, or criterion by which an applicant can determine whether a given building design is permissible under that development regulation.
- C. The design standards may not result in a reduction in density, height, bulk, or scale below the generally applicable development regulations for a development proposal in the applicable zone.
- D. Design review must be conducted concurrently with consolidated project review and may not include more than one public meeting.

The key difference between House Bill 1293 and the middle housing bill is that design review for middle housing shall be administrative only.

a. Middle Housing Residential Design:

The model ordinance includes the following design review items: cottage housing, courtyard apartments, pedestrian access, vehicle access, carports, garages, and driveways, entries, and windows and doors. A copy of these standards is provided in Attachment 2.

The Commerce guidance also provides optional language for unit articulation standards that are not part of the model ordinance.

While design standards can introduce additional complexity for developers, property owners, and staff, they can also bring greater predictability in building outcomes and their impact on the community. Any design standards must be objective and processed administratively. Staff has not proposed any changes to the 2024 Draft Middle Housing Ordinance and is awaiting additional input from the public through the community survey, as well as initial feedback from the Planning Commission.

Planning Commission Questions:

1. Does the Planning Commission support applying general design standards to middle housing types?
2. Staff has concerns about solid waste storage and staging for larger developments. Would the Planning Commission support requiring solid waste storage consolidation for developments with more than one unit?
3. The city currently has currently limited design standards for ADU's ([EMC 18.90.190.C.4](#)), which generally require them to match the style and materials of the primary dwelling. If the Planning Commission moves forward with considering ADUs as a middle housing type, would the Planning Commission support requiring ADUs to comply with the middle housing design review standards?
4. Does the Planning commission have any additional direction for staff regarding residential building design standards at this time?

b. Single-family Residential Design:

According to the Commerce Guidance, cities may consider applying the same type of residential design standards in the model ordinance to detached single-family residences. Currently, Edgewood requires design standards for the following: small lot houses, cluster developments, townhouses, and Accessory Dwelling Units (ADUs). It's important to note that multifamily developments are currently subject to design standards.

Planning Commission Question: Would the Planning Commission support a universal residential design standards for all non-multifamily developments? Multifamily developments would continue to be reviewed under EMC 18.95 design standards.

4. General:

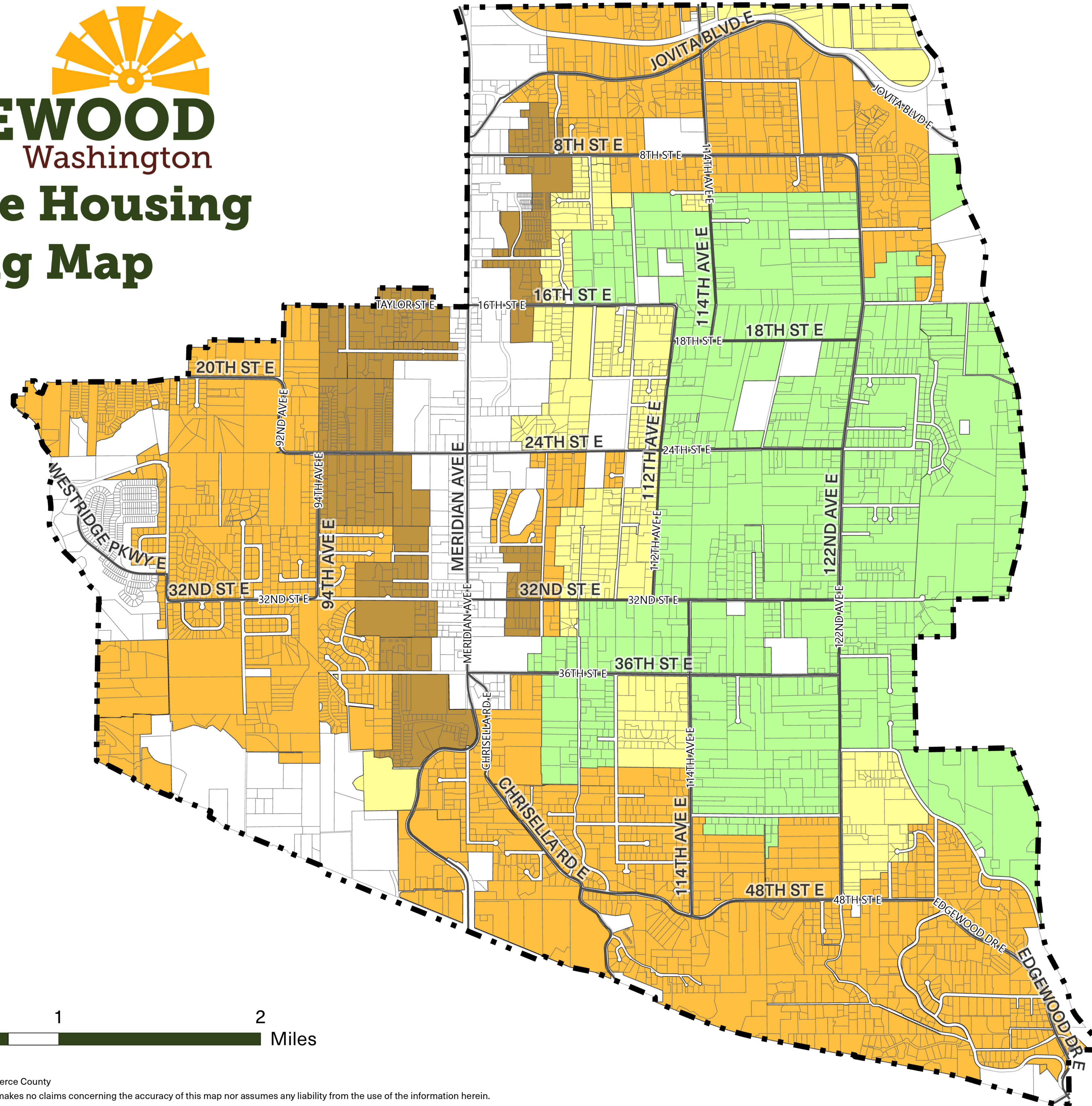
Planning Commission Question: Is there anything else that Planning Commission would like to discuss regarding middle housing or the draft ordinance.



EDGEWOOD

Washington

Middle Housing Zoning Map



Legend

- Mixed Residential 1 (MR-1)
- Mixed Residential 2 (MR-2)
- Single-Family 2 (SF-2)
- Single-Family 3 (SF-3)



Data Sources: City of Edgewood, Pierce County

Disclaimer: The City of Edgewood makes no claims concerning the accuracy of this map nor assumes any liability from the use of the information herein.

ORDINANCE NO. 24-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EDGEWOOD, PIERCE COUNTY, WASHINGTON, IMPLEMENTING THE REQUIREMENTS OF ENGROSSED SUBSTITUTE HOUSE BILL (E2SHB) 1110 FOR MISSING MIDDLE HOUSING, AS AMENDED BY E2SHB 2321; AMENDING TITLE 18 OF THE EDGEWOOD MUNICIPAL CODE (EMC), DEVELOPMENT STANDARDS; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, in 2023 the Washington State Legislature passed Engrossed Substitute House Bill (E2SHB) 1110 (chapter 332, Laws of 2023) related to middle housing; and

WHEREAS, in passing E2SHB 1110 (chapter 332, Laws of 2023) the State legislature found that Washington is facing an unprecedented housing crisis for its current population and a lack of housing choices, and is not likely to meet affordability goals for future populations; and

WHEREAS, the State legislature further found that in order to meet the goal of 1,000,000 new homes statewide by 2044, and enhanced quality of life and environmental protection, innovative housing policies will need to be adopted and that increasing housing options that are more affordable to various income levels is critical to achieving the state's housing goals, including those established by the legislature in E2SHB 1220 (chapter 254, Laws of 2021) relating to supporting emergency shelters and housing; and

WHEREAS, the State legislature further found:

There is continued need for the development of housing at all income levels, including middle housing that will provide a wider variety of housing options and configurations to allow Washingtonians to live near where they work;

Homes developed at higher densities are more affordable by design for Washington residents both in their construction and reduced household energy and transportation costs;

While creating more housing options, it is essential for cities to identify areas at higher risk of displacement and establish anti-displacement policies as required in E2SHB 1220 (chapter 254, Laws of 2021);

The state has made historic investments in subsidized affordable housing through the housing trust fund, yet even with these historic investments, the magnitude of the housing shortage requires both public and private investment; and

In addition to addressing the housing shortage, allowing more housing options in areas already served by urban infrastructure will reduce the pressure to develop natural and working lands, support key strategies for climate change, food security, and Puget Sound recovery, and save taxpayers and ratepayers money.

WHEREAS, on _____, the City Council passed Ordinance No. _____ incorporating middle housing policies into the Housing Element of the Comprehensive Plan as required by E2SHB 1220 (chapter 254, Laws of 2021); and

WHEREAS, on _____, the City transmitted a copy of the proposed ordinance to the Washington State Department of Commerce in accordance with RCW 36.70A.106 at least 60 days in advance of adoption for the required 60-day State review period; and

WHEREAS, on _____, the City issued a State Environmental Policy Act (SEPA) Determination of Non-Significance (DNS) on the proposed ordinance, which is a non-project proposal; and

WHEREAS, during the course of developing the proposed ordinance, various means of public outreach were used including, but not limited to, public meetings, a middle housing webpage, presentations at various community groups, notification of public hearings; and

WHEREAS, the City Planning Commission held work sessions on _____ to study and review matters related to implementing ES2HB 1110; (chapter 332, Laws of 2023) and

WHEREAS, on _____, the city/town Planning Commission held a duly noticed public hearing on the proposed ordinance, accepted testimony and made a recommendation to the _____ city/town council; and

WHEREAS, on _____, the city/town council held a duly noticed public hearing to consider the planning commission recommendation and accept public testimony; and

WHEREAS, adoption of the ordinance will bring the city/town into compliance with ES2HB 1110 (chapter 332, Laws of 2023) and will serve the general welfare of the public;

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

Section 1. Title 18 EMC amended. The City Council hereby adopts the amendments to Title 18, Development Standards as shown in Exhibit A, attached hereto and incorporated herein by this reference.

Section 2.

Section 3. Severability. If any section, sentence, clause, or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 4. Effective Date. A summary of this Ordinance consisting of its title shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication. The full text of this Ordinance shall be mailed without charge, upon request.

PASSED BY THE CITY COUNCIL ON THE __TH DAY OF _____, 2024.

Mayor Dave Olson

ATTEST/AUTHENTICATED:

Rachel Pitzel, CMC
City Clerk

APPROVED AS TO FORM:

Ann Marie Soto, City Attorney

Date of Publication:

Effective Date:

EXHIBIT A

Chapter 18.20

DEFINITIONS

18.20.040 A definitions.

“Administrative design review” means a development permit process whereby an application is reviewed, approved, or denied by the planning director or the planning director’s designee based solely on objective design and development standards without a public predecision hearing, unless such review is otherwise required by state or federal law, or the structure is a designated landmark or historic district established under a local preservation ordinance. The city may utilize public meetings, hearings, or voluntary review boards to consider, recommend, or approve requests for variances from locally established design review standards.

“All lots zoned predominantly for residential use” means all zoning districts in which residential dwellings are the predominant use. This excludes lands zoned primarily for commercial, industrial, and/or public uses, even if those zones allow for the development of detached single-family residences. This also excludes lands zoned primarily for mixed uses, even if those zones allow for the development of detached single-family residences, if the zones permit by-right multifamily use and a variety of commercial uses, including but not limited to retail, services, eating and drinking establishments, entertainment, recreation, and office uses.

18.20.060 C definitions.

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

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

“Courtyard apartments” means up to four attached dwelling units arranged on two or three sides of a yard or court.

18.20.070 D definitions.

“Development regulations” means any controls placed on development or land use activities by the city, including, but not limited to, zoning ordinances, official controls, subdivision ordinances, and binding site plan ordinances.

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

18.20.20.090 F definitions.

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

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

18.20.160 M definitions.

“Major transit stop” means a stop on a high capacity transportation system funded or expanded under the provisions of chapter 81.104 RCW, commuter rail stops, stops on rail or fixed guideway systems, and stops on bus rapid transit routes.

“Middle housing” means buildings that are compatible in scale, form, and character with single-family houses and contain two or more attached, stocked, or clustered homes including duplexes, triplexes, fourplexes, fiveplexes, sixplexes, townhouses, stacked flats, courtyard apartments, and cottage housing.

18.20.220 S definitions.

“Single-family zones” means those zones where single-family detached residences are the predominant land use.

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

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

18.20.230 T definitions.

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

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

18.20.240 U definitions.

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

Chapter 18.70
PERMITTED LAND USES

18.70.050 Land use table.

Table 1: Land Use Table

Land Use Table	NAICS Code	Single-Family 2	Single-Family 3	Single-Family 5	Mixed Residential 1	Mixed Residential 2	Mixed Use Residential	Town Center	Commercial	Business Park	Industrial	Public	Notes
Residential													
✓ – Permitted Use CUP – Use may be approved via CUP – Prohibited Use A – Approval Requires AUP	NAICS Code	SF2	SF3	SF5	MR1	MR2	MUR	TC	C	BP	I	P	All Uses Subject to Conditions 1 and 6
Accessory													
Accessory Dwelling Unit (ADU), Attached	Special	✓	✓	✓	✓	✓	✓	–	–	–	–	–	See EMC <u>18.90.190</u> for ADU requirements for both attached and detached

Chapter 18.70
PERMITTED LAND USES

18.70.050 Land use table.

Table 1: Land Use Table

Land Use Table	NAICS Code	Single-Family 2	Single-Family 3	Single-Family 5	Mixed Residential 1	Mixed Residential 2	Mixed Use Residential	Town Center	Commercial	Business Park	Industrial	Public	Notes
													(backyard cottage) ADUs
ADU, Detached (Backyard Cottage)	Special	✓	✓	✓	✓	✓	✓	A	A	–	–	–	Detached ADU allowed secondarily in TC and C zones only when paired with townhouse use
Single-Family													
Detached Dwelling	Special	✓	✓	✓	✓	✓	✓	–	–	–	–	–	

Chapter 18.70
PERMITTED LAND USES

18.70.050 Land use table.

Table 1: Land Use Table

Land Use Table	NAICS Code	Single-Family 2	Single-Family 3	Single-Family 5	Mixed Residential 1	Mixed Residential 2	Mixed Use Residential	Town Center	Commercial	Business Park	Industrial	Public	Notes
Cottage Court	Special	–	✓	✓	✓	✓	✓	–	–	–	–	–	
Multifamily													
Duplex	Special	✓	✓	✓	✓	✓	✓	–	–	–	–	–	See Condition 7.
Attached Dwelling	Special	✓	✓	✓	✓	✓	✓	–	–	–	–	–	See Condition 7.
Multi-plex	Special	–	–	–	✓	✓	✓	–	–	–	–	–	
Townhouse	Special	✓	✓	✓	✓	✓	✓	✓	✓	–	–	–	See Condition 7

Chapter 18.70
PERMITTED LAND USES

18.70.050 Land use table.

Table 1: Land Use Table

Land Use Table	NAICS Code	Single-Family 2	Single-Family 3	Single-Family 5	Mixed Residential 1	Mixed Residential 2	Mixed Use Residential	Town Center	Commercial	Business Park	Industrial	Public	Notes
Apartment	Special	–	–	–	–	–	✓	✓	✓	✓	–	–	
Other													
Adult Family Home	623990, part	✓	✓	✓	✓	✓	✓	✓	✓	✓	–	–	In accordance with RCW <u>70.128.010</u> (1), as amended
Nursing and Residential Care Facilities	6231; 6232	–	–	–	–	CUP	✓	✓	✓	✓	–	–	
Assisted Living Facilities	6233	–	–	–	CUP	CUP	✓	✓	✓	✓	–	–	

Chapter 18.70
PERMITTED LAND USES

18.70.050 Land use table.

Table 1: Land Use Table

Land Use Table	NAICS Code	Single-Family 2	Single-Family 3	Single-Family 5	Mixed Residential 1	Mixed Residential 2	Mixed Use Residential	Town Center	Commercial	Business Park	Industrial	Public	Notes
Live/Work Unit	Special	–	–	–	–	–	✓	✓	✓	✓	–	–	
Permanent Supportive Housing		✓	✓	✓	✓	✓	✓	✓	✓	✓	–	–	
Transitional Housing		✓	✓	✓	✓	✓	✓	✓	✓	✓	–	–	

Conditions

- (7) The provisions of Engrossed Second Substitute House Bill 1110 (chapter 332, Laws of 2023) do not apply to:
- (a) Lots designated with critical areas designated under RCW 36.70A.170 or their buffers as required by RCW 36.70A.170.
 - (b) A watershed serving a reservoir for potable water if that watershed is or was listed, as of July 23, 2023, as impaired or threatened under section 303(d) of the federal clean water act (33 U.S.C. Sec. 1313(d)).

(c) Lots that have been designated urban separators by countywide planning policies as of July 23, 2023.

Chapter 18.80
LAND USE ZONES

18.80.040 Single-Family Residential zoning districts

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

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

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

7. Design features shall be required for apartment buildings as set forth in Chapter 18.95 EMC, Design Standards.

18.80.050 Mixed Residential zoning districts.

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

1. The permitted unit density in all Mixed Residential zoning districts is two units per lot. The Maximum density for the Mixed Residential zoning districts is the maximum number of dwelling units allowed per net buildable acre (dua) and shall be as follows:

a. MR-1 zoning district: four dua.

b. MR-2 zoning district: eight dua.

7. Design features shall be required for apartment buildings as set forth in Chapter 18.95 EMC, Design Standards.

Chapter 18.90

DEVELOPMENT STANDARDS – CITYWIDE APPLICABILITY

18.90.040 Density standards.

C. The maximum density for single-family zoning districts (SF-2, SF-3 and SF-5) is the maximum number of dwelling units allowed per net developable area of an acre, and is expressed as a ration, i.e., one dwelling unit per net developable acre. Accessory dwelling units shall be included in the maximum number of allowable dwelling units. The minimum lot size does not determine maximum density.

F. The permitted unit density of all lots zoned predominantly residential (SF-2, SF-3, SF-5, MR-1, and MR-2) is two units per lot, unless zoning permitting higher densities applies. The standard in this subsection F does not apply to lots after subdivision below 1,000 feet.

18.90.130 Parking.

H. Parking Space Standards for Middle Housing.

1. Off-street parking for middle housing shall be subject to the following:
 - a. No off-street parking shall be required within one-half mile walking distance of a major transit stop.
 - b. A maximum of one off-street parking space per unit shall be required on lots smaller than 6,000 square feet, before any zero lot line subdivisions or lot splits.
 - c. A maximum of two off-street parking spaces per unit shall be required on lots greater than 6,000 square feet before any zero lot line subdivisions or lot splits.
2. The provisions of subsection (1) do not apply to:
 - a. Portions of the city for which the Department of Commerce has certified a parking study in accordance with RCW 36.70A.635(7)(a), in which case off-street parking requirement shall be as provided in the certification from the Department of Commerce.
 - b. Portions of the city within a one-mile radius of a commercial airport in Washington with at least 9,000,000 annual enplanements in accordance with RCW 36.70A.635(7)(b).

18.90.200 Middle housing.

- A. Purpose. The purpose of this section is to implement Engrossed Second Substitute House Bill 1110, codified in RCW 36.70A.030, 36.70A.280, 36.70A.635, 36.70A.636, 36.70A.637, 36.70A.638, 43.21C.495, and 43.21C.450, 64.32, 64.34, and 64.38, and 64.90, by providing land use, development, design, and other standards for middle housing developed on all lots zoned predominantly for residential use.

B. Applicability. The provisions of this section apply to all lots zoned predominantly for residential use. This section does not apply to:

- 1 Lots designated with critical areas designated under RCW 36.70A.170 or their buffers as required by RCW 36.70A.170.
- 2 A watershed serving a reservoir for potable water if that watershed is or was listed, as of July 23, 2023, as impaired or threatened under section 303(d) of the federal clean water act (33 U.S.C. Sec. 1313(d)).
- 3 Lots that have been designated urban separators by countywide planning policies as of July 23, 2023.

C. General provisions.

- 1 Nothing in this section prohibits the city from permitting detached single-family residences.
- 2 Nothing in this section prohibits the city from requiring any development, including middle housing development, to provide affordable housing, either on-side or through an in-lieu payment, nor limit the city's ability to expand or modify the requirements of an existing affordable housing program enacted under RCW 36.70A.540.
- 3 Nothing in this section requires the issuance of a building permit if other federal, state, and local requirements for a building permit are not met.
- 4 Nothing in this section affects or modifies the responsibilities of the city to plan for or provide "urban governmental services" as defined in RCW 36.70A.030.
- 5 The city shall not approve a building permit for middle housing without compliance with the adequate water supply requirements of RCW 19.27.097.
- 6 The city may not require through development regulations any standards on middle housing that are more restrictive than those the city requires for detached single-family residences, but the city may apply any objective development regulations that are required for detached single-family residences, including, but not limited to, set-back, lot coverage, stormwater, clearing, and tree canopy and retention requirements to ensure compliance with existing ordinances intended to protect critical areas and public health and safety.

- 7 The same development permit and environmental review processes shall apply to middle housing that apply to detached single-family residences, unless otherwise required by state law including, but not limited to, shoreline regulations under chapter 90.58 RCW, building codes under chapter 19.27 RCW, energy codes under chapter 19.27A RCW, or electrical codes under chapter 19.28 RCW.
 - 8 Conflicts. In the event of a conflict between this ordinance and other development regulations applicable to middle housing, the standards of this Section control.
- D. Dimensional standards. The city shall not require through development regulations any standards for middle housing that are more restrictive than those required for detached single-family residences, but may apply any objective development regulations that are required for detached single-family residences. This includes, but is not limited to, the following types of dimensional standards: building height, setbacks, lot coverage, floor area ratio, lot area and lot dimension, impervious surface, open space, and landscaped area standards. Dimensional standards invalidated by this Section are superseded and replaced by the dimensional standards in this Section.
- 1 Density. Unit density shall comply with EMC 18.80.040 and 18.80.050. Other restrictions, such as minimum lot area per unit, or maximum number of housing units per acre, are invalid in relationship to the minimum number of units per lot that the city must allow under RCW 36.70A.635 and EMC 18.90.040(F).
 - 2 Units per structure. Minimum and maximum numbers of dwelling units per structure for middle housing are invalid, except as provided by the definitions of middle housing types in Chapter 18.20 EMC.
 - 3 Maximum building height. The maximum building height limit for middle housing is 35 feet.
 - a. Building height shall be measured in accordance with the city's development regulations.
 - b. Rooftop appurtenances shall be regulated and measured in accordance with the city's development regulations.
 4. Minimum setbacks.
 - a. The minimum required setbacks are as follows:

- i. Street or front: 15 feet, except 10 feet for lots with a unit density of three or more
 - ii. Street or front, garage door (where accessed from a street): 20 feet.
 - iii. Side street: Five feet.
 - iv. Side interior: Five feet, and zero feet for attached units internal to the development.
 - v. Rear, without an alley: 20 feet.
 - vi. Rear alley: Zero feet, and three feet for a garage door where it is accessed from the alley.
 - b. Setback projections.
 - i. Covered porches and entries may project up to five feet into required front and rear setbacks.
 - ii. Balconies and bay windows may project up to three feet into required front and rear setbacks.
 - iii. Required parking spaces may occupy required setbacks.
 - iv. Other setback projections shall be regulated and measured in accordance with the city's development regulations.
5. Maximum lot coverage.
- a. The maximum lot coverage for middle housing is 40 percent. A maximum lot coverage limit for middle housing of less than 40 percent is invalid.
 - b. Unless the city has a different pre-existing approach to measuring lot coverage, lot coverage is measured as follows: the total area of a lot covered by buildings or structures divided by the total amount of site area minus any required or planned dedication of public rights-of-way and/or designation of private rights-of-way. Lot coverage does not include building overhangs such as roof eaves, bay windows, or balconies and it does not include paved surfaces.

E. Infrastructure standards.

- 1 Transportation. Regulations for driveways, frontage improvements, alley improvements, and other transportation public works and engineering standards shall not be more restrictive for middle housing than for detached single-family residences, except as addressed by this subsection (E).
- 2 Lot access/road standards.
 - a. Private driveway access shall be permitted for middle housing development with any number of units when a fire apparatus access road is within 150 feet of all structures on the lot and all portions of the exterior walls of the first story of the buildings, as measured by an approved route around the exterior of the buildings.
 - b. When a fire apparatus road is not within 150 feet of all structures on the lot, subsection (B)(1) does not apply and one of the following conditions must be met:
 - i. The building is equipped throughout with an approved automatic sprinkler system meeting International Fire Code requirements.
 - ii. No more than two units are accessed via the same private driveway.
 - iii. Fire apparatus access roads cannot be installed because of location on property, topography, waterways, nonnegotiable grades or other similar conditions, and an approved alternative means of fire protection is provided.
 - c. Private driveways shall not be required to be wider than 12 feet and shall not be required to have unobstructed vertical clearance more than 13 feet six inches except when it is determined to be in violation of the International Fire Code or other fire, life, and safety standards, such as sight distance requirements.
 - d. Private driveway access, separate from access to an existing home, shall be permitted unless it is determined to be in violation of the Fire Code or other fire, life, safety standards, such as sight distance requirements.
 - e. This subsection (E)(2) is not intended to limit the applicability of the adopted fire code, except as otherwise presented in this subsection (E).

Chapter 18.95
DESIGN STANDARDS

18.95.040 Building design.

B. Prominent Entrances.

2. Implementing Measures.

- c. The primary public entrances of all businesses and apartment buildings shall be enhanced by two or more of the following at or near the entry:

18.95.060 Design standards applicable to middle housing.

A. Applicability.

- 1. These standards apply to all middle housing types, except for the specific cottage housing and courtyard apartment standards which apply to only those types.
- 2. For the purposes of this section, a “street” refers to any public or private street and does not include alleys.
- 3. These design standards do not apply to the conversion of a structure to a middle housing type with up to four attached units, if the floor area of the structure does not increase more than 50 percent.

B. Purpose. The purpose of these standards is to:

- 1. Promote compatibility of middle housing with other residential uses, including single-family houses.
- 2. De-emphasize garages and driveways as major visual elements along the street.
- 3. Provide clear and accessible pedestrian routes between buildings and streets.

4. Implement the definitions of cottage housing and courtyard apartments provided by state law.

C. Design review. The process used for reviewing compliance with middle housing design standards shall be administrative design review.

D. Cottage housing.

1. Cottage size. Cottages shall each have no more than 1,600 square feet of net floor area, excluding attached garages.

2. Open space. Open space shall be provided equal to a minimum 20 percent of the lot size. This may include common open space, private open space, setbacks, critical areas, and other open space.

3. Common open space.

a. At least one outdoor common open space is required.

b. Common open space shall be provided equal to a minimum of 300 square feet per cottage. Each common open space shall have a minimum dimension of 15 feet on any side.

c. Orientation. Common open space shall be bordered by cottages on at least two sides. At least half of cottage units in the development shall abut a common open space and have the primary entrance facing the common open space.

d. Parking areas and vehicular areas shall not qualify as common open space.

e. Critical areas and their buffers, including steep slopes, shall not qualify as common open space.

4. Entries. All cottages shall feature a roofed porch at least 60 square feet in size with a minimum dimension of five feet on any side facing the street and/or common open space.

5. Community building.

a. A cottage housing development shall contain no more than one community building.

b. A community building shall have no more than 2,400 square feet of net floor area, excluding attached garages.

c. A community building shall have no minimum off-street parking requirement.

E. Courtyard apartments.

1. Common open space.

- a. At least one outdoor common open space is required.
- b. Common open space shall be bordered by dwelling units on two or three sides.
- c. Common open space shall be a minimum dimension of 15 feet on any side.
- d. Parking areas and vehicular areas do not qualify as a common open space.

2. Entries. Ground-related courtyard apartments shall feature a covered pedestrian entry, such as a covered porch or recessed entry, with minimum weather protection of three feet by three feet, facing the street or common open space.

F. Pedestrian access. A paved pedestrian connection at least three feet wide is required between each middle housing building and the sidewalk (or the street if there is no sidewalk). Driveways may be used to meet this requirement.

G. Vehicle access, carports, garages, and driveways.

1. For lots abutting an improved alley that meets the city's standard for width, vehicular access shall be taken from the alley. Lots without access to an improved alley and taking vehicular access from a street shall meet the other standards of subsection (G)(2) through (5) below.

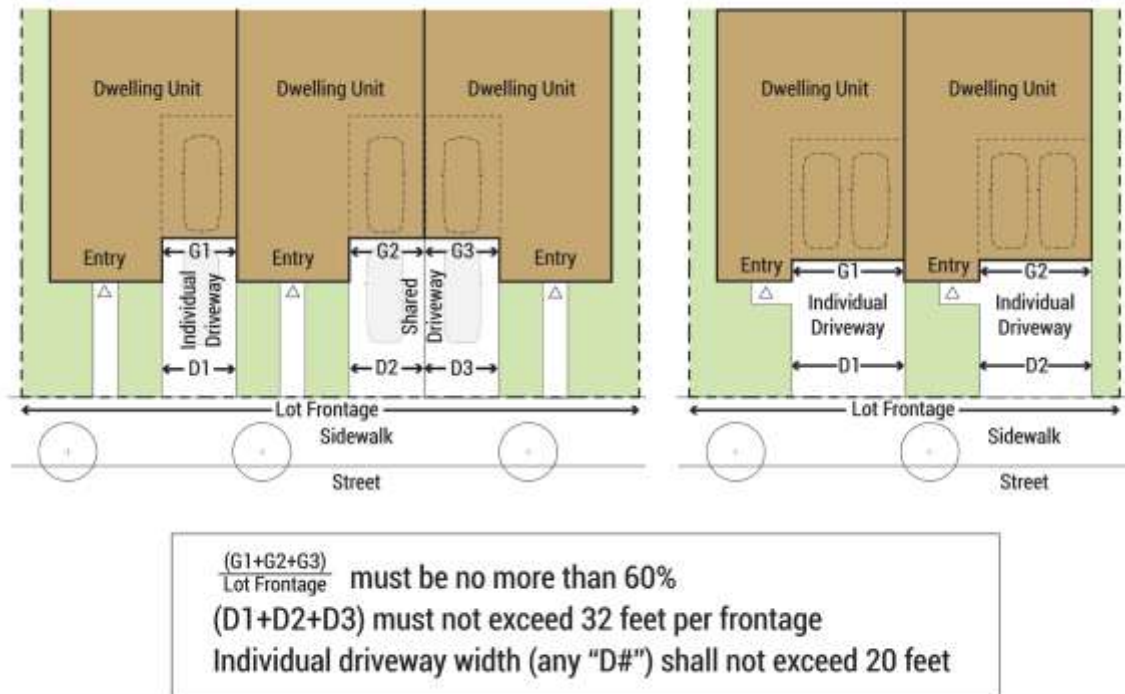
2. Garages, driveways, and off-street parking areas shall not be located between a building and a street, except when either of the following conditions are met:

- a. The combined width of all garages, driveways, and off-street parking areas does not exceed a total of 60 percent of the length of the street frontage property line. This standard applies to buildings and not individual units; or
- b. The garage, driveway, or off-street parking area is separated from the street property line by a dwelling; or
- c. The garage, driveway, or off-street parking is located more than 100 feet from a street.

3. All detached garages and carports shall not protrude beyond the front building façade.

4. The total width of all driveway approaches shall not exceed 32 feet per frontage, as measured at the property line. Individual driveway approaches shall not exceed 20 feet in width.

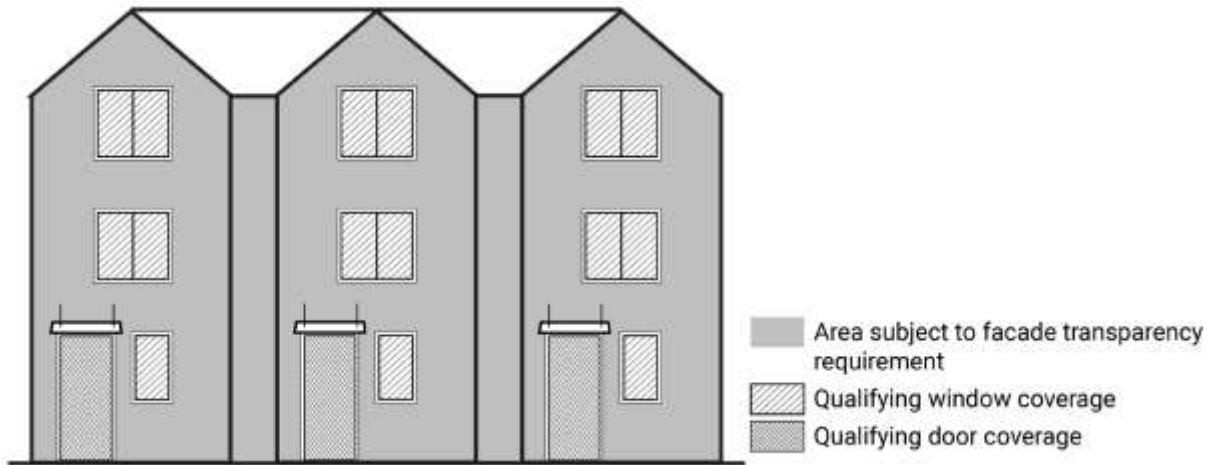
5. City requirements for driveway separation and access from collector streets and arterial streets shall apply.



H. Landscaping. Development regulations for landscaping and tree standards for middle housing shall be equally or less restrictive than those required for detached single-family residences.

I. Entries. Each building shall incorporate a primary building entry or one or more private unit entries, such as a covered porch or recessed entry. Each entry shall feature minimum weather protection of three feet by three feet.

J. Windows and doors. A minimum of 15 percent of the area of the street-facing façade elevation shall include windows or doors. Facades separated from the street by a dwelling or located more than 100 feet from a street are exempt from this standard.





CITY OF EDGEWOOD STAFF REPORT PLANNING COMMISSION AGENDA ITEM

Date: February 10, 2025

Title: Accessory Dwelling Unit Code Updates

Attachments: None

Submitted By: Josh Kubitza, AICP – Planning Manager

Introduction and Background Information:

The 2023 Washington State Legislature adopted [House Bill 1337](#) (HB 1337 / ADU bill), which is codified under RCW's 36.70A.680, .681, and .696, to regulate accessory dwelling units (ADUs). While the effective date of the ADU bill was July 23, 2023, jurisdictions are required to adopt the corresponding ADU 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's 36.70A.680, .681, and .696.

The Washington State Department of Commerce (Commerce) has provided guidance on ADU regulations, including an ADU checklist: [ADU Guidance](#) and [ADU Checklist](#).

Discussion Items:

1. ADU's per lot

The ADU bill requires that a minimum of two ADUs must be allowed on all lots in zoning districts that permit single-family housing. These ADUs may be attached, detached, or a combination of both. However, cities may prohibit ADUs on properties that are not served by sewers.

The city currently allows ADUs in conjunction with any detached single-family structure, provided they receive Tacoma-Pierce County Health Department approval for sewer availability.

Planning Commission Discussion: Staff has no specific questions at this time.

2. Do Not Require Owner Occupancy

The ADU bill doesn't allow owner occupancy of a housing unit on the lot as a condition of ADU approval, unless the ADU is used for short-term rentals.

Currently, the city does not have such a requirement. However, the city could choose to require owner occupancy if the ADU is used as a short-term rental. The purpose of the ADU bill is to increase housing options, not necessarily to boost short-term rental income for property owners.

That said, enforcing this restriction could be challenging and might require additional code enforcement resources.

Staff suggests that if there is interest in limiting ADUs for short-term rentals by requiring the property owner to occupy one of the housing units on the lot, or any other short-term rental code revision, that this could be addressed as part of a larger short-term rental review in 2026.

Planning Commission Discussion: Does the Planning Commission have any guidance for staff on this topic?

3. Allow separate sale of ADU's

The ADU bill requires that ADUs be allowed to be sold as a condominium, independently of the principal unit.

Currently, the city does not have any specific restrictions on this issue. The review of condominiums is primarily handled at the County and State levels.

Planning Commission Discussion: Staff has no specific questions at this time.

4. Off-Street Parking Requirements

The ADU establishes the following limits on ADU off-street parking requirements:

- ADU Off street parking may not be required if within one half mile of a major transit stop
- On lots smaller than 6,000 square feet, no more than one off-street parking space may be required.
- On lots greater than 6,000 square feet, no more than two off-street parking spaces may be required.

Currently, the city requires one off-street parking space for every ADU, regardless of lot size. The city may choose to not require parking for ADUs or provide specific exemptions, such as for properties located within a quarter (0.25) mile of Meridian Avenue.

Planning Commission Discussion: Does the Planning Commission have any guidance for staff on this topic?

5. Maximum ADU Size Limits

The ADU bill requires cities to allow ADU's with a gross floor area of at least 1,000 square feet.

Currently, the city limits ADUs to no greater than 1,200 square feet or 80% of the primary residence's size, whichever is less. The "whichever is less" language may cause issues if the primary residence is smaller than 1,200 square feet, as it could require the ADU to be smaller than 1,000 square feet. As such, revisions to the maximum ADU size language will be required.

Planning Commission Discussion: Does the Planning Commission have any guidance for staff to increase or decrease the “no greater than” square footage or changing the percent of primary residence?

6. ADU Development Standards

The ADU bill requires cities to not impose more restrict requirements for ADUs than for principal units, including setback requirements, yard coverage limits, tree retention mandates, restrictions on entry door locations, aesthetic requirements, or design review requirement. Additionally, ADU height of at least twenty-four (24) feet be allowed.

Currently, the city requires ADUs to meet the same building setback and other bulk development standards, including building height, as the principal unit. The city also has minimal design requirements to ensure that the ADU is architecturally consistent with the principal unit. Based on the ADU bill, these design review standards will need to be removed unless they also apply to the principal unit.

This issue is also influenced by how the city views ADUs in relation to middle housing. As noted in the Middle Housing Staff Report, applying the same middle housing design standards to single-family houses could create a more predictable product and impact on the community. However, it would also make development more complex for developers and homeowners.

Planning Commission Discussion: Does the Planning Commission have any guidance for staff on whether design standards should apply to detached single-family houses?

7. Reduced Impact Fees for ADU's

The ADU bill requires cities not to assess impact fess for the construction of ADU's that are greater than fifty percent (50%) of the impact fees that would be imposed on the principal unit.

Currently, the city imposes impact fees for public streets and roads, public parks and trails, and public schools. These impact fees are generally calculated based on the number and type of dwelling units. According to Commerce guidance, local governments may charge impact fees based on factors such as the size of the unit, fixture count, or location. Staff has also heard of other cities considering impact fees based on bedroom count or gross floor area.

Staff will proceed with reviewing potential methods for calculating impact fees and assessing their impact on both city and school funds.

Planning Commission Discussion: Does the Planning Commission have any guidance for staff on how impact fees should be calculated or charged for single-family homes and ADUs?

8. Other Fees and Exations

The ADU bill specifies that cities may not require public street improvements as a condition of permitting ADUs. Currently, the city does not require street improvements for the construction of a single-family house or an ADU.

Planning Commission Discussion: Staff has no specific questions at this time.



CITY OF EDGEWOOD STAFF REPORT PLANNING COMMISSION AGENDA ITEM

Date: February 10, 2025

Title: Parking Standards (SSB 6015 / RCW 36.70A.622)

Attachments:

1. EMC 18.90.130 Parking Update Redlines
2. Residential Parking update Consistency Checklist

Submitted By: Josh Kubitza, AICP – Planning Manager

Introduction and 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 the 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 updated [guidance](#) in January 2025.

Discussion Items:

1. Minimum Parking Stall Dimensions:

The residential parking bill requires cities to allow for parking dimensions of eight (8) feet by twenty (20) feet for residential parking, except for spaces designated for people with disabilities. However, this would not prevent a development from requesting larger parking stalls.

The city currently requires a minimum parking space of nine (9) feet by eighteen (18) feet for all residential and nonresidential parking spaces. The city allows up to thirteen percent (30%) of required parking to be compact (eight and one half (8.5) foot) by fifteen (15) feet).

Staff is looking for direction on the followingThe minimum parking space length requirement, whether minimum parking dimensions should apply to nonresidential development, and if compact parking (the fifteen (15) foot length) should apply to residential parking as well.

A. Minimum Parking Length:

The city currently requires a parking length of eighteen (18) feet which is two (2) feet smaller than what the residential parking bill requires (twenty (20) feet). It seems appropriate to allow residential parking to meet the eighteen (18) foot length requirement since current projects are allowed to meet the smaller requirement.

Planning Commission Question: Would the Planning Commission support allowing an eighteen (18) foot parking stall length for all parking spaces? Is there any additional Planning Commission guidance for staff?

B. Nonresidential Parking Dimensions:

The residential parking bill does not address nonresidential development. Providing multiple minimum parking dimension requirements can cause confusion for developers, property owners, and staff. Additionally, it is assumed that nonresidential development would construct parking in a way to ensure business viability. Although, if parking size is not properly considered by the developer or developer engineering team, it could cause issues for the community to park large vehicles in a single spot and the city may see more vehicles double parking.

Planning Commission Question: Does the Planning commission have any direction for staff about applying the residential parking bill dimensions to nonresidential developments?

C. Compact Parking Length:

The residential parking bill does not address compact parking. The existing compact parking dimensions are a half (0.5) feet wider in width and three (3) feet smaller in length than the proposed residential parking dimensions. The city allows thirty percent (30%) of multifamily residential parking to meet compact parking requirements.

Staff is unsure what negative impacts would be created by reducing the residential parking length to fifteen (15) feet for a percentage of the parking spaces as what is currently allowed.

Planning Commission Question: Does the Planning Commission have any direction for staff about allowing residential parking standards to apply o residential development at the same percentage as nonresidential? Does the Planning Commission have any direction of

increasing the percentage of compact parking from thirty percent (30%) to sixty percent (60%)?

2. Tandem Parking

The residential parking bill requires cities to allow tandem parking to count toward meeting minimum parking requirements. Tandem parking is defined as "having two or more vehicles, one in front of or behind the other, with a single means of ingress and egress." The bill sets the minimum and maximum dimensions for tandem parking at:

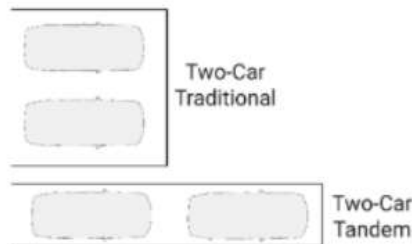
- 20 feet long per space, and
- 40 feet long for two spaces.

There are no discretionary policy choices outlined by the Department of Commerce regarding tandem parking.

Tandem Parking Visuals:



Tandem parking in a residential parking garage (photo source: Natural and Built Environments, LLC).



Tandem parking compared to non-tandem parking (graphic source: MAKERS).

Planning Commission Question: No questions at this time.

3. Residential Infeasibility due to Tree Retention Requirements:

The residential parking bill requires that residential and residential portions of mixed-use developments be exempt from minimum parking standards if compliance with tree preservation (EMC 18.90.180 Tree Preservation) would make the proposed development infeasible. In general, this means tree retention standards will supersede off-street parking requirements for residential development. The residential parking bill does not provide an option for partially reducing the number of parking or requiring off-site parking.

Commerce recommends that jurisdictions create a separate application process for developers to request a waiver of the minimum off-street parking requirements when tree preservation issues arise. Additionally, jurisdictions should codify specific feasibility criteria for evaluating such requests.

Staff is suggesting the creation of a "Residential Development Minimum Parking Waiver" as a Type I process. The proposed code language includes the required application materials but does

not yet specify the the decision criteria for approving such a waiver. The following is the limited guidance provided by Commerce:

Example 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 by providing a parking study, providing shared parking, being allowed credit for on-street parking, or providing certain transportation features (e.g. showers for bike commuters or transit passes to employees),.

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.

Planning Commission Question: Does the Planning Commission have any direction for staff regarding the decision criteria that should be used in determining if a residential development is infeasible due to tree preservation?

4. General:

Planning Commission Question: Is there anything else that Planning Commission would like to discuss regarding residential parking or the draft revisions?

18.90.130 Parking.

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

B. Applicability:

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

2. ~~Where any structure is enlarged, expanded, erected, major exterior remodeled, or the use is changed,~~ off-street parking spaces shall be provided for said expansion or enlargement in accordance with this section. ~~A change in use in an existing structure may require additional off-street parking spaces as set forth in this section.~~

C. Parking Standards.

~~1. Where any structure is enlarged, expanded, erected, major exterior remodeled, or the use is changed, off-street parking spaces shall be provided for said expansion or enlargement in accordance with this section. A change in use in an existing structure may require additional off-street parking spaces as set forth in this section.~~

~~2. In the case of a use that is not specifically mentioned in this section, the requirements for off-street parking facilities shall be determined by the community development director or designee based upon the requirements for the most comparable use specified in this section; or, where in the opinion of the community development director or designee no comparable use exists, based upon a reasonable rationale provided an official determination written to the applicant. The community development director or designee may require that the applicant conduct a parking study to evaluate the parking needs associated with a proposed use.~~

13. Surfacing:

a. All areas used for parking, maneuvering, circulation, pedestrian access, and loading or unloading shall be paved with asphalt or concrete (either conventional or permeable) ~~and shall be improved and available for use at the time of final building inspection.~~ Pervious alternative materials that meet LID standards (e.g., pervious asphalt, etc.) shall be used to the maximum extent feasible (per Minimum Requirement No. 5 of the PCM). ~~Refer to the PCM and associated guidance documents for additional information, restrictions, and standards for alternative paving materials.~~

b. Parking spaces that consist of grass block pavers (grasscrete, turf stone, etc.) may count toward minimum parking requirements as long as the parking areas comply with the current City of Edgewood adopted Storm Water Manual.

c. 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 residential parking standards, up to a maximum of six parking spaces.

2.4. Location of Required Parking.

a. On the same site as the use necessitating such parking; or

b. Within a 300-foot walking distance measured from the nearest point of the parking facility to the nearest point of the building that such parking is required to serve.

c. Application of subsection (4)(b) this section shall be subject to approval of an agreement by the Director which assures that the property is owned or leased by the owner or lessee of the lot or parcels containing

the building or uses to be served and which assures the property will be maintained in parking lot use in conformance with this chapter as long as the building or use that it serves is continued. The agreement may be done through covenants, conditions and restrictions (CC&Rs). The Director shall not approve such an agreement unless he finds that the proposed parking lot will adequately serve the parking needs for which it is intended without adversely affecting neighboring properties or the use of other public and private parking facilities in the vicinity. An approved agreement shall be recorded by the applicant with the Pierce County auditor and a conformed copy shall be provided prior to issuance of any building permits for a proposed project.

~~Off-street parking facilities shall be located on the same property as the use they are required to serve and within 300 feet of the use. Where a distance is specified, such distance shall be the walking distance measured from the nearest point of the parking facilities to the nearest point of the building that such facility is required to serve.~~

~~a. For a nursing home, assisted living facility, convalescent home, or group home, the parking facilities shall be located within 100 feet of the building they are required to serve.~~

~~b. Repealed by Ord. 10-336.~~

35. Minimum Parking Stall Dimension Standards

a. Residential Standards: The parking stall dimensions shall have a minimum width of eight (8) feet and a minimum length of eighteen (18) feet.

b. Non-residential Standards A standard parking space shall have a minimum width of nine feet and a minimum length of 18 feet. Compact stalls shall have a minimum width of eight (8) feet and a minimum length of 15 feet. Up to 60 percent of the required parking for a development may consist of compact stalls.

c. Mixed-Use Dimension Standards: In mixed-use projects, the minimum non-residential parking spaces shall comply with non-residential parking stall dimensions. All other parking may comply with minimum residential parking stall dimensions.

d. These minimum standards do not include any state and/or federal required accessible parking stalls.

4. Parking Drive Aisles Dimensions Size and Access.

~~a. A standard parking space shall have a minimum width of nine feet and a minimum length of 18 feet. Compact stalls shall have a minimum width of eight and one-half feet and a minimum length of 15 feet (see Figure 6).~~

~~b. Up to 30 percent of the required parking for a development may consist of compact stalls. No more than four compact stalls may be adjacent to each other, and the compact stalls shall be evenly dispersed throughout the parking area and clearly identified with permanent marking on the pavement as approved by the community development director or designee.~~

ae. Two-way drive aisles shall have a minimum width of 24 feet where providing access to spaces at a 90-degree angle to the drive aisle, and 20 feet where spaces are at angles of 70 degrees or less to the drive aisle. One-way drive aisles shall have a minimum width of 20 feet where providing access to spaces at a 90-degree angle to the drive aisle. Where spaces are at angles of 70 degrees or less to the drive aisle, the following standards shall apply:

<u>Parking Angle</u>	<u>Minimum One-Way Aisle Width</u>
<u>50 degrees or less</u>	<u>15'</u>
<u>55</u>	<u>16'</u>

<u>Parking Angle</u>	<u>Minimum One-Way Aisle Width</u>
<u>60</u>	<u>17'</u>
<u>65</u>	<u>18'</u>
<u>70</u>	<u>19'</u>

~~Where spaces are at angles of 70 degrees or less to the drive aisle, the standards listed in Table 3 shall apply:~~

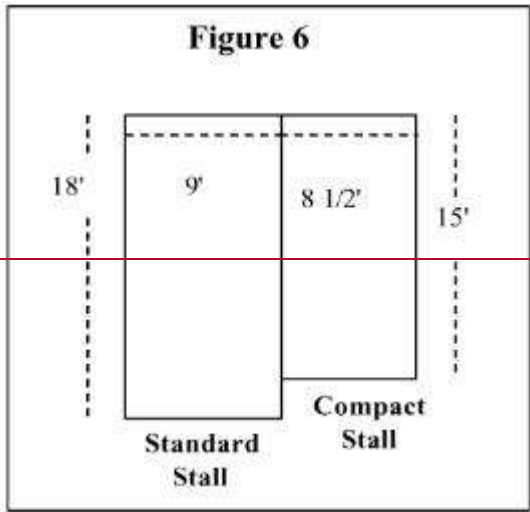


Table 3

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

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

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

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

5. Tandem Parking. Parking spaces in tandem must count towards meeting minimum residential parking requirements at a rate of one space for every twenty (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.

6. Residential Infeasibility due to Tree Retention. Residential and residential portions of mixed-use developments are exempt from minimum parking standards if compliance with tree preservation (EMC 18.90.180 Tree Preservation) would make the proposed development infeasible.

a. Application: Submit a Residential Development Minimum Parking Waiver.

b. Process: Type I procedure that is concurrent with underlying permit.

c. Application Materials:

i. A site plan depicting the jurisdiction's requirements for:

1. Location of buildings and dwelling units, required setbacks, required open spaces, and other features.

2. Trees that are required for retention.

3. The location of minimum required off-street parking spaces, maneuvering areas, and driveways.

4. The location of protected critical areas and required buffers, if applicable.

ii. A narrative demonstrating site conditions and applicable off-street parking and tree retention standards that impact feasibility.

iii. A site-specific parking study.

iv. Any other evidence and supporting information the applicant wishes to provide to help the jurisdiction analyze the waiver request.

d. Decision Criteria: (Under consideration)

7g. Wheel stops. ~~A~~, a minimum of two feet from any obstruction or the end of the parking stall, shall be required in the following locations:

~~a.i.~~ Where the parking stall abuts a building or where vehicles may overhang a property line;

~~b.ii.~~ Where the parking stall abuts a raised pedestrian walkway of less than eight feet in width;

~~c.iii.~~ Where a parking stall abuts any physical object that may be impacted, such as light standards, fire hydrants, fences, power vaults, utility poles, etc.;

~~d.iv.~~ Where a hazardous grade difference exists between the parking area and the abutting property;

~~e.v.~~ Where the parking stall abuts an LID system;

~~f.vi.~~ Where hazardous situations may exist as determined by the community development director or designee.

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

~~6. Unit of Measurement.~~

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

~~87. Where off-street parking of more than 24 parking stalls are is required, a plansite plans shall indicateing how the off-street parking and loading requirement is to be provided and shall accompany the application for a development permit. Applications for single family dwellings are exempt from the requirements of this section. Applications for subdivisions under EMC Title 16 are exempt from this the requirements of this section.~~ The plan shall show all those elements necessary to indicate that these requirements will be fulfilled including but not limited to:

- a. Location and dimensions of LID systems (if applicable);
- b. Delineation and dimensions of individual parking spaces, both regular and compact spaces, and loading and unloading areas;
- c. Dimensions of circulation and maneuvering areas necessary to serve spaces;
- d. Access to streets, alleys, and properties served;
- e. Curb cuts and curb placement;
- f. Dimensions, continuity and substance of landscaping and screening;
- g. Grading, drainage, surfacing and subgrading details;
- h. Delineation of all structures or other obstacles to parking, circulation and visual clearance on the site;
- i. Specifications as to location of signs and wheel stops;
- j. Sidewalks and pedestrian pathways;
- k. Vision clearance areas for all points of ingress and egress.

8. Parking Study Requirements. When directed by the community development director or designee, the applicant will prepare a parking study evaluating the parking needs associated with a proposed use. This study will contain a recommendation of effective parking management strategies to improve traffic circulation and contribute to the public health, safety, general welfare and aesthetics of the city of Edgewood by providing sufficient on-site areas for the maneuvering and parking of motor vehicles. This study shall have all the elements necessary to indicate that parking needs have been mitigated including, and not limited to:

- a. Existing parking conditions.
- b. Parking supply.
- c. Parking utilization data.
- d. Parking demand.
- e. Parking capacity.
- f. Average parking duration.

g. Other jurisdictions' parking policies.

h. Comparison of minimum parking requirements.

9. Accessible parking for persons with disabilities shall be provided consistent with state and federal regulations.

10. Parking areas shall meet the applicable landscaping requirements of EMC 18.90.090, Landscaping.

11. Parking areas shall meet the applicable landscaping requirements of Chapter 18.95 EMC, Design Standards.

D. Off-Street Loading Facilities.

1. Any building ~~that is erected or enlarged shall provide a minimum of one off-street or off-alley loading area occupied by manufacturing, storage, retail/wholesale stores, hospitals, and other uses similarly requiring the receipt of or distribution of bulk materials and merchandise, shall provide:~~

~~1. The minimum area required for commercial and industrial loading spaces is~~ as follows:

a. Two hundred fifty square feet for buildings of 5,000 to 20,000 gross square feet.

b. Five hundred square feet for buildings of 20,000 to 30,000 gross square feet.

c. Additional loading space shall be required of buildings based on the size, proposed use, potential uses, and location as deemed necessary by the community development director or designee.

2. Each loading space shall measure not less than ~~30-25~~ feet by ~~12-10~~ feet and shall have an unobstructed height of 14 feet.

3. Each loading space shall be made permanently available for such purpose, and shall be surfaced, improved, maintained, and screened in accordance with this section and EMC 18.90.090, Landscaping.

4. Loading spaces shall be located adjacent to the building to be served thereby in such a way that trucks in these spaces shall not encroach upon or interfere with areas reserved for off-street parking nor project into any public right-of-way or interior pedestrian area. Loading spaces ~~or maneuvering areas~~ shall be in addition to required off-street parking spaces.

5. Loading berths shall be located not closer than 50 feet to any residential district, unless wholly enclosed within a building, or unless screened from such residential area by a wall or ~~uniformly painted solid~~ fence not less than six feet in height and Type V, solid barrier landscaping.

6. Space for loading berths may occupy all or any part of any required setback except for landscaping setback requirements as long as the loading berth is uncovered. A covered loading area shall comply with the minimum building setback requirements for the district.

7. If the site upon which such loading space or spaces is to be located abuts upon an alley, such loading space or spaces shall be off-alley, unless alley dimensions and vehicle maneuvering turn radius prohibits such access.

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

E. Use- and Site-Specific Standards.

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

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

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

3.2. Transit Support Facilities.

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

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

- 1. The names and addresses of the owners and/or tenants that are sharing the parking;
- 2. The uses that are involved in the shared parking;

3. The location and number of parking spaces that are being shared:

- a. An analysis showing that the peak parking times of the uses occur at different times and that the parking area will be large enough for the anticipated demands of both uses; and
- b. A legal instrument such as an easement or deed restriction that guarantees continuing access to the parking for both uses subject to the review and approval by the city attorney.

G. Parking Space Standards by Land Use.

1. The requirements for any use not listed herein shall be determined by the director or designee based upon the requirements for the most comparable use specified in this section. When the most comparable use is not apparent, the director or designee shall determine the minimum and maximum for the unlisted use. The director or designee may require that the applicant conduct a parking study to evaluate the parking needs associated with a proposed use.

2. The size of a development and the proposed use type determine the minimum number of required parking spaces. Unless otherwise specified, the number of parking requirements is based on the gross square footage (gsf) of the building.

3. The parking requirement for any accessory office space associated with a use shall be calculated at the rate of one parking space for each 250 gsf of office use.

3. One parking space shall be required for each commercial vehicle that originates from the site or is regularly present on the site.

4. Unit of Measurement.

a. The size of a development and the proposed use type determine the minimum number of required parking spaces. Unless otherwise specified, the number of parking requirements is based on the gross square footage (gsf) of the building.

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

c. The number of employee spaces required shall be based on the maximum number of employees who may be on-site at any one time.

5. Maximum Parking Requirements. Parking for a specific use in zones covered by this section shall be limited to no more than 50 percent greater than the minimum parking requirement required above. The parking maximum does not apply to the following:

a. If parking spaces are provided above/below grade.

b. If the director determines additional off-street parking spaces are warranted based on a parking study. In making such a decision, the director shall also consider whether the proposal is consistent with the stated purposes, objectives, goals or policies established in this section and the design standards. The director shall also have the authority to restrict parking for a specific use to an amount that is less than the maximum amount allowed in this section if the proposal would substantially conflict with the stated purposes, objectives, goals or policies contained in the Edgewood comprehensive plan and similar plans and policy documents as adopted by the city of Edgewood.

5.6. Since a fraction of a parking space cannot be provided, parking calculations from Table 1, Minimum Parking Requirements, shall be rounded up to the nearest whole number.

6. Maximum Parking Requirements. Parking for a specific use in zones covered by this section shall be limited to no more than 50 percent greater than the minimum parking requirement required

7. The director shall have the authority to reduce, eliminate, or increase the maximum parking required based on a site-specific parking study demonstrating lower or increased parking demand.

Table 1: Minimum Parking Requirements

Residential	
<i>Accessory</i>	
Accessory Dwelling Unit (ADU), Attached	One per dwelling unit
ADU, Detached (Backyard Cottage)	One per dwelling unit
Caretaker Residence	One per dwelling unit
<i>Single-Family</i>	
Detached Dwelling	Two per dwelling unit
Cottage Court	Two per dwelling unit
<i>Multifamily</i>	
Duplex: Side by Side	Two per dwelling unit
Duplex: Back to Back	Two per dwelling unit
Duplex: Top and Bottom	Two per dwelling unit
Attached Dwelling	Two per dwelling unit
Multi-Plex	1.5 per dwelling unit
Townhouse	1.5 per dwelling unit
Apartment	1.5 per dwelling unit
<i>Other</i>	
Adult Family Home	One per three beds plus one per employee
Nursing and Residential Care Facilities	One per four beds
Assisted Living Facilities	One per three beds plus one per employee
Live/Work Unit	One per business use in addition to the residential use
Agriculture and Resource	
Family Farm	Parking study required
Agricultural Sales	One per 300 gross square feet
<i>Crop Production</i>	
Marijuana Production	Parking study required
Crop Production, All Other	Parking study required
<i>Animal Production and Aquaculture</i>	

Hog and Pig Farming	Parking study required
Cattle Feedlots	Parking study required
Animal Production and Aquaculture, All Other	Parking study required
Mining, Quarrying, and Oil and Gas Extraction	Parking study required
Utilities	
Electric Power Generation	NA
Potable Water Treatment	Parking study required
Sewage Collection or Treatment Facility	NA
Wireless Communication Facilities	Parking study required
Manufacturing	
Animal Slaughtering and Processing	Parking study required
Marijuana Processing	See city Ordinance Nos. 11-0356, 13-0410, 14-0425, and/or 17-0502
Manufacturing, Craft (special)	One per 1,000 gross square feet
Manufacturing, Light	One per 1,000 gross square feet
Manufacturing, Heavy	One per 1,000 gross square feet
Wholesale and Retail Trade	
Wholesale Trade	Three per 1,000 square feet
Retail Trade	
Automobile and Other Motor Vehicle Dealers	One space per 500 square feet of sales area, or one space per 1,000 square feet of lot area, whichever is greater
Gasoline Stations	0.75 per fueling station multiple product dispenser
Pet and Pet Supplies Stores	One per 300 gross square feet
Fuel Dealers	One per 750 gross square feet of building devoted to maintenance
Marijuana Retailers	See city Ordinance Nos. 11-0356, 13-0410, 14-0425, and/or 17-0502
Sexually Oriented Retail Businesses	One per 100 gross square feet
Retail Trade, All Other	Three per 1,000 square feet
Transportation and Warehousing	
Transportation	
Pipeline Transportation	NA
Transportation, All Other	Parking study required
Warehousing and Storage	
Mini-Warehouses and Self-Storage Units	One per 2,000 gross square feet
Warehousing and Storage, All Other	One per 2,000 gross square feet
Business and Professional Services (Sector 51-56)	
General (All Office Use)	Three per 1,000 square feet

Rental and Leasing	
Passenger Car Rental and Leasing	One per 5,000 gross square feet
Truck, Utility Trailer, and RV Rental and Leasing	One per 5,000 gross square feet
Consumer Goods Rental	One per 500 gross square feet
Commercial and Industrial Equipment Rentals	One per 5,000 gross square feet
Waste Management and Remediation Services	
Waste Management and Remediation Services, All Other	Parking study required
Educational Services	
Elementary and Secondary Schools	For primary schools, two per employee, plus one per 30 children, plus parking for buses. For secondary schools and higher educational facilities, two per employee, plus one per four students, plus parking for buses.
Junior Colleges, Colleges, Universities, and Professional Schools	Two per employee, plus one per four students, plus parking for buses
Technical and Trade Schools	Two per employee, plus one per four students, plus parking for buses
Educational Services, All Other	Two per employee, plus one per four students, plus parking for buses
Health Care and Social Assistance	
Ambulatory Health Care Services, All Other	One per 250 gross square feet
Hospitals	Parking study required
Social Assistance	
Services for the Elderly and Persons with Disabilities	One per 250 gross square feet
Vocational Rehabilitation Services	One per 250 gross square feet
Child Daycare Services, Home-Based	Two per facility, plus one per employee
Child Daycare Services, All Other	One per employee, plus one per five clients, and loading area
Social Assistance, All Other	One per 250 gross square feet
Arts, Entertainment, and Recreation	
Libraries	One per 250 gross square feet
Museums and Art Galleries	One per 250 gross square feet
Zoos, Aquariums, and Botanical Gardens	Parking study required
Golf Courses and Country Clubs	Parking study required
Sexually Oriented Entertainment	One per 100 gross square feet
Gambling Industries	Parking study required
Indoor Arts, Entertainment, and Recreation Activities, Other (Special)	Parking study required
Outdoor Arts, Entertainment, and Recreation Activities, Other (Special)	Parking study required
Accommodation	
Hotels (except Casino Hotels) and Motels	1.1 per bedroom
Bed-and-Breakfast Inns	One per guest room

RV Parks and Recreational Camps	Parking study required
Food Service and Drinking Places	
Special Food Services	Parking study required or follow primary use parking standards
Mobile Vendors	NA
Drinking Places for Alcoholic Beverages	One per 100 square feet in dining, lounge and customer ordering area
Restaurants, Full Service	One space per 100 square feet of seating or waiting area or one space for every three seats, whichever is greater
Restaurants, Limited Service	One per 100 square feet in dining, lounge and customer ordering area
Snack and Nonalcoholic Beverage Bars	One per 100 square feet in dining, lounge and customer ordering area
Services (Sector 811-812)	
Automotive Repair and Maintenance	
Automotive Oil Change and Lubrication Shops	Parking study required
Car Washes	Parking study required
Automotive Repair and Maintenance, All Other	Parking study required
Personal Care Services	One per 250 gross square feet
Other Repair and Maintenance	
Other Repair and Maintenance, Consumer	One per 500 gross square feet
Other Repair and Maintenance, Commercial/Industrial	One per 500 gross square feet
Funeral Homes and Funeral Services	One per three seats
Crematoria	One per three seats
Pet Care Services	
Kennels	One per 300 gross square feet
Veterinary Services	One per 300 gross square feet
Pet Care Services, All Other	One per 300 gross square feet
Civic and Public Uses	
Cemeteries	Parking study required
Religious Assembly	
up to 10,000 sq. ft.	One per five fixed seats plus one per 50 square feet of gross floor area without fixed seats used for assembly purposes
10,000 to 19,999 sq. ft.	One per five fixed seats plus one per 50 square feet of gross floor area without fixed seats used for assembly purposes
20,000 to 29,999 sq. ft.	Parking study required
30,000 to 39,999 sq. ft.	Parking study required
40,000 sq. ft. or greater	Parking study required
Correctional Institutions (922140)	Parking study required
Administrative Government Facilities and Services	One per 250 gross square feet

Parks, Open Space, and Public Recreation	Parking study required
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Exhibit B

Senate Bill 6015 Consistency Checklist
File No. 25-XXXCODE

SB 6015 Description: An act relating to parking configurations for residential uses and adding a new section to chapter 36.70A RCW. This applies to all off-street parking requirements for any type of residential development or redevelopment.

Title 36 Revised Code of Washington (RCW)		
Residential Parking Regulations RCW 36.70A.622 *** CHANGES EFFECTIVE June 30, 2025 ***		
Requirement	Existing Edgewood Code	Proposed Changes and Notes
(1) Cities and counties planning under this chapter shall enforce land use regulations for residential development as provided in this section:	--	--
(a) Garages and carports may not be required as a way to meet minimum parking requirements for residential development;	--	Staff recommends not making any code updates to address this item because the existing code does not require a garage or carports to meet minimum parking requirements.
(b) Parking spaces that count towards minimum parking requirements may be enclosed or unenclosed;	--	Staff recommends not making any code updates to address this item because the existing code does not specify enclosed or unenclosed parking to meet minimum parking standards.
(c) 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;	Not Permitted.	SB 6015 requires that city allow one parking space per twenty (20) linear feet of tandem parking area. For example, the city would have to allow a forty (40) linear feet of tandem parking area to be counted as two (2) parking areas. The twenty (20) linear feet requirement is a “no larger than” requirement. A city may elect to reduce the linear feet requirement if they wished. The Edgewood Municipal Code currently requires a minimum parking length of eighteen (18) feet. To reduced confusion between different parking stall length requirements, staff recommends that the linear feet requirement be decreased from twenty (20) feet to eighteen (18) feet. As such, staff recommends the following language: <u>EMC 18.90.130.C.5 Tandem Parking.</u> Parking spaces in tandem must count towards meeting minimum parking requirements at a rate of one space for every eighteen (18) 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.
(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;	--	Staff recommends the following revision to comply with SB 6015: <u>EMC 18.90.130.C.1 Surfacing:</u> c. 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 residential parking standards, up to a maximum of six parking spaces.

Title 36 Revised Code of Washington (RCW)

Residential Parking Regulations [RCW 36.70A.622](#) *** CHANGES EFFECTIVE June 30, 2025 ***

(e) Parking spaces may not be required to exceed eight feet by 20 feet, except for required parking for people with disabilities;

EMC 18.90.130.C.5 Size and Access

a. A standard parking space shall have a minimum width of nine feet and a minimum length of 18 feet. Compact stalls shall have a minimum width of eight and one-half feet and a minimum length of 15 feet (see Figure 6).

b. Up to 30 percent of the required parking for a development may consist of compact stalls. No more than four compact stalls may be adjacent to each other, and the compact stalls shall be evenly dispersed throughout the parking area and clearly identified with permanent marking on the pavement as approved by the community development director or designee.

c. Two-way drive aisles shall have a minimum width of 24 feet where providing access to spaces at a 90-degree angle to the drive aisle, and 20 feet where spaces are at angles of 70 degrees or less to the drive aisle. One-way drive aisles shall have a minimum width of 20 feet where providing access to spaces at a 90-degree angle to the drive aisle. Where spaces are at angles of 70 degrees or less to the drive aisle, the standards listed in Table 3 shall apply:

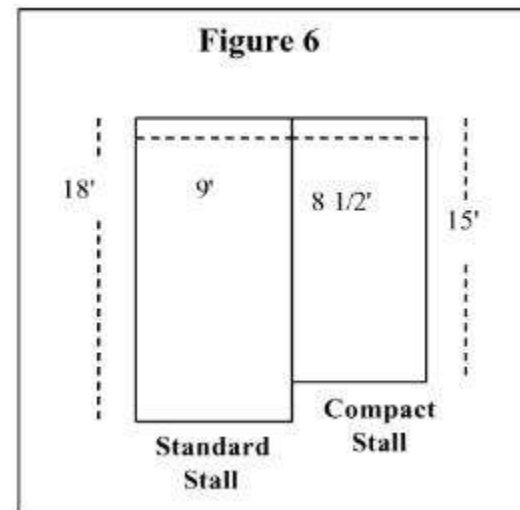


Table 3

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

SB 6015 establishes the maximum parking dimensions for required residential parking. As such, it does not apply to non-residential development or non-residential portions of the mixed-use development. A city may elect to allow the SB 6015 parking dimensions to apply for non-residential parking spaces. Staff is recommending that the SB 6015 parking dimensions only apply to residential and residential portions of the mixed-use developments so that larger vehicles are precluded from non-residential areas.

SB 6015 also establishes the maximum parking length a city can require to twenty (20) feet. As discussed under tandem parking, the city currently allows for a minimum of eighteen (18) feet in length parking stall. Staff recommends keep the minimum eighteen (18) foot length.

As described above, staff recommends the following update:

EMC 18.90.130.C.5 Minimum Parking Stall Dimension Standards

a. Residential Standards: The parking stall dimensions shall have a minimum width of eight (8) feet and a minimum length of eighteen (18) feet.

b. Non-residential Standards A standard parking space shall have a minimum width of nine feet and a minimum length of 18 feet. Compact stalls shall have a minimum width of eight (8) feet and a minimum length of 15 feet. Up to 50 percent of the required parking for a development may consist of compact stalls.

c. Mixed-Use Dimension Standards: In mixed-use projects, the minimum non-residential parking spaces shall comply with non-residential parking stall dimensions. All other parking may comply with minimum residential parking stall dimensions.



Title 36 Revised Code of Washington (RCW)								
Residential Parking Regulations RCW 36.70A.622 *** CHANGES EFFECTIVE June 30, 2025 ***								
		<table><tr><td>65</td><td>18'</td></tr><tr><td>70</td><td>19'</td></tr></table>	65	18'	70	19'		
65	18'							
70	19'							
		d. Except for a single-family dwelling, groups of more than two parking spaces shall be provided with adequate aisles or turnaround areas so that all vehicles may enter the street in a forward manner. More than three parking spaces shall be served by a driveway designed and constructed to facilitate the flow of traffic on and off the site, with due regard to pedestrian and vehicle safety, and which shall be clearly and permanently marked and defined.						
(f) 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; and	--		SB 6015 Section f means that tree retention standards will supersede off-street parking requirements for residential development if the residential development or redevelopment would otherwise be deemed infeasible. As such, each jurisdiction should codify the process and decision criteria for determining infeasible residential projects. Staff recommends that the following, based on the draft guidance from Washington Department of Commerce. Residential Infeasibility due to Tree Retention. Residential and residential portions of mixed-use developments are exempt from minimum parking standards if compliance with tree preservation (EMC 18.90.180 Tree Preservation) would make the proposed development infeasible. a. Application: Submit a Residential Development Minimum Parking Waiver. b. Process: Type I procedure that is concurrent with underlying permit. c. Application Materials: i. A site plan depicting the jurisdiction’s requirements for: 1. Location of buildings and dwelling units, required setbacks, required open spaces, and other features.					

Title 36 Revised Code of Washington (RCW)		
Residential Parking Regulations RCW 36.70A.622 *** CHANGES EFFECTIVE June 30, 2025 ***		
		2. Trees that are required for retention. 3. The location of minimum required off-street parking spaces, maneuvering areas, and driveways. 4. The location of protected critical areas and required buffers, if applicable. ii. A narrative demonstrating site conditions and applicable off-street parking and tree retention standards that impact feasibility. iii. Any other evidence and supporting information the applicant wishes to provide to help the jurisdiction analyze the waiver request. d. Decision Criteria: (This is still under consideration)
(g) Parking spaces that consist of grass block pavers may count toward minimum parking requirements.	<u>EMC 18.90.130.C Parking Standards</u> 2. In the case of a use that is not specifically mentioned in this section, the requirements for off-street parking facilities shall be determined by the community development director or designee based upon the requirements for the most comparable use specified in this section; or, where in the opinion of the community development director or designee no comparable use exists, based upon a reasonable rationale provided an official determination written to the applicant. The community development director or designee may require that the applicant conduct a parking study to evaluate the parking needs associated with a proposed use.	Staff recommends the following revision to comply with SB 6015: <u>EMC 18.90.130.C.1 Surfacing:</u> b. Parking spaces that consist of grass block pavers (grasscrete, turf stone, etc.) may count toward minimum parking requirements as long as the parking areas comply with the current City of Edgewood adopted Storm Water Manual.
(2) 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.	--	Staff recommends not making any changes to directly address this item because all the proposed changes are less restrictive than current code and resurfacing doesn't trigger full compliance with parking standards.
(3) The provisions in subsection (1) of this section do 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.	Not Applicable to City of Edgewood.	--



CITY OF EDGEWOOD
STAFF REPORT
PLANNING COMMISSION AGENDA ITEM

Date: February 10, 2025

Title: EMC 18.70 Permitted Land Uses Update

Attachments:

- 1) Current Zoning Map
- 2) EMC 18.70 Permitted Land Uses
- 3) EMC 18.70.050_Land Use Table_Draft Amendments

Submitted By: Morgan Dorner

Background Information:

The need to update the City's Land Use Table was introduced at January's Planning Commission Meeting, viewable here: <https://edgewoodwa.portal.civicclerk.com/event/1064/overview>. The 2024 Comprehensive Plan Periodic Update was adopted by council and became effective as of January 1, 2025. The changes in policy and the land use and zoning maps necessitate updates to ensure consistency with the currently adopted comprehensive plan.

Current Discussion:

City staff are asking the planning commission to review draft amendments to EMC 18.70.050, Land Use Table and approve the scope of work for this update as provided below:

Recommended Scope of Work:

Review the current land use table in EMC 18.70.050 for consistency with the following:

1. City of Edgewood Comprehensive Plan Vision, Goals, & Policies for all plan elements.
(available [HERE](#))
2. Promotion of commercial uses and activities for economic development.
3. Meridian Corridor Vision
4. Addressing outstanding items needing to be updated
(example: we currently require a CUP for Personal Care Services in the MUR zone which requires a public hearing, increased costs, and time – Personal Care Services includes salons and other small commercial services that we would want to and expect to see in this zone)

5. Update associated land use references in EMC Title 18 and EMC 18.20, Definitions for consistency with the proposed amendments

Please note, this update is happening concurrently with the Animals code update and middle housing code updates. If the Animals code update is adopted by Council, then staff would incorporate the updates into these draft amendments. Some changes for residential uses are included in this update but may be further revised due to the middle housing code updates. For the most part, middle housing was left alone and not addressed in this update.

Next steps:

Based on the commission's feedback, staff will initiate public noticing after this meeting and set the public hearing for the next planning commission meeting.



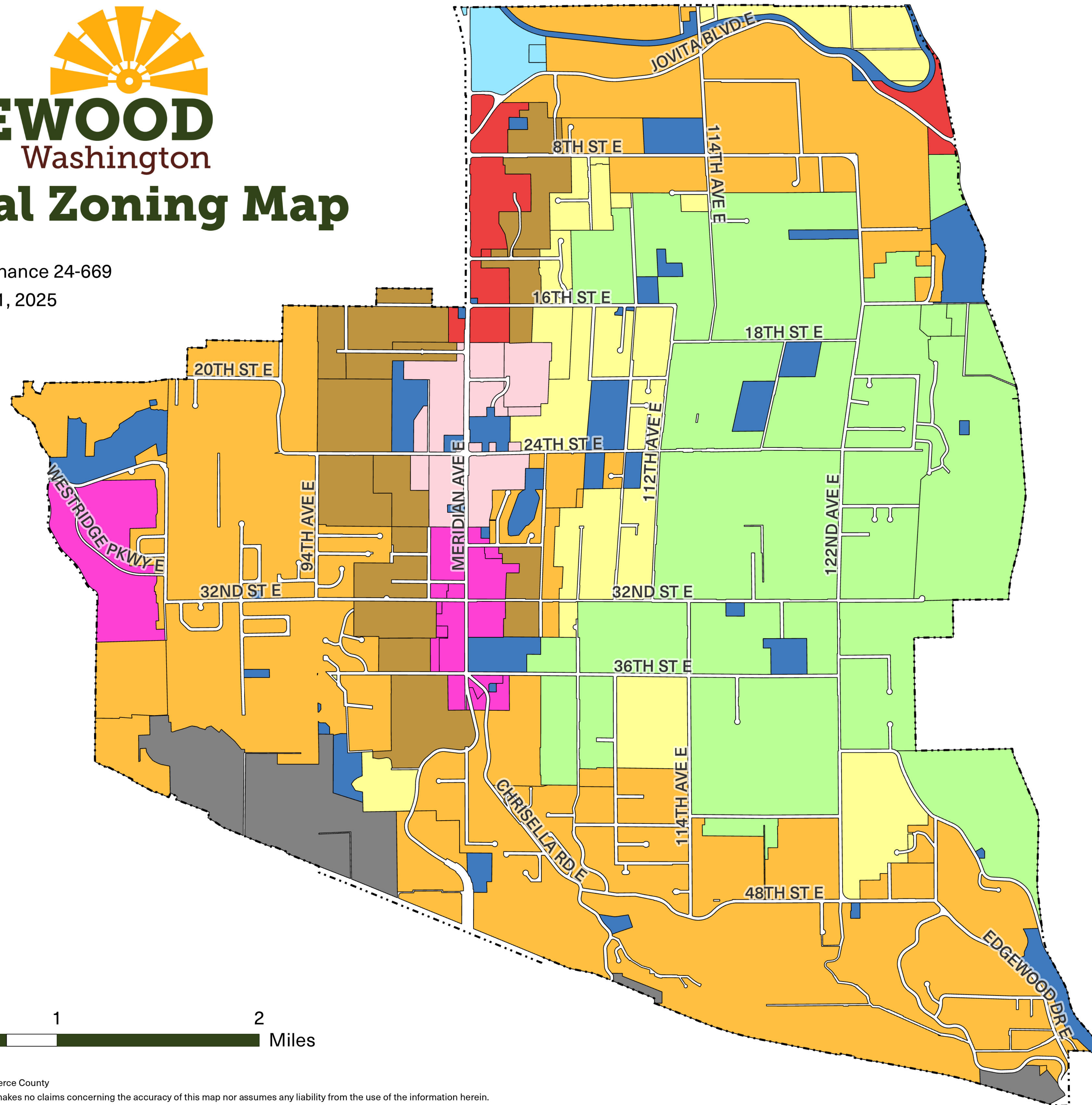
EDGEWOOD

Washington

Official Zoning Map

Amended by Ordinance 24-669

Effective January 1, 2025



Legend

-  Business Park (BP)
-  Commercial (C)
-  Industrial (I)
-  Mixed Residential 1 (MR-1)
-  Mixed Residential 2 (MR-2)
-  Mixed Use Residential (MUR)
-  Public (P)
-  Single-Family 2 (SF-2)
-  Single-Family 3 (SF-3)
-  Town Center (TC)

EMC 18.70 Permitted Land Uses

Chapter 18.70

PERMITTED LAND USES

Sections:

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

Prior legislation: Ords. 03-203, 07-283, 08-305, 11-359, 15-448, 16-463, 16-469 and 16-482.

18.70.010 Purpose of provisions.

This chapter lists the land uses that are regulated within this title in order to ensure orderly, uniform, and fair regulation that results in not only the appropriate siting of land uses, but also the appropriate physical relationship of different land uses, which are sometimes not complementary, to one another as zoning is applied. (Ord. 20-579 § 2 (Exh. B)).

18.70.020 Characterization of use and organization.

A. Each land use within Edgewood shall be characterized according to the North American Industry Classification System or land use definition provided in Chapter 18.20 EMC, Definitions. The use of a property is defined by the activity for which it or structures occupying it is or are intended, designed, arranged, occupied, or maintained. In all regulatory zones there shall be no limit as to the number of principal uses allowed on a lot, provided each principal use is permitted in the zone and meets all pertinent regulatory requirements. However, no more than one single-family detached dwelling unit or one two-unit dwelling unit, as appropriate, shall be permitted as a principal use on any individual lot.

B. All references to the North American Industry Classification System (NAICS) are to the titles and descriptions found in the North American Industry Classification System, 2017 Edition, prepared by United States Office of Management and Budget, which is hereby adopted by reference. The NAICS is used to suit the purposes of this title, to list and define land uses authorized to be located in the various zoning district consistent with the comprehensive plan.

C. The NAICS uses a six-digit coding system to identify particular industries and their placement in the hierarchical structure of the classification system. The first two digits of the code designates the sector, the third digit designates the subsector, the fourth digit designates the industry group, the fifth digit designates the NAICS industry, and the sixth digit designates the national industry.

D. A “part” in the NAICS column of the land use table means that only a part of the associated NAICS definition will be included into the specified land use. The community development director or assignee will respond to requests for clarification on a project by project basis.

E. A “special” in the NAICS column of the land use table means that the NAICS definition for the specified land use is not provided or that the city has modified the definition by this title. The “special” definition is provided in Chapter 18.20 EMC, Definitions.

F. The community development director shall determine whether a proposed land use not specifically listed in a land use table or specifically included within a NAICS classification is allowed in a zone. The director’s determination shall be based on whether or not permitting the proposed use in a particular zone is consistent with the purposes of this title and the zone’s purpose as set forth in Chapter 18.80 EMC, by considering the following factors:

1. The physical characteristics of the use and its supporting structures, including but not limited to scale, traffic and other impacts, and hours of operation;
2. Whether or not the use complements or is compatible with other uses permitted in the zone; and

3. The NAICS classification, if any, assigned to the business or other entity that will carry on the primary activities of the proposed use. (Ord. 20-579 § 2 (Exh. B)).

18.70.040 Establishing use.

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

✓	Designates use permitted in the zoning district indicated
–	Designates use prohibited in district indicated
A	Designates use may be approved by administrative use permit
CUP	Designates use may be approved by conditional use permit

B. If a use is identified as requiring a temporary use permit (TUP), then the use is only allowed if the TUP is obtained in accordance with EMC 18.50.070.

C. If a use is not listed, it is not allowed in any zoning district.

D. It is recognized that new types of land use will develop and forms of land use not presently anticipated may seek to locate in the city of Edgewood. In order to provide for such changes and contingencies, a determination as to the appropriate classification of any new or unlisted form of land use in the Land Use Table shall be performed in accordance with EMC 18.50.020(D).

E. Any proposed use, business, structure, or other land occupancy is subject to the primary, secondary, and incidental uses expressed in the Land Use Table. As an example, a company performing surveying and mapping services may locate their office in accordance with their primary NAICS code for the service function and any secondary, tertiary, or otherwise accompanying or secondary outdoor storage, maintenance facility, information services, or other use is subject to the development standards and conditions of the incidental use. (Ord. 20-579 § 2 (Exh. B)).

18.70.050 Land use table.

SEE ATTACHMENT.

EMC 18.70.050 Land Use Table DRAFT Amendments

EMC 18.70.050 Land use table														
Land Use	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	Staff Notes
✓ – Permitted Use CUP – Use may be approved via CUP A – Approval Requires AUP – Prohibited Use	NAICS Code	SF2	SF3	SF5	MR1	MR2	MUR	TC	C	BP	I	P	All Uses Subject to Conditions 1 and 6	
Residential														
Accessory														
Accessory Dwelling Unit (ADU), Attached	Special	✓	✓	✓	✓	✓	✓	–	–	–	–	–	See EMC 18.90.190 for ADU requirements for both attached and detached (backyard cottage) ADUs	
ADU, Detached (Backyard Cottage)	Special	✓	✓	✓	✓	✓	✓	A –	A –	–	–	–	Detached ADU allowed secondarily in TC and C zones only when paired with townhouse use.	
Caretaker Residence	Special	CUP ✓	CUP ✓	CUP ✓	CUP ✓	CUP ✓	CUP ✓	CUP ✓	CUP A	CUP A	–	–		
Single-Family														
Detached Dwelling	Special	✓	✓	✓	✓	✓	✓	–	–	–	–	–	Not permitted within 1 mile of Meridian Ave E (SR-161) in the MUR zone.	
Cottage Court	Special	– ✓	✓	✓	✓	✓	✓	–	–	–	–	–	Not permitted within 1 mile of Meridian Ave E (SR-161) in the MUR zone.	
Multifamily														
Duplex: Side by Side	Special	– ✓	✓	✓	✓	✓	✓	–	–	–	–	–	Not permitted within 1 mile of Meridian Ave E (SR-161) in the MUR zone.	
Duplex: Back to Back	Special	– ✓	✓	✓	✓	✓	✓	–	–	–	–	–	Not permitted within 1 mile of Meridian Ave E (SR-161) in the MUR zone.	
Duplex: Top and Bottom	Special	– ✓	✓	✓	✓	✓	✓	–	–	–	–	–	Not permitted within 1 mile of Meridian Ave E (SR-161) in the MUR zone.	
Attached Dwelling	Special	– ✓	✓	✓	✓	✓	✓	–	–	–	–	–		
Multi-plex	Special	–	–	–	✓	✓	✓	–	–	–	–	–		
Townhouse	Special	–	–	–	✓	✓	✓	✓ –	✓ –	–	–	–	Only permitted in the TC zone if part of a commercial mixed use project	Consider limit
Apartment	Special	–	–	–	–	–	✓	✓	✓	✓ –	–	–	Only permitted in the TC and C zone if part of a commercial mixed use project	Consider limit. Remove BP allowance for apartments with a CUP in 18.80.080.
Other														
Adult Family Home	623990, part	✓	✓	✓	✓	✓	✓	✓	✓ –	✓ –	–	–	In accordance with RCW 70.128.010(1), as amended	Consider only allowing in MUR and TC as an accessory use or part of a mixed-use project.
Nursing and Residential Care Facilities	6231; 6232	–	–	–	– CUP	CUP A	✓	✓	✓	✓	–	–	Only permitted in MR-1 if located on a Arterial or Collector road	
Assisted Living Facilities	6233	–	–	–	CUP	CUP A	✓	✓	✓	✓	–	–	Only permitted in MR-1 if located on a Arterial or Collector road	
Live/Work Unit	Special	–	–	–	– A	– A	✓	✓	✓	✓	–	–	Only permitted in MR-1 if located on a Arterial or Collector road	
Permanent Supportive Housing		✓	✓	✓	✓	✓	✓	✓	✓	✓	–	–		
Transitional Housing		✓	✓	✓	✓	✓	✓	✓	✓	✓	–	–		
Agriculture and Resource (Sector 11-21)														
Family Farm	111; Special	✓	✓	A	–	–	–	–	–	–	✓	✓	Activities must be performed on parcels larger than two acres in size, unless in the SF2 or SF3 zone	See animal code amendments
Agricultural Sales	454390, part	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	Activities permitted in all districts, but require TUP and must comply with EMC 18.50.070	See animal code amendments
Crop Production														
Marijuana Production	111; Special	– A	–	–	–	–	–	–	–	– A	– A	–	See Condition 2	Consider update to EMC 18.100.120 to permit this.

Crop Production, All Other	111	✓	✓	A	-	-	-	-	-	-	✓	✓		See animal code amendments
Animal Production and Aquaculture														See animal code amendments
Hog and Pig Farming	112210	-	-	-	-	-	-	-	-	-	-	-		See animal code amendments
Cattle Feedlots	112112	CUP	-	-	-	-	-	-	-	-	-	-		See animal code amendments
Animal Production and Aquaculture, All Other	112 except 112210; 112112; 112511, part	✓	CUP	-	-	-	-	-	-	-	✓	CUP		To be updated with animal code amendments
Mining, Quarrying, and Oil and Gas Extraction	21	-	-	-	-	-	-	-	-	-	-	-	Unless otherwise authorized or permitted by the state where city of Edgewood is preempted from regulating	
Utilities (Sector 22)														
Electric Power Generation	22111, except 221114 and 221115	CUP -	CUP -	CUP -	CUP -	CUP -	-	-	-	-	CUP	CUP	Not applicable to small-scale, independent residential units or single-building power supply units	
Solar Electric Power Generation	221114	✓	✓	✓	A	A	A	A	A	✓	✓	✓		
Wind Electric Power Generation	221115	✓	✓	✓	✓	✓	✓	✓	✓	✓	A	A		
Potable Water Treatment	221310, part	CUP	CUP	CUP	CUP	CUP	-	-	-	-	CUP	CUP		
Sewage Collection or Treatment Facility	221320, part	CUP	CUP	CUP	CUP	CUP	-	-	-	-	CUP	CUP		Check to make sure this doesn't include necessary infrastructure.
Wireless Communication Facilities	517312; 517919, part	See Note											Activities subject to Edgewood Ord. No. 18-526 and any successors, as modified (EMC 18.100.110)	
Manufacturing (Sector 31-33)														
Animal Slaughtering and Processing	3116	-	-	-	-	-	-	-	-	-	-	-		
Marijuana Processing	Special	-	-	-	-	-	-	-	-	- CUP	- A	-	See Condition 2	Consider update to EMC 18.100.120 to permit this.
Manufacturing, Craft	Special	-	-	-	-	-	CUP	CUP	CUP	CUP ✓	✓	-		
Manufacturing, Light	23, part; 311 except 3116; 312; 313; 314; 315; 316; 337	-	-	-	-	-	-	-	-	CUP A	✓	-		
Manufacturing, Heavy	23, part; 321; 322; 323; 324; 325; 326; 327; 331; 332; 333; 334; 335; 336; 339	-	-	-	-	-	-	-	-	-	CUP	-		
Wholesale and Retail Trade (Sector 42, 44-45)														
Wholesale Trade	423; 424; 425	-	-	-	-	-	-	-	-	A	✓	-		
Retail Trade														
Automobile and Other Motor Vehicle Dealers	4411; 4412	-	-	-	-	-	-	-	CUP -	A	A	-		

Gasoline Stations	447	-	-	-	-	-	-	CUP	CUP -	A CUP	✓	✓	-	Use is limited to a total 25,000 square feet per lot in the MUR and C zones (total square footage includes all accessory uses associated with the gas station)	
Alternative Fueling Stations	Special	-	-	-	-	✓	✓	✓	✓	✓	✓	✓	-		Definition needed in 18.20.
Pet and Pet Supplies Stores	453910	-	-	-	-	-	-	A ✓	✓	✓	✓	✓	-		See animal code amendments
Fuel Dealers	454310	-	-	-	-	-	-	-	-	-	CUP	✓ CUP	-		
Marijuana Retailers	453998, part	-	-	-	-	-	-	-	-	- A	- A	- A	-	See Condition 2. Per Ord. Nos. 11-356, 13-410, 14-425, 17-502, and regulations regarding cannabis in Chapter 69.51A RCW or I-502	Consider update to EMC 18.100.120 to permit this with a limit. (ex. max total of 4)
Sexually Oriented Retail Businesses	Special	-	-	-	-	-	-	- A	- A	- A	- A	- A	-	Subject to standards provided in EMC 18.100.100	
Retail Trade, All Other	All Other 44; 45	-	-	-	-	-	-	- A	✓	✓	✓	✓	✓	CUP	
Transportation and Warehousing (Sector 48-49)															
Transportation															
Pipeline Transportation	486	See Note												Activities must follow city of Edgewood permitting requirements and are subject to Condition 3	
Transportation, All Other	48 except 486	See Note												See Condition 4	
Warehousing and Storage															
Mini-Warehouses and Self-Storage Units	53113	-	-	-	-	-	-	-	-	-	✓	✓	-		
Warehousing and Storage, All Other up to 3,000 sq. ft.		-	-	-	-	-	-	A	A	A	✓	✓	-	Only permitted in MUR, TC, and C zones when associated with a Retail, Food Service and Drinking Places or Craft Manufacturing use.	
Warehousing and Storage, All Other 3,000 to 10,000 sq. ft.		-	-	-	-	-	-	-	-	A	✓	✓	-	Only permitted in MUR, TC, and C zones when associated with a Retail, Food Service and Drinking Places or Craft Manufacturing use.	
Warehousing and Storage, All Other 5,000 square feet and greater		-	-	-	-	-	-	-	-	A	✓	✓	-	Only permitted in MUR, TC, and C zones when associated with a Retail, Food Service and Drinking Places or Craft Manufacturing use.	
Business and Professional Services (Sector 51-56)															
General	All Office Use, plus: 51 except 517; 52; 534; 533; 54 except 541940; 55; 561; 813	-	-	-	-	-	-	✓	✓	✓	✓	A	-		
Wedding and Special Occassion Venues and Events	Special	A	A	A	A	✓	✓	✓	✓	✓	A	A	A		Definition needed in 18.20.
Rental and Leasing															
Passenger Car Rental and Leasing	53211	-	-	-	-	-	-	✓ -	✓ -	✓ A	✓	✓	-		
Truck, Utility Trailer, and RV Rental and Leasing	53212	-	-	-	-	-	-	CUP -	CUP -	-	✓	✓	-		
Consumer Goods Rental	5322; 5323, part	-	-	-	-	-	-	✓ -	✓ -	✓ A	✓	✓	-		
Commercial and Industrial Equipment Rentals	5323, part; 5324	-	-	-	-	-	-	-	-	-	✓	✓	-		

Waste Management and Remediation Services														
Waste Management and Remediation Services, All Other	5622, part; 5629	-	-	-	-	-	-	-	-	-	- CUP	CUP	- CUP	
Educational Services (Sector 61)														
Elementary and Secondary Schools	6111	CUP	CUP	CUP	CUP	CUP	A	✓	✓	✓	CUP	A		
Junior Colleges, Colleges, Universities, and Professional Schools	6112; 6113; 6114	-	-	-	-	- CUP	A	✓	✓	✓	CUP	A		
Technical and Trade Schools	6115	-	-	-	-	- CUP	A	✓	✓	✓	CUP A	A		
Educational Services, All Other	6116; 6117	-	-	-	-	- A	A	✓	✓	✓	CUP	- A		
Health Care and Social Assistance (Sector 62)														
Ambulatory Health Care Services, All Other	All Other 621	-	-	-	-	CUP	✓	✓	✓	✓	CUP	CUP		
Hospitals	622	-	-	-	-	- CUP	- CUP	✓	✓	✓ A	CUP	- CUP		
Community Care & Walk-in Clinics	-	-	-	-	-	- A	✓	✓	✓	✓	✓	✓		Definition needed in 18.20.
Social Assistance														
Services for the Elderly and Persons with Disabilities	624120	-	-	-	-	- A	CUP A	✓	✓	✓	✓	CUP	✓	
Vocational Rehabilitation Services	624310	-	-	-	-	- CUP	CUP A	✓	✓	✓	✓	CUP	✓	
Child Daycare Services, Home-Based	624410, part	A	A	A	A	A ✓	✓	✓	✓	✓ -	-	-		Subject to standards provided in EMC 18.100.040
Child Daycare Services, All Other	624410, part	-	-	-	-	- CUP	CUP A	✓	✓	✓	✓	CUP A	✓	Subject to standards provided in EMC 18.100.040
Social Assistance, All Other	All Other 624	-	-	-	-	- CUP	CUP A	✓	✓	✓	✓	CUP	✓	
Emergency Housing	-	-	-	-	-	-	CUP	✓	✓	✓	CUP A	CUP A	✓	
Emergency Shelter	-	-	-	-	-	-	CUP	✓	✓	✓	CUP A	✓	✓	
Arts, Entertainment, and Recreation (Sector 71)														
Libraries	Special	-	-	-	-	A	A	✓	✓	✓	✓	A	✓	
Museums and Art Galleries	712 except 712130	-	-	-	-	A	A	✓	✓	✓	✓	A	✓	
Zoos, Aquariums, and Botanical Gardens	712130	-	-	-	-	-	A	✓	✓	✓	✓	✓	A	
Golf Courses and Country Clubs	713910	A	A	-	-	- A	-	A	✓	✓	✓	✓	A	
Sexually Oriented Entertainment	Special	-	-	-	-	-	-	-	-	- CUP	CUP	-	-	Subject to standards provided in EMC 18.100.100
Gambling Industries	7132	-	-	-	-	-	-	-	CUP A	A	A	✓	-	
Indoor Arts, Entertainment, and Recreation Activities, Other	Special	-	-	-	-	- A	CUP ✓	✓	✓	✓	✓	A	✓	
Outdoor Arts, Entertainment, and Recreation Activities, Other	Special	- A	- A	-	-	- A	- A	CUP ✓	A	A	A	-	✓	
Accommodation (Sector 721)														
Hotels (except Casino Hotels) and Motels	721110	-	-	-	-	- A	CUP ✓	✓	✓	✓	CUP	✓	-	
Bed-and-Breakfast Inns	721191	-	-	-	-	CUP A	CUP A	CUP ✓	✓	✓	CUP	-	-	
Short-term rentals	Special	✓	✓	✓	✓	✓	✓	✓	✓	✓				Definition needed in 18.20.
RV Parks and Recreational Camps	7212	-	-	-	-	-	-	-	-	-	-	-	-	
Food Service and Drinking Places (Sector 722)														
Special Food Services	7223 except 722330	See Note						✓	✓	✓	✓	- ✓	- ✓	Allowed as incidental use in residential districts
Mobile Vendors	722330	-	-	-	-	- A	✓	✓	✓	✓	✓	✓	✓	Activities always require TUP and must comply with EMC 18.50.070. In MR1 and MR2, this use is only permitted on corners fronting on a Collector or Arterial road.

Drinking Places for Alcoholic Beverages	722410	-	-	-	- CUP	- A	CUP ✓	✓	✓	✓	✓	✓	CUP ✓	Subject to regulation and classification by the Washington State Liquor and Cannabis Board. In MR1 and MR2, this use is only permitted on corners fronting on a Collector or Arterial road.	
Restaurants, Full Service	722511	-	-	-	- A	- A	✓	✓	✓	✓	✓	✓	✓	In MR1 and MR2, this use is only permitted on corners fronting on a Collector or Arterial road.	
Restaurants, Limited Service	722513; 722514	-	-	-	- A	- A	✓	✓	✓	✓	✓	✓	✓	Subject to compliance with drive-up windows (special) use, if also applicable. In MR1 and MR2, this use is only permitted on corners fronting on a Collector or Arterial road.	
Snack and Nonalcoholic Beverage Bars	722515	-	-	-	- A	- A	✓	✓	✓	✓	✓	✓	✓	Subject to compliance with drive-up windows (special) use, if also applicable. In MR1 and MR2, this use is only permitted on corners fronting on a Collector or Arterial road.	
Services (Sector 811-812)															
Automotive Repair and Maintenance															
Automotive Oil Change and Lubrication Shops	811191	-	-	-	-	-	-	-	CUP A	A	✓	-	-		
Car Washes	811192	-	-	-	-	-	CUP A	✓ -	✓	✓	✓	-	-		
Automotive Repair and Maintenance, All Other	All Other 8111	-	-	-	-	-	-	-	CUP A	CUP A	✓	-	-		
Personal Care Services	8121; 812310; 8123200	-	-	-	- A	- A	CUP ✓	✓	✓	✓	✓	-	-	In MR1, this use is only permitted on corners fronting on a Collector or Arterial road.	
Other Repair and Maintenance															
Other Repair and Maintenance, Consumer	811 except 8111	-	-	-	-	-	-	-	CUP	CUP	✓	-	-		
Other Repair and Maintenance, Commercial/Industrial	811 except 8111	-	-	-	-	-	-	-	-	CUP	✓	-	-		
Funeral Homes and Funeral Services	812210	-	-	-	-	- CUP	- A	-	CUP A	CUP A	✓	-	-		
Crematoria	812220, part	-	-	-	-	-	-	-	-	CUP	CUP	-	-		
Pet Care Services															See animal code amendments
Kennels	812910, part	-	-	-	-	-	-	-	-	CUP	A	-	-		See animal code amendments
Veterinary Services	541940	-	-	-	-	-	A	A	✓	✓	A	-	-		See animal code amendments
Pet Care Services, All Other	812910, part	-	-	-	-	-	✓	✓	✓	✓	A	-	-		See animal code amendments
Civic and Public Uses (Sector 813)															
Cemeteries	812220, part	-	-	-	-	-	-	-	-	-	-	CUP	-		
Correctional Institutions	922140	-	-	-	-	-	-	-	CUP -	CUP	-	CUP	-		Moved above religious
Administrative Public Facility	92 except 922140	-	-	-	-	- A	✓	✓	✓	✓	✓	✓	✓		Moved above religious
Nonadministrative Public Facility	Special	-	-	-	-	-	-	-	-	- A	- A	A	-	Activities with Outside Storage also subject to EMC 18.90.120	Moved above religious
Parks, Open Space, and Public Recreation	Special	✓	✓	✓	✓	✓	✓	✓	✓	✓	A	✓	-		Moved above religious
Religious Assembly															
Up to 10,000 sq. ft.	813110, Assembly Only	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		
10,000 to 19,999 sq. ft.	813110, Assembly Only	✓	✓	✓	A	A	CUP A	CUP A	✓	✓	-	CUP	-		

20,000 to 29,999 sq. ft.	813110, Assembly Only	A	A	A	A	A	CUP	CUP	✓	✓	–	CUP		
30,000 to 39,999 sq. ft.	813110, Assembly Only	CUP A	CUP A	CUP A	A	A	CUP	CUP	✓	✓	–	CUP		
40,000 sq. ft. or greater	813110, Assembly Only	–	–	–	–	–	–	–	✓ CUP	✓	–	CUP		
Other Uses														
Parking Lots	812930, part	–	–	–	–	–	– CUP	– CUP	CUP	–	– CUP	– CUP		
Parking Structures	812930, part	–	–	–	–	–	–	CUP	CUP	–	– A	– A		
Drive-Up Windows	Special	–	–	–	–	–	CUP A	CUP A	CUP ✓	CUP A	CUP ✓	CUP –	Window shall not face a public ROW and facility must be screened from ROW	
Outside Displays	Special	–	–	–	–	–	✓ –	✓	✓	✓	✓		Activities also subject to EMC 18.95.030(I)	
Outside Storage	Special	–	–	–	–	–	–	CUP –	–	CUP	A	See Note	Allowed as incidental use in Public district.	
													Activities also subject to EMC 18.90.120	

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.



CITY OF EDGEWOOD STAFF REPORT PLANNING COMMISSION AGENDA ITEM

Date: February 10, 2025

Title: Hazardous Trees and Tree Preservation Codes

Attachments: Other Agency Code Examples
Draft Code Redlines – EMC 8.15 and 18.90.180

Submitted By: Jeremy Metzler, Community Development Director
Morgan Dorner, Senior Planner

Background Information:

This item was last discussed with the Planning Commission at their [February 2024 meeting](#). Edgewood Municipal Code (EMC) currently includes provisions for trees under two separate sections:

- EMC Chapter 8.15, Removal of Obstructing, Overhanging, Dead or Hazardous Vegetation and Debris, as adopted by Ordinance 16-0466; and
- EMC Section 18.90.180, Development Standards – Citywide Applicability, Tree preservation, as adopted by Ordinance 21-0604.

As staff has attempted to enforce these regulations, some ambiguity and conflicts have been discovered that are in need of clarification. As codified, it is not clear how a “*condition violating EMC 8.15.020*” is determined, or what staff are qualified to make said determination. Also, trees on private property that are deemed to be in violation of EMC 8.15.020 may still be subject to EMC 18.90.180, depending on their size and location, which adds costs and delay to addressing any hazard to the public health, safety or welfare.

Current Discussion:

Following the conversation with the Planning Commission at last February’s meeting and further review by staff in the months following, staff has prepared the attached redlined code sections to:

- Clarify who is responsible for determining whether a violation of EMC 8.15 exists;
- Establish a process in EMC 8.15 for determining whether a tree qualifies as a hazardous based on photographic evidence and other considerations as deemed appropriate;
- Revise EMC 18.90.180 to exempt trees deemed hazardous pursuant to EMC 8.15 to eliminate any conflict between these sections of code;
- Consider whether or not the removal of a tree poses a risk to neighboring property, structures, right-of-way, or other infrastructure in the vicinity;
- Allow for more flexibility as to when a “Qualified Tree Professional” is required;

- Clarify the applicability of full Tree Retention Plan requirements under EMC 18.90.180 for minor tree removals not part of a larger development plan or land use action;
- Introduce a list of undesirable and dangerous tree species that would be exempt from tree preservation requirements;
- Include provisions for emergency removal of trees that may be otherwise subject to preservation;
- Simplify the Significant Interior Tree Retention Incentive;
- Clarify and provide some flexibility under Tree Protection Measures; and
- Address any additional conflicts between sections of code as it relates to tree preservation and tree removal.

Staff is also considering the following:

- Update the minimum requirements for a “Qualified Tree Professional” as defined in EMC 18.20; and
- Revising or repealing EMC 18.80.080(G)(8) to clarify how standard may differ in the town center, commercial, mixed use residential, and business park zoning districts.

Staff Recommendation:

Provide staff with feedback on the proposed code amendments, so staff may proceed with the formal code amendment process and schedule a public hearing.

Hazardous Trees and Tree Preservation Codes Other Agency Examples

City of Kirkland Zoning Code 95.10(17):

...

b. Hazard Tree – A tree/tree part assessed by a qualified professional arborist as having an extreme or high overall risk rating using the ISA Tree Risk Assessment Qualification (TRAQ) method in its most current form, as applied in KZC 95.25, that meets all the following criteria:

- 1) A tree with a combination of structural defects and/or disease which makes it subject to a high probability of failure;
- 2) Is in proximity to moderate to high-frequency occupied targets, persons or property that can be damaged by tree failure; and
- 3) The hazard condition of the tree cannot be lessened with reasonable and proper arboricultural practices nor can the target be removed.

...

k. Dead Trees. The tree is dead or has been damaged beyond repair or where not enough live tissue, green leaves, limbs, roots or branches exist to sustain life; and/or

l. Dying Trees. The tree is in an advanced stage of decline due to disease, insect infestation, or rotting and cannot be saved by reasonable treatment or pruning, or must be removed to prevent the spread of a disease/pest that would cause catastrophic decline in tree health and failure.

City of Kirkland Zoning Code 95.25(6):

Removal of Hazard or Nuisance Trees. Removal of hazard or nuisance trees does not count toward the tree removal allowances if the nuisance or hazard is supported by a tree risk assessment report prepared by a qualified professional arborist and approved by the City. The City may approve the removal of dead, dying, and/or diseased trees from private property as hazard trees without the submission of a tree removal permit if the applicant provides photographic evidence demonstrating that the tree meets the definition of dead or dying. Tree risk assessment reports shall follow the method for developing a tree risk rating set forth in the most current edition of the ISA Tree Risk Assessment (TRAQ) Manual and include the following:

- a. Explanation of how the tree or tree parts meet the definition of a hazard pursuant to KZC 95.10(17)(b); and
- b. Overall tree risk rating with correlating mitigation measures as follows:
 - 1) If a potential target does not exist, applicants should consider routine pruning and maintenance to abate the tree issue;
 - 2) If a tree/tree part is found to have a low or moderate overall risk rating, the Planning Official may approve mitigation measures to reduce the risk; or
 - 3) If a tree/tree part is found to have a high or extreme overall risk rating and mitigation of the risk through pruning or moving potential targets is not feasible, the Planning Official may approve the removal of the tree as a hazard tree.

City of University Place Municipal Code 19.65.270:

Tree retention in development situations.

A. This section regulates the removal of trees associated with the development process to encourage development, where practicable, to incorporate existing trees, particularly high quality or more desirable trees, into a design. It is the intent of these provisions to lessen the aesthetic and ecological impacts of tree removal.

B. The applicant must show how existing trees, excluding invasive trees, nuisance trees and at risk trees, will be preserved by choosing one of the following options to identify those trees to be retained. Trees located within a critical area or associated buffer are excluded from the following calculations:

1. Preserve at least 35 percent of the trees located on the site;
2. Preserve all trees greater than or equal to 20 inches dbh and at least 20 percent of the total tree diameter on the site, where there are at least four trees greater than or equal to 20 inches dbh on the site;
3. Preserve at least 50 percent of all trees greater than or equal to 20 inches dbh and at least 25 percent of the total tree diameter on the site, where there are at least four trees greater than or equal to 20 inches dbh on the site;
4. Preserve at least 30 percent of the total tree diameter on the site, where all trees are less than 20 inches dbh; or
5. Preserve at least 35 percent of the total regulated tree canopy area on the site, if the site is larger than two acres.

C. In addition to those trees identified for retention in subsection (B) of this section, the following trees shall be retained:

1. All trees within a critical area including wetlands or wetland buffers, fish and wildlife habitat buffers, or landslide and erosion hazard areas with slopes requiring preservation, unless removal is authorized pursuant to UPMC Title 17. If the City determines that a tree located within a critical area is an at risk tree, the City may authorize conversion of the tree to a "habitat snag" by cutting the tree at the highest point possible that still eliminates risk from a tree. The lower portion of the tree remains in place as a habitat snag to provide habitat value for fish and wildlife. In addition, the upper portion of the tree is usually left on the ground to provide extra habitat value. Also, in order to compensate for the loss in habitat value, additional tree plantings in the critical area and/or buffer may be required as mitigation;
2. All trees within an identified scenic road corridor, wildlife corridor, or scenic trail identified in the City's Parks, Recreation and Open Space Plan or the Comprehensive Plan;
3. All significant trees; and
4. Trees located within a shoreline vegetation conservation area except when their removal is authorized in accordance with UPMC 18.25.100(F) and (G).

D. Except as provided in subsection (C)(1) of this section, trees to be retained shall not include at risk trees that are determined to be exempt under UPMC 19.65.070(D). At risk trees may include:

1. Damaged or diseased trees;
2. Trees that pose a safety hazard due to potential root, trunk or primary limb failure; or

3. Mature trees that have grown in a dense stand of trees and recently become exposed to windthrow due to nearby development activity.

E. At the discretion of the City, damaged or standing dead trees may be retained and counted toward the tree requirement, if demonstrated that such trees will provide important wildlife habitat and are not classified as at risk trees.

F. A tree removal permit is required when the development activity will result in the removal of more than five trees. Up to five trees may be removed in development situations before calculating the number of trees that shall be retained as set forth in subsection (B) of this section.

City of University Place Municipal Code 19.65.275:

Tree retention – No associated development.

A. The purpose of this section is to manage and conserve the urban forest when development activity is neither proposed nor occurring.

B. Trees listed in UPMC 19.65.270(C) shall be retained.

C. A maximum of five trees not listed in UPMC 19.65.270(C) may be removed within a 36-month period without a tree removal permit. In addition, trees determined to be at risk trees as provided in UPMC 19.65.270(D), invasive trees as provided in UPMC 19.65.340, and nuisance trees as provided in UPMC 19.65.350 may be removed and will not count toward the five-tree limit.

D. Removal of additional trees beyond those provided for in subsection (C) of this section may only be authorized through issuance of a tree removal permit in accordance with the tree retention standards set forth in UPMC 19.65.270 and this chapter.

City of University Place Municipal Code 19.65.300:

Tree removal in subdivisions.

When subdividing property by preliminary plat, trees and groundcover shall not be removed prior to preliminary plat approval. When subdividing property by either short or preliminary plat, no clearing of trees or groundcover may take place until a tree preservation plan and site development permit have been approved by the City. Road locations must be staked prior to clearing. Prior to issuance of a building permit, a title notification shall be recorded that states:

Trees which are required to remain on this lot pursuant to the city's tree preservation regulations (Chapter 19.65 UPMC) shall not be removed for a period of three years from the date of original purchase by individual lot owners except as provided for in UPMC 19.65.270(D) and only then following consent by the city. Regulated trees removed subsequent to this three year period shall be replaced in accordance with UPMC 19.65.190 and UPMC 19.65.310.

City of University Place Municipal Code 19.65.310:

Tree replacement.

A. When the required number of trees cannot be retained as determined at the sole discretion of the City, trees that are removed shall be replaced with new trees of the same species at a replacement rate of three trees for every tree removed. The City may authorize an alternative species or cultivar if it would be a more suitable and beneficial selection for a specific location given unique site characteristics.

B. When the required number of trees cannot be physically retained or replaced on site, the applicant has the option of:

1. Planting the required number of replacement trees at locations approved by the City prior to the time of occupancy of the building or final approval of the subdivision at the same rate as the replacement rate required for on-site replacement of trees; or
2. Payment in lieu of replacement may be made to the City tree account for planting of trees in priority off-site locations within the City. These are public street rights-of-way, public parks, and other public open spaces. The payment is an equivalent amount to the estimated cost of buying and planting the trees that would otherwise have been required to be planted on site, as determined by the City's tree replacement cost schedule. The payment in lieu of planting trees on site shall be made prior to the issuance of any building permit or final subdivision approval.

City of University Place Municipal Code 19.65.350:

Nuisance tree species list.

Tree species categorized as nuisance trees in University Place are listed below. The City may determine that additional tree species should be classified as nuisance trees if the species clearly exhibits the detrimental characteristics of nuisance species.

Common Name	Species Name
Red alder	Alnus rubra
Black cottonwood	Populus trichocarpa

Pierce County Code 18J.15.030: See <https://pierce.county.codes/PCC/18J.15.030>.

Chapter 8.15
REMOVAL OF OBSTRUCTING, OVERHANGING, DEAD OR HAZARDOUS VEGETATION AND DEBRIS

Sections:

- 8.15.010 Purpose – Authority.
8.15.020 Landowner responsibility for removing and destroying obstructing, overhanging, dead or hazardous vegetation and debris.
8.15.030 Proceedings – Resolution.
8.15.040 Completion of work by city.
8.15.050 Cost recovery – Lien.
8.15.060 Remedies nonexclusive.

8.15.010 Purpose – Authority.

The provisions of this chapter are enacted pursuant to RCW 35.21.310 and other applicable state law. The purpose of this chapter is to ensure that the condition and location of trees, shrubs and other vegetation or debris do not obstruct or impair the use of public streets or sidewalks by members of the public, or otherwise pose a hazard to the public health, safety or welfare. It is the further purpose and intent of this chapter that landowners should bear the primary responsibility for and cost of maintaining their own property, including without limitation all trees and vegetation growing thereupon, in a properly confined, compliant and nonhazardous manner. The provisions of this chapter shall be liberally construed in furtherance of said purposes and in accordance with RCW 35.21.310.

8.15.020 Landowner responsibility for removing and destroying obstructing, overhanging, dead or hazardous vegetation and debris.

A. All landowners within the city shall maintain their property in a manner that does not pose a hazard to the public health, safety or welfare. Without prejudice to the foregoing, landowners shall be responsible for the following:

1. ~~A.~~ Removing or destroying all trees, plants, shrubs or vegetation, or parts thereof, located upon their property which overhang any public sidewalk or street or which are growing thereon in such manner as to obstruct or impair the free and full use of the sidewalk or street by the public.
2. ~~B.~~ Removing or destroying all dead grass, weeds, shrubs, bushes, trees or vegetation located upon their property which constitutes a fire hazard or a menace to public health, safety or welfare.
3. ~~C.~~ Removing or destroying all debris located upon their property which constitutes a fire hazard or a menace to public health, safety or welfare.

B. With regard to the conditions listed under subsection A, above, the Fire Code Official shall be responsible for determining whether or not a fire hazard exists, and the Public Works Director shall be responsible for determining whether or not there is a menace to public's health, safety or welfare.

C. Trees that are dead, dying and/or diseased may qualify as a fire hazard and/or menace to public health, safety or welfare, to be determined based on photographic evidence demonstrating at least one of the following applies:

1. Dead Trees. The tree is dead or has been damaged beyond repair or where not enough live tissue, green leaves, limbs, roots or branches exist to sustain life; and/or
- ~~4.~~ 2. Dying Trees. The tree is in an advanced stage of decline due to disease, insect infestation, or rotting and cannot be saved by reasonable treatment or pruning, or must be removed to prevent the spread of a disease/pest that would cause catastrophic decline in tree health and failure.

8.15.030 Proceedings – Resolution.

Whenever a condition violating EMC 8.15.020 exists upon property located within the city, the city council may initiate proceedings against the landowner by resolution, passage of which shall not occur until at least five days' written notice has been provided to the landowner. The resolution shall describe the subject property and the hazardous condition(s), and shall require the landowner to remove or destroy the same by the deadline established

therein, which shall be no less than 10 days from the date of passage of the resolution. A copy of the resolution shall be provided to the landowner following passage.

8.15.040 Completion of work by city.

If the landowner fails to remove or destroy the dangerous condition(s) identified in the city council resolution by the deadline established thereby, the city may cause the removal or destruction of such condition(s).

8.15.050 Cost recovery – Lien.

The costs incurred by the city under this chapter shall become a charge to the landowner and a lien against the subject property. Notice of such lien shall be in substantially the same form, filed with the same officer, and within the same time and manner, and enforced and foreclosed as provided by law for liens for labor and materials.

8.15.060 Remedies nonexclusive.

The provisions of this chapter are nonexclusive, cumulative, and without prejudice to any other remedy, penalty, and/or procedure available to the city with respect to the subject matter hereof. Violations of this chapter are also subject to enforcement and penalties as set forth in EMC Title 7, Code Enforcement.

18.90.180 Tree preservation.

A. Purpose. The purpose of this section is to establish the significant tree preservation requirements necessary when conducting any development or development activity within the city of Edgewood. Specifically, the regulations contained in this section are intended to accomplish the following 10 goals and objectives:

1. Promote the public health, safety and general welfare of the residents of Edgewood;
2. Implement the purposes of the State Growth Management Act relating to conservation of natural resources;
3. Support and implement the city of Edgewood's Comprehensive Plan, specifically the natural environment, land use, and community character elements;
4. Implement the goals of the State Environmental Policy Act (SEPA);
5. Improve the aesthetic quality of the built environment by reducing impacts on critical areas and the natural environment;
6. Minimize erosion, siltation, water pollution, and surface and ground water runoff by the preservation of significant trees;
7. Provide for the reasonable development of property, reasonable preservation or enhancement of property values, and for increases in privacy for residential sites;
8. Promote building and site planning practices that are consistent with the city's natural topography, soils, and vegetation features;
9. Provide an appropriate amount and quality of tree retention related to future land uses; and
10. Provide for increased areas of permeable surfaces that allow for infiltration of surface water into ground water resources, reduction in the quantity of storm water discharge, and improvement in the quality of storm water discharge.

B. Applicability. In addition to the requirements under Title 14, Critical Areas, the preservation of certain trees is required as follows:~~for any development or development activity.~~

1. Unless otherwise specified in this subsection, the tree preservation requirements contained in this section are applicable to any development or development activity in all zoning districts and shall be provided in accordance with each individual zoning district and the provisions of this section. In the event a permit is not required for the establishment of a use, the standards of this section still apply.
2. Existing residential uses on a lot of record development or single-family residences that is no greater than 0.5 acres in area comply with current EMC 18.80-.040(C)(1) minimum and maximum densities are exempt from this section.
3. Trees that constitute a fire hazard or a menace to public health, safety or welfare as determined under EMC Chapter 8.15 are exempt from this section.
4. Any tree otherwise designated for preservation under a prior tree preservation action may not be removed, unless the tree is deemed hazardous by a qualified tree professional due to natural causes and not by adjacent development activity or other human causes. In this instance, replacement is required at a 1:1 tree ratio, not diameter-inches.
5. The following tree species are exempt from this section:
 - a. Black Cottonwood (Populus trichocarpa)
 - b. Red Alder (Alnus rubra)

c. Poplar (Populus)

d. Non-native **and** invasive tree species to the Puget Sound Region¹, including but may not be limited to:

1. English (or cherry) laurel (Prunus laurocerasus);
2. English holly (Ilex aquifolium);
3. European hawthorn or one-seed hawthorn (Crataegus monogyna);
4. European mountain ash (Sorbus aucuparia);
5. Portugal laurel (Prunus lusitanica);
6. Horse chestnut (Aesculus hippocastanum);
7. Other tree species identified by a qualified tree professional that are non-native **and** invasive to the Puget Sound Region

6. Emergency Removal. Any number of hazardous protected and nonprotected trees may be removed under emergency conditions. Emergency conditions include immediate danger to life or dwellings or similar stationary and valuable property, including the presence of a target. Emergency removal may occur without permit approval if all the following conditions are met:

- a. The City is notified the following business day of the unpermitted action;
- b. Visual documentation (i.e., photographs, video, etc.) is provided to the city; and
- c. The felled tree remains on site for City inspection.
- d. Should the City determine that the tree(s) did not pose an emergency condition, the owner shall be cited for a violation of the terms of this section.

C. Process and Standards. Review and approval for any significant tree removal(s) shall be conducted with the underlying development permit application. If no other development permit is required, a Tree Removal Permit must be obtained.

1. Tree Preservation Requirements. Any development or development activity shall retain and replace significant trees in accordance with the following requirements:

- a. Perimeter Trees. All significant trees within 15 feet of the lot perimeter shall be preserved.
 - i. At the discretion of the community development director or designee, significant trees may be removed for required site access, buildings, roads, utilities, sidewalks, trails, or storm drainage improvements.

~~ii.~~ Any removed tree must be replaced in accordance with subsection (C)(4) of this section.

- b. Interior Trees. A percentage of all significant trees within the interior of a lot, ~~exclusive of the significant trees already required to remain per subsection (C)(1)(a) of this section~~ excluding Perimeter Trees, shall be retained as required per the following standards:

- i. In single-family residential zoning districts, mixed residential zoning districts, and the public zoning district, 50 percent of the significant trees located within the interior landscaping area of the lot, ~~or individual lots in the case of residential subdivisions~~, shall be retained.

- ii. In the industrial zoning district, 10 percent of the significant trees located within the interior landscaping area of the lot, ~~or individual lots in the case of subdivisions~~, shall be retained.

¹ Resources included for Planning Commission review only):

- <https://www.seattle.gov/trees/restoration/homes>
- https://www.earthcorps.org/ftp/ECScience/Resources/Fact_Sheets/Invasive_Native_Trees_arial.pdf

iii. In the town center, commercial, mixed use residential, and business park zoning districts, 10 percent of the significant trees located within the interior landscaping area of the lot, ~~or individual lots in the case of subdivisions~~, shall be retained. In addition, EMC 18.80.080(G)(8), Tree Preservation and Protection Standards, applies to any development or development activity in these zones².

iv. At the discretion of the community development director or designee, interior significant trees may be removed in excess of the above percentages for required site access, roads, utilities, sidewalks, or trails. Any tree removed under this subsection must be replaced in accordance with subsection (C)(4) of this section.

2. Tree Retention Plan. A tree retention plan shall be submitted to the city for any development or development activity. The plans shall be submitted with the required project permit and shall be prepared in accordance with the requirements outlined in this subsection.

a. Tree Survey. The tree retention plan shall include a tree survey that identifies all significant trees on the subject site.

i. The tree survey shall be performed by a qualified tree professional.

ii. While sampling may be used to perform the overall tree inventory, the survey must show the location, number, size, height, species, and condition of each significant tree.

iii. If physical conditions do not warrant the identification of each significant tree, then the sampling results of the plot with the highest number of significant tree diameter inches shall be used as the representative sample.

iv. Inventory sampling shall be performed in accordance with the following plot to acre ratios.

Acres	Minimum number of plots
10 or less	3
11–20	6
21–40	10
41–150	15
>150	1 plot/10 acres

b. Identification of Significant Trees. The tree retention plan shall identify each significant tree that is proposed to be retained, designated to be removed, or requested to qualify for the interior significant tree retention incentive.

c. ~~Interior~~-Significant Interior Tree Retention Incentive. Significant ~~Interior~~ Interior Trees that are retained ~~and located outside of the perimeter area, as prescribed in subsection (C)(1)(a) of this section,~~ may be credited as two trees for complying with the retention requirements in subsection (C)(1) of this section, provided it meets ~~one or more of~~ the following criteria:

i. The tree exceeds 60 feet in height, or 24 inches in diameter for evergreen trees, or 30 inches in diameter for deciduous trees; and

² Note to Planning Commission and Staff: Still need to consider revising the referenced section, or simply repealing the reference and inserting / simplifying here. Currently it does not provide any facilitation guidance, conditions, or allow staff to optimize compliance review. Staff believe this leaves the City vulnerable to bias when weighing design goals vs. public comments/concerns (i.e. requires too much analysis and documentation for staff decision).

- 1 ii. The tree is located in a grouping of ~~two or more~~at least five other significant trees with canopies that
2 touch or overlap, determined to be viable for retention by a qualified tree professional, and the
3 grouping does not intersect existing or proposed lot boundaries.;
- 4 iii. ~~The tree provides energy savings, through wind protection or summer shading, as a result of its~~
5 ~~location relative to buildings;~~
- 6 iv. ~~The tree belongs to a unique or unusual species;~~
- 7 v. ~~The tree is located within 25 feet of any critical area or required critical area buffers; or~~
- 8 vi. ~~The tree is 18 inches in diameter or greater and is identified as providing wildlife habitat.~~
- 9 iiiiv. If a tree using this incentive dies or is removed, replacement for such tree shall be provided in
10 accordance with (C)(4) of this section. If the tree died as a result of construction, improper tree
11 protection, lack of maintenance, or negligence, then the tree must be replaced at the standard
12 replacement rate without this incentive benefit.
- 13 d. Tree Protection Techniques. The tree retention plan shall demonstrate the tree protection techniques
14 intended to be utilized during land alteration and construction in order to provide for the continual healthy
15 life of retained significant trees. The proposed tree protection techniques will be reviewed by the city to
16 ensure compliance with the provisions of this section.
- 17 e. If any significant tree that has been specifically designated to be retained in the tree preservation plan
18 dies within ~~three~~five years of the development of the site, and a qualified tree professional determines it
19 has died due to unnatural causes, then the significant tree shall be replaced with new tree diameter-inches
20 at a rate of 3:1.
- 21 3. Tree Protection Measures. Tree protection measures have been established to reduce the impacts of
22 development action on existing significant trees. The protection measures are as follows:
- 23 a. If a tree retention, landscape plan, or both are required, no clearing shall be allowed on site until
24 approval of each such plan.
- 25 b. An area free of disturbance, corresponding to the dripline of the significant tree's canopy shall be
26 identified and protected during the construction stage with a temporary three-foot-high chainlink or plastic
27 net fence. Fencing shall be in place prior to any site disturbing and construction related activity. No
28 impervious surfaces, fill, excavation, storage of construction materials, operations or parking of vehicles
29 shall be permitted within the area defined by such fencing. For trees 20 DBH inches or more, tree
30 protection fencing shall be provided corresponding to the protection zone diameter, meaning that a 20
31 DBH inch tree requires a 20 foot diameter protection, including the trunk.
- 32 c. The Director or Designee may approve use of alternate tree protection techniques if the trees will be
33 protected to an equal or greater degree than by the techniques listed above. Alternative techniques must be
34 approved by a registered landscape architect, certified nursery professional or certified arborist, with
35 review and concurrence by the City.
- 36 d. Tree Topping is prohibited.
- 37 4. Tree Replacement. Any ~~removed~~significant tree removed that is otherwise required to be retained, subject to
38 this section; shall be replaced in accordance with the following standards.
- 39 a. On-Site Replacement
- 40 ia. Significant trees shall be replaced at a rate of 1.5 times to one (1.5:1) of the total tree diameter
41 inches of all the significant trees that were removed.

ii~~b~~. Replacement trees shall be no smaller than two inches DBH for deciduous trees and seven feet in height for evergreen trees.

iii~~e~~. Preserved healthy trees, which are not designated as at-risk on a tree risk assessment, between two and 12 inches in tree diameter, may be counted towards the on-site 1.5:1 replacement requirement by subtracting their respective DBH inches from the total replacement count.

iv~~d~~. Replacement trees shall be native to Washington State and shall be classified as noninvasive species.

v~~e~~. Tree replacement plans shall be prepared by a qualified tree professional.

b. Off-Site Replacement

i. Payment in lieu of replacement may be made to the City for planting of trees in other areas of the City. The payment of an amount equivalent to the estimated cost of buying and planting the trees that would otherwise have been required to be planted on site, as determined by the City's fee schedule. Payment in lieu of planting trees on site shall be made at the time of the issuance of any building permit for the property or completion of the project permit requiring the tree replacement, whichever occurs first. This option will be available once the City creates a tree fund and approves tree replacement fee in the City's fee schedule.

D. Determining Significant Trees.

1. To be identified as a significant tree, an existing tree must meet at least one of the following criteria:

- a. When measured at breast height, must have a minimum diameter of 12 inches;
- b. The community development director or designee designated the tree as significant due to any one of the following:
 - i. The uniqueness of the tree species;
 - ii. The tree is not a hazardous tree and provides important wildlife habitat; or
 - iii. The tree's unique historical, ecological, or aesthetic value constitutes an important community resource.

2. Trees will not be considered "significant" if a tree risk assessment or arborist report/memo from a qualified tree professional determines, and the community development director or designee reviews and concurs, that the tree is at risk or hazardous due to a structural defect, combination of defects, ~~or~~ disease, or otherwise poses a threat to a structure, roadway, utility facility, or human health, safety or welfare if toppled.

~~a. Regardless of tree health, a tree may also be determined as a safety hazard in a tree risk assessment if the tree poses a threat to human health or may cause damage to a structure, roadway, or utility facility if toppled.~~

~~b. Hazardous trees that are not considered significant may be removed following the review and concurrence of the tree risk assessment by the community development director or designee.~~

~~c. To undertake a tree risk assessment, a qualified tree professional must be tree risk assessment qualified (TRAQ), as established by the International Society of Arboriculture (ISA).~~

E. Critical Areas Regulations.

~~1. All trees within a critical area, critical area buffer, or open space tract shall be retained.~~

- 1 ~~2. Trees specifically indicated in a discretionary land use permit or tree removal permit may be exempted from~~
2 ~~the requirement to be retained, subject to the provisions of EMC Title 14 and tree replacement requirements.~~
- 3 ~~F~~-State Environmental Policy Act Requirements. Additional or specific tree retention may be required as SEPA
4 mitigation in addition to the requirements of this section.

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